



# RETREAT LANDOWNERS ASSOCIATION, INC.

## THE BOARD OF DIRECTORS MEETING

January 31, 1981

The meeting was called to order at 10:10 A.M. with all members present except John Barlow. Also present were Dennis Bicknell and Frank Horn, committee chairmen.

### ANNUNCEMENTS

There were no annuoncements.

### SECRETARY'S REPORT

There were no additions or corrections to the minutes of the last meeting. Ray Stark made a motion to approve the minutes Tom Bennett seconded. The motion was approved.

### TREASURER'S REPORT

Ray Stark reported for John Barlow.

Balance as of January 9, 1981  
Savings Account- \$8781.69  
Checking Account- 389.04  
\$9170.73

Deposits since January 9, 1981  
Assessments- \$5325.50

Expenditures since January 9, 1981  
Insurance and Bond- \$1972.00

Balance as of January 31, 1981- \$12,524.23

Jim Persicjetti informed the board that the directors and officers insurance premium was reduced from \$3000 to \$1000.

The feduciary bond was renewed. 1972

At this time James Littlejohn, attorney, joined the meeting. Marcella Bicknell reported on those delinquent in paying their assessments. Following is a list of those still delinquent and the action taken on each. Letter means an attorney's letter will be sent by James Littlejohn. Hold means no action will be taken at this time.

Carol Blackwell	-	letter
Robert Bradlwy	-	letter
William Breen	-	hold
R.C.Christensen	-	letter
D.DePasque	-	letter
Thomas Funston	-	hold
James Goldstant	-	letter
David Harmon	-	hold
Robert Heidebrecht	-	hold
Karl Heister	-	hold
Hornbuckle & Sciumbato		letter
John Howard	-	hold
Robert Jaffee	-	hold
Al Matlock	-	hold
Carl Miller	-	letter
Pat Morris	-	letter
Richard Owens	-	letter
Mike Sabbeth	-	letter
J. Shockley	-	hold
Joyce Soth	-	letter
Mary Shoupe	-	hold
R.E.Thomas	-	hold
Charles Wilkensen	-	letter
Larry Wyman	-	letter

Ray Stark made a motion to write off the assessments in arrears

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for Maynard Avey, Daniel Johnson and Arlyn Klein. Maynard Avey's accounts for 1977 and 1978 were confused and he has paid all other assessments. Daniel Johnson has sold his lot. Arlyn Klein's account for 1980 was confused. Harold Dobson seconded. The motion was approved.

Tom Bennett made a motion to set the Bulwark Ridge assessment at \$60.00 for 1981. Ray Stark seconded. The motion was approved.

Jim Littlejohn reported on the VTN boundary problem. VTN is working in cooperation with Walter Maitland and The Forest Service. Walter Maitland has quit claimed the land he gained to VTN. VTN will exchange this land to The Forest Service for the land that was lost. Also, VTN has undertaken and completed new plat maps showing the accepted survey. The land traded to VTN will be held in trust and deeded out to the people who lost land. It will take several months for this to be completed. There was no shift in interior lots. There should be no problems with title insurance.

ROAD MAINTAINANCE

Frank Horn reported that the roads have been plowed one time. Frank reported some contractors have damaged Retreat roads building driveways. Dennis Bicknell will advise driveway applicants to prevent this. Ray Stark made a motion that the board grant the road maintainance chairman the perogative of plowing the roads at his discretion or if there is 6 inches or more of snow. Harold Dobson seconded. the motion was approved.

ACC

Dennis Bicknell reported that a building application has been approved for Jessee McGee. there are no other applications pending.

Dennis reported that the phone company will install lines up Streamsides Dr. to Black Creek and up Dunraven Glade Rd. to Glade View Ct. Anyone wanting a phone should make formal application to the business office in Ft. Collins. The phone company will also put a pay phone at the fire house.

FIRE STATION

Ray Stark reported that no further progress has been made. The RLA Board of Directors has tentatively scheduled a joint meeting with the G.H.A.V.F.D. Board of Directors for March 14, 1981.

BY-LAW COMMITTEE

Tom Bennett reported that he has had input from some committee members and will incorporate their suggestions into the work being done on the by-laws. The by-laws should bein order to be presented at the annual meeting.

TROUT STOCKING

Ray Stark reported that Klein Trout Farm in Boulder has a good supply of rainbow trout. The price varies according to size; 5-6 inch is \$40-\$50 per 100, 8-10 inch is \$90-\$100 per 100, 9-11 inch is \$115. Brown and Brook Trout are 20% higher in price. The stream should be stocked after the spring run off. Tom Bennett made a motion authorizing up to \$900 for the stream stocking program. Harold Dobson seconded. The motion was approved.

BEETLE AND BUDWORM

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Harold Dobson reported he has walked a large part of The Retreat and driven the rest and has found no beetle kill trees. A few people have volunteered to help with the tree marking which will be held around the last of March or the first of April. There is nothing new on the budworm problem.

