

SECOND ANNUAL MEETING

RETREAT LANDOWNERS' ASSOCIATION

MARCH 13, 1974, LOVELAND, COLORADO

The second annual meeting of the R.L.A. was called to order by Mr. Lloyd Angell, President. At this time he asked for a roll call for Proxy votes held by R.L.A. members. There were two proxies assigned to R. L. A. members neither one answered the roll call.

QUESTION from the floor: How are the proxies used? Mr. Angell, "A proxy is the same as an absentee vote. In this particular case, the Board holds all the assigned proxies. The proxy that was mailed to each landowner gave the R.L.A. members a choice of any Board officer or any R.L.A. landowner".

A count of the proxies showed that each Board member held proxies as follows:
Lloyd Angell - 18
Lloyd Jones - 8
Bill Rosenberg - 1
Rod Romero - 1

Since it was decided at the first annual meeting that no one person can hold more than 30% of the proxies, the proxies were divided evenly between the Board members leaving each one with 7 votes.

At this point Mr. Angell read the following statement:

The first annual meeting of the R.L.A. was held in Boulder, Colorado on Feb. 27, 1973. Three board members were elected to serve on the Board along with Rod Romero and John Young, held-over directors from the original R.L.A. organization under the direction of Escape Properties, Ltd. These three were Lloyd Angell, Lloyd Jones, and Bill Rosenberg.

At the first Board meeting in March of 1973, Lloyd Angell was elected Pres., Bill Rosenberg, Vice Pres., and Lloyd Jones, Treasurer. Barbara Betts served as secretary of the Board and of the Association.

The following committees were organized: Road Maintenance, Rules and Regulations, Facilities, Aquisitions, and Maintenance, and Social. The Board and Committees have all functioned well to all requests of the President and the Board.

Our Road and Maintenance committee chairman, Wilfred Howarth of Estes Park, has done a very fine job with grading and snow removal. As of yesterday the roads were reported in excellent condition. We have experienced a mild winter and so far a minimum of expense. It is my conviction, as your President, that good roads are essential for economic reasons and towards your enjoyment of your property at the Retreat. Concerted effort is being made to keep good and passable roads at the least possible expense to all landowners. Roads can be left to deteriorate under heavey weather conditions, but with moderate and constant care, they will be far less expensive than if left for future major repairs from deterioration and neglect.

At the present time there are 14 cabins either built or under construction. There are 35 completed water wells and 15 electrical hook-ups.

Spraying for pine beetle infestation was reasonably successful which was done by Escape Properties, Ltd., but Spring and time will tell the facts. We should be alert and check for pine beetles and either spray for them or report such findings.

Protection at the Retreat is presently a matter of major concern. We have had several break-ins and stolen materials. As yet no offenders have been apprehended. The Sheriffs Department has been contacted, but to date there has been no effective progress.

Every effort is being made to keep the Retreat clean and natural. Every season has its particular beauty and we need to make every effort to protect and keep this beauty.

I urge all Retreat lot owners to visit your property more often; Take an active part in guarding against transgressors, property disfigurement, and road abuse. The Retreat is beautiful, inviting, and a perfect place to get away from it all. Use it and help us all to be proud of our investment. Other developments have been abandoned and left to deteriorate. Many dreams have been shattered by such carelessness. I am grateful to Escape Properties for their help and encouragement. They have helped tremendously in keeping and guarding the Retreat. It is ours to love, serve, and protect. Let us see that we do it. Thank you.

BUSINESS AGENDA

ELECTION OF BOARD MEMBERS

Since there was no nominating committee, nominations were accepted from the floor. Mr. John Spidell was nominated. Mr. Spidell is from Greeley, Colo. and has been a Retreat landowner for over a year. There being no other nominations, a motion was made to cease the nominations, and accept unanimously Mr. Spidell as the new One Year Board Member. Motion was seconded and carried unanimously.

Nominations for two Year Board Member:

Mr. Ken Pitman: Mr. Pitman is from Littleton, Colo. He has been a landowner for one year, and is concerned that the Retreat be kept as it is and is well managed.

Mr. Don Sturgesleski: Mr. Sturgesleski is from Lakewood, Colo. He was one of the first landowners and is concerned with maintaining a good piece of property.

A motion was made to cease the nominations. Motion seconded and carried.

