



THE RETREAT

Newsletter

September 1990

Marv & Char Gee, editors

Minutes

The Nineteenth Annual Meeting Retreat Landowners Association

July 28, 1990

The Glen Haven Community Building

The meeting was called to order by President Graham Fowler. The Board of Directors introduced themselves, at which time Graham thanked Maggie McDonald for her work on the Board, completing the position vacated by Tim Stolz. The Landowners introduced themselves giving their home addresses as well as their Retreat addresses. There were fifty landowner units present. A total of twenty-six proxies and absentee ballots were distributed.

PRESIDENT'S REMARKS

Graham apologized for the condition of the roads, explaining that they had been worked on, but because of the recent rains, all the work had been washed away. He announced that at the Board meeting in the morning, the Board had decided to make the roads the #1 priority for next year. He said both the grader and backhoe have been repaired and are in service. He said the other goal set for last year was to build the reserve to \$10,000, and that we are well on the way in accomplishing that goal. In getting the legal issues resolved, he said that one problem moved away, and the land went back to the original owner, and that the other legal issue should soon be resolved between our attorney and their attorney.

Graham reiterated that since our last year's goals are nearly completed, the Board felt that the roads should be the main goal for the coming year. The roadbase put down last year has stood up almost as if it is paved, but there are other sections, especially on Miller Fork Road that are deteriorating. He said that the entire \$6000 in Road Maintenance will be used this year to help get the roads in shape. Graham asked for people to be on the Road Committee, explaining that they would make the policies and recommendations, relieving Rock Tallman and Jim Boyd of the responsibilities of making decisions. He explained that they are often the brunt of complaints. Graham reminded the membership that at present the policy is to plow snow when it is six inches deep, and to wait until the snow is over, but that the committee could re-evaluate this. He said that the number one complaint is snow removal, how it's done, and how long we wait; and encouraged the membership to get on the Road Committee.

Graham said that besides the roads, the next big item is enforcing the Covenants. He said that as more and more people move into the Retreat, it is very important that the Board keep on top of Covenant violations, if we want to keep the Retreat as nearly like it was when we bought.

Graham said that the Board tried to cut the budget as much as possible; trout stocking was reduced to \$600, saving \$150. Smaller trout were put in, but a few larger ones were added by the company as a bonus. The pay phone will be taken out at the end of the year since there are now so many private phones in the Retreat. It is an \$800 a year expense, and those who have phones are willing to let the summer people who need phones use theirs in emergencies. Also, it is only two miles to the pay phone in Glen Haven.

Graham explained the three issues on the ballot which were in the Newsletter: item

#c - raising the limit to \$150 doesn't mean the Board immediately will raise it to the full amount. The budget is determined by the expenses and divided by the number of RLA voting members. Graham anticipates that the assessment can stay at \$100 for 1991, but this would give flexibility to raise if necessary. He feels that the \$150 limit could last through the next ten years. He mentioned the Pine Beetle reoccurring, the wear and tear on the road equipment (the grader is a 1947 model) and the chance that we might need new equipment. He explained that the reserve fund might be needed for such items. Item #1 - Graham explained this issue is a basis of calculating assessment, and a way of increasing revenue. This would be based on acreage rather than membership. Item #2 - Graham said, as an example, that if you own six lots, have a house on one, and build another house on a second lot, you would pay full assessment for the second house. The reasoning behind this is that it would recoup monies that would otherwise have been paid for, had another person owned that lot.

Graham said that a transfer fee of \$100 will be collected any time a lot changes hands. This is usually paid by the seller, collected by the title company, collected at closing. He said our attorney said that it is legal.

Noting that we all come from different backgrounds, Graham encouraged the members to run for the Board. He asked everyone to talk over their problems during the year, that all are invited to attend the Board meetings. The dates are published in the first Newsletter of the next year for the entire year. The rest of the 1990 Board meetings are August 25, October 27 and December 1. Because the Board meets in different homes, he said to call one of the Board members to get the location, if you wish to attend.

