

Santa Fe Trail Ranch POA

BOARD MEETING

February 16, 2002

Sullivan Room, Trinidad State Junior College

Board Members

Present:

Ed Hockett
Michael Hughes
Rick Johnson
Bob Santoro
Mike Shelton
Harriet Vaugeois
Bill Wenstrom
Jerry Whittington

Absent:

Paul Miner

Also Present:

Gail Thomas

Guests:

Matt Ciarlo
Mario Ciarlo
Gene Downs
Dennis Malone
Michelle Minion
Frances Purswell-Montoya
Carol Rawle
Vaughan Roundy
Dennis Scott
Mary Jo Shelton
Betty Withington

- I. CALL TO ORDER - President Vaugeois called this regular meeting of the Board to order at 9:00 A.M.
- II. PROOF OF NOTICE - Gail Thomas gave proof of notice.
- III. INTRODUCTION AND ROLL CALL - The President checked the attendance of Board members and found only one member missing. She, then, recognized guest, Matt Ciarlo, the Ranch's Road Contractor, for the purpose of addressing the Board. Mr. Ciarlo briefly discussed the need to trim trees along the roadways and possible problems this could cause with property owners. The Board indicated the Covenants call for a 15' easement to allow for such trimming. Mr. Ciarlo, also, indicated that he was looking for a piece of equipment called an Ice Breaker. He would only be able to use it on Santa Fe Trail Ranch, but it would help remove ice problems in difficult places on the Ranch. Unfortunately, he has been unable to find one priced reasonably, but will continue to look. Finally, he asked reassurance about the validity of a three-year contract he held with the Ranch that was signed by members from a previous Board no longer in office. The Board promised to place his question on the agenda, and discuss it later in the meeting.
- IV. DETERMINATION OF QUORUM - Only one member was absent, so a quorum was present.
- V. APPROVAL OF MINUTES OF PREVIOUS MEETING - M. Shelton questioned the figure of \$28,000 the Fisher Peak Fire Protection District had set aside for the construction of a sub-station. Gail Thomas assured him the number was correct, but would check and verify the number [The figure was verified by Gail following the meeting]. J. Withington then moved the minutes be accepted as written. The motion passed.
- VI. APPROVAL OF MONTHLY FINANCIALS - Treasurer, B. Wenstrom, offered the January financial reports for approval. H. Vaugeois questioned what action was being taken on a property more than 90 days overdue. Mr. Wenstrom explained that contact had been lost with that property owner, so

currently no action was being taken. It was recommended he send a certified letter with return receipt requested, so action could move forward. R. Johnson then moved that the reports be accepted. The motion passed.

VII. OLD BUSINESS

A. Committee Reports:

Emergency Services: R. Johnson recognized guest, Dennis Scott, for the purpose of presenting the work of the Emergency Services' sub-committee on 911. Mr. Scott explained the goal of the sub-committee was to ensure a reasonable response to a 911 call especially in the case of a phone hang-up. Currently in such a situation a name and address will come up, but it is questionable whether the location of the address can be found. Unfortunately, there is duplication of sub-division names as well as street names within the county. In addition, the county's address numbering system is highly suspect. There is a county E911 Board chaired by Mike White, Assistant Fire Chief of the Stonewall District. Amiee Duran at the County and Quest are other key participants in trying to bring about a working system. They are attempting to resolve current problems. Ideally there should be a multiple console system with multiple operators on duty at any time. The state-of-the-art system would also have consoles in emergency vehicles with GPS directions. Potential impact of the implementation of an effective system could be the renaming of streets, renumbering of addresses, and replacing all maps currently in use. H. Vaugeois wondered if the Ranch should begin fund-raising efforts to help implement the necessary changes. Mr. Scott responded that the County Commissioners had just heard a first presentation on system implementation which would come at a high cost when the county has no funds budgeted for it. Consequently, there will be a delay of many months before implementation begins. Although it may be desirable to correct confusing street names and inappropriate numbering, the use of GPS addresses will probably eliminate the need for large scale change. At the moment, in order to ensure a proper 911 response it is best to have an escort waiting for the emergency vehicles when they arrive at the main gate of the Ranch. Meanwhile, the 911 sub-committee will concentrate on having a sub-division name attached to each current address in the 911 computer, and providing directions to these listed subdivisions. The Board thanked Mr. Scott for his work in this area.

R. Johnson then continued his report by noting that the lights at the Guard shack are not functioning properly, but repair is being attempted. Finally, he announced that twelve sets magnetic signs have arrived which can be attached to vehicles to promote Neighborhood Watch. The signs will be distributed to interested participants after training at the March Emergency Services meeting. He was encouraged to make sure that the community is well informed about them before their use begins.

Common Area: It was noted that M. Hughes had just distributed a thorough and highly informative report about work on the roads which will appear shortly on the web site. He, therefore, opened the floor for questions. B. Santoro then read a letter written by himself on behalf of several other property owners complaining about the icy conditions on Cottonwood Canyon Drive. Although some board members indicated their roads were the best they had been, everyone acknowledged there are shady and protected sections on roads all over the Ranch which can be hazardous. Mr. Hughes reviewed the Ranch's policy on plowing which does not

begin until there is an accumulation of at least five inches. Even so, he had authorized a plowing of troublesome icy spots in January. Mr. Santoro asserted that the problem may be that several unplowed small snow falls could accumulate into a difficult icy situation. B. Wenstrom observed that additional money could always be added to Mr. Hughes budget for snow removal, but of course, it would be taken from some other project. Everyone declined to add additional funds for snow removal. Instead, everyone spoke of the need to always drive sufficiently carefully for the conditions that exist. Mr. Hughes accepted Mr. Santoro's letter and will remain alert to the problem.

Conservancy Contract: H. Vaugeois announced that at 10:00 A.M. on Monday February, 18 the President of Greenlands Reserve would be on the Ranch to tour the conservancy and write the final contract. It is a boiler plate contract with urban references removed that would allow Greenlands to own, and the POA to manage the conservancy. Ms. Vaugeois questioned the procedure for approval of the contract since the next scheduled Board meeting would be in June. R. Johnson moved that the final contract be passed around, reviewed by selected Board members, and approved by the President prior to March 1. If this can not be achieved, it will be brought to the next Board meeting. The motion passed.

Communication Committee: H. Vaugeois first collected the long lost sample new property holder handbook which had been passing for review. She will use the comments to compile a new version to be distributed to local realtors. She called on E. Hockett to give a progress report on the Board member recognition project which had been approved at the last meeting. He indicated current thinking was to buy or create a board with name plates for all members of previous Boards. This large plaque could be put on permanent display at the proposed Fire Department sub-station. Such a plaque with name plates could be purchased, or constructed possibly by a Ranch craftsman. He was encouraged to continue the project and to try to locate a craftsman to create a large plaque. Ms. Vaugeois continued her report citing the excellent improvements that had been made to the look of the web site by Pat Roehl and Kristin Spinning. She also noted that Mary Jo Shelton had contributed much time and effort to the creation of the ski page. The construction connection page continues to progress.

Covenant Committee: B. Santoro reported that the committee had met on Wednesday February 13. They had identified a focus goal of trying to change the percentage necessary to amend the Covenants. They had realized that approval of such a change required the permission of the Mortgage holders, also. This means a list of the mortgage holders must be collected at the Courthouse. Guest, Carol Rawle, pointed out that this might best be achieved by asking the appropriate office to compile a list over a limited amount of time rather than immediately upon demand. President Vaugeois instructed the committee to proceed quickly on the task, since it must be complete for other events to take place. In a related issue, E. Hockett had met with the committee to resolve voting procedures at Ranch elections. It was determined that the Covenants allow a property owner to vote in person or by proxy. The proxy may be submitted on paper or electronically. These are the methods that will be used for voting this year.