The voting went as follows:

Mr. Ken Pitman - 35 votes

Mr. Don Sturgesleski - 21 votes

NEW BOARD MEMBERS

Mr. John Spidell - One Year Board Member

Mr. Ken Pitman - Two Year Board Member

TREASURER'S REPORT

A copy of the Treasurer's report along with a prepared statement was handed to each landowner. Before reading from the statement Mr. Jones said that he had no animosity toward Escape Properties, and felt in their jurisdiction they had been helpful. There were things that concerned him and he felt they should be known.

Statement as read by Mr. Jones:

As a supplement to the financial report, and the opinion of the auditor, I would like to review some of the situations pertaining to the Treasurer's Office. As you know, there were two members of the Board who were on the payroll of Escape Properties, Ltd. Although their service in the organization of the new board was quite helpful, I felt that in certain areas there were some conflicts of interests.

On May 29, 1973, the board was presented with a statement from Escape Properties, Ltd., for road maintenance in the sum of \$3,951.13. This seemed to cover a period of two to three months. Most of these bills were validated by a statement from the company that had done the work, showing the type of work. However, there were at least two charges made by Escape Properties, Ltd. without validation. One, in the sum of \$3,247.28, was prorated from check No. 2106 to Pendleton Construction Company for \$5,242.28. Another was a charge from Terrino Construction Company in the amount of \$248.85 prorated from check No. 1987 for \$478.76.

I raised a question at the time and insisted that it was unrealistic for upkeep on such new roads.

On August 7, 1973, another bill from Escape Properties, Ltd., was presented for payment as road maintenance. A motion was made and seconded to pay it. When I questioned the date and validity, it was voted 3 to 2 not to pay. Escape Properties, Ltd., did not resubmit their bill.

At our Board meeting December 4, 1973, we were presented with a bill from the National Construction Company. The original billing was to Escape Properties, Ltd., for driveway work. I stated to the board that I would not pay for that type of work. The board gave me permission to settle it to my own satisfaction. Escape Properties, Ltd., did not resubmit the bill.

During our January 15, 1974 board meeting, a statement in the amount of \$350.00 was submitted for payment. The service rendered by the Lester White Company was to establish tax exempt status to the Internal Revenue Service for Retreat Landowners' Association. I asked, and received permission from the board to withhold payment until I could be assured that this was a legitimate charge. After talking to and getting reactions from four accountants about this matter, I decided with them that it was a gouge.

It is my opinion that this body should take action either to pay this bill or withhold payment until a reasonable bill is presented. I have a copy of all work done by this company for your inspection. After considerable study of these and other matters, it seemed that if Escape Properties, Ltd. would present us with bills to pay that were plainly marked for other than road maintenance, unvalidated bills should be examined. On March 1, 1974, I called

at the office of the Pendleton Construction Company. I asked if I could have a copy of work done for Escape Properties, Ltd., that was paid for by check No. 2106. I received in the mail a copy in detail and a signed statement by the owner, "I certify the above all as preparation work," and not that of maintenance.

In trying to validate the work done by Terrino Construction Company, I called several construction companies, and checked all cities in the area for their telephone. As yet I have not located them. Respectfully Submitted, Lloyd Jones.

Mr. Romero was asked if he had any comment on the bill in question. Mr. Romero: "I have nothing to say. The Board is extremely careful about paying bills. Anyone who has attended a Board meeting knows the hassles that are gone through to get bills paid."

QUESTION from the floor: What about the bill from Pendleton? Mr. Jones: The bill from Escape Properties was gone over at the Board meeting, but not the validated bill from Pendleton.

Mr. Romero: I think you should realize there is a distinction between Road maintenance and Road building. Snow removal and culvert repair are Road maintenance not road building.

Mr. Jones: It was stated on the validated bill in Mr. Pendleton's writing that the bill was for preparation work.

COMMENT from the floor: For your consideration, there is a law that states when the County accepts the roads, after they pass inspection, at this point the roads are the R.L.A.'s.

Mr. Jones: I am not questioning the work done on maintenance or snow removal, but preparation work done between Nov. 3, and Nov. 20, 1972.

Mr. Angell: Rod Romero can you verify when this problem occurred?

Rod Romero: This work was done due to washouts on Black Creek road late in 1972. This was after acceptance of the roads by the R.L.A. The roads were accepted Oct. 19, 1972.

