



RETREAT LANDOWNERS ASSOCIATION, INC.

MINUTES
THE TWENTIETH ANNUAL MEETING
JULY 27, 1991
THE GLEN HAVEN COMMUNITY BUILDING

The meeting was called to order by President Graham Fowler. The Board of Directors introduced themselves, at which time Graham thanked Hugh Beckham for his work on the Board the last three years. The Landowners introduced themselves, giving their home addresses as well as their Retreat addresses. There were forty-five landowner units present. A total of eight proxies were distributed.

SECRETARY'S REPORT

Tom Bennett moved, Ron Tate seconded, to accept the minutes of the July 28, 1990 Annual Meeting. Passed.

PRESIDENT'S REMARKS

Graham explained about the new directories, the aerial photographs of the Retreat, the house tour and hikes planned for Sunday afternoon, the successful wine and cheese party held Friday night, and the star-gazing session following the party. The chairmen of the various committees involved in the activities made announcements concerning times and places of departure.

Graham thanked Dick Weinmeister for his unselfish devotion to the Retreat, the repair and upkeep of the road equipment since moving here full time, and to the maintenance of the roads. There was applause.

Explaining that the Retreat is financially sound at the moment, he noted that we will need to replace the grader in the future, since it is a 1949 vintage, and cannot last much longer.

The Retreat has obtained new attorneys, Ed and Deborah Guiducci. The Board is very impressed with their work and feels they are pushing us in the right direction. Their specialty is Landowners Associations.

Graham said that the Board has been busy the last year. He showed pictures of damage to a grove of aspen done by beavers, and explained that they were relocated by DOW personnel after the spring thaw. Because of the fire danger, Graham cautioned the membership to be certain to douse their cigarettes, when smoking. He told of an incident on Miller Fork Trail where non-Retreat people had built a fire against a live tree, had left, and the fire was still burning. The GHAVFD was called, the fire extinguished, and the license plate number given to the authorities. He mentioned that the Pine Beetle is coming back, and that more and more Ponderosas are being killed. They are "like matchsticks waiting to go off", and Graham asked that all be careful with fires.

Miller Fork has been stocked, but not with as many fish as previously. The word is not being passed around, because too many outsiders are coming in to fish our fish! Graham showed several sticks which were cut down from private property, and used to club, spear and harass the trout. Later these same people were seen using CO2 pellet guns, trying to shoot the fish. These people were guests of Retreat members who had let them use their cabin. The sheriff was called, and the people dealt with. Incidents of theft about the same time happened also. Graham said members of the Retreat have been seen along the stream with buckets, where they have fished, filled the buckets and come back for more. He asked that the members be neighborly and limit their catch to two or three, in order to leave some for other Retreat members. He said that it is imperative that everyone have stickers, so that the Board can be sure it is members who are fishing. Cathy Hubertt added that if we sell our cars, to be sure to remove the Retreat sticker. Graham reiterated that we question those who are fishing without Retreat identification.

President's Remarks, Continued

He encouraged the membership to clean up after themselves. He said that along the stream a lot of beer cans, cigarette butts, construction debris, seem to collect. Many who have land in this area are always picking up this trash. Graham asked that we teach our children about the trash, and that we watch out for our neighbors and their property, helping to keep the Retreat as pristine and uncorrupted as possible. He said this latest incident of spearing fish has made many more people aware, and asked that if you hear or see something happening that is questionable, check it out. Steve Little noted that there is a problem of people shooting shotguns in the Retreat. This should not be done. Graham asked that we respect each other's privacy, giving an example of a horse which had gone across his land and demolished many of his newly planted young trees.

Questioned whether Bulwark Ridge Association members have stickers, Graham answered that they probably don't. He suggested that if one sees campers in strange places, to get their names so it can be verified if they are on their own land or not. He added that our attorneys have issued an opinion that the agreement we have with Bulwark Ridge is that they have full rights and privileges as the RLA members do.

Summarizing, Graham said there is a lot of behind-the-scenes work that the Board does, going to conferences to help run the Association more smoothly, meet with attorneys, remove beaver, work on the By-laws. He said that the tabled item from last year, concerning paying assessments on a second lot on which a second home was built, owned by the same RLA member would be brought up later in the meeting. The attorneys included this in Article XII, Section 1, in the first draft of the By-laws. Graham explained why the Board supported this concept. Additional revenues have been collected from transfer fees.

