



RETREAT LANDOWNERS ASSOCIATION, INC.

THE SIXTH ANNUAL MEETING

March 18, 1978

The Holiday Inn Estes Park, Colorado

Ernie Conrad, RLA president, opened the meeting at 1:30 p.m. by welcoming all present and introducing the board members and committee heads. He then asked that RLA members please help the association and the Retreat by volunteering to serve on the committees and the board of directors. All benefits of the Retreat Landowners association are derived through the volunteer services of its members.

The proxies were then distributed evenly among the board unless assigned to another active landowner who was present. Mr. Knapp, Retreat landowner, feels that the proxies are undemocratic by giving the board too many votes. He suggested that the system be changed by having the issues to be voted upon in the meeting notice. Mike Harris pointed out that a blank space is provided on the proxy for the name of any active landowner. Ernie said that this question was dealt with at one of the first annual meetings. An amendment to the by laws limits any member to 30% of the proxies. Mr. Knapp suggested that voting require attendance at the meeting or have votes mailed. Ernie pointed out that all corporations and organizations use proxies and an agenda is provided with the meeting notice. Tom Bennett said that we elect our board members and the proxy lists board members or other active member making the proxy system democratic. Walter Belz then offered to distribute his proxies among the members present. Mr. Purinton pointed out that this question is not in order for the agenda. The remaining proxies were then distributed.

APPROVAL OF MINUTES OF THE 1977 MEETING

Ernie Conrad asked if there were any additions or corrections to the minutes of the 1977 meeting. There were none. Tom Bennett made a motion that the minutes be approved as read and published. Dr. Richards seconded. The minutes were approved.

Ernie Conrad listed accomplishments for 1977. They were; over 30 cabins are now constructed, Dunraven Glade Road repair has been started by the Forset Service, 283 beetle trees have been cut and removed, the board initiated a development plan for the common park improvement, all power is completed, all new road signs have been installed, plans are finalizing for stocking the Miller Fork Creek, a \$500,000 liability insurance policy for the board of directors has been obtained, a liability insurance policy for the roads has been obtained, the first summer picnic was held in July 1977 and coordinating with Walter Maitland on roads being developed in the area outside of the Retreat.

COMMON PARK IMPROVEMENT PROJECT

Ernie Conrad explained that the common park has been surveyed and the board has authorized Paul Mailloux to draw plans to show alternatives and cost estimates on the common park improvement project. After presentation of the plans the membership can decide to continue with this plan or to reject it. Mr. Mailloux then gave his presentation. Essentially the plan was to erect 3 picnic tables with a shelter, fireplace barbecue and an outhouse in the common park at the end of Fisherman's Lane. The cost was estimated at between \$3000 and \$4000. Following the presentation there was much discussion. Mike Harris pointed out that the board undertook this presentation with the idea of having a place for summer picnics and meetings. This is in the preliminary stage and the board is asking asking for landowner response. Dr. Richards stated that he is violently opposed to this plan and personally felt that he did not need an embedded table for a picnic. He felt that this area would be subject to vandalism and fire problems. Ernie answered that the design was for minimum vandalism and the barbecue would have a fire screen. Jerry Spencer said that he felt the same as Dr. Richards. Mr. Spencer feels that the Retreat is not an area for a public park and people from other areas would not like to see a commercialized park and the money would be better served for a fire vehicle. Ernie replied that the Glen Haven Fire Department does serve the Retreat area and the park would be for landowners only. Jerry Spencer told of an instance last summer when he and his wife smelled smoke and found a group of over 30 people who were not landowners camping out in the park area. Jerry said that people use areas in the Retreat for camping and biking because the Miller Fork is a public

THE RETREAT LANDOWNERS ASSOCIATION

SIXTH ANNUAL MEETING

March 18 1978

page 2

right of way and he sees no reason to offer them more conveniences. Ernie then asked for any favorable response. Ernie said that the common areas are designated picnic areas and are for the use of the landowners. Mike Harris said that he is the first to admit that the board is made up of individuals and not infallible. Ernie said that he would like to entertain a motion from the floor on whether to proceed with the project or reject it. Dr. Richards made a motion to reject the plan for any further development of the common area at the end of Fisherman's Lane. Mr. Rosenberg seconded. Ernie called for discussion. Mr. Knapp stated that he had never been to the common area and asked how to designate between the common area and a private lot. Ernie replied that it is up to the landowner to put up fences, etc. as needed. The motion was then voted upon. The motion was approved rejecting the common park improvement project.