OLD BUSINESS

Newsletter assignments were made. These should be prepared for the March 14, 1981 meeting.

BILLS

Marcella Bicknell-Secretarial and treasury services first quarter 1981-\$110.00. Marcella Bicknell-expenses-\$474.56. Tom Bennett- \$16.49-expenses. Jim Persichetti-\$21.60-expenses. Ray Stark-\$8.80-expenses. Frank Horn-\$25.20-expenses. Harold Dobson-\$28.00-expenses. Harold Dobson made a motion to accept the bills. Ray Stark seconded. The motion was approved.

The meeting was adjourned at 1:15 P.M. The next meeting will be held at 10:00 A.M. March 14, 1981 at Bicknell's cabin in The Retreat.

Respectfully Submitted

*Marcella Bicknell*

Marcella Bicknell, corr. sec.



# RETREAT LANDOWNERS ASSOCIATION, INC.

## THE BOARD OF DIRECTORS MEETING

March 14, 1981

The meeting was called to order at 10:12 A.M.. All members were present except Ray Stark. Also present were Dennis Bicknell and Frank Horn, committee chairmen.

### ANNOUNCEMENTS

There were none.

### Secretary's Report

There was a correction to the minutes of the January 31, 1981 meeting. The figure of \$1000 was changed to \$1972 in the treasurer's report. Tom Bennett made a motion to approve the minutes as corrected. Harold Dobson seconded. The motion was approved.

### TREASURER'S REPORT

Balance as of March 3, 1981	
Savings Account -	\$8781.69
Checking Account -	<u>3117.89</u>
Total	\$11899.58

There has been a \$750.00 expenditure for snow removal since the last meeting.

Signature cards were prepared and signed by all the board members.

The board discussed the Kincaid-Graff  $\frac{1}{2}$  assessment arrangement. Dennis Bicknell will research correspondence in the files relating to this matter.

The board reviewed the delinquent list. There has been no response to the attorney's letter. Second notices will be sent to those delinquent in paying the 1981 assessment.

### PINE BEETLE AND BUDWORM

Harold Dobson reported that April 25, 1981 is the date set for the marking of beetle trees. Frank Horn and Ray Stark will remove the beetle trees for 1981.

A notice will be put in the upcoming newsletter asking all those concerned with the budworm problem to meet on April 25, 1981 at Dobson's cabin to walk the infested areas.

### ROAD MAINTAINANCE

Frank Horn reported the roads were plowed for snow removal during the past week. Jim Persichetti read a letter from Ernie Conrad suggesting that the board discuss the idea of purchasing a used four wheel drive  $\frac{3}{4}$  ton pickup truck with a hydraulic snow plow. The board expressed their appreciation for this suggestion however, they feel that the job of snow plowing in The Retreat would require a two ton dump truck with a blade. Jim Persichetti informed the board that Arapahoe County is having an auction on 2 ton dump trucks. Jim agreed to check on this and report to the board. Tom Bennett suggested the board think carefully before obligating the RLA with the ownership and maintainance of such a vehicle. It was suggested that the truck could be operated by RLA members experienced in driving heavy equipment. The RLA would pay the driver around \$5.00 per hour.

Repair work on the roads should begin around April 1, 1981.

### ACC

Dennis Bicknell reported there have been no applications submitted since the last meeting.

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Dennis reported that he wrote to some Retreat landowners informing them of the telephone co.'s plan to start running lines in The Retreat and the procedure for making application for a telephone. Those interested must call the business office in Ft. Collins. The phone company will not accept written application.

TROUT STOCKING

Ray Stark was not present to report.

BY LAW COMMITTEE

Tom Bennett has prepared a report for the newsletter. It was suggested that all information ( by-laws, landowners address list and lot numbers, covenants and helpful suggestions) be incorporated into one manual. The landowner list would be done one time with a list of property transfers published via the newsletter once a year.

OLD BUSINESS

a. VTN - there has been no change since the last meeting.

b. Progress on the Fire House - the status of the Fire House has not changed. Frank Horn will ask the G.H.V.F.D. Board of Directors to draft a letter stating their intentions for completing the Fire House to the RLA Board of Directors.

NEWSLETTER

Newsletter articles were turned in to Marcella Bicknell. All board members and committee chairmen will submit two names as nominees for the Board of Directors. These should be sent to Marcella no later than May 1, 1981.

NEW BUSINESS

Dennis Bicknell suggested the RLA try to obtain a firmer arrangement with an attorney. This should include payment procedures and written or verbal reports for board meetings.

BILLS

L.C.Wilson Agency-\$63.00-surety bond, Department of State of Colorado-\$10.00-Corporation Filing fee, Harold Dobson-\$26.00-expenses, Tom Bennett-\$14.52-expenses, Frank Horn-\$15.20-expenses, Jim Persichetti-\$29.01-expenses, Marcella Bicknell-\$58.07-expenses. Tom Bennett made a motion to authorize payment of the bills. Harold Dobson seconded. The motion was approved.