Charlotte Gee asked that everyone make certain their addresses are correct, as some Newsletters come back to them.

APPROVAL OF THE MINUTES OF THE 1989 MEETING

C. L. Williams moved, I.B. Muller seconded to approve the minutes of the 1989 Annual Meeting. The motion passed.

TREASURER'S REPORT

The treasurer's report was passed out. Dice McKnight explained the two reports, one being the auditor's report, and the other the treasurer's report. He explained the columns on page 1: the budget for 1989, the expenses through December 1989, and the budget for 1990. He went on to say that the following pages were a complete breakdown of all expenses through 1989. He said that LG (legal expenses) were about various issues that involved Covenant violations and the costs in trying to get them resolved. He noted that it cost \$953.02 to collect the assessments, that some members were late in getting their assessments in, and we had to use legal help in getting them collected. Marvin Gee explained that there were fifteen members, but we are down to one member at this time, who has not paid the assessment. Graham pointed out that if members pay their assessments on time, we won't have that expense. Asked what happens to the money recovered on liens, Dice said it goes into the general fund. It is hoped that \$1400 will be recovered from a legal procedure soon. As delinquent assessments are collected, the money is recovered. It was suggested that in future reports the money recovered from delinquent accounts and legal expenses be shown, as it "leaks" out of the attorney's fund, but doesn't show that it "leaks" back in, when collected. This should help the membership realize that the legal fund is recouped.

Questioned why the audit is necessary, Dice explained that we have to have the books audited to "keep us honest", because we are a non-profit organization. Mr. Widmair, a CPA, said the audit is really a review.

I.B. Muller moved, C. P. Williams seconded to accept the treasurer's report. The motion passed.

Dice explained the last page of the report which is the report the Board received at their meeting. It explains the 1990 budget, expenses through 7/15/90, and expenses from the last Board meeting (6/2/90) to 7/15/90. Copies will be sent to those members who sent proxies and absentee ballots. There was applause for the work Dice has done.

Graham said that it is becoming apparent that the RLA needs a Financial Committee, and asked that any CPA or banker be willing to help us deal with the financial affairs of the Retreat.

ACC

Graham welcomed Steve Little as our new ACC chairman. Steve read a letter from Dennis Bicknell former ACC chairman, explaining the transition from a chairman outside the Retreat to one living in the Retreat, and asked for people to be on the committee. There is one cabin being built in the Retreat at present. In speaking of landscaping Dennis recommended that the membership observe what John Carroll and his neighbors have done along Black Creek.

Steve went on to ask for new members on the ACC, and said he has a phone now, #586-9051. Steve read Covenant number two, to remind everyone that they must go through the ACC to build, or change anything on their land. This includes putting in driveways, fences, additions to homes, TV dishes and other structures. Steve asked that members contact him first, rather than he having to find out that one has already started an alteration, and then discover it is in violation of the Covenants, or perhaps not even on one's own lot. His philosophy is that since we have almost 100 cabins built, and around thirty full time residents, we are probably going to continue in the direction we've been going, that is, growth. He explained that we are not a wilderness, though to those who live in the cities may think so. He feels that one of the jobs the ACC must promote, is to keep as many aspects of wilderness alive as best they can, while the Retreat continues to develop. He calls this a "commons approach", citing what we have in common - roads, the trees, sky, air, lights, darkness, noise (they'll try to keep this down) and eyesores ("if someone builds something that looks terrible, we all share it"). He pointed out that many of the things we value about the Retreat are held in common, and abuse of that commonality is what the ACC is trying to control, through the Covenants. Steve stressed that if you are planning to do anything on your land, read the Covenants first, or again, then contact him by phone, or see him at 189 Fisherman's Lane, so the plans will mesh with the Covenants, and everyone will be satisfied. It was noted that often the landowners assume that the contractor has notified the ACC, when in fact they haven't, and Covenant violations occur because of that. Steve emphasized that landowners themselves make the ACC contact early, and added that the committee has lots of ideas, helps and information regarding weather, placement of structures, reseeding and the like. Marlan McMahan remarked that those who have built in the Retreat, or are building, could be of great help to point out the problems they have encountered, and their solutions.

