

**RETREAT LANDOWNERS ASSOCIATION**  
**Board of Directors Meeting**  
**January 24, 2009 @ 9:00am**  
**Peter Sinnott's Residence – 22 Saddle Court**

Attending: Dick Boggs, Mike Frederick, Terry Larsen, Mary Nolan, Danny Perugini,  
Peter Sinnott

Also Attending: Victoria and Guy McCoy, Rob Squire, Peggy and Vernon Burch, Duke,  
Sumonia, Dennis Bicknell

The meeting agenda was adopted as amended and the minutes of the November 1, 2008 meeting were approved as submitted.

**Landowners Comments:** Guy McCoy requested that the potluck scheduled for February 2009 be held in a nonsectarian place. President Dick Boggs asked Guy to coordinate arranging alternate locations and Guy agreed to research and submit two alternative locations to the RLA Board.

Duke Sumonia presented written responses from RLA residents concerning the Larimer County rural addressing project and requested to be added to the agenda under new business. His request was denied as it would be more appropriate at a future meeting.

Mrs. Jenkins and Tony Besson passed away recently and Sy Kleinman just had by-pass surgery.

**Reports:**

**United Retreat Committee** – Rob Squire reported that the committee is proceeding with designating County Road and Retreat Road Lots in accordance with the motion that will be brought before the membership at the annual meeting. Changes in the bylaws and covenants may be necessary and the attorney is currently reviewing the changes. A majority of the membership must approve the motion for it to pass (a minimum of 112 votes in favor of the motion).

**Treasurer** – Financial reports were submitted from Hobert Office Services. As of January 22, 2009, 158 landowners had paid their assessments and the Checking Account balance is \$16,547.55 and the Money Market account balance is \$75,390.56.

**Architectural Control Committee** - There are no new applications and none pending.

**Road Committee** – The water truck was sold and improvements around the fire station were started.

**Estes Valley Forest Issues Forum** – Dennis Bicknell informed the Board of the Estes Valley Forest Issues Forum which is made up of representatives from various government agencies and homeowners' associations in the area and which seeks to improve communications and relationships among themselves especially concerning wildland fire mitigation. Funding towards this effort has ceased but the Forum plans to continue for one more year. Dennis stated that he will pass on pertinent information to Vicki McCoy for inclusion in newsletters and possibly for the website.

**Environmental** – Peggy Burch reported that the lack of moisture is adversely affecting the trees in addition to beetle infestation. She also noted that beetles are attracted to dripping sap especially from freshly cut branches/trunks so in cutting dead limbs, a two-inch stub should be left to avoid not cutting into the trunk of the tree.

**Forest Preservation Committee** – This committee (Danny Perugini, Mary Nolan and Graham Fowler) was formed at the last Board meeting. The Committee felt a policy to deal with the beetle infestation is necessary and it was decided to contact Jim Persichetti, who had previously worked on this issue, for his input and to work closely with Peggy Burch in identifying trees and taking action this spring.

**Glen Haven Community Preservation Group (GHCPG)** – Danny Perugini reported that an amendment proposed to the County Commissioners on January 5<sup>th</sup>, that would have closed the issue of Glen Haven maintaining its name with respect to physical property locations, was withdrawn. The GHCPG was initiated 2-1/2 years ago when the County started its Rural Addressing project and proposed renaming Glen Haven properties either as being located in Drake or Estes Park. The GHCPG (with representation from the RLA, GHA, GHAVFD and County Road 43 residents) feels strongly that a solution can be agreed upon by the County, US Postal Service and Glen Haven Residents and is pursuing it. The GHCPG is currently requesting the RLA and GHA associations and residents to contact their congressional representatives requesting their help in arriving at a solution that would ensure efficient emergency services dispatching and maintain the current Glen Haven area designation.

**Maitland Agreement/Assessment** – Director Terry Larsen reviewed with Marcy Trahan the Maitland Agreement and the possibility of assessing the property in 2010. After considerable discussion it was moved and seconded that the Maitland Agreement be honored and the property not be assessed an annual membership assessment. Upon voting, the motion passed 5-1.