The tentative date of August 15, 1981 was set for the Annual Meeting. John Barlow will reserve the Glen Haven Community Building.

A proxy for CAI was prepared.

The next meeting will be held on May 16, 1981, 10:00 A.M. at Bicknell's cabin. John Barlow made a motion to adjourn the meeting. Harold Dobson seconded. The meeting was adjourned at 12:25 P.M.

Respectfully Submitted

*Marcella Bicknell*

Marcella Bicknell, corr. sec.



# RETREAT LANDOWNERS ASSOCIATION, INC.

## BOARD OF DIRECTORS MEETING

May 17, 1981

The meeting was called to order at 10:10 A.M. with all members present. Also present were Dennis Bicknell and Frank Horn, committee chairman.

### SECRETARY'S REPORT

Tom Bennett made a motion to accept the minutes as published. Harold Dobson seconded. The motion was accepted.

### TREASURER'S REPORT

The board reviewed the list of those landowners delinquent in paying their assessments for two or more years. Tom Bennett made a motion to have James Littlejohn, attorney, send letters to those delinquent landowners put on hold at the January 31, 1981 meeting. Harold Dobson seconded. The motion was accepted.

There was discussion about the landowners who have been sent the lawyer's letter. Tom Bennett made a motion to instruct James Littlejohn to proceed with either filing liens or going to small claims court, whichever is appropriate, for those who have not responded to the lawyer's letter. Harold Dobson seconded. The motion was approved. Jim Persichetti suggested one way to collect assessments could be through the formation of an improvement district.

Balance as of May 4, 1981	
Savings Account	\$8896.81
Checking Account	7798.38
Total	<u>16694.48</u>

Ray Stark made a motion to put the checking and savings account in to a checking with interest account. There was discussion on this subject. Tom Bennett seconded the motion. The motion was approved. There was discussion on the Retreat reserve account which is \$5000. Ray Stark suggested that a higher reserve be considered due to inflation. This will be discussed at the annual meeting. An audit of the books for 1980 will be prepared for the annual meeting.

### PINE BEETLE AND SPRUCE BUDWORM REPORT

Harold Dobson reported that about six beetle trees were found and marked. Most of these will be cut by the owners and the rest by Frank Horn and Ray Stark. The budworm problem has not changed. A decision was made against aerial spraying.

### ROAD MAINTAINANCE

Frank Horn reported that the road repair work has been delayed by the rainy weather. There was discussion on where to obtain gravel for the road work. Frank will look into having road fill hauled to The Retreat. Due to fact that the money budgeted for beetle control and snow removal hasn't been needed, Harold Dobson made a motion that the board allow this money to be used for road repair in an amount not to exceed \$7000. Tom Bennett seconded. The motion was approved. A suitable main~~t~~ainance has not yet been found.

### ACC

Dennis Bicknell reviewed various letters written for the ACC. There is one driveway application pending for Mr. Alexander.

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### TROUT STOCKING

Ray Stark reported that the District Forester in Estes Park has indicated the water run-off will be minimal this spring and there may not be enough water to support the fish. Ray will contact someone from Roosevelt National Forest to look at the situation in Miller Fork Creek and will contact the board members for a decision on stocking the stream.

Green algae was noted growing in Black Creek this spring.

### BY LAW COMMITTEE

Tom Bennett has reviewed each page of the by-laws and drafted property owners guidelines. The committee will meet and finish this work. Every effort is being made for completion of this booklet by the next annual meeting. Marcella Bicknell reported that the cost of printing for a 20 page booklet will be around \$500.

Jim Persichetti had to leave the meeting at 12:10 P.M. Ray Stark conducted the rest of the meeting.

### OLD BUSINESS

VTN there have been no further developments.

Fire House Ray Stark reported: To date a total of \$7755.50 has been spent on the fire house. The RLA donated \$3000 of the \$7755.50 plus \$1200.00 used for installing the electricity. Donations from Retreat landowners designated for the fire house was \$2585.35. Donations from Glen Haven landowners and Retreat landowners designated for the fire house total \$4745.35

The exterior of the fire house is completed except for the overhead doors. The doors obtained will have to be returned. The fire house should be enclosed and usable by the middle of June. The G.H.A.V.F.D. is procuring two fire department vehicles on lease from the Forest Service. One- 1000 gallon tanker and one 500 gallon tanker, The G.H.A.V.F.D. must equip these trucks. The G.H.A.V.F.D. Board of Directors is preparing to send a fund raising letter to all Glen Haven and Retreat landowners. Marcella will supply the fire department with address labels for the Retreat landowners.

The RLA received a check for \$10.00 from the G.H.A.V.F.D. for rent on the fire house.

### NEW BUSINESS

Newsletter The next newsletter will go to the printer on June 15, 1981. All material must be sent to Marcella by that date. The nominating committee will send letters to several landowners asking them to be nominees for the Board of Directors.