GHAVFD

Graham introduced Steve Childs, Firechief of GHAVFD. Steve thanked everyone who participated in Fire Days. He reported that they made \$8000, and was pleased with the community spirit. It was noted that the feeling is that it is our department rather the department.

Steve said that in 1989 they had twenty-five calls - 28% medical, 52% fire calls, 3% mutual aid (with Estes Park) and car accidents with or without injuries, 8%. So far this year, 1990, there have been nineteen calls - 43% medical, mutual aid with Estes Park, one call, 38% fires which were grass or abandoned campfires, and miscellaneous calls (drunk and disorderly, propane tanks). He said that with more people moving into the area, and more traffic on the roads, they expect more calls this year. There are five EMT personnel, three who are IV certified.

He explained that the "ambulance" next to Firehouse #1 is not an ambulance, but a "quick response rescue unit". The department was able to secure the unit through Ron Bachel of the Retreat for \$4300, as opposed to \$12,000 for a used ambulance. Through the auction of an old Dodge truck, the department was able to place an order for \$1700 worth of emergency medical equipment (splints, extrication gear, IV materials, etc.) for the vehicle. EPMC has donated \$500 to \$600 worth of equipment to help get the vehicle ready for emergencies. He said it is a basic life-support-system vehicle, and that the GHAVFD is now able to take care of strokes, heart attacks, broken bones, unconscious non-breathing problems, infections, snake bites and so forth. They are in the process of working out a procedure with EPMC so that seriously ill patients can be transported to EPMC. He said this piece of rescue equipment is sorely needed in this area, and has already been used three times since June. The response time is three minutes.

The task now is to pay for the vehicle by late September. At Fire Days \$500 was

donated specifically to help pay for it. The department is asking the various organizations, including the RLA, to donate. With donations in so far, they need about \$3500 to get it paid for. Steve explained that an addition to Firehouse #1 will house "Rescue One", which this vehicle is now called.

Steve stressed that in an emergency to call 911, rather than neighbors, as they will get the message more quickly, and can respond earlier.

ROAD REPORT

Jim Boyd, speaking for Rock Tallman, explained that there were 90" of snow last year. In past years the average has been 106". There was one 24" snow in March, and we've had 14" of rainfall. He said that the twelve miles of roads in the Retreat means twenty-four lane miles. Now that the backhoe and grader are repaired and running, he and Rock will be dragging ditches and working on the roads to get them in better condition for winter. Roadbase will be put down in the fall when there is less traffic, and when the weather will be a help in settling it. They are going to install one culvert near Marvin Gee's place on Miller Fork Road, and will stabilize the two other areas on Miller Fork where the road is deteriorating. He explained that Fisherman's Lane was scrambled both in the fall and the spring by the phone company, and they are asking the phone company to come in and clean it up, and then Rock and Jim will finish the job.

Jim asked that people become members of the Road Committee to help establish guidelines and criteria for when the roads are plowed.

Frank Revier complimented Rock for the work he has done. There was applause.

Mr. Williamson reminded people to drive more slowly on the roads.

Marlan McMahan said that in the last month Jim Boyd has done volunteer work on the roads, so he asked for recognition of Jim's work. There was applause.

Hugh Beckham said that even though the Retreat was snowed in, in the 24" snow, we were out and about a full five days before Denver was plowed out.