Sub-Committee on Fencing: J. Withington had spoken with Alan Walter who holds the grazing lease on the Ranch. They discussed the loss of cattle he was experiencing on the Western boundary of the Ranch where there is no fence. For this reason, Mr. Withington wondered if the Board intended to relieve this problem. B. Wenstrom estimates that it will take \$45,000 to

complete the project with the cost being shared by our Western neighbor, Ray Whitmire. It is possible that a bulldozer could be employed at the rate of \$65.00/hour at the same time to clear a fire break along the fence line. It was determined the first step would be to do the surveying required by Colorado law. R. Johnson moved that the Board acquire a surveying proposal for fence along the Western boundary that would be brought back to the Board for the June 15 meeting. The motion passed.

Budget Committee: Treasurer, B. Wenstrom, had located a hidden reserve of about \$20,000 in the Ranch's accounts. Since it had been located, it needed to be assigned to a category for proper accounting. Mr. Wenstrom moved to 1) Determine the exact amount of the surplus, 2) Place \$9,000 in the budget to offset a potential shortfall caused by the unexpected completion of road work in December which prevented an anticipated carryover of funds, and 3) place the remainder in the Reserve Fund. In discussion of the motion M. Hughes observed that the Road Committee could always use additional money. The Board recognized the validity of Mr. Hughes point, but passed the motion as presented. Next, Mr. Wenstrom distributed a chart he had prepared comparing interest that could be accumulated in accounts at different banks. The chart showed that \$937 of interest could be gained by changing accounts and using 7-day CDs. The only drawback would be the need to print new checks, but this would have to be done with the current account, also. Therefore, Mr. Wenstrom moved to switch the Ranch accounts to First National placing some of the funds into seven day CDs. The motion passed. Finally, Mr. Wenstrom asked if the Ranch should retain a charge account at Big R which was about to lapse. It was agreed by mutual consent to keep the account. The Board commended Mr. Wenstrom on his diligent performance of duty illustrated by his finding an accounting error that had existed for some time.

- B. Legal Representation: B. Wenstrom presented the attached letters ([Appendix A](#)) from Dennis Malone, Attorney at Law. He subsequently moved that Mr. Malone be retained as the Board's lawyer of record for routine legal matters. The motion failed. M. Shelton agreed to continue research on this issue. He requested Mr. Wenstrom to provide him with an estimate of how often the Board requires routine legal service. Mr. Shelton will alert the Board should a decision need to be made.
- C. Board Goals Update: President Vaugeois asked the Board to consider progress made thus far in achieving the three goals the Board had set for itself at the orientation meeting. It was agreed efforts had been made, but substantial results still needed to be achieved. It was agreed to persist in the efforts.

VIII. NEW BUSINESS

- A. Fire District Letter: President Vaugeois asked that a letter ([Appendix B](#)) received from Buddie Curro, Fire Chief of the Fisher Peak Volunteer Fire Department, be read into the official record. Chief Curro stated his objection to the no-outlet signs currently in use on the Ranch. The Board then debated the merits of aesthetics versus safety. R. Johnson finally moved that the Board authorize the use of universally recognized signage as recommended by Chief Curro to designate dead-end roads. The motion passed. B. Wenstrom indicated that there is \$10,000 allotted to building, equipment, and signs in the budget. President Vaugeois requested E. Hockett to draft

and circulate a Board response to Chief Curro's letter.

- B. Future Planning Committee: M. Shelton reported that he had attended a Fisher Peak Fire District Board of Directors meeting. They have set aside money for building a sub-station on the Ranch to cut response time. They are considering a location in Gallinas Canyon. M. Hughes pointed out that that area had flooded in the recent past. He also noted that the J lots on the access road are for sale. Guest, Gene Downs, admitted the location was still flexible since the Conservancy agreement may well prevent construction in the protected area. M. Shelton concluded that a sub-station will be built, and it is in our best interest to assist as much as we can, if we want it on the Ranch.
- C. POA Picnic: H. Vaugeois announced that the Women's Group was relinquishing the organization of the summer picnic. It would be continued by a planning group representing all sectors of the Ranch. It will now be held on the Conservancy during the 4th of July weekend and will link together other Ranch events such as a fishing derby and a town meeting.

IX. FROM THE FLOOR

- A. M. Shelton moved to accept the existing Ciarlo contract mentioned earlier in the meeting as written and signed. The motion passed.
- B. Guest, Frances Purswell-Montoya, asked to bring up three matters:
 - 1. She first requested that the 25 MPH speed limit signs be replaced. The Board discussed the matter, but fell into the same debate that occurred earlier with the dead-end road signs. It was agreed to refer the matter to the Emergency Services and Common Area committees and table the matter for the present.
 - 2. Ms. Purswell-Montoya expressed her pleasure hearing in B. Santoro's letter the praise for property owners with small snow plows who attempt to improve road conditions with their efforts. She was distressed, though, that during the discussion following the reading of Mr. Santoro's letter there was an implication that the small plows were creating problems. The Board response was that there was no intent to criticize the property owners' efforts. There are, however, dos and don'ts of plowing, and the Road Committee will try to disseminate this information.
 - 3. Finally, she noted that her road has hazardous muddy spots that she must traverse regularly. Therefore, she wondered if there was any reason individual property owners couldn't buy gravel on their own to eliminate specific road problems they faced. M. Hughes noted that liability could be an issue, and the work could compromise the road development plan. Nevertheless, the Road Committee is not averse to offering advice on how problems may be corrected, and even accepting donations directed to remedy specific problems.
- C. Guest, Betty Withington, observed that the Covenants prohibit trailers on lots for long periods of time. Yet, there are many trailers remaining on lots beyond the allowable time. It was noted this is a difficult covenant to enforce. Still, if someone identifies a failure to comply, it should be reported, and letters beginning the enforcement process will start.

X. ADJOURNMENT

In view of no further business, M. Shelton moved the meeting be adjourned. The motion passed and adjournment took place at 12:47 P.M.

APPENDIX A

Text of Letter from Dennis Michael Malone

January 29, 2002

Mr. Bill Wenstrom
Santa Fe Trail Ranches
33222 Conifer Drive
Trinidad, CO 81082

RE: Representation of Santa Fe Trail Ranches Property Owners Association

I am writing to you as a Board member of the Association (the "POA") in response to our phone conversation regarding possible representation of the POA by this office.

In the past I have represented the Board from time to time. I often represent individual lot owners, sometimes concerning disputes between lot owners. Because of the potential for conflict of interest, and so that there is no misunderstanding of my role, I am making the following disclosures to comply with ethical requirements.

ETHICAL DISCLOSURES:

1. Our client would be the POA Board acting on behalf of the Association as an entity. By acting in this capacity, we would not be deemed to represent each and every owner of a lot, nor each and every member of the POA. Our allegiance would be solely to the Board who may give directions through their officers or authorized agents.
2. We may be asked to render other advice or legal services to individual lot owners or POA members while representing the Board. Representation of the Board, by itself would not prevent us from representing individual lot owners or members, provided that such representation does not directly involve the Board, the POA as an entity, and does not challenge the Board or the POA's policies, governing documents, or actions. From time to time there may be a need to sign a waiver of potential conflict of interest in order to proceed with other legal services, and upon full and proper disclosure, we expect that the Board will do so.

ATTORNEYS FEES:

Hourly fees for Dennis Michael Malone are: \$200 per hour for non-litigation services, and \$250 per hour for litigation, whether administrative hearing, arbitration, mediation, or court filed litigation. Time is kept in 12 minute increments and the minimum charge for phone calls is \$15. Long distance phone or fax costs, charged by the carrier, are estimated and are not exact. A minimum cost of \$1.50 per long distance phone call or fax will be charged in addition to the attorney fee. From time to time we may require the deposit of a retainer to be used to pay costs (not attorneys fees). The cost retainer is kept in our trust account and we

account for the money from time to time. We commonly send statements monthly, but may send statements more frequently if the amount of legal services warrants the extra invoicing. Payment is due within 10 days of the date of invoice, unless other arrangements are made.

Rather than charging on an hourly basis, we can perform many services, such as POA assessment collection, on a set fee basis, or a project basis, provided that the process is not contested. The Board should feel free to discuss and suggest alternative fee arrangements.

Please review this letter and discuss its contents with the Board. If the terms are acceptable, or if we agree to changes, I will prepare a form of waiver of conflict of interest for signature by a POA representative. Should you have any questions, please feel free to call. Thank you.