QUESTION from the floor: Could the validated statement from Pendleton Construction be more specific. Many of the terms are unfamiliar to a layman. The term CMP was explained by Rod Romero to stand for Corrugated Metal Plates, a construction term for culverts.

QUESTION: When was construction of filing three started?

Answer: March 1973.

QUESTION: Who ordered work done on the roads?

Answer: The Board was ordering work done.

Mr. Angell stated that in regard to the work done that is in question; when severe weather brought on these problems on Black Creek Road, he felt something was wrong and arbitrated with Lynn Wells for three months, and the bill was discounted for 15%. In filings 3,4,5, we didn't accept maintenance of the roads, and Escape has kept those roads.

QUESTION: The total bill was for \$5,242.28. Why was the bill prorated?

Rod Romero: Escape Properties felt some of the work was their responsibility.

Bill Rosenberg: May I make a suggestion. We could argue about this bill all night it's been done before. Mr. Jones has our interests at heart down to the last penny. This case at the Retreat happened over a year ago when we had no Road Maintenance Chairman. Will you consider putting the matter back in the Board's hands and let us make a decision.

A motion was made that these matters be taken up by the Board at the next Board meeting. Motion seconded and carried. Mr. Angell stated there would be a Board meeting within 30 days of this meeting.

At this point Mr. Angell asked for nominations for a Secretary to serve the Board. There were no nominations. A motion was made to cease the nominations and reelect Barbara Betts as Secretary. Motion seconded and carried.

COMMITTEES

The subject of Protection and Fire Safety was brought up, and it was decided to form a Committee to look into these matters. Also to have a Constitution and By-Laws committee. Papers were passed asking for volunteers for these committees. Mr. Angell stated there would be a table set up after the meeting for people to sign up for either the new committees or the existing committees. Unless someone wished to resign or new people wished to join, the committees would remain the same.

PROTECTION AND FIRE SAFETY:

Dorene Romero gave a report on the problem existing at the Retreat of thefts and vandalism:

Early last year there were various minor thefts. The first incident of major import was last fall. Since then there have been numerous break-ins and thefts. There seems to be a ring working in the area. Escape Properties contacted Sheriff Baker of Estes Park, but there seems to be little he can do because he is understaffed and short of money. At this time they don't even have the facilities to take fingerprints after these break-ins. Dorene suggested that the R.L.A., The Retreat, Escape Properties, and Sheriff Baker try to make a concentrated effort to catch these thieves. Possibly ask for volunteers for stake-outs. Take into consideration some type of electronic surveillance. The Deputy Sheriff does make one patrol of the area each night.

QUESTION: Are there two main roads into the Retreat?

Answer: Yes, Dunraven Glade is public road clear through the Retreat, and Miller Fork is public road up to Black Creek.

DUES AND ASSESSMENTS:

Regarding dues, Mr. Raymond Stone made the following resolution:

WHEREAS dues in the Retreat Landowner's Association as outlined in Article 7, Section 1, Subparagraph C are currently assessed on the basis of a family membership, and

WHEREAS it seems more equitable to assess dues on a per lot basis, therefore, BE IT RESOLVED that the Secretary of the Board be directed to prepare a ballot by mail for the purposes of changing Article 7, Section 1, Subparagraph C of the By-Laws to read, 'the annual dues shall not exceed \$75.00 per lot without the approval of a majority of the members present at a meeting called in accordance with the provisions of the bylaws'.

BE IT FURTHER RESOLVED that this change if passed by the membership would take effect for the assessment year of 1975.

Resolution seconded.

DISCUSSION:

COMMENT: It seems to me you are proposing more assessment but no more vote. If a person owns ten lots he is assessed for all ten, but still has only one vote.

Bill Jones: I am in favor of this resolution, the bylaws were set up to make the Retreat a family type thing with one vote for their unit. Assessing on each lot will discourage speculation and fits in with the philosophy. One other change in the implication of this resolution is significant. The developer still pays assessments on lots he owns.

At this point a motion was made to include a reference to one vote per lot in the resolution. Motion seconded.

DISCUSSION:

Bill Jones: I am opposed, this would give the developer hundreds of votes. There are two separate By-Laws one deals with voting and one with dues. The issue of the vote could come up on another issue.

QUESTION: Are we trying to amend a resolution? Can you amend a resolution?

Answer: Any motion can be amended or changed. Why don't you vote on the amendment and then on the resolution.