**GHAVFD/RMNP Grant** - Notification was received regarding a community assistance grant given through the Glen Haven Area Volunteer Fire Department by Rocky Mountain National Park. Peter Sinnott will contact the GHAVFD to see if some of the RLA fire mitigation needs can meet the qualifications for the grant.

**Bylaws Review** – The latest versions of the Bylaws are not recorded in the Larimer County records. The Committee will pursue past amendments to the Bylaws, search the boxes of records currently in Jan Ricker's basement, and attempt to update and consolidate the Bylaws.

**Covenant Violations** – President Dick Boggs stated that complaints regarding and obvious violations of the covenants will be acted upon. He will present a list at the March meeting.

**Dry Fire Hydrants** – President Dick Boggs will coordinate with the GHAVFD to install additional dry fire hydrants in the RLA area.

**Annual Meeting** – The Holiday Inn has been reserved for the annual meeting to be held on July 18, 2009.

Meeting adjourned.

Joan Van Horn, Meeting Recording Secretary

**RETREAT LANDOWNERS ASSOCIATION**  
**Board of Directors Meeting**  
**March 14, 2009 @ 9:00am**  
**Mike Frederick's Residence – Copper Hill Road**

Attending: Dick Boggs, Graham Fowler, Mike Frederick, Terry Larsen, Mary Nolan, Danny Perugini, Peter Sinnott

Also Attending: Victoria and Guy McCoy, Rob Squire, Duke Sumonia, Ann Martin, Becky Lorenz, Dennis Bicknell

The meeting agenda was adopted and the minutes of the January 24, 2009 meeting were approved as submitted.

**Landowners Comments:** Victoria McCoy submitted a document entitled "HOA Fiduciary Sensitivity" written by Richard Thompson and requested it be included with the meeting minutes.

Duke Sumonia submitted a letter and attachment dated March 14, 2009 asking two questions and requested it be included with the meeting minutes.

**Reports:**

**Treasurer** – Financial reports were submitted from Hobert Office Services. As of March 11, 2009, 215 landowners had paid their assessments and the Checking Account balance was \$8,454.76 and the Money Market account balance was \$75,390.56. It was moved, seconded and carried that the (1) financial reports be accepted with transferring \$500 budgeted for the Fire Station #2 cleanup to the website update/conversion and (2) the RLA attorney be contacted to initiate lien filings on properties on which assessments are not yet paid.

**United Retreat Committee** – Rob Squire explained that the next step is a two-fold process: (1) The covenants would need to be amended to allow changes to be accomplished more easily (requires 67% vote of approval) and (2) The Bylaws would need to be amended to enact the assessment changes. The voting could take place either by mail or at the annual meeting. The Board will review the proposed covenant and bylaw changes and determine how the voting will be conducted.

**Architectural Control Committee** - Two applications for a detached garage and exercise building were reviewed and approved.

**Road Committee** – More moisture is needed to adequately grade the roads. Equipment repairs were made. Larimer County recently graded Dunraven Glade Road.

**Estes Valley Forest Issues Forum** – The next meeting is scheduled for April 22, 2009.

**Environmental/Forest Preservation Committee** – Dick Boggs reported (on behalf of Peggy Burch) that they checked on a dead stand of trees on Miller Fork Road and there was some beetle infestation so some trees will need to be removed prior to the beetles migrating. Danny Perugini researched the costs of Pheromone packets. He agreed to write an article for the newsletter explaining this type of prevention measure and to offer sales of the packets to interested homeowners.

**Glen Haven Community Preservation Group (GHCPG)** – Reverse 911 procedures have been reinstated for the Glen Haven/Retreat area and all indications at this point are that Glen Haven will remain as the community designation.

**Bylaws Review Committee** – The Bylaws have been reviewed and only minor changes are needed.

**New Business:**

**Nominating Committee** – Three positions will be available on the Board of Directors. Danny Perugini will seek an assistant for this committee and submit notification to the newsletter.

**Financial Review** – Volunteers are needed to conduct the annual financial review. President Dick Boggs will ask various members to serve.

**Old Business:**

**Covenant Violations** – Several violations of uncovered fuel tanks, old slash piles, long-term parked trailers, and unsightly sheds were identified. President Boggs will write letters to the property owners in accordance with the violations procedure.

