



RETREAT LANDOWNERS ASSOCIATION, INC.

THIRD ANNUAL MEETING

RETREAT LANDOWNERS' ASSOCIATION

MARCH 26, 1975, LOVELAND, COLORADO

Mr. Angell opened the meeting by speaking informally for a few minutes, saying that out of approximately 220 members he had hoped we would have a good representation at the meeting, but since it was storming out he could see why we wouldn't. The By-Laws state there have to be 20 members present to make a quorum. He went on to say that he was always trying to drum up loyalty and interest in the RLA. He would like to see it really go and not die out for lack of interest.

Several members came in late which gave us enough members to go on with the meeting. At this time, Mr. Angell read the following statement which he had prepared for the meeting:

It is my desire to express to you that the Retreat continues to need attention. The business of the Association still needs to be conducted. The roads at the Retreat have been maintained and at present are in excellent condition. There are some trouble areas, however, and as soon as the weather warms up, they will be fixed. They are all natural conditions such as wash-outs and stopped up culverts, etc, but they are not at all disastrous situations and they can be fixed.

There are many unforeseen conditions that can arise at the Retreat. Many of you probably know that the main bridge to the west was destroyed recently by a heavy garbage truck crashing through it. To date there has not been a proposal on a cost-share basis to build a new one, but I presume there will be one.

At this point Mr. Angell added to his statement that some of the parties he could think of that might be involved in this would be Escape Properties, the Forest Service, Cheeley's Boys Camp, Mr. Maitland, and the RLA.

Continuing with Mr. Angell's statement:

The Board is constantly watching conditions at the Retreat and is alert to the responsibilities of Fire protection, Pine Beetles, Roads, Covenants, Property Maintenance, and Architectural control. Bill Rosenberg and myself will be serving on the Board one more year. I have been your President for two years and actively associated in the business of the Association for three. This, I feel, qualifies me to feel the pulse of the conditions and needs of the Retreat. However, I am not a candidate and will not serve as Chairman of the Board next year. I am not at all concerned but what you will elect interested and qualified members to the Board here tonight, but if you have not given it your full attention up to now, I urge you to do so.

We need a Secretary to replace Barbara Betts who has done a wonderful job for the past two years. I urge you to select carefully who that person will be. The Board voted to pay a salary of \$250.00 per year for such help. Perhaps this will add to the interest of someone.

Let me assure you that the Retreat is in good order. We are financially in good shape and have no debts. All business is up to date and there is no reason as far as your RLA Board is concerned why you cannot enjoy your property as much now as you could when you first purchased it. Thanks for your help and good luck.

PROXIES

Mr. Angell emphasized the need for an active Constitution and By-Laws committee, the By-Laws need desparately to be revised and brought up to date. He was referring especially to the motion made and voted in at the first General Meeting which states that; No one person can hold over 30% of the proxy votes and proxy votes cannot be counted to determine a quorum. This motion was accepted with the understanding that a Rules committee would study the proxy guidelines and make suggestions as to what changes should be made, before it was amended. The way the rule stands now was not so construed at the first meeting.

The proxies were divided as follows:

Mr. Angell -- 9
 Mr. Rosenberg -- 5
 Mr. Spidell -- 7
 Mr. Spencer -- 6
 Barbara Betts -- 2

Mr. Angell explained that the election of Board members would work out so that one year we would elect 2 members, the next year 3 members alternately. He also explained what had happened to the Board since the last General Meeting. Mr. Ken Pitman who was elected last year sold his property. The Board elected Mr. Jerry Spencer to fill out his term until this General Meeting. Mr. Lloyd Jones also sold his property as of this Jan. Since it was so close to the General meeting, the Board didn't feel it was necessary to elect someone to take his place. Had any serious business come up then the Board would have chosen someone. Mr. Spidell has his property up for sale and does not wish to seek reelection. At this point Mr. Angell said he didn't wish to sound sarcastic but, that made three Board members who had either sold their property, or had it up for sale. I am going to say that speculators are interested in serving on the Board to see what is going on and also have their personal interests to think of. If I were speculating I would to, but I have had to deal with it and it hasn't been pleasant. The RLA is unique, there are no qualifications for membership except that the person buy title to the property.

