

**South T-Bar Ranch  
Property Owners Association Annual Meeting  
June 24, 2006**

**CALL TO ORDER**

In attendance were the following Board members: Ann Eulert, Betty Sue Cornella, Virginia Groome, Jack Davis, Bill Wendt, and Mark Sobczak.

A list of Property owners also in attendance is attached.

Ann Eulert, President of the Association, called the meeting to order and welcomed new owners as well as two active duty servicemen. Owners introduced themselves. A total of 34 South T-Bar property owners were present and 18 property owners were voting by proxy. Therefore, it was declared that a quorum was present and business could be conducted on this date. The President reviewed the By-Law definition of a quorum and reminded members that only members in good standing could vote.

**SECRETARY'S REPORT**

The motion was made to dispense with the reading of the minutes of the last annual meeting since everyone had received a copy in their mailed packets. The motion was seconded and unanimously approved. A motion was made and seconded to approve the minutes as published. Motion carried unanimously.

**TREASURER'S REPORT**

Betty Sue Cornella, Treasurer, reviewed the POA financial statements for 2005 and 2006 through May, including the 2006 budget. A reviewed financial statement of the 2005 books, by CPA, David Whitley, was also presented. It was moved and seconded to approve the financial reports as presented, motion carried unanimously. Copies attached.

A by-law change to amend to a biennial review of the books was presented for discussion and approval. After some discussion of the costs and feasibility of a biennial review, the motion was made to require a review of the books at the request of 1/3 quorum of the members at an annual meeting or the majority of the Board of Directors. Motion carried.

**PRESENTATIONS**

Colorado Department of Wildlife - Game Warden, Bob Carochi, reviewed a new regulation that has come out in the last year. Required purchase of the Habitat Stamp adds \$5 to every fishing and hunting license, and will help to maintain winter wildlife. Anyone over the age of 65 or under age 19 is not required to have the stamp.

He reminded owners to be aware of bears and mountain lions in the area and warned owners to bring bird feeders in at night and store grills and trash inside when not in use.

Several owners expressed concern over trespassing during hunting season. Mr. Carochi reminded the owners that the state is open to hunting, and landowners should post “no trespassing” or “no hunting” signs. If trespassing occurs, they should call the Division of Wildlife and press charges if they wish. Bob Carochi can be reached at (719) 276-8844 if questions, concerns or problems occur.

A question about prairie dogs and methods of getting rid of them was raised. Bob said it is legal to shoot them on private property. There is a poison that can be used, but is discouraged because of the risk to other animals. Ken Homes, lot #34 is a licensed exterminator.

Due to the fires in the area no representatives from the Forest Service or Tallahassee Fire Department were in attendance. Gary Lack and Tony Revack, who are members of the Tallahassee Fire Department, reported the fire danger is extreme and a Type-2 Restriction is in effect (no open flame, no BBQ’s, and smoking permitted only in closed areas). Last night (June 23<sup>rd</sup>) there was a fire three miles north of the South T-Bar boundary line, approximately 4 miles up from Walker Way.

Gary Lack reported that the fire station on Lot 9 has a duce-and-a-half truck full of water, and the cisterns on the ranch have been checked and are working with the exception of one at Mountain Meadows, which has a defective valve.

Northwest Fremont EMS (NF EMS) – Ida Zanmiller, President of the group, gave an informative talk on the agency and what they are doing to improve medical emergency response in the area of South T-Bar. The group was formed in August 2001 and became operational in April 2004. The average response time is estimated at 16 minutes. Currently there are five EMT’s on staff and one Paramedic. She stressed to everyone in need of emergency response to call 911, which will call into the Florence Police Department. That will allow the proper people to respond in the timeliest manner. She also encouraged the caller to give the dispatch as much detailed information about their location, (i.e. mile markers, nearest crossroad, any identifying marker and mention the NW Fremont Territory). This will help the emergency crew to respond to the exact location without delays. It is important that parcels be marked clearly with an address at the entry to your driveway.

NW EMS is currently in the process of building a facility for the operations at County Rd 21 and Crisscross. A 4.2-acre site has been donated for this purpose. The building will be a wood structure, with a meeting room, two ambulances and a training room. Grant monies for training have been approved. On July 11<sup>th</sup>, the Fremont County Commissioners will be having a special review permit hearing. The annual meeting of NFEMS will be held on August 5<sup>th</sup> at 2 p.m. Donations toward the expenses to operate the emergency service are always welcomed and appreciated.