**Dry Fire Hydrants** – Installation of additional dry fire hydrants will be pursued later in the spring. It was proposed that an article concerning precautionary actions for high fire danger be in the next newsletter.

Meeting adjourned.

Joan Van Horn, Meeting Recording Secretary

August 21, 2002

## HOA Fiduciary Sensitivity

*by Richard Thompson*

A "fiduciary" is someone that has been entrusted to act on behalf of another. It is an ancient and noble calling to serve another's interest for no compensation. The principle of fiduciary is central to the role of directors that serve on a homeowner association board.

The community members elect individuals they deem trustworthy to care for the HOA assets and that which is near and dear to all...their homes. Being a fiduciary should never be taken lightly. In the pecking order of Board responsibilities, it's at the top.

There are those that sidestep their fiduciary duty in route to the Board. This becomes glaringly apparent when someone gets elected and comes packing a personal agenda (hidden or otherwise). Playing out this agenda is totally contrary to the fiduciary principle. It's a wolf in sheep's clothing. There's a fox in the henhouse. Do what you would do with any varmint. Run them off.

Another anti-fiduciary slant is the "I was elected to make decisions" mentality. While maybe well meaning, this attitude presupposes that the community is just fine with whatever this person decides. By extension, this person believes that soliciting community input on important issues is a waste of time. Wrong, wrong, (repeat) wrong.

Polling members on significant policy or rule changes is the height of fiduciary sensitivity. If you have the community's general agreement on a rule, there will be less need for enforcement and fewer confrontations after it's adopted. Soliciting input also uncloaks Board meetings by casting hot topics directly in front of the electorate. This promotes trust. And trust overcomes the Board's need to explain each and every action.

A fiduciary is a servant by definition. This means keeping others' interests above one's own. This means keeping the "Big Picture" clearly in focus rather than squinting at the small print. By filtering decisions through a fiduciary screen, the Board will remain sensitive to its highest calling. HOA Fiduciary sensitivity makes sense.

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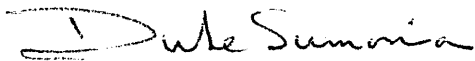
March 14, 2009

**Landowner Comments**

**Submitted for the minutes, RLA board meeting, March 14, 2009**

- 1. Will the board comply with the Annual Disclosure requirement of CCIOA (38-33.3-209.4(2))?**
- 2. As some members may not have computers and/or skills to access the RLA official website will the board, at members request, provide the required disclosure by first-class mail?**

**Respectively submitted**



**Duke Sumonia**

**38-33.3-209.4. Public disclosures required - identity of association - agent - manager - contact information.**

- (1) Within ninety days after assuming control from the declarant pursuant to section 38-33.3-303(5), the association shall make the following information available to unit owners upon reasonable notice in accordance with subsection (3) of this section. In addition, if the association's address, designated agent, or management company changes, the association shall make updated information available within ninety days after the change:
  - (a) The name of the association;
  - (b) The name of the association's designated agent or management company, if any;
  - (c) A valid physical address and telephone number for both the association and the designated agent or management company, if any;
  - (d) The name of the common interest community;
  - (e) The initial date of recording of the declaration, and
  - (f) The reception number or book and page for the main document that constitutes the declaration.
  
- (2) Within ninety days after assuming control from the declarant pursuant to section 38-33.3-303(5), and within ninety days after the end of each fiscal year thereafter, the association shall make the following information available to unit owners upon reasonable notice in accordance with subsection (3) of this section:
  - (a) The date on which its fiscal year commences;
  - (b) Its operating budget for the current fiscal year;
  - (c) A list, by unit type, of the association's current assessments, including both regular and special assessments;
  - (d) Its annual financial statements, including any amounts held in reserve for the fiscal year immediately preceding the current annual disclosure;
  - (e) The results of its most recent available financial audit or review;
  - (f) A list of all association insurance policies, including, but not limited to, property, general liability, association director and officer professional liability, and fidelity policies. Such list shall include the company names, policy limits, policy deductibles, additional named insureds, and expiration dates of the policies listed.
  - (g) All the association's bylaws, articles, and rules and regulations;
  - (h) The minutes of the executive board and member meetings for the fiscal year immediately preceding the current annual disclosure; and
  - (i) The association's responsible governance policies adopted under section 38-33.3-209.5.
  