FLOOD REPAIR REPORT

All roads in the Retreat have been repaired. The tree planting committee of volunteers planted 900 trees and shrubs. Further reseeding was done with a hydromulch machine. The Federal Disaster Assistance Administration paid the initial 75% of flood repair costs. The RLA paid the remaining 25% which should be refunded to the RLA by the government. The RLA has received about 15% of this 25% and hopes to receive the remaining 10% in the near future. The Dunraven Glade Road is being repaired by the Forest Service. A new concrete and steel bridge is being constructed at the main entrance and is nearing completion. The work on Dunraven Glade Road is scheduled to begin around the first of April and be completed in early June. Mr. Knapp pointed out the perennial problem of swampiness on Dunraven Glade Road and asks if culverts under the road would help. Ernie answered that the Forest Service is spending \$109,000 on this road. It will have subsurface drainage, culverts and culverts at driveways. This will be a good road when finished. Mrs. Markham drew attention to the erosion at Copper Hill Rd, at Fisherman's Lane. Ernie replied that this will be picked up in road maintenance.

TREASURER'S REPORT

Mike Harris submitted an annual treasurer's report, 1978 budget and an assessment notice which are attached to these minutes. He then reported that the audit has been completed with no exceptions. Tax Form 990 for non profit organizations has been completed and filed. Mike explained that the \$11,555 which is shown in cash sources of the 1978 budget is 15% of 25% owed to the RLA by the government for flood repair. This directly reduces the assessment for 1978. This is where the \$50 extra assessment at the time of the flood is being returned through a low \$30 assessment for 1978. Mr. Spidell asks about the 10% which should be coming from the government. Mike explained that the RLA works on a cash basis. If he had relied on the repayment of the government last year the RLA would have become insolvent. The annual treasurer's report shows that on December 31, 1977 the total cash reserve was \$576.31. If and when this 10% is refunded it will be added to cash reserve. Mr. Knapp asked how many people did not pay the \$50 assessment in 1976. Mike answered that there is a list of delinquent landowners at the registration table. Of this list about 25 are for the \$50 assessment. Mike explained that because of the foreclosure by Mr. Maitland it has taken two years to learn what happened to some lots and some of these uncollected assessments are not owned by the same people. Mike then explained the procedure for collecting these delinquent assessments. The by laws of the RLA does allow for lein rights against lots on which the assessment has not been paid. The procedure was set up by attorney John Young to allow the collection of past due assessments, after all other attempts have failed. The procedure involves the Retreat treasurer filing in the Larimer County Small Claims Court a claim for the unpaid assessment. This results in a summons being served upon the member by the sheriff of his county. Depending upon the response of the member after the serving of the summons it would be possible for the RLA to have a lein filed against the property. This procedure is relatively simple, low cost and can be instituted by the treasurer. Mr. Rosenberg asked if interest can be collected on these leins. Mike explained that he will investigate that. Mike feels that collecting interest on overdue assessments would so confuse the books that it's not worth the trouble. Dennis Bicknell suggested that Mike point out that this is a last resort. Dennis explained that Mike goes to a lot of work to write letters and make phone calls prompting landowners to pay their assessments. Mike said that first the landowners will be properly notified through various steps. The court action will be after considerable effort to collect. Mr. Knapp said that he found from the 1976 annual report that one half of the landowners did not pay the \$50 assessment. Mike explained that: 1. the additional \$50 was not assessed until the August Meeting which did not give ample time for payment before the 1976

THE RETREAT LANDOWNERS ASSOCIATION

SIXTH ANNUAL MEETING

March 18, 1978

page 3

annual report was prepared and 2. Mike was out of the country from December 15 to January 10, 1977 and was unable to deposit and record payments received in that time period. The 1976 annual report did not give a clear reflection of what had been collected.

