

**Minutes**  
**Indian Camp Ranch Homeowners Association**  
**Annual Meeting**  
**December 9, 2017**

The meeting was called to order at 10:00 am.

**Roll Call:**

**Present:** Mary Hanson, Tom Wolf, Jane Dillard, Mike Kistler, Warren Lowe, Fred & Laura Watson, Curt Mangan, Peggy Tennyson, Debbie Fish, Dick & Cynthia Sadler, Dick & Arleen Blake, Russ Sweezey, Lee Bergman, Steve & Julie Roger, Hal & Agatha Shepherd, John Pearsall, Jim Farrier, Porter Stone

**Absent:** Sue Anschutz-Rodgers, Scott & Jodi Bryan, Robert & Diane Greenlee, Peter Stone & Marjorie Myers, Jerry & Lisa Mueller, Sylvia Lowe, James & Kate North, Jerry & Tammy Smith, Karen Kristin, LeeAnn Pearsall, Ginny Kistler, Nancy Mangan, Melinda Burdette, Michele Farrier, Leslie Masson

Fred Watson welcomed all homeowners and wished everyone happy holidays. He requested that we keep the meeting civil by letting people talk without interruption and to limit comments to 2 minutes. Fred thanked Warren and Russ for their work on the CC&R rewrite.

**Approval of the Agenda**

The agenda was approved as posted

**Minutes of the Previous Meeting:**

The minutes of the 2016 Annual Meeting were presented in written form and have been posted on the website over the past year. They were not read out loud. **Motion to accept as presented made by Porter Stone/ second Mary Hanson. Accepted unanimously.**

**Treasurer's Report:**

Russ Sweezey distributed the third quarter report. Our expenses are much more than budgeted for the year mostly due to approximately \$20,000 total spent on grading the roads and adding gravel to all roads, which hadn't been done for several years. Another budget overage is due to equipment use. Russ commented that this has been the learning year for equipment use costs. Since this was the first year, we had no idea how much it might actually total by the end of the year. We will be better able to budget our expenses for equipment use for next year and beyond based on this year's total. No other expense item was way out of line with the budget. Our total assets are \$28,622.12, but that will increase once the December assessments are paid.

The amounts left over in everyone's individual snow accounts were also included within the report. Russ indicated that the driveway snowplowing forms were in the envelopes with the assessment notices and invoices.

**A motion by Laura Watson to accept the Treasurer's report was seconded by Tom Wolf and approved unanimously.**

### **Ranch Manager's Report:**

Dick Blake reported for Rick Duran. Weed control expenses were down this year because of spraying rather than pulling. We contracted with Southwest Weeds to do the weed spraying this year. We are able to get back a 50% reimbursement for the weed spraying chemicals used.

Will Sanchez Excavation graded all of the roads and then we had four and a half miles of roads covered by gravel and smoothed by Rick Duran. It's a ¾ inch road base that was used. Dragging has ended for now because of the lack of precipitation. When the roads are wet by either rain or snow, Rick will drag the road again to help work the gravel into the road base.

Driveway snow plowing is done by Rick during the winter, the cost is \$25 per plow, and \$150 should be paid in advance for 6 driveway plows. If there are less than 6 plows needed during the winter, the leftover amount is left in your account for the next year. The propane company has told us that if your driveway is not plowed, their truck will not attempt to go up your driveway.

Al Heaton has plowed all of the fields and planted new seed in some places, and will rely on a volunteer crop in the rest of the fields. His lease allows cattle to be on the property during the spring and early summer. He may also decide to not bring cattle and harvest the wheat crop for sale depending on the quality of the winter wheat crop. This allows each lot to be eligible for an agriculture property tax classification.

### **Old or Continuing Business:**

Russ outlined a few examples of how we need to change some of the provisions in the Bylaws. We had the current Bylaws reviewed by Hindman/Sanchez at the same time they reviewed our existing CC&Rs, and they outlined several provisions in the Bylaws that were no longer in total compliance with current Colorado HOA laws. It is very common for an association to revise both documents at the same time. The plan is to work on a revision of the Bylaws in 2018.