- (3) It is the intent of this section to allow the association the widest possible latitude in methods and means of disclosure, while requiring that the information be readily available at no cost to unit owners at their convenience. Disclosure shall be accomplished by one of the following means: posting on an internet web page with accompanying notice of the web address via first-class mail or e-mail; the maintenance of a literature table or binder at the association's principal place of business; or mail or personal delivery. The cost of such distribution shall be accounted for as a common expense liability.
  
- (4) Notwithstanding section 38-33.3-117(1)(h.5), this section shall not apply to a unit, or the owner thereof, if the unit is a time-share unit, as defined in section 38-33-110(7).

**Retreat Landowners Association  
Executive Board of Directors Meeting  
March 14, 2009**

**Attending: Dick Boggs, Mike Frederick, Terry Larsen, Mary Nolan,  
Peter Sinnott**

**An executive meeting was held to discuss legal issues related to potential lawsuits.**



**RETREAT LANDOWNERS ASSOCIATION**  
**Board of Directors Meeting**  
**May 16, 2009 @ 9:00am**  
**Terry Larsen's Residence – Streamside Drive**

Attending: Dick Boggs, Mike Frederick, Terry Larsen, Mary Nolan, Peter Sinnott  
Also Attending: Victoria and Guy McCoy, Rob Squire, Duke Sumonia, Ann Martin,  
Becky Lorenz, Peggy and Vernon Burch, Ron Spurlin

The meeting agenda was adopted as amended and the minutes of the March 14, 2009 meeting were approved as submitted.

An executive session of the Board of Directors was held on April 3, 2009 at which the current editor of the RLA Newsletter was dismissed.

**Landowners Comments:** Ron Spurlin stated that he was coordinating beetle spraying for RLA members that wished to participate. He had obtained bids from two companies and wanted assistance from the Board in notifying owners. The Board explained that beetle spraying is the choice of the individual property owners and that the Board is not involved but agreed that the information could be put on the RLA website and members could be notified by email.

Duke Sumonia submitted a letter dated May 16, 2009 which is attached and made a part of these minutes.

**Board Members Comments:** President Dick Boggs praised RLA member Jay Bedford who passed away recently.

**Reports:**

**United Retreat Committee** – Rob Squire provided wording for the proposals that had been reviewed and finalized by the attorney. He emphasized that the attorney advised changing the covenants and bylaws (as opposed to just amending the bylaws) in order to provide a stronger legal position. The ramifications of changing only the bylaws versus changing both the covenants and related bylaws were discussed at great length. The process of changing both the covenants and bylaws would be as follows:

1. Obtain an affirmative vote at the Annual Meeting to allow the covenants to be amended/changed (along with the process to do so);
2. If the affirmative vote is received, then the issue must go to court and be determined by a judge that such is legal;
3. If the judge deems it to be legal, proceed with changes/amendments to covenants and bylaws (this may be voted on at the annual meeting but its implementation would be pending court approval).

It was moved, seconded and unanimously carried that the proposal to allow changes to be made to the covenants be brought before the membership for vote at the annual meeting along with Exhibit A which defines the lots included within the Retreat Landowners Association.

It was also moved, seconded and unanimously carried that the proposal to change the covenants and related bylaws provisions to allow prorating of road assessments be brought before the membership for vote at the annual meeting.

Then it was moved that the Board recommend approval of covenant and bylaw changes that would allow prorating road assessments. Motion died for lack of a second.

Rob Squire stated that he would prepare information explaining the proposals for the annual meeting package.

**Treasurer** – Financial reports were submitted from Hobert Office Services. As of May 14, 2009, 221 landowners had paid their assessments and the Checking Account balance was \$3,365.42 and the Money Market account balance was \$75,402.60. It was moved, seconded and carried that the financial reports be accepted

**Architectural Control Committee** -.The written report from Dennis Bicknell stated that one application was received for the construction of a children's playhouse.