ENVIRONMENTAL REPORT

Jim Persichetti called the membership's attention to some exhibits he had prepared, which were attached to the blackboard. He reported that the bagworms are causing no problem except for being unsightly, no Spruce Budworm problems, and that the Mountain Pine Beetles and Douglas Fir Beetles have overlapping lifecycles. Rock had cut and treated 160 trees until they ran out of money last year. This year only 40 trees have been cut and treated. Jim said that Rock, on direction from the Board, did go in on lots on which permission was not given, and had cut and treated the trees which were infected, leaving the trees. Jim said that after trees are cut and treated, they should be left for a month at least before using. He said that at the present they are ahead, budget-wise. Jim said that Lindane is used to treat trees by the Forest Service, but only professionals should use it. They suggest using "Sevin" to spray the trees for preventative measures, and by increasing acidity of the PH level to 6 by adding vinegar, five months at least would be added to the life of the trees.

In controlling Dwarf Mistletoe, the recommended spray is "Florel", using a high pressure spray. This is about 50% effective, and will need to be done often.

Jim said that the biggest problem in the Retreat is still the dead trees, and he strongly recommends that the landowners be encouraged to take care of them, leaving a few for woodpecker and other bird holes.

He noted that noxious weeds (Canada Thistle and Spurge) should be sprayed early in the season, which is early June and July at this altitude, and that the County has sprayed along Dunraven Glade Road. He suggest "Round-up", "Weed-be-Gone" and "Gordon's Trimec". be used to spray these noxious weeds. He said that EVIA will lend sprayers and solution and these can be obtained from Hobart Enterprises on Manford Avenue in Estes Park. Jim said Aspens are infested with aphids. and recommended to thin them out, cutting the Mother root, which will help them recover, or to use "Sevin" with a high pressure sprayer, being sure to spray under the leaves.

Jim asked the membership to check their preferences to see if they wanted to change their indications as to whether they would cut their infested trees, or if they wanted Rock to harvest them. There was applause.

ELECTION OF BOARD MEMBERS

The three candidates introduced themselves, told a little about themselves, and explained why they wanted to be on the Board.

Regula Hauser from Switzerland moved to augment the Board immediately to seven members instead of six. It was seconded. In the discussion that ensued, Graham explained that the Board felt it was unfair to the people who had sent in proxies and had already voted, and that under New Business the Board was going to propose that we do go to a seven-member Board, but that it not go into effect until next year, giving the entire membership a chance to think about it. More discussion brought out the Board's intent to let the entire membership know ahead of time all items to be voted on, so they can be voted on, by absentee ballot, proxies or in person.

It was moved and seconded to call for the question. Passed. The motion to increase the Board immediately, was defeated.

It was moved and seconded to close the nominations. Passed.

The new Board members are Marlan McMahan and Marylouise Widmair.

Graham thanked Duke Sumonia for his work on the Board. There was applause.

OLD BUSINESS

A. Assessment Committee

Jim Persichetti as chairman, explained the history and reasons for having the committee. he said that all their recommendations came before the Board. One item was that all items coming before the Board should be brought to the membership at the Annual Meeting, that By-law changes be made by the total membership. He read a letter from our attorney referring to items #2 and #3 concerning whether they are legal or not. He also read a letter from Horace Rhodes, a corporate lawyer who owns land in the Retreat, explaining why he was against items #2 and #3.

Jim went on to say that the committee had agonized over the problems of modifying the assessments, in order not to fragmentize the community spirit of the Retreat. Graham reiterated that the Board is trying to keep the Retreat a community, and had asked for many differing opinions from the Assessment Committee.

Discussion was held on Item #c. John Barlow clarified that a yes vote on item #c (raising the cap to \$150) means the cap is raised to \$150, and a no vote means it would stay at \$100. After lengthy discussion it was moved and seconded to end the discussion on Item #c. Passed.

Item #1: Because only voting members of the Retreat have the right to speak, it was moved, seconded and passed to grant Ernie Conrad the privilege to speak. Ernie said that out-of-state owners are concerned about the cost going up, and that there are about thirty lots for sale in the Retreat. He said that some of his people whom he represents, are afraid to buy a second lot because they would have to pay assessments for a second lot if this item passed.