An Environmental Control Chairman is still needed, and Graham asked for volunteers. This includes Beetle trees, and trout stocking, among other responsibilities. Graham said that along with the Road Committee, this is one of the most important committees we have.

TREASURER'S REPORT

MaryLouise Widmair explained the treasurer's reports which had been handed out at the beginning of the meeting. These included the Statement of Cash Receipts and Cash Disbursements for the yearending December 31, 1990. This statement reports a total cash receipts of \$22,113.24, and a total disbursements of \$18,114.80. Comparison on another sheet showed the 1990 actual amounts to the budgeted amounts. Another sheet showed the 1991 Year-to-Date receipts and disbursements, as of July 19, 1991. The receipts have exceeded the expenses by \$12,309.72 YTD; the cash balance is \$27,163.79.

Graham explained that at the last Annual Meeting the Board asked the membership to raise the assessment cap to \$150, so there could be flexibility, but that everything would be done to keep it as low as possible. He noted that several things had been done to cut corners, such as removing the phone at Firehouse #2 (\$800 saving) and stocking less trout. The insurance rates are lowered, transfer fees are being collected, and so far the new attorneys' fees and costs are lower. Much of spent money has been recouped. There are only three unpaid assessments this year. A surplus of \$4,000 at the end of the year was split into a new Reserve Account for Equipment Replacement, Road Maintenance, and the General Contingency Fund. MaryLouise explained that \$1,500 had been allocated to Equipment Replacement, which added to the budgeted \$1,000, made a total of \$2,500. The \$1,500 added to Road Maintenance brought that total to \$7,500. Graham said that though the Road Maintenance budget showed only \$2,067.91 spent so far, there was an expense of almost \$5,000 in the last month. The Board wants to keep around \$1,000 in the Road Maintenance budget for snow removal. He explained that there are a couple of bad areas that the Road Committee wants to finish up this year, and they may have to transfer some monies to take care of the problems. A spot on Miller Fork Road had slipped, which covered the culver opening. It was too deep to have a backhoe try to clear it, but Rock Tallman and Jim Boyd placed a 12-foot extension of the culvert there, which seems to have taken care of the problem.

Treasurer's Report, Continued

Asked about the difference in the July 19th report and the present explanation of a \$5,000 difference, MaryLouise said the bill was presented at the morning Board Meeting. The bill for trout stocking is also not shown, for the same reason.

Bill Niles moved, Cathy Hubert seconded to accept the treasurer's report. Passed.

ACC

Steve Little reported that there haven't been many large projects such as building cabins, but there have been additions to existing cabins, and smaller projects such as garages, satellite dish placements and driveways.

He said that on the advice of our new attorneys, the ACC and Board are more strict in enforcing the Covenants as written. He noted that if the Covenants are not enforced there will be problems if the RLA has to go to Court. He said they are trying to be very specific in enforcing the Covenants. The ACC is concerned with structures, meaning anything that is built, such as cabin, additions to cabins, remodeling, sheds, platforms for tents, driveways, cabin sites, fences. He urged the membership to inform the ACC of any activity on their land, that there are forms which he will send when requested. He said the ACC must be aware of the actions in the Retreat, as they are trying to keep the Retreat as pristine and tasteful as possible. He said the ACC has an advisory role in helping to place structures, and that the experiences the members of the ACC have, can be very helpful to those who are contemplating any work on their land. Marlan McMahan added that it really could save people some expensive mistakes by contacting the ACC before doing anything, as they have the experiences of working through other's problems and experiences.

Steve has revised the ACC files, and said that it could be interesting and helpful for new owners to see what had happened on their land previously. He said that there are close to 100 cabins in the Retreat.

ROADS

Graham said that though the members had recognized Dick Weinmeister, he felt that Rock Tallman and Jim Boyd, who have been out in the dirt and snow, should be recognized, also. There was enthusiastic applause.