**Road Committee** – Roads have been graded and road maintenance will begin June 9<sup>th</sup> at 9:00am with volunteers meeting at the switchback on Bulwark Ridge Drive above Dunraven Glade Road. Recycled asphalt will be applied to ½ mile of Bulwark Ridge Drive and .3 mile of Copper Hill Road.

**Estes Valley Forest Issues Forum** – The Forest Service will complete its environmental assessment of the Retreat area soon.

**Environmental/Forest Preservation Committee** – Peggy Burch reported that the current pine beetle breakout is considered epidemic and that pockets of infestation have been found in the Retreat area. Spraying is somewhat effective in protecting trees but it is expected that this infestation could last about 10 years. Whether or not to spray is the individual property owner's decision and should owners decide to spray, they should notify their neighbors.

It was moved, seconded and carried that the meeting time be extended to 11:30am.

**Bylaws Review Committee** – The website was converted to pc format and the reporting requirements for the CCIOA were added.

Bylaw changes made from 1986-2008 were reviewed and found to be accurate. The committee recommends that the bylaws be updated following the 2009 annual meeting, signed by the Board of Directors and notarized, and then recorded with the Larimer County Clerk and Recorder.

### **New Business:**

**Annual Meeting Packets** – President Boggs will coordinate with members to get the annual meeting packets prepared.

**Nominating Committee** – There are no candidates at this point for the three positions that will be available on the Board of Directors.

**Miller Fork/Former Bulwark Ridge Assoc.** – Approximately \$900 of the remaining \$2700 road maintenance funds will be spent to add road base to relieve eroded sections and to bring the road up to RLA standards. Once the funds are totally spent, the road will become part of the regular RLA road maintenance program.

**Road Signs** – Larimer County has offered to replace all RLA wooden road signs with metallic brown signs with white reflective letters at no charge for installation or maintenance. The following road names will be changed:

Copper Hill Court will become Sheep Lane

Coyote Court will become Barking Coyote Court

Elk Ridge Court will become Wild Elk Court

Bulwark Ridge will become Leaping Bobcat Lane

It was moved, seconded and carried that the Board recommend replacement of the wood RLA road signs with the County regulation brown street signs with installation and future maintenance being the responsibility of Larimer County.

**Old Business:**

**Water Report** – The Larimer County Water Commissioner acknowledged receipt and acceptance of the annual report from the RLA.

**Covenant Violations** – President Boggs will finalize the list of violations by the first week in June.

**Dry Fire Hydrants** – Members of the RLA Board will meet with the GHAVFD fire chief in June to pursue the installation of more dry fire hydrants.

Meeting adjourned at 11:20am.

Joan Van Horn, Meeting Recording Secretary

**RETREAT LANDOWNERS ASSOCIATION**  
**Board of Directors Meeting**  
**July 18, 2009 @ 9:00am**  
**Dick Boggs's Residence – Elk Ridge Drive**

Attending: Dick Boggs, Graham Fowler, Mike Frederick, Terry Larsen, Mary Nolan,  
Danny Perugini, Peter Sinnott  
Also Attending: Victoria and Guy McCoy, Rob Squire, Duke Sumonia

An executive session of the Board of Directors was held on July 11, 2009 regarding legal matters.

The meeting agenda was adopted and approval of the May 16, 2009 minutes was tabled until the next Board meeting (Board members did not receive copies).

**Landowners Comments:** Duke Sumonia asked two questions that were addressed.

**Board Members Comments:** RLA members Dr. Stan Wasman and Dr. Maurice Ward passed away recently. Graham Fowler expressed concern about the amount of money being spent on legal fees.

**Committee Reports:** All committee reports were submitted in writing and included in the annual meeting packet. There were no questions regarding the reports.

President Dick Boggs commented that numerous culverts will need to be cleaned following the heavy rainstorms which may delay other road projects.

**New Business:**

**Newsletter** - The next newsletter will be published after the annual meeting. Peter Sinnott volunteered to coordinate the newsletter publication.