## **COMMITTEE REPORTS**

- A. Road Maintenance** - Virginia Groome reported that our roads are in good shape, except for approximately 1-½ mile stretch of Tallahassee Trail. Dan Ainsworth has been grading the roads for the last week and a half, but due to the dry conditions, it is difficult to properly grade the roads and take out the washboarding.
- B. Policy & Procedure Requirements SB 100** - Ann Eulert reported that the passing of Senate Bill #100 and #89 in the past year has brought about mandatory policies that are required of homeowner associations. There are seven policies & procedures that are required and another eight that are optional. Over the last year the Board has been developing these policies as they pertain to South T-Bar.
- The Board has also approved retaining the law firm of Hindman-Sanchez, who specialize in Homeowner Associations, to help the Board in developing these policies. The Board has also adopted a Variance Request Procedure for property owners who may need additional time or special circumstances that would require a variance from our covenants.
- C. Security & Gate Remotes** - Curtis Eulert described the remote code change that became necessary to protect our gates from opening with many other remotes. A detailed instruction sheet was included in the annual meeting packet that was mailed out in May. The old remote code will work through the 4<sup>th</sup> or 5<sup>th</sup> of July.
- D. Automatic Dual Gate** - A proposal was distributed to change the current gate to a dual automatic gate. The proposed cost would be approximately \$2,690. Included in the cost would be the availability of the gates to open automatically and stay open in the event of a power failure, currently the hand gate has to be opened manually. It was moved and seconded to approve the proposed dual gate opener expense for \$2,690. There was discussion both pro and con, including a question about the liability of the grazing lease without a cattle guard in the event of a power failure and the gates remaining open. A show of hands vote was taken on the proposal and it passed with 26 in favor and 10 opposed.
- E. Mailbox Cluster** - In an effort to get the postal route extended to the gate, a petition has been started and can be signed by property owners wishing mail service at the ranch who do not already have an existing mailbox. A mailbox cluster is also being looked at, which would help secure mail being delivered to the ranch.
- F. Fire Ban Sign** - Virginia Groome has made a fire ban sign, located just inside the gate, to indicate to everyone entering the ranch the status of the County fire ban in effect at that time.
- G. Ranch Road Easements** – The easement with BLM on parcels within the Ranch has still not been totally resolved. Legal assistance will be utilized to finalize this issue.

H. **Website** – Jack Davis is working with property owner Andrew Lane, our Webmaster, to set up part of the website as “owner only access.” Curtis Eulert is registering property owners and encourages everyone to register.

I. **Utilities /Internet** - Curtis Eulert, reviewed the fact sheet handout concerning high speed internet, including the history going back to the developer, the interest in broadband internet access, and the current status of the issue along with options that might be considered. He also indicated that the committee has talked with various suppliers and users getting estimated costs and other information concerning the various types of internet service, the availability to us and the advantages and disadvantages of each.

After some discussion, Jim Greenwood made a motion to direct the Board of Directors to:

1. Abolish the utility fund.
2. Hold the utility refund of any POA member not in good standing or otherwise current on financial obligations to the POA.
3. Create a new STB infrastructure fund, by means of a special assessment, that can be used for major improvements or repairs to existing infrastructures such as (but not limited to) fire fighting service, roads, power and phone lines, high-speed internet access, and ranch security.
4. To the extent permitted by law, allow STB POA members in good standing to request their utility refund be moved directly to the new STB infrastructure fund.

The motion was seconded by Steve Coon.

Discussion of the motion continued to include, but not limited, to the following points and concerns:

1. How will the fund be managed? Will a special committee need to be created on how the investment should be spent?
2. Concern over tall towers being installed on the ranch for high speed internet and the lights, maintenance etc. issues.
3. Is there any liability with LPI for the provision of high speed internet, since some of the property owners were verbally told that high speed internet access would be provided?
4. Concerns that the phone lines are not what Qwest was contracted to install. Are there three lines, are they fiber optic capable?
5. What would be the difference between the Reserve fund and the Utility fund.

There was a call for the question and seconded, it was defeated on a 17 to 15 vote.

## **LUNCH BREAK**

The meeting resumed at 1:35 p.m.

Discussion on the Utility Fund motion continued and included, but not limited to, the following points and concerns:

1. Clarification of the motion, the existing utility fund would be rolled into an infrastructure-restricted account.
2. Concern was expressed about the division the utility fund has caused among the POA members. Suggested the money be returned and another reserve fund be dealt with when it is needed.
3. The need for emergency funds would possibly slow down the response to an emergency, if funds had to be collected from each property owner.
4. Suggestion the utility fund be abolished, the funds returned and a new assessment for reserve account and a Reserve and Investment Policy be established, providing the purpose of the fund, the principles to be used, limitations and a qualified investment purpose to oversee the funds.
5. Is there a possibility of legal action against LPI?

A call for the question was approved and the motion carried with 28 yes and 11 no.

The motion was made to limit the new fund “for emergency use only”, by the Board, for roads, fire and security”. Motion seconded. A motion to amend the motion was made to include “the funds could be used for infrastructure improvement by a vote of the entire membership”. Motion was seconded and carried.

### **NEW BUSINESS**

Bill Wendt, on behalf of the Board, recognized Treasurer, Betty Sue Cornella, with a plaque and gift box for her commitment to the POA Board since its creation.

### **NOMINATIONS FOR NEW BOARD MEMBERS**

Ann reviewed the responsibilities of a 2-year term of Board of Directors membership.

Nominations for 6 positions on the Board were;

Jack Davis – re election	Gary Hawley
Betty Sue Cornella – re election	Mark Trotta
Jeri Davis	Tony Revack
Theresa Hartman	Steve Perez
Gary Lack	

There being no further nominations from the floor, nominations were closed and voting commenced. Volunteers to count the votes were requested.

The new Directors elected were:

Betty Sue Cornella	Gary Lack
Jack Davis	Tony Revack
Gary Hawley	Mark Trotta

There being no further business to be brought before the Board, a motion was made and seconded to adjourn the meeting, ending the 2006 South T-Bar POA Annual Meeting.

**South T-Bar Ranch Board of Directors**

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Ann Eulert, President

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Mark Sobczak, Vice President

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Betty Sue Cornella, Treasurer

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Lucy Thurston, Secretary

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Jack Davis

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Virginia Groome

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Jan Cressman

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Anelladee Spencer

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Bill Wendt

These minutes were prepared and submitted to POA by Lucy Thurston, STB Secretary, on Saturday, June 30th, 2007.