Duke Sumonia explained again, the idea of combining two contiguous lots as one for tax purposes only. (Refer to the 1989 Annual Meeting minutes).

Sy Kleinman said "What we're really trying to do is find an equitable way of sharing expenses in the cost of running the Retreat. We're exploring schemes by which these equitable ways can come about. Why is it more equitable to tax people on the basis of the number of lots they own, than perhaps the number of people who live on them? Why is it more equitable for us to take a certain amount of dues because I live near to the entrance of the Retreat, than he does when he has to go so many miles back there, making more use of the roads? We can come up with innumerable schemes by which we try to make an equitable way of paying the expenses of the Retreat. Since the beginning, I've been in the Retreat, and we've found a reasonably good way to share expenses, and I don't think any of us has been overburdened. We're exploring ways to increase the maintenance and preservation of the Retreat, what we really haven't paid a lot of money to do. Every time somebody buys an additional lot, who already owns a lot, I find that a welcome thing. First of all, we're getting to be very intense in the Retreat, - there are more and more people. If people buy multiple lots, there will be less people living here, which really means it carries out the intention of why we come to the Retreat. If I could afford to buy a lot of lots around me I would do that. Why should I have to pay a penalty to do that, because I think I'm helping out a lot of people by doing it? I'm very grateful to Mr. Angell who's next to me, who bought several lots, because I know there are not going

to be other buildings down there where I can see them. I think if we do this thing now - to tax people because they bought multiple lots, we're going to pay a penalty. We're going to create two classes of citizens, and we're going to start to antagonize each other. I think we have a system that works well. Until we come to the point where it will be a real burden, when we have so few landowners and so much money to pay, (and we haven't nearly approached that) I think this is a very unwise change in the By-laws, and I would urge you to think very carefully before voting on this item, because doing this is going to create greater intensity in the Retreat, create two classes of citizenship. It's not going to create a lesser way of sharing expenses appreciably, and it's going to upset the system that's worked very well for us over the past sixteen and seventeen years. So I really am against this proposal." There was applause.

Jim Persichetti, as chairman, explained that having been on the committee for six months, he found Sy's remarks heartwarming, because this was a problem the committee had grappled with - how to generate more money to pay the expenses. The committee was worried about fragmenting ourselves and putting ourselves in two separate distinctions for the assessment. He said we have a system of per membership that has stood the test of time in over eighteen years. He said that though the recommendations came from the committee, he felt that the committee itself felt that if we're big enough to accept a \$150 cap and stay with a membership basis, each membership having a vote, taking Sy's and Gloria Benson's and I.B. Muller's suggestions, turning down this item, it satisfied Mr. Rhodes' letter.

Ed Richards moved to end the discussion on Item #1. It was seconded and passed.

Item #2: After trying to clarify what Item #2 really meant, and a discussion, I.B. Muller moved that Item #2 be tabled until next year until it could be clarified, and the results of #c and #1 votes are known. It was seconded, and passed by hand vote.

It was moved to end the discussion on Item #2. Seconded and passed.

The chair ruled that Item #c needed a 51% majority to pass, since it is specific, but a 2/3 majority is needed for Item #1 as it is an addition to the By-laws.

The results were that Item #c, raising the cap to \$150 passed. Item #1 was defeated.

NEW BUSINESS

A. By-laws

Graham said our attorney has recommended that we rewrite our By-laws and rewrite our Covenants. He said we may set case-law to rewrite our Covenants, because to do so would mean that every RLA landowner would have to agree so it would be 100%. Changing the Covenants may not be a task we could do, for that reason, but a By-law committee should be formed to write and change the By-laws as needed, then have them reviewed by our attorney to be certain they're legally sound. he said it may take several years to complete.

Jim Persichetti moved to form a By-law Committee, which would present its findings at the next Annual Meeting. Seconded and passed. Graham appointed Jim as chairman of the committee.