Sincerely,

Dennis M. Malone

DMM/tm

APPENDIX B

FISHER'S PEAK FIRE PROTECTION DISTRICT

109 West Main Street

Trinidad, CO 81082

January 16, 2002

Board of Directors

Santa Fe Trail Ranch

109 West Main Street

Trinidad, CO 81082

Dear Board Members,

At yesterday evening's Fire Department meeting we were reviewing the mapping of the Santa Fe Trail Ranch, Trinidad Lake Ranches and other properties in the District in order to better familiarize our staff with the District, and improve our response time. During the training it was indicated that your Ranch uses a coded symbol for No Outlet signs.

I urge you to eliminate the use of a coded symbol for any purpose. In the case of an emergency on your Ranch, particularly a medical emergency or structural fire where moments may mean the difference between life and death, coded symbols may be overlooked or misunderstood by emergency personnel with potentially tragic results.

Emergency personnel are trained in universally understood directions and symbols such as No Outlet or Dead End. The symbol your Ranch is using is not appropriate and can be considered dangerous.

As Chief of the Fisher's Peak Fire Protection District it is my responsibility to help residents of the District identify possible impediments to safety. Therefore I urge you to correct this matter and provide universal

signage to help insure that all emergency personnel will be able to fulfill their duties to provide the best possible emergency response to the residents of the Santa Fe Trail Ranch.

Thank you for your attention to this very critical matter.

Sincerely,

Buddie Curro
Fire Chief

Submitted by Ed Hockett, Secretary, February 21, 2002

Santa Fe Trail Ranch POA

BOARD MEETING

June 15, 2002

Sullivan Room, Trinidad State Junior College

Board Members

Present:

Ed Hockett
Michael Hughes
Rick Johnson
Paul Miner
Bob Santoro
Mike Shelton
Harriet Vaugeois
Bill Wenstrom
Jerry Withington

Absent:

None

Also Present:

Gail Thomas

Guests:

Chuck Austin
Rich Babnick
Buddie Curro
Jim Davis
Gene Downs
Dan Jondron
Michelle Minion
Elizabeth Polasek
Francis Purswell-Montoya
Peggy Obrey
Will and Simone Potter
Carol Rawle
Mary Jo Shelton
Tom Stephens
Jennifer Mathews
Walt and Joyce Wolff
John Woods

- I. CALL TO ORDER - President Vaugeois called this regular meeting of the Board to order at 9:02 A.M.
- II. PROOF OF NOTICE - Gail Thomas gave proof of notice.
- III. INTRODUCTION AND ROLL CALL - The president checked attendance and found all present except the secretary who arrived shortly. She then recognized Chief Buddie Curro and Captain Rich Babnick from the Fisher Peak Volunteer Fire Department and turned the floor over to M. Shelton for the purposes of discussing issues pertaining to fire protection. Mr. Shelton spoke of the danger of large fires coming on the Ranch. He referenced three points for possible defense: 1) individual property defensible space; 2) completion of the water system, not just for drinking water, but for fire fighting; and 3) a desirable but possibly not practical fire break on the Southwest boundary of the Ranch. Chief Curro on behalf of Fisher Peak V. F. D. voiced support for any measures the POA or property owners would take to mitigate the danger of fire. He announced that the Department would be creating a map of homes that could be defended in times of fire. Captain Babnick seconded all that had been said, and added that property owners on ridge tops especially needed to prepare ample defensible space. Chief Curro concluded with a brief testimonial to Propanel roofs on homes citing a local home miraculously saved from destruction during the recent fires while all else around it burned. President Vaugeois thanked the Chief and Captain for attending and promised to consider these issues during the appropriate part of the agenda.
- IV. DETERMINATION OF QUORUM - All members were now in attendance, so it was determined a

quorum was present.

V. APPROVAL OF MINUTES OF PREVIOUS MEETING - B. Wenstrom moved that they be accepted. The motion passed.

VI. APPROVAL OF MONTHLY FINANCIALS - Treasurer, B. Wenstrom, noted that our emergency fund is strong and the budget is correct at this time. Nevertheless, our traditional cash flow model has been to bill membership dues at the first of the year, and receive immediate payment. The immediate payments have then been banked and accrued interest which bolstered our budgets each year. This year payments were not immediate causing us loss of interest. Meanwhile spending has accelerated in this calendar year. The result is we are facing a cash flow problem in our action accounts. Consequently, we must decelerate spending and pursue membership payment delinquencies. We have already sent warning letters, so the next step is to file liens on properties. R. Johnson moved that the POA file liens on the delinquent properties consistent with established policy. The motion passed.

Mr. Wenstrom insisted that if the project is not essential, we must postpone or delay it, so we can pay essential bills. He observed that the authorization to move accounts he received at the previous meeting had not met with the success he envisioned. The POA's accounts were transferred to First National, however, the cash flow problem prevented him from moving funds to short term CDs. Thus the opportunity to gain interest was lost and interest earned to date is lower than projected.

J. Withington moved that the financial report be accepted. The motion passed.

VII. OLD BUSINESS

A. Committee Reports

Covenant Committee - M. Shelton reported that the committee had met three times since the last meeting. They are working on the following issues:

1. The committee prepared a sample ballot for Board feedback and approval. The ballot proposes a change to Article VII Amendment to the Declaration whose wording hinders change in any of the Articles. The proposed changes would A) remove the requirement of having the mortgage holders vote on Covenant changes, and B) change the required percentage of property owners required to approve an amendment to 60% of those who vote, rather than 60% of all property owners (which is virtually impossible to gather even in the best of circumstances).

Discussion indicated there was need for clarification about the required quorum necessary for the voting to be valid. The Covenants state that a quorum at a meeting is 30% of the property owners. Therefore, the proposed change would read, that an amendment to the Covenants would pass with a favorable vote from 60% of property owners who vote, as long as the total number of votes cast equals 30% of all owners.

The voting would begin at the 4th of July picnic and conclude at the annual meeting. Allowing early and absentee balloting would provide the Covenant Committee time to contact non-voters prior to the Annual Meeting. Hopefully, in this way, the necessary quorum for Covenant amendment could be achieved.

Regarding the elimination of mortgage holder voting, committee members needed to research current mortgage holders to get the necessary votes (66 2/3%) from them for the proposed change. Committee member, Carol Rawle did half the research with an email campaign that brought positive results. M. Shelton completed the research at a local title company where such information is public record. they discovered there are 449 individual properties. 281 (62%) have no mortgages. The largest mortgage holders in order are: Baldwin, First National, Century Savings, and Community First. When their combined mortgages are added it accounts for 70% of the total. This group, then, is the focus of the movement to gain mortgage holder approval. The remaining mortgages are held by 37 out-of-town institutions and 11 individuals.

Mr. Shelton also revealed that Michelle Minion had suggested an incentive award drawing to accompany and stimulate the voting, but the details of such a drawing had not been finalized. Michelle felt that if it took incentives to get owners to assume their responsibility, then it was worth doing. The long hours and hard work given by the committee is lost, if the owners do not do their part and vote.

Since the committee needs to revise and produce a finished product before the next Board of Directors' meeting, R. Johnson moved that the Covenant Committee be empowered to make final decisions about the covenant change ballot. The motion passed.

2. The committee also developed a conflict resolution procedure to help property owners resolve conflicts based on infractions of the Covenants. After some discussion B. Wenstrom moved to approve the infraction resolution procedures. The motion passed.

Emergency Services - R. Johnson announced that he had appointed Michelle Minion as a co-chair to act when he is off the Ranch fighting fires. He reported that the committee was considering discussion on the web site about general instruction to Ranch residents about fire-fighting, but no decision had been reached. The committee has, however, definitely decided to have a committee table at the Ranch picnic to provide information. He indicated that the committee will be placing 37 no-outlet signs around the Ranch. They will cost about \$500 plus the cost of poles. The signs are a minimal 12"x12" reflective yellow.