Mr. Angell stated that he felt the RLA was in good shape. We have gone from an assessment of about \$78.00 the first year to \$63.00 last year, and \$25.00 per person this year. There hasn't been any unnecessary spending. The complicated computer system used last year to assess each member on a day to day pro-rated basis was confusing. The \$25.00 blanket assessment is simpler. Sales at the Retreat are not over abounding and we will probably stabilize at about 225 to 250 members.

NOMINATIONS FOR BOARD MEMBERS

Mr. Ernie Conrad -- nominated by Mr. Joe Jackson
 Mr. David Hedlund -- nominated by Mr. Wilfred Howarth
 Mr. Wilfred Howarth -- nominated by Mr. John Betts. Mr. Howarth stated that due to a change in his personal circumstances, he didn't feel it would be wise for him to run at this time.
 Mr. Mike Harris -- nominated by Mr. David Hedlund

Question from the floor directed to Mr. Jerry Spencer:

Since you have filled in on the Board and are familiar with some of the proceedings, would you be interested in running?

Mr. Spencer: When I was elected to the Board in January it was my intention to run for the Board, but now business concerns will not allow me time to serve on the Board although, I would be interested in serving on a committee.

A motion was made to close the nominations. The motion was seconded and carried. Since there were three positions to fill and three people nominated, the following three were automatically accepted as the new Board members:

Mike Harris
 David Hedlund
 Ernie Conrad

NOMINATIONS FOR SECRETARY

Question from Mrs. David Hedlund: What are the duties of secretary?

Mr. Angell read the qualifications outlined in the general meeting notice. He said that although shorthand was mentioned it was not absolutely necessary.

As secretary now, I (Barbara Betts) said it would be necessary to have a typewriter, and I would be willing to help a new secretary in any way I could.

There were no further nominations. Mrs. David Hedlund was approved as the new secretary.

COMMITTEES

ROAD MAINTENANCE -- Mr. Howarth said he would be willing to help, but someone should be willing to take over should he have to resign. Mr. Spencer made a suggestion that Mr. Tom Quinn work with Mr. Howarth until such time that he would have to leave. Mr. Quinn agreed to do this.

ARCHITECTURAL CONTROL COMMITTEE -- Mr. Jerry Spencer will serve as Chairman of this committee.

SOCIAL COMMITTEE -- Mrs. Lorna Rosenberg will serve as Chairwoman of this committee. I (Barbara Betts) volunteered to help her.

Since there doesn't seem to be anyone willing to serve actively on the Constitution and By-Laws committee, it was suggested that the Board go over some of the items that need working on and then turn them over to a lawyer for suggestions.

RECOMMENDATIONS

Mr. Ted Paull, who couldn't be present at the meeting, asked Mr. Angell to present two recommendations to the members.

1. Establish a speed limit of 15 miles per hour on all roads that are not public roads.
2. Establish a 90 day limit for trailers on property.

DISCUSSION ON THE 90 DAY TRAILER LIMIT

Mr. Angell pointed out that even if we passed a recommendation tonight we would still need approval by 2/3rds of the General membership. This would mean writing a letter to every member to ask what we should do.

COMMENTS:

Ernie Conrad - The 60 day limit is in the covenants as part of the purchase contract. It can be changed only by a process of law.

Jerry Spencer - Are there extenuating circumstances?

Ernie Conrad - A variance can be granted.

Bill Rosenberg - Any changes would have to have unanimous consent of all the landowners.

Jerry Spencer - The ACC committee can give the o.k. on a variance.

Ernie Conrad - It must be remembered that people bought the land knowing that covenant was there.

Jerry Spencer - There is no way a person can get a mountain home built in 60 days. Also people should be allowed to use their property all summer.