Dick explained that 44.63 tons of #44 1" roadbase had been put on Fisherman's Lane, 46.61 on Bulwark Ridge Road, 31.88 on Streamside Drive, 15.70 on Copperhill Road, and 289.14 on Black Creek Road. He said that Black Creek Road had been raised about four to six inches, and it is holding up very well in the recent hard rains. On the S-curve on Miller Fork Road above the intersection with Dunraven Glade Road, they put 46.05 tons of #239 recycled 3/4" asphalt base. This too, is staying very well. Dick is pleased with the results. He said that this is where the \$4543.42 went. He said Rock was doing all the spreading with the grader, while he was directing the trucks to the various locations. He said as soon as there is more money in the budget they will do more work on the roads.

Irene Little commented that when members walk the roads, to be aware of rocks and debris which have slid into the ditches, and to try to place them so they don't interfere with water running, so it stays in the ditches and doesn't flow over the roads.

Graham said the main complaints that the Board receives are about the roads, but he feels that the priority of getting the roads in shape is pretty much accomplished in spite of the recent heavy rains. He said that the Road Committee will continue to work on improving the roads.

TELEPHONE

Jerry Spencer said he feels the phone company is not dealing equally with members of the Retreat who are getting phones. He said he would like to get as much input for ammunition as possible to present to PUC, which could result in rebates, and for those who are getting service, to have a fair shake. Jerry said that the price differences have been from \$1,500 down to \$60 for the same service. He said that as an example, private lines which have been updated from party lines in the Retreat, have a basic fee at present, of \$64.97. Some people have paid less than that, and the Spencers have been

Telephone, Continued

asked to pay \$686. He would like to get this resolved as soon as possible, and asked for histories of what it has cost others in the Retreat.

ENVIRONMENTAL

Steve Little said that the Pine Beetles are coming back, and that the membership should watch their trees for evidence of the infestation. Rock will cut and treat the trees if he is given permission, and can get to them. He said it isn't too late to spray, this year.

Graham repeated that we are looking for someone who would be willing to do the research involved in being Environmental Chairman. Jim Persichetti is willing to bring the new chairman up to date.

ELECTION

Graham reminded the membership that last year they voted to increase the Board to seven members, so this year there were three vacancies. Each candidate introduced her/himself, and gave reasons for wanting to be on the Board. Marlan McMahan spoke for Jim Ranes, who had been called home suddenly because of illness in the family.

Tom Bennett, as a former Board member commended the candidates for being willing to run. He was pleased that there were five candidates for three positions, and asked that everyone consider running for the Board in future years. He said it is fun, it is a lot of work, sometimes there is grief, but we all believe in the same principles, and if one is not elected, to try again next year. There was applause.

While the votes were being counted, the president went on with old business.

OLD BUSINESS

A. By-Laws

Marlan McMahan explained how the revisions came about, and thanked those who helped with suggestions. The attorneys have looked over the committee's proposed By-laws, and have tightened and updated them, putting them in legal language. The first draft was passed out at the beginning of the meeting. Marlan said that the idea is to send copies to those members who want them so they can look them over and give comments to the Board within six months. Then the Board and the attorneys will look them over and prepare the final draft. This final draft will be voted on at the next Annual Meeting. In discussion, it was noted that the attorneys said things cannot be put in the By-laws to enforce the Covenants. The By-laws govern the actions of the Board, but do not represent motions the Board makes. The Board still has the right to make laws in the Retreat, by making motions, but that should not be part of the By-laws. The Covenants are a separate document which cover certain items, but a third area is the motions passed by the Board, which are decisions by the Board, and are neither By-laws nor Covenants. Those motions can describe interpretations of the Covenants and By-laws.

Hugh Beckham said he was impressed with these new By-laws, and suggested that the membership study them, make notes, not have a "knee-jerk" reaction, and send in their suggestions to the Board.

Graham said the Board wants the membership to feel these are our By-laws, not a group's or a committee's. A notice will be put in the next Newsletter; if you want a copy, let Marvin Gee know. After the six months time period, the Board will meet with the attorneys and work out the final draft which will be mailed to all members thirty days before the next Annual Meeting. These By-laws did not "throw out" the old By-laws, but are written in legal terms, and constructed on a model for associations like ours. It was again pointed out that the Guiduccis' specialty is Homeowners Associations. Mary Purington commented that almost everywhere one moves, they are automatically members of Homeowners Associations, and that the idea has grown in sophistication since the RLA was formed. The help that our attorneys can give us is most positive.

