

# **South T-Bar Ranch Board of Directors' Minutes February 9, 2002**

In attendance were the following members: Jim Greenwood, Mark Trotta, Sam Knopp, Dean Cornella, Tom Gore and Susan Revack. Also in attendance were Betty Sue Cornella and Pat Trotta. Adele Swift came to the meeting for a short period.

## **I. CALL TO ORDER**

The meeting was called to order by Jim Greenwood who announced a quorum of Directors were present.

## **II. MINUTES**

The December minutes were discussed. A motion for approval was made by Jim and seconded by Dean. The December minutes were approved as drafted. The January minutes were also discussed. A motion for approval was made by Jim and seconded by Mark. The January minutes will be approved with the noted changes made.

If property owners would like a copy of the minutes, they are to notify the Secretary in writing and we will send a copy to them via U. S. mail. If we get too many requests, we may look into posting them on the web site at a later date and/or have the attorney keep the books in his office for review during normal business hours.

## **III. OLD BUSINESS**

### **A. Road Maintenance**

Mark talked with Ron Walker regarding the meeting with himself, Rick Bottle, Brad Julian and Terry Hartman. The meeting was set up once, but then fell apart. It will be rescheduled once all parties are contacted again. Mark drove the entire ranch after the last meeting to inspect the roads. He feels there are several spots that do need attention, but overall the roads are in satisfactory condition.

Pat spoke to the County Road Dept. about the reflectors. She has a meeting set up with Planning & Zoning on the 19<sup>th</sup> and will find out specific information regarding the reflectors at this meeting. The Board approved the

purchase of 100 reflectors at this time. In addition, Pat spoke to them about STB POA putting up guardrails within the ranch. They told her that if we put them up, that we would be admitting liability from the Board. As an alternative, they suggested putting up speed limit signs. This will be discussed in more detail after Pat's meeting on the 19<sup>th</sup>.

## **B. Past Due Accounts**

All 2002 association dues statements were mailed out. To date, we have 34 property owners that have not paid their 2002 POA dues. A total of \$32,395 has been collected, with \$13,430 still outstanding. Betty Sue will send out past due letters to the 34 outstanding accounts.

The Board has been informed that the Pattons have sold their parcel to Paul Schierholz, a Colorado Springs realtor. The second utility payment on the Patton's parcel of \$4,900 is still outstanding. (Adele informed the Board that since Mr. Schierholz is a realtor, he was allowed by law to conduct his own closing. Therefore, he agreed to acquire the \$4,900 Patton debt.) Mr. Schierholz is now asking the Board to allow him to make payments on this account of \$325.50 per month for 16 months at 12%. The Board has agreed to let him do this, however, with a stipulation to Mr. Schierholz that if the property is sold again, the remainder of the \$4,900 debt will be due in full at the closing. The Board also discussed filing a lien on the parcel so that the POA will be able to collect the outstanding balance of this debt before the property switches hands again. The Board approved the filing of a lien on Mr. Schierholz's property.

There are two additional utility fund accounts still outstanding. The first account is Durante (#109). They are four months overdue. It was decided that since the Durantes have their parcel up for sale, that a lien will need to be filed on it to ensure that the POA receives payment when the property is sold. The second account is Smith (#103). This account is three months past due. Marsha Smith's husband has recently passed away. We will follow up in several months if the Smith account is still outstanding.

## **C. Trash**

The trash area looks clean now. However, the latches on the gate are broken. Mark and Pat put a rod across the gate to keep it closed, but that also disappeared and now the gates won't shut. The Board is discussing the idea of reconstructing the dumpster area since we have discovered that the pad was not built properly. Adele will check with the contractor who constructed the area initially and see what he advises. (It was also discussed as to why we don't just move the dumpster area inside the gate. To begin with, we do not have an easement inside the gate. In addition, the trash collector has stated to Pat that he will not pick up the trash if he has to go through the gate.)

#### **D. Web Site**

The Board discussed whether or not to post the STB minutes on the web site. We would also like to add a "Contractors Corner" to post both good and bad experiences with local contractors. We also discussed adding the covenant requirements to the site.

#### **E. POA Annual Meeting**

The Annual Meeting Committee will come to the March meeting with a draft agenda for the Annual Meeting. The Board will discuss in length the planning of the property owners' annual meeting.

#### **F. Gravel Easement**

Jim has emailed Mike Butts of Land Properties twice with changes the Board requested to the gravel easement. He has heard no response. Adele asked Jim to send her the email and she will follow up with this matter.

#### **G. Covenant Review Committee (CRC)**

The Board is concerned how best to handle the enforcement of the covenants on STB. How do we best serve everyone's interest on the Ranch? We have researched the bylaws and feel we are doing everything in accordance with the POA guidelines. However, some property owners do not seem to appreciate the current Board's time and effort put forth so far. This is an issue the Board has, and will continue, to pay special attention to.

#### **H. Roth Easement**

Mark met with the Roths. The easement on parcel no. 26 is actually the driveway that already exists. It consists of approximately 100 feet. At the point where the Roths want to join is located on parcel no. 27. Mark suggested the Roths work out an easement with parcel no. 27 and present it to the Board. The Board will then consider letting the Roths join the STB POA, subject to them paying annual dues and a share of the original cost of constructing the STB roads.