### **Potential security issues on Indian Camp Ranch**

Several members related stories of security breaches on their properties. Dick Blake suggested that the HOA consider installing electric security gates at the entrances. He and Fred have done some research and were unable to locate a contractor in southwest Colorado that would give us a bid. The question of emergency vehicles having access to the ranch was discussed, and the comment was made that they would be able to override the gate combination to gain entrance to the ranch.

Jim Farrier gave a different view of what the gate might do to outsider's perception of ICR. Further research will be done to determine if this is what the majority on the ranch would like to see.

Jane Dillard requested status of the Black property entrance. No one has seen anyone there for a long time.

### **Discussion of the Proposed Amended and Restated Declaration of Protective Restrictions of Indian Camp Ranch Homeowners Association (CC&R's)**

Fred introduced the discussion by going over the issues that had to be addressed to bring the CC&R's up to code. Some of the issues are replacing the Declarant and clearing up the language concerning trailers on properties and rentals. We also added a ban of growing marijuana for commercial use, and banning motorized vehicles on the easements.

Since the revision needs to be distributed no less than 10 days prior to any vote (the documents was emailed to everyone on December 7<sup>th</sup>), Warren stated that a special meeting will be planned and held in the New Year to discuss and vote on the new CC&R's. The law firm of Hindman/Sanchez, who specialize in reviewing and re-writing HOA declarations to ensure compliance with existing Colorado HOA law, did the rewrite on the CC&R's with input from the CC&R committee.

Debbie Fish from Crow Canyon commented that the property they own on the ranch is for use by visiting scholars. The visitors do sometimes pay to stay on the property, and Crow Canyon does advertise their services. She asked how Crow Canyon could get a waiver from the new rental language if the revision passes. Fred asked Debbie to draft a request for a waiver and send it to the board for review.

Jane Dillard referred to Section 3 Article e having to do with archaeological sites. Jane believed that some language might need to be changed or added. Jane would like to see the language changed to something like "a certified archaeologist who is on the Register of Professional Archaeologists".

Porter commented that he thought the new CC&R's were way too long. He also said that he believed some HOA members are currently in violation of the new CC&R's. Other members commented that they do not agree with Porter's ideas, specifically about rentals.

Dick Sadler questioned the finality of the language for rentals. He stated that there are many different types of rentals. What about renting to family members?

Jim Farrier commented on a past experience with HOA's and rentals. He stated that it is difficult to address all issues. He thought there might be more middle ground on the language.

Dick Blake stated that there are provisions in the new CC&R's for hardships. Jim proposed having standard provisions for exemptions, thus it would give the Board a basis to work from and would not change if the Board changes.

Warren commented that another comment concerns livestock. For example, Lisa does not want to have a neighbor with hogs or roosters.

Curt commented concerning easements and rights of way. He asked about bridle trails. Warren said that we don't have equipment to maintain bridle trails, and the cost is prohibitive for all the members. Russ explained that there is an existing easement for bridle trails that is in Montezuma County records, so they will remain. Fred noted that the revised CC&Rs do not remove bridle trails, just recognize that there will be no maintenance because of cost and liability.

Warren moved that there will be a meeting on February 10, 2018 to discuss the final version and vote on the revised CC&R's. He also asked anyone that had any additional comments on the revised CC&Rs to email them to him so that they would be considered in any changes that might be made prior to the February meeting. Julie seconded. Motion passed.

## **New Business:**

### **Election of Board Members**

The terms of three members of the board, Warren Lowe, Dick Blake, and Russ Sweezey expire this year. Peggy Tennyson, Board Secretary tendered her resignation, thus opening an additional position on the Board. Proxy assignments were posted on a whiteboard as was the slate of candidates for the four open positions: Warren Lowe, Russ Sweezey, Dick Blake, Dick Sadler, Hal Shepherd, and Tom Wolf. After a discussion of several voting options, it was determined that the vote would be held for all four positions at the same time, and that the persons with the

three highest vote totals would be elected to new two-year terms and the person receiving the fourth highest vote total would complete the final year of Peggy's term.

Warren, Russ, and Dick Blake were each re-elected to another two-year term, and Tom Wolf was selected to complete the final year of Peggy's term.

**Adjourn:**

The motion to adjourn by Dick Blake was seconded by Julie and was unanimously approved.

The business meeting was adjourned at 12:30 pm.