

RETREAT LAND OWNERS ASSOCIATION, INC.
Annual Meeting
July 26, 1997
Big Thompson Community Building

The Annual Meeting of the Retreat Land Owners Association, Inc. was called to order by President, Kenneth Gwynn at 1:15 PM. Big Thompson Community Association President, Duke Sumonia, welcomed the RLA to the Big Thompson Community Building.

Corresponding Secretary Janice Tate declared there was a quorum in attendance. Esther Russell, Parliamentarian, was introduced and welcomed. Copies of the Standing Rules for the meeting had been distributed. Motion to accept was made by Ken Cooper and seconded by George Richard; motion carried.

Fifty proxy votes were distributed by the Corresponding Secretary.

Land Owner Comments:

Concerns were expressed about the following:

- Dogs and flying garbage;
- Cats and road grading;
- Snow removal and driving slower around horseback riders;
- Snow removal, problems just the same as in the city;
- Snow removal with a plan for the future;

And kudos:

- Retreat looks good; thanks to the Board;
- New and renewed friendships;
- Roads in the best shape ever.

Treasurer's Report:

Handouts included RLA, Inc.'s **Statement of Cash Receipts and Disbursements** prepared by Odstreil & Meis, CPA firm of Greeley, and the RLA, Inc.'s **Balance Sheet** prepared by Treasurer, Bill Widmaier.

For the year ending December 31, 1996,

Total Cash Receipts	\$54,911
Total Cash Disbursements	<u>34,312</u>
Excess of Cash Receipts over Cash Disbursements	\$20,599

For the period ending July 25, 1997,

Assets	
Total Cash	\$87,527.94
Total Equipment	<u>1,805.00</u>
Total Assets	<u>\$89,332.94</u>
Liabilities and Equity	

Liabilities	\$0.00
Equity	<u>89,332.94</u>
Total Liabilities & Equity	<u>\$89,332.94</u>

Reports in their entirety are attached to the official minutes.

President Ken Gwynn turned the floor over to Board Member for her report regarding the Bulwark Ridge merger. The motion approved by the membership at the 1996 Annual Meeting which would require the Bulwark Association be governed by the RLA covenants was not legally valid, as advised by the attorney. There just needs to be a merger of the two organizations without the covenants being an issue. Marcy Trahan reviewed the two sets of protective covenants noting the many similarities between them.

Marcy Trahan moved to amend last year's motion to approve the merger between the Bulwark Ridge and RLA. Seconded by Irene Little. Discussion followed.

Graham Fowler called for the question; seconded. Motion passed 43 - 3.

On the motion submitted by Ms. Trahan, motion carried 42 - 8.

Architectural Control Committee:

Dennis Bicknell addressed the membership thanking the members of the ACC committee: George and Thelma Richard, Mary Louise Widmaier, Jean Richards and Dick Boggs. With a review of the covenants, Mr. Bicknell urged those considering building or making any changes on their property to contact the Committee with a written proposal as a first step. Within a 30-day period, the Committee will respond appropriately as per the guidelines set up within the covenants. Regarding the legality of fires, Mr. Bicknell indicated the Board would answer these issues.

Road Committee Report:

Jim Boyd reported that Steve Smith began work in June and has done most of the road work this summer. With the two pieces of equipment owned by the RLA, he and Steve work on the grading, snow plowing, culverts, tree limbs, spreading road base, etc. With regard to the hiring of outside assistance with the road maintenance, hourly rates would range from \$55 - \$90 per hour; however, the availability of a third party is highly unlikely. In answer to the questions and comments regarding snow plowing, he noted that the policy within the Retreat is to begin the plowing if there is six inches on the ground and it has stopped snowing. If this is not satisfactory, then the policy will need to be changed through democratic procedure.

Mr. Boyd thanked the number of volunteers that work on various projects from time to time, raking, shoveling, furnishing food and beverages—anything that needs to be done to assist.