**Streamside Road ROW** – A property owner near the junction of Streamside Drive and County Road 43 claims that the road is encroaching upon her property and has set stakes and rocks out into the roadway. There is a 25' road right-of-way and most likely the 14' wide road is within the right-of-way but a survey may be needed to verify that. Larimer County has agreed to enforce the right-of-way if the RLA verifies it. Terry Larsen volunteered to research the situation further and contact the County.

**Nominating Committee Chairman** – Danny Perugini volunteered to chair the Nominating Committee for this next year.

**Next Board Meeting** – is scheduled for Saturday, September 19<sup>th</sup> at Danny Perugini's home. The board meetings for next year will be scheduled then.

**Annual Meeting** – The pending lawsuit against the RLA will be announced but not discussed.

**Policy Changes** – Duke Sumonia expressed concern regarding changes being made to policies without adequate prior notice to the membership. After considerable discussion, it was moved and seconded that the board adopt a practice of giving advance notice of proposed policy changes as follows:

- Notify membership of proposed policy changes;
- Receive comments and allow discussion at the meeting; and

If a policy is amended, added or deleted that such be published in the newsletter.

It was then moved that the motion be amended by adding the words “upon request” as follows: “Notify membership ‘upon request’ of proposed policy changes”. The motion died for lack of a second.

The original motion was then withdrawn and it was moved, seconded and carried as follows: That all policy amendments, deletions or additions be discussed at a Board meeting then set for final determination at the next regularly scheduled Board meeting. The proposed policy changes will be included in the minutes of the first Board meeting that will be published in the newsletter and also will serve as notice to the membership.

**Old Business:**

**Covenant Violations & Dry Hydrants Installation** – Both of these projects are on hold for awhile.

**Glen Haven Name Designation** – The Board approved giving Steve Childs a gift certificate in the amount of \$100 in appreciation for his efforts (and time and expenses) in successfully maintaining Glen Haven as the physical address for the Retreat and Glen Haven landowners.

The meeting adjourned at 11:15am.

Joan Van Horn, Meeting Recording Secretary

**RETREAT LANDOWNERS ASSOCIATION**  
**Board of Directors Meeting**  
**September 19, 2009 @ 9:00am**  
**Danny Perugini's Residence – Dunraven Glade Drive**

Attending: Dick Boggs, Danny Perugini, Claude Alkire, Mike Frederick, Terry Larsen, Mary Nolan, Peter Sinnott

Also Attending: Ann Martin, Victoria McCoy, Rob Squire, and Duke Sumonia

New Board member Claude Alkire was welcomed and the meeting agenda was adopted. The minutes of the May 16, 2009 minutes were approved with the amendment that the paragraph entitled "Miller Fork/ Former Bulwark Ridge Assoc." be deleted. The minutes of the July 18, 2009 Board meeting and Annual Meeting were approved.

**Landowners Comments:** Ann Martin suggested (and the Board agreed) that a formal thank you be sent to the firefighters who battled the blaze at the Dunraven Glade Trailhead last week. Duke Sumonia announced that he will submit in writing documentation regarding roads and gates and perhaps other matters..

**Board Members Comments:** It was reiterated that all changes to bylaws and policies need to be signed and incorporated into the official copies of such. Also, minutes posted on the website should include the letters referenced in the minutes.

**Election of Officers:** Danny Perugini was nominated and unanimously elected as President and immediately took charge of the meeting. The following were then elected to office: Vice President – Mary Nolan Secretary/Treasurer – Peter Sinnott

**Reports:** Duke Sumonia requested that committee reports be made available to members at meetings and also posted on the RLA website.

**Treasurer** – Written financial reports were submitted by Hobert Office Services. The check account balance is \$1697.08 and the money market account balance is \$50,413.90 as of September 15, 2009. Seven properties have sold since May 14<sup>th</sup> and only one assessment has not been received in full for 2009. Increasing the \$100 property transfer fee was briefly discussed and put on hold for further discussion at a future meeting.

**Architectural** – A written report from chairman Dennis Bicknell stated that no new cabin applications have been submitted but applications for a few repairs and/or additions have been received.

**Roads** – Dick Boggs reported that the roads held up well during several rains and that the water pump had to be replaced on the grader.