Ernie Conrad - A lot of thought went into the covenants, the idea was to keep people from bringing trailers up there all the time. The covenants in the Retreat were patterned after the County covenants, although some of the Retreat covenants are more constrictive. The ACC committee in the past has been run by the Developer, it has now been turned over to the landowners.

Lloyd Angell - I suggest everyone study their contract, covenants, and By-Laws.

DISCUSSION ON 15 MPH SPEED LIMIT

Question from Mrs. Hedlund: Who would enforce the speed limit? Would signs all over the Retreat be in keeping with the natural look? Could we post a sign only at each entrance?

Mrs. Howarth made a motion that we post two signs one at each entrance to the Retreat of 15 MPH. The motion was seconded and carried.

ARCHITECTURAL CONTROL COMMITTEE REPORT

Mr. Rosenberg stated that he had been on the ACC committee for 2 years. He had been fairly inactive since the developer chose to keep control. He had given much thought in the last 2 years to developing discussion and direction for the ACC. At this point Mr. Rosenberg read the following statement which he had prepared for the meeting:

The Architectural Control Committee, the key to life as projected by the development and sale of the property known as the Retreat. Through judicious control, or rather direction of architectural standards, the Retreat can be a community not only environmentally and architecturally sound, but have consistent property value and ease of living, we all look forward to.

To be successful, the committee should be active, but small, and oriented to sound principles of design and control that will agree with all precepts for which we stand. We solicit volunteers to round out the committee and through interviews hope to establish a very responsive committee of these members.

To achieve the desired results, this committee can not be completely dictatorial, but must reflect the desires of the property owners. We propose that rather than a "after the fact" review, the committee discuss aesthetics in general with landowners just previous to start of design of any feature on their land. Through these methods, the committee will be in the "working with" at an early stage rather than overseeing and "why didn't you" type review, and hopefully achieve a much more unified "on each lot," and integrated, "in each area."

Mr. Rosenberg went on to suggest some basic standards such as colors, materials, site choices, styles. Colors should be natural, and the architecture subdued. Mr. Rosenberg also stated that it is hard or next to impossible to make an architectural effect. The ACC doesn't have that much control. When the owner purchased the property, he agreed to a limited amount of control. We need to set up broad basic standards, standards need not be expensive.

Mr. Rosenberg was asked if he felt Dorene Romero was too strong in the letters sent out to landowners informing them of ACC violations. Mr. Rosenberg stated that he had received copies of each letter Dorene sent and although he was not familiar with each piece of property, he felt she did a good job and that she tried to be fair in her comments. He went on to say that we need someone to meet with the landowner before these problems arise, that would have a lot more benefit than reviewing after the fact. He added the requirements for set backs and size are all in the covenants.

Mr. Conrad pointed out that when Dorene was in charge of the ACC, she used the covenants as basic laws. When a request was submitted she judged the request by using the covenants. He also stated that he felt the ACC's main job should be to enforce and interpret the covenants.

question from the floor:

What kind of power does the ACC have?

Mr. Conrad. If you violate you can be taken to court. The ACC has 30 days to approve plans submitted to them. The committee will have to meet often to act on these. If no action is taken within 30 days the plans are okayed by default. The second covenant reads that if you build something in violation, it can be torn down, or the matter taken to court.

TREASURER'S REPORT

Mr. Spidell stated that he had enjoyed his stay as Treasurer. He felt everyone did a good job in submitting their assessments. There are only 14 outstanding at this time. He thanked the members for making his job easy. He said all the legal reports have been filed for the State of Colorado and the IRS. We are in a strong position. On his recommendation, there is a \$5,000 cushion in the bank.

Question from the floor:

What is the recourse on delinquent assessments?

Mr. Spidell. The only recourse is to file liens against the property. At this time there are four landowners who have never paid their assessment, and 10 behind for 1974.

A motion was made to accept the Treasurer's report. Motion seconded and carried.