B. Historian

Joan Persichetti mentioned that we have an official historian for the RLA as an appointed position, to keep the record of the RLA.

C. Seven-member Board

Regula Hauser moved to increase the Board to seven members. The motion was seconded and passed.

LANDOWNER COMMENTS

Cathy Hubert talked about the actions of a doe in protecting her fawn against two coyotes, and how interesting it was.

I.B. Muller moved that the Retreat donate \$500 to Rescue One out of this year's budget. It was seconded and passed. Hugh Beckham noted that this comes to about \$2.10 per membership. It is understood that this is a one-time project, and Graham encouraged the membership to donate individually, as the note is due in September.

Mr. Satterfield read in the Handbook on page 3, that there should be no shooting or hunting on the property and wondered if it is correct. When told yes, several members said there has been a lot of shooting lately in the Retreat, up above Benson's and along properties on Solitude Court. Concern is that with so many people in the Retreat, bullets can ricochet and injure people. It was noted that no hunting is allowed in the Retreat.

When asked if the sheriff's department can do anything about it, Jack Benson, a Deputy Sheriff of Larimer County, said that they cannot enforce as long as the bullet ends up on the shooter's own property, but they can enforce the no hunting law. It was suggested that this concern be made a By-law rather than a General Guideline.

Concern over the speed of the Cheley Camp drivers was expressed. Graham will talk to them. It was suggested that a speed limit sign be posted several times along the road. It was mentioned that it isn't only the Cheley drivers, but members of the Retreat who speed, as well as outsiders going to the trailhead. It was asked that discussion of this be made in the Newsletter for members, and to ask the County to put a speed limit sign at the trailhead so people coming down Dunraven Glade Road will see it.

Ron Bachali, citing the negative feelings of the membership at the last two Annual Meetings, complimented the Board and the members present on the congeniality of this meeting. There was enthusiastic applause.

Because of the rain, it was decided to have the picnic in the Community Building. Duke said chips and pop are provided.

Cathy Hubert thanked the Board for their efforts in trying to keep the expenses down, and reminded the members that every year there are two openings, and that if others are elected, they too, should try to keep the expenses down.

It was moved, seconded and passed to adjourn.

Respectfully submitted,

Carol J. Fulton

Carol Fulton, Recording Secretary

In the short meeting of the New Board held after the Annual Meeting, Graham Fowler was re-elected President, Mary Purrington Vice-President, and Marylouise Widmair, treasurer.

News Notes

There have been reports this summer of two landowners discharging **firearms** on their property. The RLA General Guidelines clearly state: "There will be NO hunting or shooting on the property." Such action endangers life and property while demonstrating a lack of concern for one's neighbors.

Financial information, distributed at the annual meeting, will be mailed under separate cover to those members who submitted proxys.

Call 911 in an emergency! This is the fastest and best way to reach fire, sheriff and ambulance.

The next meeting of the **RLA board of directors** will be held on Saturday, October 27, 9:30 am, at the Gee's, 722 Miller Fork Road.

The Glen Haven Area Volunteer Fire Department (GHAVFD) has secured a **quick response rescue vehicle** that will be stationed at the Glen Haven fire house. The purchase price of the former ambulance was most reasonable but funds are still needed to

complete payment. Please send you donation for this important community resource to the GHAVFD, Box 53, Glen Haven, CO 80532. All contributions are tax deductible as provided by law.

Retreat residents and guest are sometimes seen travelling at **speeds** that are unsafe for everyone. Please drive carefully - for yourself and others.

We welcome these new landowners:

Verna and Jackie Heidebrecht
801 N. Washington
Hutchinson, KA 67501
F 2, lot 52 & F4, lot 22

Maury and Sharon Boney
2126 S. Douglas
Loveland, CO 80537
F1, lot 87

Dennis and Patricia Olson
5250 5th Ave NW
Naples, FL 33999
F1, lot 40.