The audience had many comments and observations for the Emergency Services Committee. Mary Jo Shelton, expressed her astonishment and consternation that during the recent fire alert when she watched the front gate so many people were coming authorized on the Ranch, but without any knowledge of our rules. This was a threat she wanted the Emergency Services Committee to be aware of and prepare for possibly requiring owners to educate their guests on the rules. Others offered equally disturbing encounters that weekend at the front gate with authorized and unauthorized visitors. Michelle Minion called for improved signage, and recounted how she recently spotted and confronted trespassers on Tom Stephens property. Mr. Stephens expressed his gratitude to his neighbors for reacting, but his overall dismay about the event. He demanded to know if the Board intended to prosecute these offenders. Mr. Johnson agreed to talk with the Sheriff's Office with the intention of prosecuting them. Guests in the audience then asked about alternative exits to the Ranch which have also been discussed recently

on the web site. Jim Davis responded by giving a history of the issue explaining there is an arrangement in place with the BNSF Railroad for emergency access to Exit 2 through Morley, but all other possibilities are dangerous as well as not practical or not allowed. Mr. Davis plans to write the history and place it on the we site, but essentially the issue is closed. Walt Wolff added that he and Dennis Scott had reviewed the locks at Morley and the findings were posted on the web site in the latest Emergency Services Committee meeting report. Captain Rich Babnick mentioned the desirability of providing a gate watch over the 4th of July weekend. Mr. Johnson agreed, and said it would be arranged. B. Santoro pointed out that outside agencies have been parking on the Ranch. When working in the vicinity DOT is parking its equipment on the Ranch to protect it. Authorization to do so was obtained from Carl Putz when he functioned as the Ranch's security. Mr. Santoro was asked to obtain a letter requesting permission and a waiver of responsibility. In turn, we would allow continuation of their parking. Mr. Santoro also observed BNSF Railroad vehicles on the Ranch. It was agreed this was permissible given the gentleman's agreement the Ranch has with BNSF for emergency use of the road at Morley.

Common Area Committee - M. Hughes indicated there was no report. A [Road Committee report](#) is on the web site and the fencing project will be discussed later in the meeting.

Communication Committee - H. Vaugeois reported that the committee had stopped meeting in April. The web site is going well, and is in capable hands. The committee had originally intended to add an area to the web site called the construction connection to aid people building on the Ranch. As it developed, the idea did not seem to as useful as first thought. The project, then, has been set aside at least for the time being. There is no new information about the coming elections.

B. Legal Counsel

M. Shelton reported that in his investigation he could not find any local lawyers with POA experience. Some were willing to do the work provided we would pay them to get up to speed on the issues. Therefore, he recommended that we retain our current lawyer, John Mitchell, and use Dennis Malone when needed.

C. Conservancy Contract

After performing a wildly jubilant song and dance which amazed those assembled, H. Vaugeois reported that the Conservancy Contract was finished. Some language without practical application had to be included out of legal necessity. Otherwise, all is well.

D. Water System Update

Jim Davis on behalf of the Metropolitan Board announced that in the preceding week completion work on the water system; and the drafting of a legal complaint against OPEC, the bonding company, and a couple of John Does had begun. Schrepfer Industries was chosen for the completion work from five bids. They were chosen because they have a chlorinator, can do hydrostatic testing, and have equipment and crews locally. They started by installing a chlorinator on our side of the meter pit at the Holiday Inn. They will work up to tank 1. Once they have leak tested, sanitized, and received certification from the Health Department, they will move on to the next section. They plan to get Health Department assistance on the work areas. When a section has been certified individual meter pits can be installed, and property owners can hook up to the system. The contractor will be holding weekly meetings to explain progress, and these

reports will be posted on the web site. They plan to install additional meters to help determine leakage sites. There are two main leaks up to tank 1. Mr. Davis announced that the Metropolitan Board expects to levy fines of \$20,000 on property owners with illegal direct taps into the system very soon. He alerted property owners that when they see cones marking a work area they should keep out, and not disturb the workers.

E. Fencing/ Boundary Survey Proposal

B. Wenstrom reported that the construction of a four strand wildlife friendly fence (no barbs on top and bottom strands) had started on the Western boundary of the Ranch. Unfortunately, the fire danger prevented it from getting very far, and the assistance of Vermejo Park Ranch disappeared with the necessity of fighting fires. Both Terry Surveying and Roybal Fencing did not want to incur liability and stopped work. About \$8,000 has been committed for materials and another \$4,000+ in retainer fees for the surveyor and fencer. Most of this can be recovered.

When asked about the Rancher who has the grazing rights to the Ranch J. Withington indicated that he has still not made a final decision about bringing cattle. This brought up the question about whether the fencing project had been procedurally correctly approved by the Board at a meeting. The question, however, is moot, since the project can not continue. For the official record, though, E. Hockett moved that the fencing project be tabled and the treasurer authorized to seek refunds on the amounts spent. The motion passed.

VIII. NEW BUSINESS

A. **Fire Protection** - Proceeding on the discussion at the beginning of the meeting, M. Shelton moved that an Ad Hoc committee be set up with the title of the Fire Protection Feasibility Study to explore measures that could protect the Ranch from fire danger. It would be charged to report findings by July 13, 2002. The motion passed. Mr. Shelton was assigned the task of supervising committee progress. Committee members should include Gene Downs, Walt Wolff, and Bill Wenstrom. At this point, E. Hockett expressed his concern about property owners who want to fight fire on their own and use "secret" escape routes. Both of these are inherently dangerous, and could cause distractions that would prevent effective and efficient fire fighting by the right authorities. If someone wants to learn how to and help fight fire, they should contact Fisher Peak V. F. D. and offer their services. Otherwise, the most helpful things property owners can do are: 1) read and become familiar with the Ranch's emergency plan, 2) attend their Area's meetings to know what is expected of them in an emergency, 3) call 911 immediately when they detect/suspect a fire, and 4) above all, not endanger themselves, thus creating additional problems.

B. **Town Meetings and Annual Meeting** - H. Vaugeois announced there will be town meetings for Ranch property owners on the evenings of Friday, July 5 and Friday, October 18. It is expected they will take place at Massari Auditorium on the Trinidad State Junior College campus. The annual meeting for property owners will be Saturday, October 19 at Massari. Directors are expected to attend all these events, and bring notebooks to pass on to new officers. The agenda of the annual meeting will be finalized the week before.

IX. FROM THE FLOOR

- A. Peggy Obrey asked if the spending restrictions advised by the treasurer would prevent her from installing a Guest Parking sign already purchased and having pedestals for new mailboxes poured by Leone's at no charge with all labor being donated. The Board responded that she should proceed.
- B. Will Potter announced on behalf of the Directors of the Fisher Peak Fire Protection District that the investigation of the placement of a fire sub-station on the Ranch had been tabled. There are just too many other pressing concerns at the moment.
- C. There was a general complaint about property owners who are leaving inappropriate items at the trash receptacles. Please take the responsibility to dispose of these items yourself, and not pass the task on to another good-hearted property owner.
- D. ADJOURNMENT - B. Wenstrom moved that the meeting be adjourned. The meeting adjourned at 12:35 P.M.

NEXT MEETING - Annual property owners' meeting 9:00 A.M. Saturday October 19, 2002 at Massari Auditorium on the Trinidad State Junior College campus.

Submitted by Ed Hockett, Secretary, June 21, 2002

Annual Town Meeting

July 5, 2002

Massari Auditorium, Trinidad State Junior College

POA President Harriet Vaugeois welcomed all the property owners and guests in attendance. She identified and introduced the current Board of Directors, and explained the tasks they are carrying out this year. She then indicated the meeting would follow the established agenda, and conclude with an open forum.

Announcements

1. A visiting family has lost an English Setter. Residents are to watch for the dog who answers to the name of Aspen.
2. The father of Michelle Minion and Betty Withington died at noon today after a long illness. President Vaugeois expressed the members' sadness and sympathy for the family in their time of loss.

