

RETREAT LANDOWNERS ASSOCIATION
Board of Directors Meeting – September 17, 2011 @ 9:00am
Mary Nolan's Residence – Elkridge Drive

Attending: Mary Nolan, Dick Boggs, Marv Gee, Kent Miles, Danny Perugini, Peter Sinnott

Also Attending: Peggy and Vernon Burch, Joe and Dianne Lavaux, John Nolan, Peg Sloan, Duke Sumonia

An executive session of the RLA Board was held immediately preceding this 9:00am Board meeting regarding the pending lawsuit.

Peter Sinnott called the meeting to order and the agenda was adopted with amendments. Peter requested the minutes note that Marv Gee was appointed by the Board to fill the term vacated by Claud Alkire. Also, subsequent to the Annual Meeting, Mary Nolan and Kent Mills were appointed by the Board of Directors to fill the other two vacant Board member terms until the next Annual Meeting to resolve any possible issues concerning election procedures that occurred at the Annual Meeting.

It was moved, seconded and carried that the June 11, 2011 Board of Directors meeting minutes be approved with the following amendment to Article 3 under Bylaws of Old Business: The statement saying the matter was tabled be amended to say, "The Board voted not to accept the recommendation."

It was moved, seconded and carried that the July 16, 2011 Annual Meeting minutes be approved with the addition of a statement that 61 members attended and 33 proxies were represented.

The following were nominated and unanimously elected to office for 2011-12:

President - Mary Nolan Vice President - Peter Sinnott
Secretary - Amanda Gordon Treasurer - Danny Perugini

Board member comments included President Mary Nolan reporting on correspondence recently received and submitting a written summary of contacts, correspondence and activities since June 18th. She also submitted a written President's Message, both of which are attached to these minutes.

REPORTS:

Treasurer - Written financial reports were submitted by Hobert Office Services. The checking account balance was \$3,061.58 and the money market account balance was \$45,481.27 as of September 15, 2011. Five assessments for 2010 and seventeen assessments for 2011 have not been paid. Three properties have sold since June 10, 2011. It was moved seconded and carried that the report be approved as submitted.

Architectural Control Committee – Dennis Bicknell's report dated September 16, 2011 was read which stated an application for a cabin was approved for the Hillmans at 755 Bulwark Ridge Drive.

Roads – Dick Boggs reported that 560 tons of recycled asphalt was applied to .6 miles of Copper Hill Road and that 11 RLA members volunteered their time which helped the project be completed within three days. Nonmembers are dumping slash in the RLA slash pile which is costing the Association more money. The Board asked Dick to research the cost of installing a gate to prevent this. The Board commended Dick Boggs and Rich Gilmore for the exceptional job they are doing!

Environmental/Forest Preservation – Peggy Burch reviewed her written report dated September 17, 2011 which included information on needle cast disease, aphids, grasshoppers, and mountain pine beetle preventative sprays. The report recommended

that homeowners avoid cutting and trimming trees until later this year in case fresh sap attracts beetles.

Peter Sinnott attended a Forest Service meeting regarding fuel mitigation proposed for the Cedar Park area which does not directly affect The Retreat. The Forest Service plans to start fuel mitigation in the Glen Haven area in 2015. The fire mitigation plan approved for the Glen Haven area is available through the GHAVFD.

The National Park Service fire management plan for Rocky Mountain National Park will be discussed at community meetings in the near future. Marv Gee has agreed to attend and report at the next Board meeting.

Website – A written report dated September 9, 2011 was received from Amanda Gordon which discussed proposed additions and updates. The question was raised whether or not access to the website should be limited to members only as some information should not be readily available to the general public. Danny Perugini agreed to discuss this with Mandy and report at the next Board meeting.

Newsletter – No report.

OLD BUSINESS:

Bylaw Amendments – The Bylaw Amendments will be signed by all Board members with the President and Secretary testifying and applying the Association seal.

Arbitration Panel – This matter was tabled.

Policy on Proxies – This matter was defeated at the June Board meeting.

Lorenz vs. RLA Lawsuit – A new sign has been posted on the Lorenz property and a three page letter has been distributed to many RLA members. The lawsuit is advancing and further information will be passed onto the RLA members when the attorneys representing the RLA approve of its release.

NEW BUSINESS:

Colorado Corporation Report – The annual periodic report will be referred to Hobert Office Services.

Call Tree – This matter was tabled.

Meeting Standing Rules – This will be tabled until the spring Board meeting.

Easement on RLA Land – A letter was received from N. VanButsel stating that he may need an easement on RLA for his septic system. There are several conditions he must meet first so the matter was put on hold until the other matters are settled.

Budget Meeting – This meeting is scheduled for 9:00am on October 15, 2011 at Danny Perugini's residence.