**Environmental** – In her written report, Peggy Burch stated that the mountain beetle flight took place in late August and that property owners should start checking for pitch tubes sometime in October to identify trees that should be taken out next spring.

**Website & Newsletter** – Hobert Office Services maintains the RLA website and Peter and Stephanie Sinnott are currently producing the RLA newsletter.

## **Old Business:**

**Lawsuit** – A motion to dismiss has been filed by the RLA attorney. CNA has not responded as to why it is not representing the RLA in this lawsuit so Peter Sinnott will draft a letter to CNA for the President's review.

**Motions 1 & 2** – Rob Squire presented a time line for proceeding with voting on Motions 1 & 2 in accordance with the actions of the membership at the July 18, 2009 annual meeting. The proposed time line included a mailing by September 25<sup>th</sup> for a special general membership meeting scheduled for November 7<sup>th</sup>. Duke Sumonia suggested that a special membership meeting be held to amend the bylaws to allow mail-in ballots. If the bylaws amendment were approved, then the Board could proceed with voting on Motions 1 & 2 via mail-in ballot. Details to accomplish the bylaws amendment were discussed and it was then moved, seconded and carried that the Board call a special membership meeting (date to be determined) to amend the bylaws to allow issues determined by the Board to be voted on by mail-in ballots.

**Inspection of Retreat Records Policy** – It was moved, seconded and carried that the number of days be changed from five (5) to ten (10) and that the location be changed to Hobert Office Services.

**Streamside Entrance ROW** – Van Horn Engineering surveyed the Streamside entrance right-of-way and determined that the road was within the right-of-way. The County Road Engineer has been contacted regarding the survey and he will contact the property owner to remove obstructions from the road. Despite being informed of the survey results, the property owner remains uncooperative so the Board authorized the attorney to send her a letter. The Board will also notify CNA of a possible lawsuit from this situation.

## **New Business:**

**2009-10 Board Meetings** – Board meetings are scheduled for

November 21 @ Mary Nolan's residence  
March 20 @ Mike Frederick's residence  
June 12 @ Dick Bogg's residence  
September 18 @ Danny Perugini's residence

**Annual Meeting** – July 24, 2010 @ 10:00 am (Board meeting to follow immediately after)

**2009 Budget Meeting** – Sat. October 10 @ 9:00 am @ Terry Larsen's

**Tax Reports** - It was moved, seconded and carried that Anita Meis be hired to do the year-end tax reports.

Meeting adjourned at 11:40am.

Joan Van Horn  
Meeting Recording Secretary

**RETREAT LANDOWNERS ASSOCIATION, INC.  
Special Meeting – October 24, 2009 – 2:00pm  
Glen Haven Town Hall  
Glen Haven, Colorado**

**A special meeting of the Retreat Landowners Association was scheduled for October 24, 2009 at 2:00pm at the Glen Haven Town Hall to vote on a motion to amend the bylaws in order to allow the use of mail-in ballots.**

**Following introductions of the current Board of Directors, it was determined that a quorum of forty (40) members attending and signed in was not achieved and, therefore, the meeting could not be called to order and the motion could not be officially voted on.**

**Recorded by Joan Van Horn**



**RETREAT LANDOWNERS ASSOCIATION**  
**Board of Directors Meeting**  
**November 21, 2009 @ 9:00am**  
**Mary Nolan's Residence – Elk Ridge Drive**

Attending: Danny Perugini, Claude Alkire, Dick Boggs, Mike Frederick, Terry Larsen, Mary Nolan, Peter Sinnott

Also Attending: Peggy and Vernon Burch, Victoria McCoy, Duke Sumonia, Joe and Diane Lavaux

President Danny Perugini called the meeting to order. Duke Sumonia requested that he be added to the end of the agenda. The agenda was adopted with the addition of Duke Sumonia's matter at the end if meeting time remained. The minutes of the September 19, 2009 minutes were approved.

**Landowner Comments:** Victoria McCoy asked numerous questions and offered various comments until the three minute limitation for individual comments was reached. Ms. McCoy refused to stop speaking when told her time was up. She was then asked to stop disrupting the meeting or she would have to leave. When she refused again, the President told her that he would have to call the Sheriff to have her removed. Her reply was to go ahead and call the Sheriff. The meeting then continued and Duke Sumonia submitted comments and asked questions for three minutes.