Fire Protection - Mike Shelton, POA Vice-President

In light of this year's drought and the area's large fires, Mr. Shelton acknowledged the need for every property owner to establish effective defensible space around their homes and reduce the overgrowth of fuels on their property. It is important to reduce the level of heat near a structure, if it is to survive a wildfire. While there is much individual property owners can do to protect their homes and property, the POA is increasingly concerned about fires that start on neighboring ranches, and become serious threats to our Ranch before they are attacked sufficiently. For this reason, he announced that the Board of Directors has established an Ad Hoc committee to study large scale fire protection measures that could be done to protect the Ranch from fire danger. The committee is investigating possibilities, and is charged with presenting its findings in July.

Emergency Services Committee - Walt Wolff

Mr. Wolff reported for Gene Downs who was unable to attend, but remarkably occupied a prominent seat in the front rows. Despite that apparent contradiction, Mr. Wolff was able to report that the updated Emergency Services Handbook was available at the auditorium entrance. The new version includes addresses and phone numbers of new owners as well as information in case of an evacuation. He did not claim this version to be perfect, and asked all property owners to verify that their information is correct. He explained that the committee had met three times in the last month. One of the focus points had been the front gate guard duty for the July 4th weekend which was currently being carried out with the assistance of volunteers from the Ranch. There have been mixed comments about this activity, but the majority opinion is that it is necessary. Mr. Wolff reminded all owners to obtain red property owner decals, and display them on the driver's side of their car's windshield. He, also, restated that there are only two viable ways to leave the Ranch: The normal way at Exit 6, and in extreme emergency, the frontage road starting at Morley and leading to exit 2. Jim Davis interjected the history of collaboration between the Ranch and the BNSF Railroad that brought about the tenuous current relationship which allows us an alternative exit for emergencies. If this alternative is to continue, however, we must not abuse the right or press the issue. Mr. Wolff concluded his report by saying that the committee is working with the Fisher Peak Volunteer Fire Department to develop fire protection training for Ranch residents.

Water System - Jim Davis

Mr. Davis started by identifying the members of the Metropolitan Board which is in charge of overseeing the

construction of the Ranch's water system. Next, he reported that a contractor had been hired to complete work on the system. He had started in June by first attaching a chlorinator at our tap to the city of Trinidad's system. He proceeded to work towards tank #1. In the process he has identified two leaks for repair. As this work continues, the Metropolitan Board's attorney is initiating a suit against the previous contractor and its bonding company. The Metro Board has set up a financial advisory committee to prepare for possible financial contingencies that could develop as work progresses. They know the system is feasible and the materials are good. The question that remains is the quality of workmanship. Hopefully, all will go well from this point and we will be able to fill the tanks, have the system approved, and began operation. Mr. Davis noted that a recent question by Trinidad Lake Estates showed that the city of Trinidad intends to honor the validity of all water contracts they have made with developments such as SFTR. Because of the area fires, though, the city is reviewing its system. Its biggest user is Pinon Canyon Reserve. It has already been discovered there is a leak between the city and the Reserve which consumes as much water as Trinidad does. Trinidad's system was built to serve 30,000 people and at one time it served 25,000. The system has never been fully utilized, but now the people in charge are giving thought to making sure the system functions well. He added that the Metro Board had met with San Isabel Electric and U.S. Filter who will be doing our water meters. When the water meters are installed San Isabel will be changing their current meters, so both meters can be read electronically at the same time. This will mean the end of self-reporting electric readings. Mr. Davis concluded by expressing the Metro Board's hope that the system will soon be complete. President Vaugeois used this opportunity to thank the members of the Metro Board and Mr. Davis in particular for persevering with their goal in the face of hard times.

Before Mr. Davis could move on to his next report, though, the audience asked how to determine where a property's water hook-up is. The answer is the green stake by the telephone pedestal in most situations. If the green stake is missing, there are ways of relocating the site.

As an aside, Mr. Davis observed that the Metro District is a tool to get the lowest interest possible for financing large projects. When the water system is complete we may use this tool to finance road work on the Ranch.

The audience also wanted to know about the procedure to get a tap. First, you must complete a form. The forms were available at the meeting, and can be picked up At Century Small Business Solutions.

When asked about cost Mr. Davis said the tap fee is \$3,150.00, the water rights offset fee is \$2,000.00, and it looks like the meter parts and installation cost will be \$1,000.00. You do not have to pay a tap fee until you want it hooked up. At the time of tap installation you can arrange with the contractor to make the hook-up from the tap to your cistern. A double tap fee will be charged to anyone with an illegal direct tap.

The minimum monthly charge for water will be \$30.00. The cost does go up for higher users. You are charged a monthly fee, even if you are not using water from your tap.

The contract with the city of Trinidad allows for 444 water taps. The contract lapses in eight years. Then, new taps will be granted by the city on a case by case basis. The Sunflower District recently requested new taps, and there was some question about whether they were needed, or were they being purchased for speculation.

Community First Bank is still collecting the monthly utility payments. In the fifth year, though, anyone can prepay the 20 year amortization for a savings of about \$2,000.00. 57% of the utility payment is for the water system with the remaining 43% paying for the telephone system.

Use of Dumpsters - Jim Davis

Mr. Davis moved smoothly to the next topic relating how weekend Ranch visitors from far away were having to carry their trash back with them because the dumpsters were full. Currently the dumpsters are emptied on Tuesdays and Saturdays. The number of dumpsters stands at five as determined by consistent use. Unfortunately, improper materials are being dumped causing the dumpsters to be filled much too quickly. The signs on the dumpsters instruct contractors not to dump building material, but residents should not dump their building materials either. The landfill is inexpensive and building waste, no matter who created it, should go to the landfill. It was pointed out that space could be saved if people break down their empty boxes. Some felt we just need to keep adding dumpsters. This could be done, but at the cost of other projects like the roads. It is a question whether we should approve illegal dumping by paying more. It was suggested we put locks on the dumpsters with multiple keys, and enclose them as means to reduce abuse. These ideas will be sent to committee for consideration.

Roads

In the absence of Michael Hughes, President Vaugeois spoke about the need to observe the 25 MPH speed limit on Ranch roads even when we are not monitored.

Covenant Enforcement - Mike Shelton The Covenant Committee's goal this year was to change the way the Covenants can be amended. The requirement to obtain a 60% majority in a vote of all property holders has been found to be a road block to any amendment. While working on a change, though, they found the process to be even more difficult than anyone imagined. First, it was discovered amendments also required the approval of all mortgage holders. The committee faced this new challenge, and almost had the issue solved. Unfortunately another more severe problem surfaced. They discovered that all property owners must present notarized ballots in an amendment vote. At this point, the committee realized that until the time we have more resident property owners committed to vote, a change in the Covenants is not possible. Jim Davis added that in 1997 the POA assumed responsibility for Ranch affairs from the developer. In 1998 a land use agreement with the developer tied up the loose ends. Still, with a 75% non-resident group of property owners control of affairs and necessary action have been hard to achieve.

Now all the Committee can do is interpret and enforce the existing Covenants. Mr. Shelton announced a three part Covenant resolution process to resolve disagreements among property owners:

1. The property owners should resolve the issue between themselves.
2. If #1 fails, then the issue may be taken to the Board of Directors who will write a letter of opinion.
3. If all fails, the property owner may take legal action on their own against the other property owner.

Mr. Shelton pointed out that one of the most prevalent violations drawing complaints is the parking of motor homes, RVs etc. on a property without a permit. The committee now has permit requests, and asks that everyone come into compliance by competing and submitting a request.

Communication Committee - Harriet Vaugeois

The President announced that a revised new-member packet was available at the meeting in draft form. A final draft version may be obtained soon from the Century Small Business Solutions office.

Conservancy Contract - Fred Vaugeois

Mr. Vaugeois reported that a contract between the POA and the Greenlands, Reserve is complete. The notarized version with all the Greenlands signatures is in the mail, but has not been received, yet. The goal

of the arrangement is to protect the Gallinas Conservancy forever. He thanked his committee members: Elizabeth Polasek, Dan Jondron, and Betty Withington for their work. The cost of the contract is \$500 per year which is paid by the POA's share it receives from the Colorado Lottery. The Committee will announce when the contract has been received.