B. Article XII, Section 1 (page 8 in new By-law draft)

Hugh Beckham moved, and Tom Bennett seconded to bring to the table for discussion,

Old Business ,Continued Tabled Motion

the motion of one landowner owning two lots with a dwelling on each lot, paying assessments for each lot. Steve Little pointed out that the purpose of today's motion is to state that "as of this date", as opposed to waiting a year for the adoption of the By-laws. There are several cases where this might be applicable this year, and he doesn't want to mislead anyone as to the intentions of the Board if this is adopted. Marvin Gee explained the history of the proposal: last year three proposals were presented to the membership, 1) to raise the \$100 cap to \$150, which was approved, 2) to assess every lot (not member) which was defeated, and 3) landowners who build an additional dwelling on an exempted multiple lot will be subject to an additional assessment, which was tabled. Graham gave an example of this, by saying he has two lots. If he builds on one lot, he pays one assessment, but if he should build a second dwelling on the second lot, he would pay two assessments. He said that the tabled motion as stated last year, was clarified by the attorneys, and this was their opinion. The motion to bring the question from the table passed. Jean Richards asked for clarification of "buildings" and "dwellings". She asked if on her second lot she wanted to build a garage, is that a construction? If one is going to build a "one-room nothing" with no water, or a tree-house, a gazebo, are they constructions? Marlan explained that the feeling of some of the committee members who owned one lot, was that it was not fair for some members who owned eight lots to only have to pay one assessment. A compromise was that those who owned multiple lots, didn't build on them, and kept them as open space, making it good for the environment and only paying one assessment, was acceptable to the one-lot owners. Then they felt that if someone did build on another lot, lessening the open space, an assessment should be collected for the second building.

Steve Little said "Don't confuse what we are voting on with the new By-law draft. That will be voted on next year. If you change 'building' to 'dwelling', I suggest you submit that to the Board immediately, as it is an error that should be corrected." It was clarified that the motion being voted on says dwelling, and should it pass, the new By-laws (Article XII, Section 1) will be brought into proper wording. Irene Little asked if it means if you put another building in which someone will live, you pay a second assessment, as compared to another out-building. The answer was yes, at least for the coming year. Asked what constitutes a dwelling, the answer was a place to sleep and have plumbing in the kitchen. Steve Little said "We are zoned for single dwellings and if you have a second house on your property that is plumbed, and will be independently occupied, it is illegal in the County. You may build ten houses on your ten lots if you wish. The issue here is if you build a house that is completely and independently set up (a plumbed kitchen) then you could have a different set of people living in it. The Board wants to come out in favor of this because if you have two complete dwellings that are occupied by people, you are basically doubling use of the services of the Retreat."

More discussion involved trailer homes which can be left for sixty days, but this is a Covenant. Lloyd Angell, a multiple lot owner, said he was willing to pay one assessment, and felt that those who owned homes, and lived year-round, used the roads more than the others, should also pay one assessment. It was established last year by our old attorney, and this year by our new attorneys, that we do not pro-rate. The discussion pointed out that we all pay one assessment, no matter how many lots. At the moment there are thirty lots in multiple lot ownership. There is currently one landowner that this two-dwelling-two-lot question affects, but there are a couple more landowners who are thinking about building second dwellings. Graham said that it is relatively unimportant now, but we must think ahead, and if more people do this, we must think how it affects us all, and now is the time to act. Cathy Hubert added that in the long run, this could be advantageous, as families might tend to use and enjoy only the one cabin, and there would be less wear and tear on our water and our natural resources. We'd still have the open spaces.

The motion is: Landowners who build an additional dwelling on an exempted multiple

Old Business Continued - Tabled Motion

lot will be subject to an addition assessment beginning at the next assessment period.
The motion passed with one nay vote.

C. Historian

Duke Sumonia was appointed as the official Retreat Historian. If there is any thing pertinent to the Retreat or its members, the membership is asked to send the information to Duke.

D. Seven-member Board

In accordance with the motion from last year, three candidates were elected. New Board members are Irene Little, Dice McKnight and Janice Tate. There was applause.

NEW BUSINESS

There was no new business brought up at this time.

