

MINUTES
FALLS CREEK RANCH ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
February 21, 2012

A regularly scheduled meeting of the Falls Creek Ranch Association, Inc. Board of Directors occurred on February 21, 2012. Present were: President, Mary Ann Bryant; Vice President, David Rohdy; Treasurer, Jim Wallace; At Large/Asst. Treasurer, Kelly Lupton. Secretary, Becca Steinbach was not present and David Rohdy took meeting notes in her absence.

An Executive Session was held from 1:00-2:00 pm to discuss water rights litigation. Jim McCarthy, liaison for the Board to the FCR attorney concerning water rights, gave an update of the litigation status.

The Regularly Scheduled Meeting started at 2:00 pm. Present were the BOD members mentioned above. Also present was Eb Redford, Utilities Committee Co-Chairman.

1. APPROVAL OF MINUTES

By motion duly made, seconded and unanimously approved, the Minutes of the January 13, 2012 Board meeting were approved as submitted.

2. LIAISON REPORT

Byard Peake, Liaison, was not present. Ray Smith submitted the following report via email.

During the past month tasks performed have been:

- ❖ Plowed snow on four occasions
- ❖ Serviced road grader, and dump truck
- ❖ Assisted caterpillar with road grader repair to wing
- ❖ Addressing fan belt issues on backhoe

Major tasks performed:

Snow storms, one pretty good. Allowed to plow the ranch four times roads all passable. On the last storm (02-20-12) encountered the brake lines to be frozen and was unable to use at the time in fact it was 10:30 a.m. before the unit had cleared. Drained the air system, re-pressurized now working well. I am told of an anti freeze for airlines and plan to investigate further.

Serviced the road grader and dump truck. Both have been operating well.

Had to have the hydraulic cylinder rebuilt for the wing on the caterpillar the unit was down one and a half weeks. (No snow during that period) once rebuilt cylinder arrived assisted in installing.

The fan belt on the backhoe has broke am pursuing assistance maybe from Mobil Fleet Service prior known as Bobs Truck and Bus. That's if unable to get a mechanic from Case.

Upcoming tasks:

- Get backhoe back on line

- Continue preparations on CCR's and ready for 2012 annual monitoring ready
- Revise necessary state documents on O.R.C. change
- Begin working roads when possible get with road chairperson and start planning Mag Chloride

David Rohdy also discussed the timesheet that has been developed for Ray Smith to track his hours, as required by our Workman's Compensation Insurance carrier. David will revise the timesheet as suggested by the Board and forward the timesheet to Byard. Ray will submit this timesheet with his monthly report to the Board.

3. COMMITTEE REPORTS

Architectural Control Committee

The ACC submitted the following report via email. This report represents the notes from a recent ACC Meeting.

Architectural Control Committee Report

2/20/12

Members present: Kathy Redford, Nancy Peake, Mary Ann Bryant

Purpose of meeting: to ascertain what specific categories within our Rules and Regulations should be deemed enforceable with regard to the "new ranch policy" and its efforts to comply with State law regarding Homeowners Associations.

- (1) We agreed with the principal that all committees should follow the same procedures regarding enforcement with fines:
 - a. Complaints and/or violations should first be addressed through personal conversation with the homeowner and documented in writing
 - b. Failure to comply will result in written notice, copied to the Board

(Both of the above have been our procedure in the past. Copies of documentation on file.)

- c. We also support the suggestion that the first offense be considered "A Warning." The second results in a \$100 fine. Each offense or failure to comply thereafter results in the fine being doubled.

- (2) Primary areas we consider worthy of Board enforcement through stated fines are those directly affecting the health, safety and welfare of residents--specifically fire violations (i.e. deck fire pits, chimeneas, and charcoal grills, all of which need to be addressed in the by-laws) and water usage/irrigation violations e.g. use of sprinkler violations except via cisterns.

- (3) Exterior violations need also to be enforceable, e.g. deck extensions which encroach on common property or erection of an out building without following proper procedures or placed outside the owner's circle. Enforcement procedures need to provide for Board's right to demand "violation" be removed at the owner's expense.

- (4) Certain aesthetic violations which affect a neighbor's enjoyment of his own property should also be enforceable, e.g. a solar device which inhibits another's view.

The committee is in the process of reviewing all of our published Rules and Regulations with regard to enforceability.

We will publish our annual "Home Projects Reminder and Review" to FCR homeowners, incorporating revisions, early March.

Submitted by co-chairs, Kathy Redford and Nancy Peake

Beautification Committee

No report.

Common Property Committee

No report. Chairman Jim Winzell submitted separately his suggestions for enforcement procedures for our Covenants and Rules and Regulations.

Dam Committee

Chairman Clyde Church was not present, but he submitted the following report via email, regarding our dam inspection in October.

Certified for full storage.

Here is a summary of the items needing work, all minor and the same as the past 10 years:

1. Continue brush and tree control
2. Gopher control, I plan to try traps, I have had good luck in the past
3. Grease the screw on the valve
4. There is a sag in the outlet pipe of about 10 to 12" best we can tell. According to Matt this is not a threat, it probably has been this way for a long time. Matt has shifted us from a video inspection of the pipe every 10 years to every 5 years.