Mike reported that the government has published a report on the meteorological aspects of the 1976 flood. If anyone wants a copy Mike will send in an order.

Mr. Bennett made a motion that the membership accept the treasurer's report as presented. Harold Dobson seconded. Mike said that the current balance is approximately \$9000 and asked for further questions. There were none. The report was approved.

ARCHITECTURAL CONTROL COMMITTEE REPORT

Dennis Bicknell reported that there have been no specific problems in the past year. The ACC stands ready to help anyone. He introduced the members of the committee. Lloyd Angell relinquished his position on the ACC this year. He gave five years of guidance to the RLA as President and an ACC member. Chester Goodheart is the new ACC member. There have been a few trailer problems. Thanks to those who have removed their trailers within the time limit. Tom Bennett asked for the proper procedure to start building a cabin. Dennis answered that first the landowner must decide on the type of construction he will do. The ACC is there to keep the covenants and to help with information on where to obtain permits and possible problems in construction. There is a 30 day period from submission of your plans to approval of those plans by the ACC. Mike Harris pointed out that the application is not meant to be a censorship. It is to see that the plans of a cabin correspond to the protective covenants. Paul Mailloux asked if a permit approval from the ACC is necessary for constructing a supplemental building. Dennis answered that in the past the precedent has been that this be presented to the ACC. Jerry Spencer suggested that those who have constructed a cabin send his recommendations or criticism of his contractor to the ACC for others to use as a guide. Walter Belz pointed out that this could cause problems such as slander against contractors. Ernie Conrad said that the county building department is aware of the Retreat covenants and is now seeing that buildings conform to these covenants. Paul Mailloux suggested that the landowner get a good contract in writing between himself and the builder to avoid problems during and after construction. Mike Harris said that the perfect outlet for information on construction is the newsletter. Even though the newsletter cannot publish names of contractors the landowners can write articles that deal with their construction experiences. Dennis Bicknell said that the ACC will not get in a position of recommending or not recommending but will lead the landowner to others who have experienced certain problems.

ROAD MAINTAINANCE

Dennis Bicknell read a report submitted by Al Matlock, who was not present. The Forest Service has been working on the bridge at the main entrance and it should be completed this spring. The widening of Dunraven Glade Road has been started and work will be resumed on it in April. Retreat roads were bladed due to snowfall three times this winter. Beginning in April repair work will be started on Retreat roads including blading, ditching, cleaning drainage areas and culverts. Culverts removed from Dunraven Glade Road have been salvaged to use in other areas of the Retreat. If any landowners notice problem areas they may contact Al Matlock at Box 73 Glen Haven Colorado 80532 or Ernie Conrad.

BEETLE CONTROL REPORT

Walter Belz reported that 1977 was a successful year for beetle control. The RLA was fortunate to have a wood cutter who removed the trees from the area. He highly commended those people who volunteered to mark the trees. The Retreat had one on the most controlled areas. United Wood Products (the wood cutter used in 1977) will not be able to take our program this year but the brother of the contractor has agreed to cut and remove trees from the Retreat on weekends. The beetle control committee needs a chairman and volunteers to mark trees. The tree marking should be done in April. Walter Belz has agreed to help a new chairman for the next three months. Jerry Spencer asked for the time schedule for completion of beetle control.