LANDOWNER COMMENTS

Bob Belz from Streamside Drive was concerned about how to safely and courteously effectively approach none-members who are doing wrong things. He also asked what the speed limit is. The speed limit is unofficially set at 20 MPH. Graham said that last year some of the Cheley Camp buses were going too fast, they were reported to the camp officials and the matter was taken care of. Other comments said that we should police ourselves, as it is easy to speed on Dunraven. Bea Berhens said a large truck was traveling too fast, tried to correct, and nearly turned over in the loose gravel. Others on Dunraven agreed with her that is is dangerous. Graham said that in approaching someone, it can be done in two ways - get the license plate number. He said the police have a word they use for identification called CYMBAL, meaning color, year, make, body and license, which is how they remember. Identification should be done this way, and then call the sheriff. Or if you size up the situation as you are walking up to the people, see no guns, no one drunk or under the influence, you can politely say "Excuse me, I'm from the Retreat---etc." Graham said not to be threatening, and if given a hassle, to turn away and then call the sheriff. It is apparent that the sheriff's department responds quickly. There is already a sheriff's deputy living in the Retreat, and another is buying property in the Retreat.

I.B. Muller from Miller Fork Road feels it is important to have speed signs up at the trailhead on Dunraven. He asks that we ask the County to put signs up there.

Bea Berhens commends the dog owners on keeping their animals under better control since last year. She noted that when dogs run wild, they form packs and their wild instincts take over, and they chase the wild animals. She said that she carries plastic bags to pick up trash as she walks Dunraven, and is surprised that there is not so much trash this year; wondered if anyone else is picking it up. There are several who do.

Charles Heidebrecht from Streamside Drive asked about the cabin across the road from the stream near his place. This is the one that had flagrant violations in the past, Graham said, and it has gone back to the original owner who is working to get that place cleaned up and back to its original condition.

Leon Satterfield asked if the stream is open to the public. The trail is open to the public. An easement was made by the County when it surveyed, but we as Retreat Landowners and Bulwark Ridge Landowners have the right to use each other's streams. Steve Little said he understands that there is a five-foot easement on each side from the center of the stream open to public access. Checking on the map, the conclusion was that it is a drainage easement. Cathy Hubert said that some Game and Fish men have told her that in Colorado if the stream goes through your property you own the land the water runs over, and if you don't want anyone on it you can fence it off, and keep people from trespassing. There is a standing agreement that RLA members can fish Miller Fork and Black Creek. There was still confusion, so Graham will check into the Articles of Incorporation, to research exactly what the situation is. The answer will be in a Newsletter. Duke Sumonia would like to know if crossing another's property in the Retreat is trespassing. Graham will research that as well.

Landowner Comments, Continued

Tim Stolz, president of the GHAVFD Board, and RLA landowner, spoke to the membership about the fire department. He said that they are in the best financial situation they have been, in the last three years. The Fire Days netted about \$7,000. He said a lot of Retreat members worked at Fire Days, and thanked them. There is \$12,000 in the General Fund, and \$2,500 in savings. They still have \$500 for finishing Firehouse #1. He said that though they are in good shape financially, they decided to buy a firetruck which cost \$7,500. There is \$700 to \$800 pledged to buy the truck so far. He said the community is trying to lower the insurance rates, one reason for buying the truck. He said that "people in the know" say the department has a very good deal with this truck. They have ninety days to pay it off, and will try to cover both the Retreat and Glen Haven for donations. It has 750 gallon capacity, and can get rid of that amount of water in one minute. The GHAVFD is trying to have the best equipment possible for the area, and will station the equipment in both firehouses as needed.

There will be a fundraiser in September with Americade which raised \$2,000 last year. The department will still ask for help from the area. He said they feel uncomfortable taking from the General Fund to pay for the truck, as the department needs four self-contained breathing apparatus, which are \$800 to \$900 a piece. Tim said that the truck will need equipment too, so it will tap the equipment resources nearly to the next fund-raising time next year. Questioned as to if having the truck will lower the insurance, Tim said he wasn't certain as the criteria fluctuates every year. Jim Boyd said that he is one of only two people in the Retreat who is on the Fire Department, and would love to see more representation from the Retreat. He expressed appreciation for the financial support given by the Retreat, but more Retreat members are needed. He said response time from Glen Haven to the Retreat is not as fast as it could be with Retreat members in the department. He cautioned people to be careful, even though the rain has eased the fire hazzard.

Tim said a lot has been achieved using volunteers in helping to rebuild Firehouse #1 in Glen Haven, and in helping to raise money. He said that if one isn't able to help physically, to write a check!