Annual Meeting The date of August 15, 1981 has been confirmed for the annual meeting. The Glen Haven Community Building has been reserved for that day. The picnic will follow the meeting.

### BILLS

Larimer County Treasurer-\$74.10-taxes, Glen Haven Association-\$15.00-rent on town hall, General expenses-Ray Stark-\$12.45, Tom Bennett-\$19.24, Jim Persichetti-\$29.50, Harold Dobson-\$26.00, Marcella Bicknell-\$148.10. Road maintenance-Frank Horn- \$33.20, Beetle Control-Harold Dobson-\$64.84, Secretary and treasurer services- Marcella Bicknell-\$110.00. Harold Dobson made a motion to approve the bills. Tom Bennett seconded. The bills were approved for payment.

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The next meeting will be held on June 27, 1981 at 10:00 A.M.  
at Dobsons' cabin in The Retreat.

The meeting was adjourned at 1:06 P.M.

Respectfully Submitted

*Marcella Bicknell*

Marcella Bicknell, corr. sec.





## RETREAT LANDOWNERS ASSOCIATION, INC.

### THE BOARD OF DIRECTORS MEETING

June 27, 1981

The meeting was called to order at 10:15 A.M. with all members present except John Barlow. Also present were Frank Horn and Dennis Bicknell, committee chairmen, and Maynard Avey and Sy Kleinman, landowners.

#### SECRETARY'S REPORT

Tom Bennett made a motion to accept the minutes of the previous meeting as published. Harold Dobson seconded. The motion was approved.

Maynard Avey was there to talk about his past assessment. The board advised Mr. Avey that appropriate action had been taken at a prior meeting.

#### PINE BEETLE AND SPRUCE BUDWORM CONTROL

Harold Dobson reported the beetle control program for 1981 is completed. Harold then reviewed a newsletter from CSU on the spruce budworm. Some areas infested with the budworm are beginning to recover.

#### ROAD MAINTAINANCE

Frank Horn reported that road work began this past Wednesday. Gravel is being hauled from Estes Park at a cost of \$5.50 per yard plus \$27.00 per hour for the truck time. There is 12 yards per load. There was discussion on establishing a stock pile of gravel for later use in The Retreat. Tom Bennett made a motion authorizing the road committee to purchase three loads of gravel to be stored at the fire house. Ray Stark seconded. The motion was approved.

#### TROUT STOCKING

Ray Stark reported the State Fish and Game Department have advised against stocking the Miller Fork Creek this year due to the lack of run off.

John Birmingham, VTN attorney, joined the meeting. Mr. Birmingham and the board reviewed the map, prepared by VTN, showing the comparison of boundary lines. This map is W.O. 220-73, January 13, 1981. Mr. Birmingham said that VTN has been informed that the Bureau of Land Management and the Forest Service have turned down the land trade proposal. In response to the Larimer County building permit moratorium, VTN has furnished a copy of the map to the Larimer County surveyor and offered to pay for the surveyor's study.

After much discussion, Mr. Birmingham stated that there is nothing that VTN can do regarding the boundary variations and gains and losses of Retreat lands. He further stated that the individual landowners should contact their title insurance company and that VTN would consider contacting U.S. Cong. Hank Brown to see if the original land exchange with the U.S. Government could be reconsidered. Mr. Birmingham repeated that he feels there is no problem, and the board members pointed out that people are losing land without compensation and VTN is selling land in The Retreat for about ~~\$2000~~ <sup>5000</sup> per acre.

#### ATTORNEY

Jim Persichetti said that attorney Jim Littlejohn had indicated to

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him his work load was so heavy that he would be unable to continue as The Retreat legal counsel. Jim Persichetti asked Dennis Bicknell to search for another attorney. Dennis reported that attorney Rebecca Elliott of Ft. Collins indicated she would be glad to represent The Retreat, has represented other landowner associations and would try to give prompt advice. Tom Bennett made a motion to retain Rebecca Elliott as The RLA attorney, Ray Stark seconded. The motion was approved. The Retreat files have been returned from Mr. Littlejohn and Tom Bennett will take them and the VTN map to Miss. Elliott.

BY LAW COMMITTEE

Tom Bennett reported the revised by-laws, landowner hand book and covenants are being typed and should be ready for the printer within a week to ten days. The cost of printing should be around \$500. Ray Stark made a motion to give a blank check, not to exceed \$800, to Marcella Bicknell to cover the cost of printing. Tom Bennett seconded, The motion was approved.

There was discussion on the possibility of having another board member to spread the work load. The board agreed to stay with five board members for another year.

John Barlow joined the meeting.

FIRE HOUSE

Ray Stark reported that the fire house is complete. The fire department will soon have the lease trucks from the Forest Service. The building is available for meetings, etc.

NOMINATIONS

Marcella Bicknell reported there are two nominees for the board of directors. They are John Carroll and Richard Weinmeister.