THE RETREAT LANDOWNERS ASSOCIATION

SIXTH ANNUAL MEETING

March 18, 1978

page 4

Ernie answered that it should be about the middle of July. Mr. Spencer said that recent studies show that trees should be removed from 1 1/2 to 2 months prior to the main flight of the beetles and he observed that last year the last cutting was in mid July. Also, he said that the piled slash attracts beetles. Walter Belz asked Mike Harris when the first check was given to United Wood Products in 1977. Mike answered that it was July 9, 1977. Walter explained that the wood cutter was paid 3 to 4 weeks after the first cutting. There was a second cutting of late faders. Ernie commented that we have had problems with the beetle control program. There is much difficulty in finding a chairman as this takes much time. Ernie said that the RLA does the best it can. He explained that there are many theories and opinions about beetle control. His opinion is that spraying is not effective and the cost is prohibitive. We must get a chairman today or there will be no beetle control program. Mike Harris said that in the light of the number of complaints the board has received and the lack of volunteers he made a motion that the beetle control program be discontinued. He asked for a second on this motion. There was no second. The motion died for lack of a second. Much more discussion on beetle control followed. Ernie reviewed the duties of the chairman. Mark trees, meet with the wood cutter and show him the trees, see that the RLA is not taken advantage of, check for late faders. He then pointed out that there is a law that if you have an infected tree it is your responsibility to cut it down and treat or remove it. Ernie then asked for a volunteer for the chairmanship of the beetle control program. There was no response. Dennis Bicknell asked Walter Belz to give an idea of the amount of time given to this program. Walter answered that he gave about 110 hours last year this included two weekends of marking trees with a volunteer committee, showing the wood cutter the location of these trees and checking for late faders. Walter felt that this is a good way to learn the area and get outdoors and enjoy the mountains. Cheryl Fellhauer then agreed to accept the chairmanship of the beetle control program. Walter will help her for three months. There was a round of applause for Cheryl. Other landowners then signed the volunteer list for marking trees. This will be done on April 1, 1978.

ELECTION OF BOARD MEMBERS

The nominating committee presented it's slate of nominees. They were Walter Belz, Joe Jackson and Cheryl Fellhauer. This election will fill two two year terms which have expired. Ernie called for nominations from the floor. There were none. Dr. Richards moved to close the nominations. Mr. Rosenberg seconded. The motion was approved. The three nominees then gave short speeches. Each member voted for two board members. Cheryl Fellhauer and Joe Jackson won the election. Ernie entertained a motion from the floor that the election be certified. Mr. Stone so moved. Mike Harris seconded. The motion was carried. Mr. Flood entertained a motion from the floor to commend the board for the work done in the past year. Dr. Richards so moved. Mr. Camell seconded. The motion was approved. Jerry Spencer suggested that a ballot be prepared on the agenda for the general meeting to simplify the voting process.

NEW BUSINESS

Ernie announced that Walter Belz has looked into the possibility of stocking the Miller Fork Creek. The cost of this would be about \$500. Ernie entertained a motion from the floor that the Miller Fork Creek be stocked. Tom Bennett so moved. Mr. Flood seconded. There was discussion on this matter. Walter explained that the stream would be stocked with cutthroat trout in several places.. The motion was passed.

Ernie Conrad took the floor to explain the land development adjoining the Retreat. Mr. Maitland owns approximately 700 acres of land above filing five. There are now rough roads , constructed by Mr.Maitland into his land. Access to these roads is via both Dunraven Glade Rd. and Retreat roads. The board of directors (through the RLA attorney) has been negotiating with Mr. Maitland and his attorney on an agreement through which the landowners of this newly developed land will become members of the RLA with the full rights of that membership. These landowners would pay the yearly assessment and have one vote per landowner unit in return for the use of the Retreat roads. They would not be covered by the covenants of the RLA and the RLA would not maintain their roads. It is the understanding of the board that these landowners will have their own association and one of their covenants will be that they become members of the RLA. Several questions were asked. What roads will be used? All roads in the Retreat. Why use all the roads when Dunraven Glade Rd. can be used? There