Board Meetings – Board meetings are scheduled as follows:

December 10, 2011 @ 9:00 am at Peter Sinnott's residence

March 17, 2012 @ 9:00 am at Mary Nolan's residence

June 16, 2012 @ 9:00 am at Mary Nolan's residence

Legal Counsel Review – Marv Gee and Kent Miles agreed to research attorneys with regard to handling RLA general purpose matters.

Landowners' Comments – Duke Sumonia announced that the next Glen Haven Historical Society meeting is September 20th at 7:00pm and that annual membership dues are only \$10.

Meeting adjourned at 10:15 am.

Joan Van Horn, Meeting Recording Secretary

President's Message

In the past, I have been asked four times by the Mr. and Mrs. McCoy why the RLA Board (I) do not believe the judge's decision in the McCoy/Cross lawsuit pertains to the Retreat. To this, I have always given the standard answer - that it was between two parties.

At the Annual Meeting, Ann Martin read and submitted a letter asking the RLA Board to acknowledge the judge's ruling and its effect on the entire RLA community.

Since the previous answer(s) have not been accepted, I will try once again to state our/my position. My answer, here and now, will not touch on the particulars of the McCoy/Cross case or what I think of the unethical way that it was presented before the court. I am not an attorney and, therefore, will not cite Colorado law, which would support my answer, or speak or write in legalese.

The judge's finding in the McCoy/Cross lawsuit was between two parties – the McCoy's and the Cross's. No one on the board ever knew of this lawsuit until after the judge ruled; and except for a chosen few, no members of the Retreat ever knew of the lawsuit.

How is that fair or equitable to all members of the Retreat Landowners Association? As a member, was your side or thoughts on this matter heard?

Simply put, the Colorado law of joinder says that if an issue is brought before a court by two parties and that issue affects or implicates the interests of all members/parties, then all members/parties are indispensable parties and should have the opportunity to voice their position before the Court rules on the issue.

All members should have been joined because the McCoy's and Cross's cannot adequately represent my interests or that of any other member. If I agree or believe the judge's ruling to be valid without the chance of being heard, then I have basically given up my right and the rights of all members to protect their interest in the Retreat and this I will not do.

As pertains to the rest of the Martin/Tuttle letter, the RLA is a valid association and will continue to act as such, in accordance with our declaration (which consists of our Articles of Incorporation, our ByLaws, our Plat, and our covenants that were filed contemporaneously with the Plat) until a Court, after considering all of the details and members opinions, rules otherwise.

I am glad that Ms. Martin would want all members to be involved in and aware of any future changes to our Association. There can, however, never be a "time limit" of January 2011 imposed on any action that would greatly affect the entire membership as her letter wants, as this would once again invalidate your right to protect your interests.

Mary A. Nolan
For the Board of Directors

- 18 June Email from Duke Sumonia re the Annual Packet that was mailed to members and omissions/differences as to New Business, Standing Rules, Review vs. Audit, Proxy Form, Arbitration Panel, and my biography.
- 25 June Phone call from Ernie Conrad re signage on Ms. Lorenz's property
- 27 June Email from Guy and Victoria McCoy re Larimer County District Court Order and that the RLA Board refuses to answer their questions to their satisfaction. Similar questions submitted and answered on 20 June, 17 June, 10 June.
- 28 June Email from Duke Sumonia requesting Membership List, Eligible to Vote at the Annual Meeting
- 30 June Email to RLA Newsletter Editor from Duke Sumonia citing omission of his Written Landowner Comments to the June minutes
- 30 June Email from Becky Lorenz re RLA President's repetitive and evasive statements regarding her lawsuit
- 20 July Phone call from Mr. Avery asking for recap of assessments since 1978.
- 31 July Email from Duke Sumonia re Executive Meeting held on 15 June
- 3 Aug Letter to David Graf from Mr Zier, attorney, re Covenants
- 15 Aug Commercial Insurance Policy Class Action Settlement — no action required; and Grant flier regarding preserving open spaces — no action required.
- 15 Aug Letter from Bradley Stephens re: 390 Fisherman's Lane — Letter answered by Dennis ACC
- 22 Aug Email from Don and Ann Martin noting that their written statement was not included in the Annual Meeting minutes.
- 25 Aug Email on 25 Aug and copy rec'd in the mail on 26 Aug from the McCoy's complaining about a party to be held by Frances Cunningham on 27 Aug
- 26 Aug Email from McCoy's re: party Frances Cunningham was to hold.
- 1 Sep Privacy Disclosure from 1st Nat'l Bank — filed with safe deposit box info
- 1 Sep Letter from Forest Service re meeting on 14 Sep Pete to attend
- 4 Sep Letter from AAC re: easement onto common area by Mr. Stephens

10 Sep Phone call from Judith on Elkridge Dr, re: construction equipment on lot
 across from hers, she is tired of seeing it.

Executive Sessions:

16 July — Review agenda for Annual Meeting 13

Aug — Lawsuit — Documents and Witnesses

17 Sep - Lawsuit