Upcoming projects will be the application of approximately 700 tons of road base over 7-10 miles of roads in the area, grading the main roads (no secondary roads), and working with Larimer County on the improvement of two intersections.

Environmental Committee Report:

Graham Fowler spoke on the issues of Mountain Lion Safety and the Mistletoe, Ips Beetles and Pine Bark Beetles threatening trees of the area. Publications with additional information were made available to those attending the meeting. Thinning is one appropriate control measure but these projects must be done in compliance with #10 in the Protective Covenants and with approval of the Architectural Control Committee.

Mr. Fowler introduced District Forester, Mike Babler, reporting that they had toured the Retreat area noting the above-mentioned problems. Mr. Babler showed a sample of mistletoe instructing that the infected trees should be pruned or cut. New trees should be planted to replace the old. He also indicated that the beetles are coming back and thinning is one of the best ways of managing the problem in that the thinning allows the healthy trees left standing a better chance of warding off the beetle attacks. The bud worm is not currently a problem. He encouraged individual property owners to call the Forest Service for advice on specific problems

With regard to lion safety, the forester showed a booklet, "*Living in Lion Country*" prepared by the Division of Forestry.

GHAVFD Report:

Based on research by Lee Lasson, Janice Tate and Jack Heidebrecht, future funding is expected to come in the form of grants, fund-raisers and large donations. They recommend funding from the RLA in the same amount for the present; however, it is expected that expenses may exceed income in 1998.

President of the Fire Department Board, Jim Kadlecck, reported that the ISO rating is currently a 9, and they're working to obtain an 8. Proceeds from the Fire Days was \$7,000. Stressed the need for more volunteers and training. Carol Ball, secretary-treasurer, gave a brief financial report including their department operations budget, and Chief Tom Housewright also spoke regarding the ISO rating as well as developing an evacuation plan for the Retreat. He related in detail his recent experience on the fire line at a wild fire. While resources to fight the fire are limited, the priority must be depriving the fire of fuel. Based on this experience, he will educate and train the other volunteers in the department. District Forester, Mike Babler also spoke to this issue, noting the proposed changes in construction and open space around homes, road standards, etc. These changes will go to the Larimer County Commissioners in October. He urged the RLA members to watch for additional information in the newspapers.

Chief Housewright thanked the volunteers for all their time and hard work and the Glen Haven/Retreat communities for their support in all the GHAVFD efforts.

Dennis Bicknell stressed how understated the fire department presentation was in light of all the work that is accomplished on the part of individuals and the department as a whole. He complemented all who work to make the department so very well organized with more adequate money, a budget and goals. He urged the membership to take pride in this organization that does such a fine job for the community.

Board Election:

Marcy Trahan introduced the slate of members submitted by the Nominating Committee: Dale Alps, John Barlow and Stephen Little. She asked each to introduce himself, indicating his qualifications and reasons for wanting to serve in this capacity.

There were no nominations from the floor. Janice Tate moved that the slate of nominated members be elected, seconded by Bob Clarke. Motion carried.

At this point, the membership was given a break.

The meeting reconvened at 3:50 PM, at which time President Ken Gwynn clarified the voting procedures with respect to the three issues published in the Newsletter. As the voting takes place on a particular motion, the membership present will vote first, then the proxy votes will be counted. A split proxy vote will be dealt with at the time it is made.

The first issue was the clarification of the voting procedure. Ken Cooper reviewed the three possibilities on the method of voting: 1) What the Board's appointed committee decided to do this year, that is allowing members present to vote and proxies to vote; 2) Allow the addition of absentee ballots along with what was being done at today's meeting; or 3) Switch from proxies to absentee ballots only. Mr. Cooper then moved "to amend Article 3, Sections 5 and 6 and Article 5, Section 2 and any other pertinent articles and sections to reflect the deletion of the use of proxies and the allowance of the use of absentee ballots for issues specific to RLA business." Motion was seconded by Janice Tate. Mr. Cooper continued giving pros and cons for his particular motion with respect to the other options. Discussion followed with the parliamentarian clarifying various procedural questions.