ANNUAL MEETING

The Glen Haven Community Building has been reserved for August 15, 1981. Ray Stark will get the key for the building. Tom and June Bennett will arrange for the refreshments. Joann Persichetti will help at the registration table. Mr. and Mrs. I.B. Muller have agreed to organize the picnic with Sy Kleinman preparing the children's games.

Jim Persichetti suggested installing a road sign with speed limit at the upper end of Dunraven Glade Road. There was discussion on this matter. Tom Bennett made a motion to have a sign made indicating private property similar to the one at the main entrance to place at the upper end of Dunraven Glade Road. Harold Dobson seconded. The motion was approved.

Dennis Bicknell reviewed the packet of documents for the new attorney, including the Larimer County proceedings, MAY 11, 1981, starting the Retreat building permit moratorium.

TREASUR'S REPORT

Balance as of June 3, 1981---Checking Account	\$7329.53
Savings account	8896.10
Total	<u>16225.63</u>

The list of landowner's delinquent in paying their assessment was reviewed. An audit of the books for 1980 will be prepared for the Annual Meeting.

There was discussion concerning the duties of The Treasurer-Assistant Treasurer. This discussion indicated that further clarification and coordination are necessary

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BILLS

The Printery- blank check not to exceed \$800- printing of by-law book. James Littlejohn-\$44.15- legal services. Harold Dobson-\$26.00-expenses. Harold Dobson-\$4.00-beetle expenses. Tom Bennett-\$15.15-expenses. Jim Persichetti-\$35.60-expenses. Marcella Bicknell-51.29-expenses. Annual renewal CAI-\$75.00 . Frontier Agency-\$140.00-road insurance. Tom Bennett made a motion to approve the bills as read. Harold Dobson seconded. The motion was approved .

The next meetin will be held on August 15, 1981 at 9:30 A.M.  
The Glen Haven Community Building. The meeting was adjourned  
at 1:50 P.M.

Respectfully Submitted

*Marcella Bicknell*  
Marcella Bicknell, corr. sec.



# RETREAT LANDOWNERS ASSOCIATION, INC.

## THE BOARD OF DIRECTORS MEETING

August 15, 1981

The meeting was called to order at 9:15am with all members present except John Barlow. Also present were Dennis Bicknell and Frank Horn, committee chairmen, and John Carroll, Dick Weinmeister and Sy Kleinman, landowners.

### ANNOUNCEMENTS

Ray Stark reported the fire house is complete. Two tanker trucks will be housed there as soon as the contract is signed by the necessary people.

### SECRETARY'S REPORT

There was one correction to the minutes of the June 27, 1981 meeting. VTN is selling land in The Retreat at \$5000 per acre instead of \$2000 per acre. Tom Bennett made a motion to approve the minutes as corrected. Harold Dobson seconded. The minutes were approved.

### BEETLE AND BUDWORM

There was nothing new to report.

### ROAD MAINTAINENCE

Frank Horn informed the board that he will resign as road maintenance chairman. He will help anyone who will take over the job. The roads have been graded three times. There have been several heavy rainstorms requiring another grading. There have been 25 12yd loads of road material hauled for use on the roads and 3 12yd loads have been stockpiled at the firehouse. The biggest cause of washouts on the roads is improperly constructed driveways.

John Barlow joined the meeting.

### ACC

Dennis Bicknell reported there is one building application pending for Larry Wyman. Mountain Bell is installing underground cable on Miller Fork Road from Dunraven Glade Road to just beyond Spencer's lot and on Black Creek Road. The pay phone will be moved to the fire house. The board received a letter from Larimer County concerning the building permit moratorium. The moratorium is still in effect on the lots affected by the survey discrepancy. The county, to issue a building permit on an affected lot, wants an amended plat and a title insurance policy which names Larimer County as beneficiary.

Jim Persichetti explained the VTN survey discrepancy and moratorium to Mr Carroll and Weinmeister. There was discussion on this subject. Jim Persichetti offered to continue his work on this problem.

### TREASURER'S REPORT

A financial statement prepared by Fisher, Hunt and Company, CPA's, was distributed to the board and guests. A copy of the statement is attached to these minutes. Also a written treasurer's report is attached to these minutes. Further deposits since July 31, 1981 total \$1041.70. RLA funds are now in a checking with interest account.

There was discussion concerning delinquent assessments. It was suggested the board should adopt a policy for interest on delinquent assessments.

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The records show that Mr & Mrs Hunter and Dr's Ormrod of Bulwark Ridge Association owe a partial assessment on the first year of ownership. They have paid all assessments since that time. The board felt these accounts should be taken off the books. Harold Dobson made a motion to write off the Hunter and Ormrod possibly overdue accounts and bring the books up to date. Tom Bennett seconded. The motion was approved.

Tom Bennett made a motion to approve the treasurer's report. Harold Dobson seconded. The motion was approved.

BY-LAW COMMITTEE

Tom Bennett reported that the new handbook is complete. Article II Section 6 and 7 needs approval of the general membership. Under Article VI Section 4 (Special memberships) the words "not to exceed 30 days" should be deleted. Article XI Section 8b should read "Bulwark members pay the full RLA assessment minus the amount used for beetle control.