Women's Group - Suzanne Davis

Ms. Davis explained the origin of the Ranch's Women's Group. The purpose of the group is primarily to serve as a social function for women. Over the course of its history it has become involved in service and fund raising projects which have been very successful. The group meets once a month. The meeting schedule and locations are posted on the bulletin board at the gate and on the web site. All Ranch women are invited and encouraged to attend.

Fisher Peak Fire Protection District - Will Potter

Mr. Potter, a member of the District's Board of Directors, on behalf of Fire Chief Buddie Curro extended a thank you to the POA for the interest it has demonstrated including the posting of gate guards during times of potentially high fire danger. Mr. Potter observed that a sign indicating the existence of extreme fire danger conditions is posted at the gate. Despite recent rains he expects extremely dangerous conditions to persist all summer. He clarified that extreme danger means that if a fire starts in these conditions, it will travel one mile each hour. He reflected on the recent past of the District when only two years ago the County Commissioners nearly shut the District down because of embezzlement that took place. He remembered going to the fire station and having to remove everything in the building because it was all broken and useless. At that point training did not happen, and meetings only occurred when people complained. Subsequently, the embezzled funds have been recovered. There are currently over 30 volunteers (17 from the Ranch), and most have been supplied with the needed protective equipment to fight fires. Training is now a time the volunteers enjoy, and two meetings are held each month to develop skills.

Everyone is proud of the station which has been substantially remodeled with much help from Ranch residents. The Fire Department has risen from the dead to become an active and vital community organization. Its goal is to be the best volunteer department in Colorado. The District is looking to establish another sub-station. The primary candidates are the Ranch and the Jansen area. This project, however, has been put on temporary hold because of the active fire season at hand. Mr. Potter encouraged interested men and women to join the Department because there is much need for all kinds of assistance. He asked everyone to consider supporting the district with financial donations. Although the District is constantly seeking programs to help meet the need for equipment, it is not enough. Additional help, therefore, is necessary and gratefully appreciated.

Fisher Peak Fire Protection District Auxiliary - Francie Purswell-Montoya

Ms. Purswell-Montoya recounted how Gene Downs had approached her a little over a year ago because the District needed an Auxiliary and someone to organize it. He estimated that it would not require great effort. In retrospect he may have misrepresented this aspect somewhat. She first completed the necessary paperwork creating the organization and gaining tax-exempt status. She started with herself and three Board members. The organization grew rapidly. It now has five Board members and 44 active volunteers. It determined that its mission is to protect the protectors. This has led the organization to engage in fund raising to supply the Fire Department with equipment to allow it to fight fires safely. So far, the organization has raised \$13,000 to benefit the fire department, and has held events including the Christmas play which attracted wide local interest and support. She thanked the women's group who has donated a large portion of the funds they have raised to help the auxiliary. Many individuals expressed their thanks for equipment

they now have, and many firefighters expressed their thanks for meals the auxiliary prepared for them while they were fighting fires. Everyone applauded the auxiliary's efforts.

Election for POA officers for 2002-2003 - Ed Hockett

Mr. Hockett lamented that it was almost time to hold the annual POA elections, again. Nevertheless, he emphasized the marvelous experiences three property owners will have filling the Director's seats that will be vacant. The audience wondered what commitment is expected from a Director. They will have to attend five - six meetings each year. Meetings normally take place on Saturdays from 9:00 A.M. - noon. Each director is also expected to participate actively on a Ranch committee. Nomination forms will soon appear on the web site. Mr. Hockett encouraged property owners to nominate others whom they felt would be good Directors. He also encouraged property owners with an interest in being a Director to offer themselves as candidates.

Candidate for County Assessor - Will Potter

Mr. Potter introduced Rae Ales Graeff who is a candidate for County Assessor. Ms. Graeff in turn introduced her husband and family. She presented her background and explained her experience working in the Assessor's Office. Her goals include improving the County's records to help with the 911 system and aid in times of emergencies.

Open Forum

1. It was asked who owned the plastic pipes piled up by water tank #1 on the North side of the Ranch. Jim Davis confirmed they belong to the POA. They were intended to be used on the Ranch's water system, but are inappropriate sizes. The POA would like to get rid of them, and at one time thought they had a deal, but it did not develop. The pipes could still be used for downspouts and gutters. The estimated value is \$5,000 - 6,000. Property owners complained that the pipes are an eyesore and residence for unwanted wildlife. The Board noted this discussion, and will work on the problem. The pipe is on one of Mr. Baldwin's lots. He has tolerated its presence, but he should be alerted before it is removed.
2. A question was asked about the utility of the surveillance cameras at the entrance to the Ranch. Walt Wolff replied that they are used to provide supporting evidence to complaints property owners may make. The tapes are only reviewed when a question arises.

When there were no more questions or comments President Vaugeois closed the Town Meeting. She encouraged everyone to attend the Ranch Picnic the next day on the Gallinas Conservancy above the pond at Old Mission and Gallinas. As they left, property owners were heard exclaiming with delight about the good food, games, and friendship they expected to enjoy the following day at the picnic.

Santa Fe Trail Ranch POA
SPECIAL BOARD MEETING

August 17, 2002

Sullivan Room, Trinidad State Junior College

Board Members: Harriet Vaugeois, Mike Shelton, Bill Wenstrom, Ed Hockett, Paul Miner, Michael Hughes, Jerry Withington, Rick Johnson, and Bob Santoro

Management: Century Small Business Solutions

- I. CALL TO ORDER - Harriet Vaugeois called the meeting to order at 10:15 am, due to a lengthy Executive Session held prior to the meeting.
- II. PROOF OF NOTICE - Gail Thomas provided proof of notice.
- III. ROLL CALL & DETERMINATION OF QUORUM ♦ Board members present: Harriet Vaugeois, Mike Shelton, Bob Santoro, Jerry Withington, and Rick Johnson. Board members absent: Bill Wenstrom, Paul Miner, Michael Hughes, and Ed Hockett. With five Board members present, a quorum was established. Also present: Jim Davis, Lee Phelan, Tom Stephens, and Gail Thomas.
- IV. ACTION & DISCUSSION ITEMS

A. Temporary Resident Permits

Michael Bahm has requested an extension for his temporary recreational vehicle. The RV is in violation for visibility, but this is the only level site available. **Rick Johnson moved to approve a six-month extension with the stipulation that any complaints could warrant other Board action. Bob Santoro seconded. All were in favor. Motion passes.** Mr. Bahm's extension will expire February 17, 2003.

Mike & Carol Freidrich have also requested an extension for their mobile home. Construction on their permanent home is expected to be completed in one year. **Jerry Withington approved extension for one year. Rick Johnson seconded. All were in favor. Motion passes.** The Friedrich's extension will expire August 17, 2003.

B. Covenant Violations Complaints

Lee Phelan has approached the Board with three specific complaints against Linda Frost. The first is that her home is a mobile home. The second is the unsightly animal pens, which also could be in zoning code violation. And the third is non-coded electrical cord violations.

The Board has determined that her home is a manufactured home and is not in violation of any covenant. Jim Davis explained that the same determination was made by the POA Board several years ago when Ms. Frost submitted her construction plans.

Mr. Phelan argued with the Board that the Federal Government Housing and Urban Development definition of a mobile home and a manufactured home are the same.

The Board feels there is a difference between a mobile home and a manufactured home, and

while there is no clear-cut definition in the SFTR covenants, the Board has the authority to make that determination when approving home plans.

***Mike Shelton will check with the building and health inspectors for violations of County codes in regards to the animal pens.

C. Delinquent Dues

Currently there are thirteen properties with liens placed on them that have not made any attempts to contact either the Board or the business office regarding payment. The next step is to send an "intent to foreclose" letter to all the mortgage holders. Dennis Malone will be contacted to draft these letters. Harriet will ask Bill Wenstrom to coordinate with Mr. Malone on this.

D. Budget

Harriet Vaugeois was asked by Bill Wenstrom to remind the Board that all spending be kept to a minimum and that monies be spent only on necessary items. This conversation turned to road issues, in particular, maintaining the roads. Mike Shelton noted that the well-traveled roads do have some road base, but because of the extremely dry conditions, grading is not possible. Bob Santoro suggested an informational letter on the road conditions and driving /speeding reminders be posted. Mike Shelton will compose a letter for the website and the bulletin board.