**Board Member Comments:** Terry Larsen reported that the survey conducted by Van Horn Engineering on the Streamside entrance right-of-way has been completed with one minor addition and will be recorded in the Larimer County Records.

**Reports:**

**Treasurer** – Written financial reports were submitted by Hobert Office Services. The check account balance is \$1630.14 and the money market account balance is \$43,418.08 as of November 18, 2009. Two properties have sold since September 16<sup>th</sup>.

**Architectural** – Chairman Dennis Bicknell's written report stated that a modification to previously submitted plans by the Phillips on Streamside Drive was processed.

**Roads** – Dick Boggs reported that a new contractor had been obtained to chip the slash piles and all was chipped less expensively and faster than previously. The new contractor's machinery is capable of handling slash up to 12 inches in diameter. Dick requested that homeowners be informed in the next newsletter that tree stumps, trash, and building materials cannot be included in slash piles. Homeowners must dispose of such materials themselves.

**Environmental** – Peggy Burch presented her written report concerning the mountain pine beetle and the fungus and beetle affecting the Douglas fir trees.

**Glen Haven Area Volunteer Fire Department** – Peggy Burch, serving as the liaison between the GHAVFD Board of Directors and the RLA Board of Directors, reported that 19 emergency calls have been received so far this year. Most calls involved medical emergencies but two of the fire emergencies were the Dunraven Glade Trailhead fire and the downtown Estes Park fire. Twelve directors have just been elected to the GHAVFD Board and the fire department is seeking more volunteers. The next GHAVFD Board meeting will be in January.

**Website** – It was suggested that an “open forum/comment” page be added to the website and that all submittals for the site be channeled through Dick Boggs or appropriate RLA board member. It was also suggested that the website be checked periodically to make sure all pertinent documents are included.

**Newsletter** – Vice President Mary Nolan agreed to write a welcoming message for the next newsletter.

#### **Old Business:**

**October 24, 2009 Special Meeting** – A quorum was not obtained for the special meeting on October 24<sup>th</sup> and, therefore, no official business was conducted. The proposed amendment to the bylaws to allow the use of mail-in/absentee ballots will be scheduled for the next annual meeting.

**2010 Budget** – The Board had previously met and developed a budget for 2010. A minor correctional change was made to the 2009 budget then it was moved, seconded and carried that the proposed 2010 budget be adopted. The 2010 budget will be posted on the website and included in the next newsletter.

**Inspection of Retreat Records Policy** – It was moved, seconded and carried that Section 2, “Inspection and Copying of Association Records”, be officially changed from five (5) days to ten (10) days and that the location stated in Section 3 be officially changed to Hobert Office Services.

**Year-end Tax Report** – Anita Meis has agreed to do the year-end tax report.

**Lawsuit** – The entire Retreat Landowners Association has now been named as defendants and it has cost the RLA \$7500 so far to defend this lawsuit. \$5,000 has been budgeted for 2010.

#### **New Business:**

**Estes Valley Improvement Association (EVIA)** – has been dissolved.

**RLA Emergency Phone Call Tree** – This was formed in June 2007 after the December 2006 snowstorm and now needs updating. Danny Perugini agreed to contact team leaders to start updating it.

**Resolutions resulting from Executive Session** – None were proposed as a result of the November 21, 2009 Executive Meeting of the RLA Board of Directors.

**Duke Sumonia** – Duke Sumonia provided documents to the RLA Board concerning the Bulwark Ridge Association, its procedures and road maintenance. He stated that the Bulwark Ridge Association roads were dedicated to the public but that the responsibility of the road maintenance remains with the Bulwark Ridge Association.

Duke also submitted a written proposal dated November 21, 2009 and entitled “Proposal for a Book of Governing Documents, Its Procedures and Maintenance” for the Board’s review. A copy of this proposal is attached the original minutes of this meeting.

Meeting adjourned at 10:20am.

Joan Van Horn  
Meeting Recording Secretary