Tom Bennett made a motion to accept the by-law revision and landowner handbook. Harold Dobson seconded. The motion was approved.

MILLER FORK TRAVERSE

Sy Kleinman, landowner, reported an encounter with Mr. Les Denning, owner of lots along the Miller Fork Creek and member of the Bulwark Ridge Landowners Association and the RLA. Mr Denning has constructed a fence across what is believed to be the Miller Fork Traverse. Sy went to the Forest Service and lodged a complaint. Sy also spoke to the Larimer County Planning Department and sent a letter to the County Commissioners. There has been no reply to that letter as yet. This will be discussed at the general meeting.

Rebecca Elliott, attorney for the RLA, joined the meeting at 11:30.

Miss Elliott made the following recommendations to the board concerning overdue assessments: resend demand letters; if there is no response to these letters legal action will be taken, i.e. file liens on property; prepare a resolution, to be voted on at the general meeting, amending the by-laws to allow the placing of liens against property with delinquent assessments of more than sixty days. This would be recorded at the Larimer County Court House; allow for the collection of interest on overdue assessments; allow the attorney to proceed against those delinquent landowners residing in Larimer County by whatever means are necessary. The board discussed these matters. Miss Elliott pointed out that someone from the RLA would have to attend any court hearing if any case went to trial and recovering legal fees would be limited to those instances provided by statute. The service fee and filing fee can be recovered. The board was in agreement to follow Miss Elliott's recommendations.

Jim Persichetti entertained a motion to authorize Miss Elliott to forward proper legal notice to all members shown on the delinquent list dated August 6, 1981 deleting the names of Leon Hunter, Richard Ormrod, and Karen Bell. This includes all members delinquent on their 1981 assessment. Tom Bennett so moved. Second by John Barlow. The motion was unanimously approved.

VTN SURVEY

Miss Elliott needs the deeds of the property affected and contracts, the purchase prices on these pieces of property. The standard used in determining damages in court is the reduced value of the land.

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It would have to be shown that because the survey was inaccurate the value of the land was reduced and the damages would be whatever that reduction is. Miss Elliott said that she does not think the RLA can successfully bring action against the surveyor because of what happened between VTN and the Maitlands. The RLA or its members did not independently contract with the surveyor or weren't involved enough to have what is called privity of contract. This means being first party to an agreement and so that person owes you a special duty. In addition to that because of the suit which was brought by Mr. Maitland against the surveyor and the resolution of that, the survey company itself is not a likely party to recover against. Essentially, we are left with Mr. Maitland. Mr. Maitland specifically excluded surveying and some other problems on some of the deeds. We need to take a look at each individual deed affected and decide whether it was taken subject to the exclusion. Any actions affecting land have to be brought within 18 years. There are exceptions to that, one is what which would have to do with the title which is a three year statute of limitations. Some may have already passed the limit. Before deciding which way to go, it is important to know the amount of money involved. Miss Elliott suggested that we also continue to work with VTN and see if some type of equitable resolution can be arranged. The county has lifted the building permit moratorium on all lots except those affected by the survey discrepancy. The county does not warrant that the survey is accurate when a building permit is issued. The county wants amended plats for the affected lots. This involves 41 lots.

Miss Elliott was asked if there is no way to force the county commissioners to issue building permits on any lot in The Retreat? Miss Elliott answered that, although more research needs to be done, this can be done. The county has no business doing this and legally they have no ground on which to stand. The first priority of the RLA in this matter is to get the building permit moratorium lifted; then pursue other recourses.

Tom Bennett made a motion to authorize attorney Rebecca Elliott to send a legal opinion to the County Commissioners or County Attorney relating to the moratorium on building permits in The Retreat. Harold Dobson seconded. The motion was approved.

Miss Elliott asked that all deeds, contracts, titles, and any special information on property that would accurately allow the valuation of the property be forwarded to her. She will send notices to those people affected by the survey discrepancy asking for this information. The association can choose whether to take legal action as an association or on behalf of those affected.

Ray Stark made a motion to authorize John Barlow to pay legal fees for the next two months. Harold Dobson seconded. Miss Elliott charges \$60 per hour and can work out methods of billing. All time spent is accounted for via time cards. The motion was approved.

The board temporarily adjourned for lunch and the annual general meeting.

The board re-convened at 5:00 P.M.

BILLS

Glen Haven General Store \$103.69-Picnic Supplies; Frank Horn \$77.62-Exp; John Barlow \$35.40-Exp; Tom Bennett \$43.40-Exp; Tom Bennett-\$15.07-Annual Meeting Supplies; Harold Dobson \$26.00-Exp; Sy Kleinman \$15.88-Picnic Supplies; Marcella Bicknell \$110.00-Sec & Treas Services; Marcella Bicknell \$115.86- Exp; Jim Persichetti \$46.00-Exp. Ray Stark made a motion that the bills as presented be approved. John Carroll seconded. The motion was approved.