Firewise Ambassador

Chairman Judy Winzell was not present, but she submitted the following report via email.

CWPP Project Status on Common Property

- **Project 1a:** CSFS ESF Grant, \$4,230
 - Oak brush mowing required on 9 acres
 - Remaining postponed until Spring due to ground conditions
 - We are working on getting a partial reimbursement for FCR:
 - ❖ This includes work completed by Hinkley and Affordable Fellers
 - ❖ Need the Hinkley invoice to submit the paperwork—have asked Jim

Wallace on 2/14 to e-mail it to Judy

- **Project 1.0:** Community Assistance Grant, \$22,500 **COMPLETED**
 - Mechanical mitigation on common property along Falls Creek Main
 - Nine acres completed; contractor paid \$16,650 from SJPL
 - Remaining 3.16 acres completed Phase I of Project 11.0 (below)

- **Project 8.0:** CSFS Fuels Mitigation Grant, \$20,000
 - 8 acres of hand thinning mitigation to treat steep slopes (6.9 acres now completed)
 - 5.3 acres completed across from lot 95; 2.7 acres remaining applied to Project 7.0 (below)
 - We are working to obtain a partial reimbursement from the CSFS to cover the completed 6.9 acres: \$15,525

- **Project 7.0:** Anchor a fuel break to the north meadow on a steep slope located on its east side (below lots 86 and 83)
 - 2.7 acres of hand thinning dollars left over from Project 8.0 (\$4,475)
 - 1.1 acres remain to be mitigated—work will continue in the Spring due to unfavorable ground conditions

- **Project 11.0:** Mitigate hazardous fuels on common property above and below owners' lots
 - 3.16 acres (left over from Project 1.0) completed Phase I this project
 - Phase II start will depend on additional government funding

New Grant Announcements

1. FCR will compete for a new award for the CSFS Colorado Forest Restoration Pilot Grant Program
 - The focus of this grant is on watershed and water supply protection and will be a 60/40 match
 - The application is due 8 March 2012
2. The 2012 Mini-Grant Program is now open for competition
 - Due to the success of last year's Road Improvement Program, Judy has asked Barry Bryant to apply for funding for Phase II to continue upgrading FCR roads for emergency access

Future Activities

- The FCR Firewise Communities USA application submitted in August 2011 was misplaced. The CSFS re-submitted the paperwork to the national Firewise office last month
- Continue to compete for more grant funds
- Continue to investigate the Dry Hydrant issue

- Update the CWPP by June 2012; present updated CWPP to residents at the annual Fire Awareness Meeting on 2 June
- Develop 2012 CPC Action Plan
- Kick off the 2012 CWPPT and CPC meetings focusing on completing Projects begun in 2011 and preparing for new Projects using grant funding
- Prepare for the 2012 Spring Clean-Up Day

Horse Committee

The Committee Chairmen were not present, but it was reported that there are two new horses, for a total of four horses, and Barney Anderson will be the Committee Treasurer. The Committee also submitted their suggestions for enforcement procedures for our Covenants and Rules and Regulations.

Lake Committee

Chairman Steve Matthews was not present, but he submitted the Committee's suggestions for enforcement procedures for our Covenants and Rules and Regulations via email.

Road Committee

Chairman Barry Bryant was not present but he submitted the following report via email, as well as his suggestions for enforcement procedures for our Covenants and Rules and Regulations.

Status....winter has been mild and we've been able to keep up with plowing. Only one complaint reported (too much gravel in the plow berm). Major equipment is generally OK, except Backhoe has a broken belt. Also the grader air lines froze up Sunday night for a few hours causing the brakes to lock. It is back in operation now and Ray is looking for ways to prevent recurrence.

Utilities Committee

Co-Chairman Eb Redford discussed the future development of our Source Water Protection Plan, to be developed with a \$5,000 grant from the State. Additionally, our disinfection system has been approved by the State and we are now in the design phase of the project.

4. TREASURER'S REPORT

Treasurer Jim Wallace reported the following:

- Most spending is on target to-date, with the exception of legal fees associated with our water litigation.
- Twenty-Nine homeowners still have not paid their assessments.

5. OLD BUSINESS

Insurance Update

- David Rohdy presented an update of the cost of our insurance policies, based on our February 15, 2012 policy renewals.

6. NEW BUSINESS

Common Property Use Agreements

- Mary Ann discussed the recommendation from our HOA lawyer that we develop a lease agreement with homeowners who have exclusive use of some areas on the common property, such as the Tennis Courts and Horse Corrals.
- Per CCIOA (Colorado Common Interest Ownership Act), we are required by State law to have such lease agreements. Additionally, this law requires that any expenses incurred by the HOA (for example, liability insurance) for groups that have exclusive use of some portion of the common property must be reimbursed to the HOA.

7. NEXT MEETING

The next FCR Board of Directors Meeting will be held March 14, 2012 at 2:00 pm at the home of Jim Wallace.

8. ADJOURNMENT

The Board, by motion duly made, seconded and unanimously approved, adjourned its regular meeting at 4:40 pm .

This document constitutes a true and correct copy of the minutes of the Board of Directors Meeting of the Falls Creek Ranch Association, Inc.

Respectfully submitted,

David Rohdy
Vice President
February 21, 2012