#### **I. Terms for Board Members**

Mark has researched the bylaws regarding terms. The term is one year, with no limitations. Mark will draft a memo for the March meeting regarding changing the bylaws regarding Board terms. We would like to suggest two year terms, with emphasis that the treasurer and secretary are critical roles. The current Board feels that staggering terms will help the transition each year and will not disrupt the normal day-to-day operations of the POA. We need to

encourage more members to join the Board. It was also suggested to our three visitors last month to join the Board.

#### **J. Cameras**

The Board has approved the purchase of a camera to install at the front gate for security reasons. Dean will acquire the camera and install it at his earliest convenience. Hopefully no one else will try and steal the metal elk sculpture off the gate.

#### **K. Corporate Books**

The Board is still trying to retrieve the STB corporate books and miscellaneous materials from Kim Patton, former Secretary of STB POA. A certified letter was sent to Kim. She did not pick up the letter from the post office for over a week, but did eventually pick it up. Pat also personally put a letter in Kim's mailbox. Apparently, they are still receiving mail at STB. This was confirmed by the postmaster that they are in fact picking up their mail daily. After Kim picked up the certified letter at the post office, Betty Sue ran into Kim at Wal-Mart. Kim told Betty Sue that they have moved and that the corporate books and documents are packed away in boxes somewhere and she doesn't know where they are and doesn't have time to look for them. Betty Sue stressed that we need the documents back asap. Betty Sue even volunteered for her and Pat to help Kim look for the materials. Again Kim has refused the Board's help. Kim asked Betty Sue for a week or two to locate the material. The Board concluded that we will give Kim until February 18 to return the documents. If she has not returned the material by this date, we will have our attorney send Kim a letter and ask her to return the materials. If she still does not comply, we will then look into filing an injunction. The Board does not want to take it to this extreme, but feel Kim has left us no choice. Kim has not communicated with anyone from the Board since late November 2001. Betty Sue will document her conversation with Kim at Wal-Mart, which will be attached to the official copy of these minutes.

### **IV. NEW BUSINESS**

#### **A. Tax Returns**

Betty Sue inquired whether we want to use the same accountant as last year in light of the fact that the return was not done until September. The 2000 return was prepared by Stockman, Kast, Ryan & Company. Betty Sue stated she has successfully dealt with two other accountants if we would like to use them. The Board decided to stay with Stockman for the 2001 taxes provided that they can file the STB 2001 return on time.

## **B. Open Forum Meetings**

The Board wants to give all property owners an avenue to address the STB Board face-to-face should they feel this is necessary. We have decided to have an "open forum" at each Board meeting. We will have a total of 10 minutes for *all* guests to address the Board with their concern(s). To clarify, if there are two people in attendance, they will each get 5 minutes. The Board will then try and answer/address their concern(s) at the meeting, but will most likely need follow up. Once this open forum has concluded, any guest is welcome to stay, but will not be allowed to participate in the actual Board meeting. The Board has an agenda at each meeting that we need to cover. To date, the Board tries to limit our monthly Board meetings to two hours, but they typically run closer to three hours. We will get out an email to all property owners that have email (and regular U. S. mail letter to those not having an email address) to inform them of this open forum at each Board meeting. While it is not required, a topic would be appreciated. However, we would still like to remind property owners to use the written communications procedure we have developed for submitting suggestions/complaints to the Board.

## **C. General Forum Meetings**

The Board has additionally decided to establish "general forum" meetings three times a year for property owners to meet with the Board. These general forums are in addition to the open forums at each Board meeting. We will need advance notice of property owners wanting to come to the general forum meeting. The Board will need to further discuss limiting the number of POA members present at one time, simply because we are short on space at the present location of our Board meetings. The Board would like to limit these meetings to five property owners at a time because of space and time. We have scheduled June to be the first of these general forum meetings with the Board.

## **D. Utility Fund Task Force**

Jim suggested we create a task force to address this important issue. Jim, Mark and Dean volunteered to be members of the Utility Task Force. So far, we have learned that the contract specifically states that the money be used for utilities only. The Board can have 2/3 vote, but property owners can still come back and say they don't agree and have an avenue to pursue legally. Mike Butts spoke with one POA member regarding the utility fund monies and Mike believes this person misinterpreted his comments. The Task Force will research this issue and come to the April meeting with a report for the Board.

**V. ADJOURNMENT**

The next meeting will be held on March 9, 2002 at 9:00 a.m. MST. This meeting will be held at the offices of Dean and Betty Sue Cornella located at 2730 North Ninth Street in Cañon City. The meeting in April will be on the 13<sup>th</sup> at 9:00 a.m. at the same location.

There being no further business to the Board the meeting was adjourned.

South T-Bar Ranch Board of Directors

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Michael Trotter  
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Dean Cornella  
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Susan Revack  
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These minutes were prepared and submitted to the Board of Directors by Susan Revack, STB Board Secretary.