THE RETREAT LANDOWNERS ASSOCIATION

BOARD OF DIRECTORS MEETING

August 15, 1981

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ELECTION OF NEW OFFICERS

Richard Weinmeister was nominated as president by Ray Stark. John Carroll seconded. Richard weinmeister was elected president.

John Barlow nominated Ray Stark as vice-president. John Carroll seconded. Ray Stark was elected vice-president.

Jim Persichetti nominated John Barlow as Secretary-Treasurer. John Carroll seconded. John Barlow was elected Secretary-Treasurer.

The next meeting will be held on October 3, 1981 at 10:00AM at Bicknell's cabin in the Retreat.

The meeting adjoured at 5:40 PM.

Respectfully submitted

*Marcella Bicknell*

Marcella Bicknell, Corr. Secretary



**RETREAT LANDOWNERS ASSOCIATION, INC.**

September 26, 1981  
726 Karen Street  
Ft. Morgan, Colo

Mr. Richard Weinmeister  
President, Retreat  
Landowners Association  
726 Karen Street  
Ft. Morgan, Colo.

In accordance with the Protective Covenants of The Retreat  
Landowners Association, the members of the Architectural  
Control Committee appoint the following new members;

George Richard  
Thelma Richard  
Jean Richards  
Catherine Hubert


Tom Hallstrom  
Harry W. McDonald  
Steve D. Little

The following members of the Committee respectfully submit  
their resignations;

Jerry Spencer  
Laurene Nicholl

John McAfee  
John Carroll

Submitted,

  
Dennis R. Bicknell  
Chairman  
The ACC

leins will be released upon receipt of payment.

BUILDING MORATORIUM

There will be a public meeting with the Larimer County Commissioners





## RETREAT LANDOWNERS ASSOCIATION, INC.

### THE BOARD OF DIRECTORS MEETING

October 3, 1981

The meeting was called to order at 10:08 A.M. with all members present except Tom Bennett. Also present were Dennis Bicknell and Frank Horn, committee chairmen and Jim Persichetti, landowner.

#### SECRETARY'S REPORT

Marcella Bicknell asked for any additions or corrections to the minutes of the last meeting. There were none. Ray Stark made a motion that the minutes be approved as presented to the board. John Barlow seconded. The minutes were approved.

#### ROAD MAINTAINANCE.

Frank Horn reported that the roads are in fairly good shape at this time. Ray Stark will take over the chairmanship of this committee. Ray Stark informed the board of his plans to purchase a tractor for his personal use. Ray would be willing to use his equipment for maintaince jobs in The Retreat for a fee. There was discussion on this matter. The board felt that Ray should receive a fair return on the use of his equipment. The operational casts are not known at this time.

#### ACC

Dennis Bicknell reported that the ACC has appointed new members. The appointment letter is attached to these minutes. An application for Welchs was approved.

There was discussions on covenant violations. Jim Persichetti suggested that step by step guidelines (legal) for covenant enforcement be implemented. Perhaps the RLA attorney could work on this after the assessment collection and survey discrepancy are resolved.

#### FIRE HOUSE EQUIPMENT STATUS

Ray Stark reported that the contract needed for the release of the tanker trucks has not been completed. The trucks will not be released to the G.H.F.D. until the contract is signed by the Larimer County Commissioners. The telephone line to the fire house has been installed.

#### TREASUERE'S REPORT

After the bills were authorized at the August 15, 1981 meeting the bank balance was - \$12,307.63. The income was \$51.78. Checks were written to The Department of State for \$10.00 ( corporate fee) and Lach and Elliott for \$482.00 ( legal fees for the period of July 15, 1981 to August 15, 1981). The financial report has not been corrected.

Overdue Assessments - The attorney sent a demand letter dated September 18, 1981 to those landowners delinquent in their assessments. The attorney and treasurer have received a few checks and responses from others who have not sent payment. Leins will be filed against those who do not pay in the time allotted. The leins will be released upon receipt of payment.

#### BUILDING MORATORIUM

There will be a public meeting with the Larimer County Commissioners

## THE RETREAT LANDOWNERS ASSOCIATION

### BOARD OF DIRECTORS MEETING

October 3, 1981

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on the building moratorium in The Retreat. The meeting will be on October 13, 1981, 9 A.M. at the Larimer County Court House. Rebecca Elliott and John Birmingham will attempt to have the moratorium lifted. Letters will be sent to those affected landowners asking that they either attend the meeting or call or write their county commissioner asking the the moratorium be lifted. Miss Elliott and Mr. Birmingham feel the survey error can be corrected without a moratorium. VTN is willing to pay the costs of replatting each affected lot if necessary.

In a letter to the board Miss Elliott asked for permission to have the National Forest Survey recorded. There was discussion on this matter. Dick Weinmeister will talk to Miss Elliott to learn why this should be done. Ray Stark made a motion that the RLA President contact the attorney and give the OK to record the National Forest Service survey. John Barlow seconded. The motion was approved.