THE RETREAT LANDOWNERS ASSOCIATION

SIXTH ANNUAL MEETING

March 18, 1978

page 5

is no access from Dunraven Glade Rd. to the Miller Fork Creek across Mr. Maitland's land. Is there a possibility that these landowners would outnumber those in the Retreat? This is not possible since there is 700 acres with 35 acre sites. The RLA attorney has advised the board of directors to acquire some type of resolution from the general meeting asking the board to continue to negotiate this matter. Dr. E.A. Richards made a motion to authorize the board of directors to continue to work with the attorney concerning any development adjacent to the Retreat. Mr. Flood seconded. The motion was approved.

The next item of new business concerns the 40 acres of Forest Land in the center of the Retreat boundaries. Because the Forest Service doesn't like isolated pieces of land with no public access they no longer want the 40 acres of Forest Land within the Retreat boundaries. There is land owned by Mr. Maitland which will be traded to the Forest Service for other Forest Land. This land to be exchanged will include the 40 acres within the Retreat boundaries. The Forest Service cannot sell or donate land but can trade land. There is a possibility that the RLA can acquire this 40 acres by buying another 40 acre parcel of land and trading this to the Forest Service. Mr. Toynton is open to the suggestion of selling a 40 acre piece of his land on Black Creek to the RLA which the RLA could use to trade with the Forest Service. The price of this land has not been discussed. It could cost about \$20,000. This land would be bought with the option that it be traded to the Forest Service for the 40 acres of Forest Land within the Retreat boundaries. If the RLA would acquire the Forest Land it could become a common area or part of it could be subdivided into lots and the remaining portion be made into a common area. Mike Harris pointed out that this is not a business venture but a question that is being put before the general membership that concerns the loss of a block of Forest Land in the Retreat. Mrs. Richards pointed out that the landowners can protect their own property by knowing who owns this 40 acre piece of land. Jerry Spencer asked what method would be used to raise the funds for this project. Ernie answered that the RLA could use the 10% not yet refunded by the Federal Government for flood repair for the down payment and mortgage the rest for 10 years at a cost of about \$10 per landowner per year. These figures are based on the estimated cost of \$20,000 for the land bought from Mr. Toynton. Mr. Flood asked if this could be made part of the agreement with Mr. Maitland for the use of Retreat roads. Dennis Bicknell said that this is out of order. We are asking the landowners about acquiring land to trade. Ernie then discussed the problems concerning the Retreat lots which border the National Forest. The boundaries were originally surveyed by VTN hired by Escape Properties and Mr. Maitland. Since this land had never been surveyed by the Federal Government, the government conducted a survey last year. There are discrepancies between the two surveys. The government survey takes precedence over the VTN survey. These discrepancies would move some boundaries from several feet to several hundred feet. The discrepancies are not clear, Mr. Maitland is working with the government in ascertaining the correct boundaries and also has entered into litigation with VTN. Dennis Bicknell then said that there is very little the RLA can do about this situation. This is a problem between Mr. Maitland, the surveyors and the government. We are discussing what the landowners want to do about the 40 acres of Forest Land. Mr. Dobson made a motion that the RLA continue to negotiate and attempt to acquire the 40 acre parcel located in the center of the Retreat subdivision that is owned by the Forest Service. Dennis Bicknell seconded. The motion was approved.

Mike Harris made a motion that the landowners approve making a donation of \$100 to the Glen Haven Fire Department. Mr. Flood seconded. Jerry Spencer pointed out that the Glen Haven Fire Department has some problems responding to fires. Due to the lateness of the hour the President limited the discussion. The membership voted to give \$100.

After the membership gave a round of applause to the board for it's work in the past year, Mike Harris urged those who wish to actively take part in the Retreat meeting to pay their assessments. Mr. Dobson made a motion that the meeting be adjourned. Joe Jackson seconded. The meeting was adjourned at 5:30 P.M.

Respectfully submitted

Marcella Bicknell
Marcella Bicknell, corr. sec.