The amendment was voted down. The resolution passed.

Mr. Bill Jones made a resolution regarding roads as follows:

WHEREAS the method and required condition for the acceptance of the responsibility for maintaining roads has frequently been discussed, and

WHEREAS the Articles of Incorporation and the By-Laws of the Retreat Landowner's Association fail to specifically deal with the transition of road ownership between the Developer, Escape Properties and the R.L.A. therefore

BE IT RESOLVED that the Secretary of the Board be directed to prepare a ballot by mail for the purposes of polling the membership changing the By-Laws to read as follows:

Article XI

Section 5; Acquisition of Roads

The roads within filings 1, 2, and 3 shall be considered the property and responsibility of the Retreat Landowner's Association. The roads in subsequent filings shall not become the property or responsibility of the R.L.A. until 60% of the lots have been sold and the roads have been accepted by the board and ratified by the membership.

Resolution seconded.

DISCUSSION:

Bill Jones: I have been disturbed about how we get the roads. Do we just have to take the roads without even seeing them. All I'm asking is that we have good roads without being bankrupt.

COMMENT: May I point out that when the County accepts the roads they must be nearly perfect before they will accept them. If the County says they are in good shape then they are. County law says these roads must be maintained.

Lloyd Jones: I never saw anything in writing that says we have to accept the roads.

Dorene Romero: May I offer this clarification. County law says the Landowners are responsible. You cannot reflect the roads.

COMMENT: I think it would be cumbersome to have acceptance of the roads ratified by the membership. Can't the Board take care of this? Can the last five words (and ratified by the membership,) be deleted?

A motion was made to delete the last five words. Motion seconded and carried.

COMMENT: According to the contract each landowner signed when he bought his property, the number 8 condition was that the R.L.A. must maintain the roads or the County will take them over. The R.L.A. does not have the right to vote on this issue.

Resolution passed as stated except for the last five words (and ratified by the membership).

REPORT ON TENNIS COURTS AND STABLES

Rod Romero showed some sketches from the Architects for the Tennis Courts and Stables. These will be located up Dunraven Glade Road just down from the U.S.F.S. parking lot, past filing 3. This way people can ride out of the stables onto Forest Service land.

Mrs. Mrdjenovich: I am not happy at all with the proposed location of these things, I have an option on the land right next to the Stables. I'm sure other people along Dunraven Glade might not like the idea.

Lloyd Angell: Since this is a problem between you and the developer, I suggest you work something out after the meeting.

Mr. Dave Hedlund: Has there been any discussion or plans made on how these facilities will be managed. I am familiar with Tennis Courts and they are very vulnerable to vandalism and also a huge expense.

Answer: Escape Properties will construct the facilities, then it will be up to the R.L.A. to maintain them.

COMMENT: There is nothing we can do about the Tennis Courts and Stables. Since the developer included these in the property report, if only one person wants to insist on these amenities, the developer is bound to furnish them. The issue was discussed at the first General meeting and a questionnaire sent to all Landowners to see if they wanted the Tennis Courts and Stables or a sum of money from the developer set aside for other purposes. About 20% voted for the Tennis Courts and Stables.

A motion was made that the R.L.A. not be in any way responsible for the Tennis Courts. The motion was overruled.

Ken Pitman: May I make a suggestion. Since it is impossible to get out of the contract for the Tennis Courts and Stables, let them be built. After completion when they have been turned over to the R.L.A. then a majority vote by the members can determine how these facilities will be used.

A motion was made to appoint Mrs. Mrdjenovich and Mr. Hedlund as a committee to meet with members of the Board and the developer to pursue the quality and purpose of these facilities and to report back to the Board. Motion seconded and carried.

In closing Mr. Angell read a letter from Hogan and Olhausen, Engineers and Architects who are working with several property owners within and adjacent to the Retreat for the purpose of designing their individual sewage disposal system. Their firm is presently completing a "Service Plan" for the proposed Lower Thompson Sanitation District. If formed, the district may at some future time extend their collection lines to serve the Glen Haven area. They are offering several solutions for providing interim treatment of wastewater collected from the Retreat. With the possibility of ultimately conveying the collected wastewater to the proposed district's wastewater treatment facility.

They would like to arrange a meeting with the Board if the R.L.A. members are interested.

Meeting adjourned.

Respectfully Submitted
Barbara Betts
Corresponding Secretary