Marvin Gee explained about a presentation by the Hazzardous Fuels Awareness Program which will be given August 17th. This concerns the accumulation of materials around the outside, and on the inside of our homes. These programs are sponsored by the Forest Service, Larimer County, Park Department, and Department of Wildlife. Marvin said that we need to be aware that there are plans in place when there is a fire. The sheriff's department takes over traffic, decides who goes in or out, whether a house can be saved, and that there are a lot of other things we as landowners need to know. He said this is a result of the devastating fires in Yellowstone and Boulder Canyon.

In other business, Marvin said decals are available. If there is an error in the new directory, let him know, as they want to keep it as up-to-date as possible. He also said that if your phone listing is Estes Park in the phone book, to call and get it changed to Glen Haven.

Duke Sumonia wanted to make the membership aware taht six members of the seven-member Fire Board are from the Retreat. He said there are many RLA members who help at Fire Days and at the Americade. He said the average donations of RLA members to the department is \$40. He noted that the Glen Haven Association assessed themselves \$60 per person to help rebuild the firehouse, which was \$12,000. He encouraged RLA members to volunteer to help in any way possible, and in donating to thing about how important fire protection is in this area, and to increase the amount of the donation.

Duke moved to have the Board donate \$1,000 to pay for the new firetruck, in addition to the \$500 we already have budgeted. It was seconded by Beth Sanford. Tom Bennett feels that if the money is available, it should be left to the discretion of the Board depending upon the finances. Ed Richards made a Friendly Amendment to recommend that if the funds are available and set by the Board, that we contribute \$1,000. Duke and Beth did not accept the Friendly Amendment. In discussing the

Landowner Comments, Continued

amendment, Beth explained why she didn't accept the amendment. She said the time is too short and that they need the money now, rather than waiting for the Board to meet to decide. It was explained that we still have five months to go, and we can't predict for certain what our expenses will be. Graham said \$1,000 is 1/20 of our budget. Beth would prefer to have her house protected by a firetruck that is paid for.

Eldon Purington said that if we each gave \$20 a piece right now, we'd have the \$1,000 in a hurry. He feels that the Board should be allowed to decide on the amount, as it knows what the Retreat's financial situation is.

Jewel Sumonia doesn't understand why the Retreat could spend \$750 for trout, but not \$1,000 for fire prevention. Graham clarified that \$650 was spent for trout, that along with others, he bought raffle tickets and made donations to the Fire Department, and that the Retreat budgets \$500. Duke said that only 80 persons from the Retreat responded to the donation letter, which out of 210 landowners, is not a good percentage.

The amendment was voted on, with 30 approving votes, and 17 nay votes. This changes the original motion to contribute additional funding for the Fire Department above the budget, at the descretion of the Board. This motion passed.

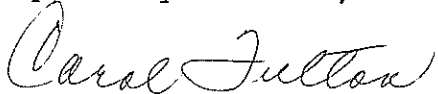
Jerry Spencer said that a lot of cabin owners let friends use their cabins, or rent them. He asked that those who do so please inform their guests of the common courtesies so they don't go on other people's land, chop trees, and in general create mischief. This has happend in the recent past and he would like it stopped.

I.B. Muller said that we know darn well that not every landowner will tell his cabin guests or renters what living out here should be. He suggests that the Board investigate rules to put in the cabins so those using them will be aware of the rules, regulations and courtesies that the Retreat tries to accomplish.

Jim Boyd said that in whatever emergency - fire, medical, or law enforcement, to be sure to call 911, provided it is an emergency. He said not call him or others, as it slows down response time.

The meeting ajourned at 4:00 p.m.

Respectfully submitted,



Carol Fulton, Recording Secretary

August 23, 1991

Editors' note

- We understand many copies of the July RLA newsletter arrived late. All of them were put into the mail on July 6; sorry the postal service was not prompt in their delivery.
- Members of the RLA board of directors for 1991-1992 are listed on the back page. The next meeting of the board is scheduled for September 14, 9:30 a.m. at the Purinton's.
- Anyone who desires a copy of the new RLA membership directory can obtain one by writing to Post office box 160, Glen Haven, CO 80532 or telephoning 303/586-5485.
- The next newsletter will be published and distributed in December.