Question was called for; seconded and passed.

Vote was then taken on Mr. Cooper's motion, the use of Option #3, getting rid of proxies and using absentee ballots only. Only two ayes counted; only three proxies in favor of the motion. Motion defeated.

Graham Fowler moved to adopt Option 1, deleting in Article 3, Section 6 "and issue specific." Motion seconded by Paul Clement. Discussion followed with legal counsel requested to give comment and clarification. Parliamentarian noted that **Robert's Rules of Order** does not recognize proxies, however Colorado law allows them.

Motion was made by John Barlow to extend the meeting to 5:00 PM and continue present discussion for five more minutes. Motion seconded by Ken Cooper; motion carried.

The question was called for, thus closing debate; seconded and carried. The motion to change Article 3 removing "and issues" was voted on. The vote: 30 ayes; 16 opposed. Motion defeated since it was not passed by the required two-thirds majority.

Call for a recount; seconded. Passed by majority vote.

New vote: Those voting in favor of changing bylaws by removing words "and issues specific" in Article 3, Section 6 — 31 ayes; 20 opposed. Not a two-thirds majority, thus motion defeated.

Motion to accept Option #2; seconded. Question called for by Francis Cunningham, seconded and passed.

Vote on motion to accept Option #2: Members voting — 18 ayes; 32 opposed. Proxies — 14 ayes; 31 opposed. Total votes — 32 ayes; 63 opposed. Motion defeated.

Motion by Duke Sumonia to adjourn meeting; seconded. Point of order. Would have to rescind previous motion regarding continuing the meeting until 5:00. This would require a two-thirds majority.

Motion to rescind motion to go to 5:00, seconded. Call for the question, seconded. Motion passed to close discussion. Vote to rescind motion regarding the 5:00 closure of the meeting was defeated.

Motion by Marcella Bicknell (and as stated in the Newsletter) to continue the \$10,000 annual donation to the Glen Haven Area Volunteer Fire Department through 1998. Seconded by Joe Barraclough. Discussion followed. Question called for, seconded; motion carried to close discussion.

Vote on Ms. Bicknell's motion regarding the \$10,000 annual donation to the Fire Department: 50 ayes; 0 opposed. Proxies: 37 ayes; 5 opposed. Total vote: 87 ayes; 5 opposed. Motion carried.

Motion made by Marcella Bicknell (that in order to make the \$10,000 annual donation to the GHAVFD) to increase the annual assessment limit from \$150 to \$200 through 1998 which supports the RLA revenue to cover the increased expenses related to the GHAVFD. Seconded by Ken Cooper. Discussion followed.

Motion to extend meeting to 5:10, seconded. Motion carried. Discussion continued.

Question called for, seconded. Discussion closed. Motion carried.

Vote on Ms. Bicknell's motion regarding increasing the annual assessment limit from \$150 to \$200 through 1998 — 46 ayes; 3 opposed. Proxies — 32 ayes; 10 opposed. Total vote: 78 ayes; 13 opposed. Motion carried.

Motion introduced by Victoria McCoy "proposed that 100 percent of the members of the RLA vote to add this amendment to the Covenants: **The Protective Covenants of The Retreat may be amended by a two-thirds vote of the Members**" (with clarification by legal counsel and parliamentarian); seconded. Discussion followed. Vote: 36 ayes; 4 opposed. Need to count proxy votes irrelevant. Motion defeated as 100% approval of the membership is required.

Motion to extend meeting to 5:30; seconded. Vote: 20 ayes; 21 opposed. Motion defeated.

Meeting adjourned at 5:10 pm.

All proxies must be returned to Janice Tate and will be kept for one year in RLA's safety deposit box.

Appreciation for the President's service was expressed.

Respectfully submitted,

Jennie Esarey
Recording Secretary

APPROVED DATE August 30, 1997