Jim Persichetti has learned that a land trade between VTN and the Forest Service has reached a red tape impasse. This trade cannot be appealed unless it goes to a higher level because it has already been rejected by the Forest Service. Jim Persichetti read a letter from landowners Horace Rhodes to his National Senator and Congressmen requesting these officials to discuss the proposed land trade with the appropriate U.S. departments. The Retreat board may ask out of state landowners to contact their elected officials to do the same. Jim Persichetti will present the following idea to John Birmingham, if the Southwest boundary is inaccurate by 50-60 feet, how was the Dunraven Glade Traverse made and is it accurate? If this traverse is inaccurate perhaps the County and Forest Service could be asked to move the road or accept the land trade.

Although many other areas have survey discrepancies, The Retreat is the only one with a building moratorium. Why is this so?

### MILLER FORK TRAIL ACCESS

Jim Persichetti went to see Mr. Denning on the day after the RLA Annual meeting ( August 15, 1981). Mr. Denning and his sons were carrying automatic rifles but did not use them in a threatening manner. Mr. Denning had a portfolio on the Miller Fork Trail which included the topographic map showing the trail on the south side of the stream. Mr. Denning also had a letter from Van Horn Engineering stating the opinion that the trail is on the south side of the stream. Jim suggested to Mr. Denning to jointly ask the Forest Service and the County to establish the trail. Mr. Denning agreed to this. Mr. Denning also agreed to work with the RLA to put the path on the south side of the stream.

The petition signed at the annual meeting, the letter from Sy Kleinman to the County Commissioners, and the letter to the Maitlands from the Forest Service were given to the RLA attorney. Mr. Denning has also contacted a surveyor in Ft. Morgan, CO. ( Cecil Osborne). Mr. Osborne was hired by the Maitlands in 1969 to establish if the trail existed. Jim Persichetti expressed his concern to Mr. Denning about the carrying of fire arms.

### OLD BUSINESS

Ray Stark made a motion to amend the by-laws as approved by the general membership at the August 15, 1981 annual meeting to include the resolution- be it resolved that the Board of Directors shall amend the by-laws and articles of incorporation to provide for a delinquency lien against the property of any homeowner within the association whose dues have not been paid by March 1st of each year. This lien shall be automatic and shall be recorded with the clerk and recorder and shall apply to all lands owned by the individual and subject to the covenants of the association. No judicial proceedings shall be required prior to the filing of said lien and said lien shall include attorney's fees and interest at the rate of 18%

THE RETREAT LANDOWNERS ASSOCIATION

BOARD OF DIRECTORS MEETING

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accruing on March 1st of each year. This will be effective August 15, 1981.

BEETLE AND BUDWORM CONTROL

Ray Tallman has offered to take the chairmanship of this committee. The budworm infestation was written up in The Denver Post about three weeks ago. It was described as a big problem. This infestation has been moving from north to south and our area has already been through the peak period and is now on the recovery side.

NEWSLETTER

The newsletter will be printed and mailed in November.

There was discussion on the bulk mailing permit and its' cost as compared to cost of regular mail. Marcella will look into this and report to the board.

BUDGET

The budget for 1982 is as follows:

1. General expenses	\$1800
2. Road maintainance and snow removal	6000
3. Beetle and budworm control	100
4. Legal and accounting	3000
5. Secretarial and assistant treasurer services	600
6. Taxes and licenses	100
7. Insurance	200
8. Fire Dept. contribution	200
9. Fire Dept. building	500
10. Dues	100

Ray Stark made a motion to put in \$600 per year for secretarial and assistant treasurer services. John Carroll seconded. The motion was approved.

Ray Stark made a motion to record and approve the budget for 1982. John Barlow seconded. The motion was approved.

Ray Stark made a motion that the 1982 assessment be \$55.00 for RLA members and \$50.00 for Bulwark Ridge members. John Barlow seconded. The assessment was approved.

Dennis Bicknell informed the board that it appears the Forest Service policy for land exchange has changed. It may be possible for non profit organizations to acquire small parcels outright, rather than to exchange land. It is suggested that the Retreat make application through the proper channels to acquire the 40 acres surrounded by The Retreat. Jim Persichetti is to furnish this information to Dick Weinmeister and application should be made.

BILLS

Marcella Bicknell-\$110.00-secretarial and asst. treas. services, Marcella Bicknell-\$149.38-expenses, Frank Horn-\$13.00-expenses, Jim Persichetti-\$33.42-expenses, Wayne Hunt and Associates-\$175.00 annual combined financial report.

Ray Stark made a motion to approve the bills for payment. John Carroll seconded. The motion was approved.

The next meeting will be held on January 16, 1982, 10:00 A.M. at Tom Bennett's cabin in The Retreat. The meeting was adjourned.

Respectfully submitted

*Marcella Bicknell*

Marcella Bicknell, corr. sec.