REPORT ON THE TENNIS COURTS AND STABLES

Mr. Spencer read the following letter to Mr. Angell from Mr. Lynn Wells.

Dear Lloyd,

Here is the letter I promised you sometime ago for your General meeting. I apologize for the delay.

Escape Properties would be willing to consider providing a means of "interim collateral" for the promised stables and tennis courts, until the money market loosens.

Our best estimates for the cost of these facilities is \$37,000 to \$42,000. They would be located due east of the existing USFS parking lot on the South side of the Dunraven Road and immediately across the street on the North side of Dunraven.

Assuming you can get the RLA Board of Directors' approval and satisfactory agreements can be written, EPL will be willing to consider assigning Retreat land contracts with sufficient principal balance to the RLA to assure that the facilities would be constructed.

This would be an interim solution only and when the money market loosens these contracts would be used to generate the cash sufficient to construct the facilities.

If you have any questions or require any additional information please don't hesitate to call.

Good luck on the General meeting.

Sincerely,
Lynn T. Wells

COMMENTS

I don't see how this can be left to the Board. I think it is up to the members. This is a promise made to each landowner.

According to the HUD report Mr. Wells is in violation now in Filing 1. He won't be in violation for Filings 3,4,5 until July of this year.

A motion was made that the Board decide what is to be done on this issue. The motion seconded and was voted down.

DISCUSSION

What are the alternatives?

All we can do is sue Mr. Wells.

Mr. Conrad. Let me give you a rough idea of the situation with the tennis courts and stables. The tennis courts and stables will be built by the developer. It is his responsibility. According to the letter from Mr. Wells, he doesn't have the money at this time. He will build, the question is when. He has offered to give us contracts as a security, the money to be held in escrow and in eight years there will be plenty of money to build. I think we should take what he says in good faith. The only other alternative is to take him to court.

Question: What happens if someone defaults on one of the contracts.

Answer: Mr. Wells will replace it with a new contract.

Comment: How many people will be up there in the next 4 years to even use these facilities. Why worry about getting them right away. I think we should take the good faith.

Mr. Spencer. I don't think we have any choice.

Mr. Angell. The land these facilities will be built on will be deeded to the RLA.

Comment: With the cost of building going up it would cost us more to build.

The motion was remade to put the matter in the hands of the Board. The motion was seconded and carried.

Comment from the floor: There wasn't enough discussion before the first motion was made. We felt like we were being railroaded.

BEEBLE CONTROL

Mr. Angell said that one landowner had written that he didn't feel the budget for beetle control was sufficient. Mr. Angell explained that in the new budget for the coming year, \$1,000 was budgeted for beetle control.

Mr. Spencer stated that Mr. Tom Quinn had a major part in the beetle program last year. Mr. Quinn had been granted the right to dispose of all the beetle infested trees. His approximate figure for taking care of the cost of spraying and disposing of the trees would be around \$650 to \$750.

In the area of protection, Mr. Angell informed the members that the Board had contributed \$100 to the Glen Haven Fire Department last year. He also stated that the Board is going to try to take every means possible to protect the Retreat.

ROAD MAINTENANCE

Mr. Howarth informed the members about the bridge to the West being out. At this time ways of replacing the bridge are being investigated. He wanted the members to be aware there might be a request for additional funds.

Mr. Howarth also wanted to inform the landowners that Mr. Griffith, the man who is doing the Road Maintenance work for the Retreat, had informed him he would do culvert work for any landowners who might be interested. He will be working at the Retreat this spring during the spring clean-up. The following are his charges for installing culverts:

\$4.00 per foot delivered for 12", #16 gauge culvert pipe

\$2 to \$3 per foot for installation

A 20 foot culvert would cost \$130 installed. This includes the rock bulwarks.

Any one interested can contact Mr. Griffith at the following address:

Griffith Construction Company

Moraine Route

Estes Park, Colorado 80517

Meeting adjourned.

Respectfully Submitted,

Barbara Betts

Barbara Betts, Corresponding Secretary