E. Annual Meeting Preparation

Harriet reminded those present that written reports from all committees need to be available before the annual meeting. The other topic concerned the election. There are three Board positions open. So far, only two nominations have been posted to the website. Gail Thomas has been working with Ed Hockett on coordinating paperwork and other information for the annual meeting.

F. Other

1. Dumpsters

Tom Stephens asked the Board if they would consider placing another dumpster at the entrance as he feels there is not adequate capacity currently. Mike Shelton addressed this issue stating adding another dumpster is not the answer. Proper and careful disposal will help the trash situation. Mike also noted that fees for the dumpsters have increased substantially this year and it would not be fiscally responsible to add another dumpster at this time.

Harriet suggested that if Tom feels strongly about this issue, he should bring it up at the Town Hall meeting or the Annual meeting to see if owners would prefer that more money be budgeted for dumpsters than that which currently resides in the budget.

2. Realtors

Rick Johnson reported that there have been a lot of unauthorized people on the Ranch because realtors are allowing potential buyers onto the property without accompaniment. A letter will go out to all area realtors from the Board requesting that they accompany clients on to the Ranch. Harriet and Rick will work on composing a letter. Mike Shelton noted that the letter needs to be worded carefully as the Board does not want to discourage potential buyers from viewing property, but also does not want to encourage a lot of unauthorized

traffic on the Ranch.

V. ADJOURNMENT

Mike Shelton moved to adjourn the meeting at 11:28 am. Jerry Withington seconded. No opposition. Motion to adjourn passes.

*******Mr. Shelton reports no violations to health codes or covenants regarding the animal pens. No further action needs to taken on this complaint.

Annual Town Meeting

October 18, 2002

Massari Auditorium, Trinidad State Junior College

Harriet Vaugeois, President of the POA Board of Directors opened the gathering with her reflections on the highlights of the past year. She recalled

1. The Ranch facing the greatest threat of wildfire to date,
2. The residents experiencing a severe drought and the consequences of acute shortage in the water supply,
3. the Road Committee working determinedly to improve the quality of the roads in spite of the dry conditions,
4. the high number of property owners unable to pay their annual dues reflecting the national economic downturn,
5. the continuing beauty of the Ranch especially in this season in which the flora and fauna are making their fall transition, and
6. Property owners enjoying the company of new Ranch residents and the joy of seeing new homes being constructed. At this point, she welcomed all new residents and visiting property owners and asked them to identify themselves.

Committee Reports

All the Ranch committees had submitted year end reports which are posted on the web site. Each committee leader, however, made brief presentations and answered questions about their area.

- A. **Road Committee** - Mike Shelton. In response to a question about a current situation on the Ranch, Mr. Shelton affirmed that property owners should consult the Road committee before undertaking their own road improvement projects. He announced that a Road Committee organizational meeting would be held shortly after this weekend. The committee will then establish the priorities for improving the roads this year. The goals are two:
1. preserve road base where it currently exists, and
 2. grading the remaining roads when they are wet enough.

He indicated that the contract with our current Road contractor expires this summer. At that time, a bidding process will take place before a new contract is offered.

- B. **Budget/Weed Control** - Bill Wenstrom. Mr. Wenstrom noted that we are two-thirds through the 2002 budget, and the draft of the 2003 budget is posted on the web site. There were no questions on the budget, so he put on his other hat as Ranch Director of weed control. He acknowledged that the volunteer efforts had substantially reduced the Ranch's expenditures for weed control, as well as increased effective removal. He received a question about dying ponderosa pines. He responded that the drought and pine beetles could be the cause. He recommended consulting knowledgeable Ranch residents and/or C.K. Morey, the State Regional Forester, as well as reading Carol Rawle's article on the web site.
- C. **Emergency Services** - Rick Johnson. Mr. Johnson listed the activities of the committee which included: updating the Ranch Emergency Plan, arranging area leaders, collecting telephone numbers, creating a

communication plan, enhancing the entrance security camera, and working on improving the 911 system. At this point, he yielded the floor to Dennis Scott who has lead a sub-committee working with the County 911 Committee. Mr. Scott emphasized that the current inadequacies of the county's 911 system require us after making a 911 call to send someone to the bridge to escort rescue vehicles to the emergency site. He reported the County has hired a Director to oversee the 911 program. The future intention of the County is to take GPS readings at the throat of all driveways and record these findings in the 911 computer. When Mr. Johnson regained the floor he indicated that Ranch residents can expect to see the Emergency Services Committee continue enhancing the security camera, installing "no outlet" signs on roads around the Ranch, and educating residents on how to mitigate the possibility of wildfire. He admonished everyone to use their property owner stickers, obtain Emergency Plans from their area leaders, and attend their area meetings, so they may respond appropriately with other residents in time of emergency.

- D. **Fisher Peak Fire Protection District Auxiliary** - Frances Purswell-Montoya. Ms. Purswell-Montoya briefly putting on her fire fighting hat noted that the Fire District is still hoping to build a District sub-station on the Ranch to reduce response time to incidents on or around the Ranch. The Auxiliary has sent out donation request letters. The response has been good, but is still below goal. She asked everyone who has not donated to consider supporting the District with a financial contribution.

The Auxiliary is also pursuing several matching grant possibilities to improve equipment. An exciting coming fund raiser will be the sequel to last year's highly popular Christmas play. This work of art is being written and produced by the famous Vaugeois and Vaugeois Theatrical Guild. It is scheduled for debut on December 21 at 8:00 P.M. with a matinee performance on Sunday December 22 at 2:00 P.M. 900 people are expected to attend. The Auxiliary is also currently in the midst of selling pies for the Holidays. It is impossible to resist these tantalizing mouth watering treats, so it is best for your health that you just call Ms. Purswell-Montoya today to place your order.

- E. **Metropolitan Board** - Jim Davis. Mr. Davis distributed and reviewed a letter the Metropolitan Board intends to send to all property owners. The letter reviews the history of the water system project on the Ranch. When work on the system resumed this summer enough work was completed for the Board to estimate the cost of completing the system. The guess is about \$500,000. A law suit is currently being filed against the original construction company. As a result, information from the Board has not been freely forthcoming recently because legal counsel has advised the need to protect sensitive information. A finance sub-committee of the Board is researching the best way to fund the completion. The resulting circumstances from this year's drought make it imperative that the system be completed.

Meet the Candidates

A highlight of Town Hall meetings has been the opportunity to meet the candidates running for positions on the POA Board of Directors. George Gonzales, Monica Leche, and Diane Rader all made brief presentations and responded to questions from the audience.

From the Floor

Linda Austin announced she is collecting signatures on a petition to allow Ranch residents to vote at a poll closer than Segundo.

Finally, President Vaugeois reminded everyone to alleviate continuing problems by

1. not dumping construction materials and piling trash outside the dumpsters,
 2. observing the Ranch speed limit to prevent wear on the roads and accidents, and
 3. following the Covenants by not creating nuisances (letting dogs run and/or bark excessively and leaving 30' between fences and the center of roads and 15' from fences to property boundary lines).
-

Submitted by Ed Hockett, Secretary, October 20, 2002

Santa Fe Trail Ranch POA

BOARD MEETING

October 19, 2002

Trinidad State Junior College, Sullivan Room

Board Members Present:

George Gonzales
Ed Hockett
Rick Johnson
Monica Leche
Diane Rader
Bob Santoro
Mike Shelton
Harriet Vaugeois
Jerry Whittington

Guests:

Jim Davis
Carol Friedrich
Janice Hines
Courtney McBride
Michelle Minion
Frances Purswell-Montoya
Carol Rawle
Mary Jo Shelton
Paul Vircsik
Betty Whittington

Also Present:

Bill Quigley
Gail Thomas
Tina Woods

- I. CALL TO ORDER - Bill Quigley called this regular scheduled meeting to order at 9:47 A.M.
- II. PROOF OF NOTICE - Mr. Quigley confirmed that his office had given legal notice of this meeting.
- III. INTRODUCTION AND ROLL CALL - Mr. Quigley introduced the current POA Board of Director members and called roll. He found all present.
- IV. DETERMINATION OF QUORUM - Mr. Quigley established that a quorum was present.
- V. SPECIAL BOARD ISSUE - After reading a short prepared statement Mr. Shelton moved that Mr. Santoro resign his position or be removed from the Board for a serious breach of Board trust. The motion was seconded and discussion ensued between board members and Mr. Santoro. The newly elected members expressed confusion about the proceedings. At this point, then, Mr. Shelton withdrew his motion. Mr. Johnson moved that the Board go into executive session. The motion passed and the room was cleared of guests. When executive session ended the guests were asked to return. Mr. Shelton made his original motion, again. Mr. Quigley called for a yes/no roll call voice vote: Gonzales - abstain, Hockett - yes, Johnson - yes, Leche - yes, Rader - yes, Santoro - no, Shelton - yes, Vaugeois - yes, Whittington - yes. The motion passed and Mr. Santoro was removed from the Board.
- VI. ELECTION OF OFFICERS - Mr. Quigley opened the floor for nominations for the office of President. Mr. Johnson nominated Ms. Vaugeois. Ms. Vaugeois, however, respectfully declined the nomination. She mentioned other candidates whom she felt could serve equally as well. They, however, all quickly declined. The Board then discussed the options available if there were no president. When the options were explained Mr. Johnson withdrew his declination. He was approved unanimously as President. The Board then discussed the need for two Vice-Presidents. Consequently, Mr. Shelton was nominated and elected unanimously as a first Vice-President. He, then, nominated Ms. Vaugeois as a second Vice-President. Ms. Vaugeois in turn Nominated Mr. Gonzales, and declined her nomination. Mr. Gonzales was elected unanimously. Subsequently, Ms. Rader was nominated as Treasurer, and elected

unanimously. Finally, Mr. Hockett was nominated as Secretary and elected unanimously. There was some discussion about having an Assistant Treasurer. It was decided to continue as last year when Mr. Hockett functioned as Assistant-Treasurer, so checks could be signed promptly even when the President, Vice-Presidents, and Treasurer were away from the Ranch.

VII. APPROVAL OF MINUTES OF PREVIOUS MEETING - Ms. Vaugeois moved the minutes from the regular meeting June 15 and special meeting August 17 be approved as written. The motion passed.

VIII. APPROVAL OF MONTHLY FINANCIALS - Mr. Whittington moved the monthly financial reports and proposed 2003 budget draft be accepted. The motion passed.

IX. OLD BUSINESS

A. Committee Reports - There were no updates.

B. Realtor Letter - It was determined the letter asking local realtors to not send clients unaccompanied to the Ranch had not been sent. Guest Frances Purswell-Montoya, however, had sent a professional letter with this content in July encouraging other realtors to send a letter on company stationery when not accompanying clients. This issue came about during the height of fire danger. Since fire danger has seasonally subsided, it was decided to refer the issue back to the Emergency Services Committee.

C. Temporary Resident Permits - The Covenant Committee is enforcing the requirement to have a temporary dwelling on the Ranch. Property owners are uniformly responding to requests for compliance.

D. Fire Protection Feasibility Study - There was no report.

E. Other - Ms. Vaugeois presented a bill incurred for legal consultation. It was agreed the consultation was appropriate and should be paid from POA funds.

Mr. Shelton presented two certified letters sent to the POA Board of Directors from property owner Lee Phelan. The two letters were read into the Board's records and may be found in attached appendices A and B. In regard to letter A ([click here](#) to view), the Board found that the information released was in the public phone book and did not constitute release of private information. In regard to letter B ([click here](#) to view), the issue was referred to the Road Committee which will form soon.

The Board briefly contemplated the new Board vacancy. Instead of making an immediate replacement, it was decided to postpone the decision until the next meeting, so suitable and interested candidates can be identified.

X. NEW BUSINESS

Committee Chairs - The Board appointed committee chairs for the following committees: Common Area - Mike Shelton, Emergency Services - Michelle Minion, Covenant Committee - Harriet Vaugeois, and Communications Committee - George Gonzales/Pat Roehl.

Meeting Dates - Mr. Shelton moved the Board meet the third Saturday at 9:00 A.M. in February, April, June, and August. The next meeting will be November 16, and the next Annual Meeting will take place October 4, 2003. The motion passed.

- XI. FROM THE FLOOR - Guest Courtney McBride lamented that a place on the Ranch which holds so many positive memories for her has become such a center of negativity. She encouraged the Board to distinguish between minor and major issues. She also encouraged the Board to not be defensive, and move to overtly offensive action when attackers are identified.
- XII. NEXT MEETING - Saturday November 16, 2002 at 9:00 A.M. in the Sullivan Room at Trinidad State Junior College.
- XIII. ADJOURNMENT - Ms. Vaugeois moved the meeting be adjourned. The motion passed and the meeting was adjourned at 12:15 P.M.

Submitted by Ed Hockett, Secretary, October 20, 2002

Santa Fe Trail Ranch POA
BOARD MEETING - EXECUTIVE SESSION
October 19, 2002
Trinidad State Junior College, Sullivan Room

Board Members Present:	Guests:
George Gonzales	None
Ed Hockett	
Rick Johnson	Also Present:
Monica Leche	Bill Quigley
Diane Rader	Gail Thomas
Bob Santoro	Tina Woods
Mike Shelton	
Harriet Vaugeois	
Jerry Whittington	

- I. CALL TO ORDER - Bill Quigley called this executive session to order at 10:33 A.M.
- II. The Board members discussed with Mr. Santoro a possible breach of trust in forwarding a confidential draft letter to a party outside the specified group without permission or notification. Mr. Shelton asked Mr. Santoro if he would resign. Mr. Santoro declined. The Board members were left to decide if they had the trust to carry on Board work with Mr. Santoro knowing he saw no wrong in releasing information delivered to him confidentially. The Board, then, adjourned executive session at 10:52 A.M. and returned to its regular meeting.

Submitted by Ed Hockett, Secretary, October 20, 2002

Santa Fe Trail Ranch POA

BOARD MEETING

November 16, 2002

Trinidad State Junior College, Sullivan Room

Board Members:

Rick Johnson
Mike Shelton
Diane Rader
Ed Hockett
Jerry Withington
Harriet Vaugeois
Monica Leche
George Gonzales

Guests:

Fred Vaugeois
Mary Jo Shelton
Carol Rawle
Michelle Minion
Darrell Lee Phelan
Betty Withington

POA Mgmt:

Century Small Business Solutions

- I. CALL TO ORDER ♦ Rick Johnson called the meeting to order at 9:05 am.
- II. PROOF OF NOTICE ♦ Gail Thomas provided proof of notice.
- III. INTRODUCTION AND ROLL CALL ♦ Board members present: Rick Johnson, Mike Shelton, Monica Leche, Diane Rader, Jerry Withington, and Harriet Vaugeois. Board members absent: Ed Hockett, and George Gonzales. Also present: Fred Vaugeois, MaryJo Shelton, Carol Rawle, Michelle Minion, Darrell Lee Phelan, Betty Withington, and Gail Thomas.
- IV. DETERMINATION OF QUORUM ♦ With 6 of 8 Board members present, a quorum was established.
- V. APPOINTMENT of NEW BOARD MEMBER- It was the consensus of those present to table the appointment until the February Board meeting.
- VI. APPROVAL OF MINUTES OF PREVIOUS MEETING ♦ Harriet Vaugeois moved to approve the minutes from the 10-19-02 meeting with spelling corrections. Jerry Withington seconded. All were in favor. Motion passes.
- VII. APPROVAL OF MONTHLY FINANCIALS- Diane Rader updated the Board on the status and action plan for those accounts that are overdue or have had liens filed on them. Diane will work with both Century Small Business Solutions and Dennis Malone to try and resolve these accounts. Diane also reviewed the monthly financial statements. Jerry Withington moved to approve the monthly financial statements as presented. Mike Shelton seconded. All were in favor. Motion passes.
- VIII. OLD BUSINESS
 - A. Committee Report Updates
 1. Common Area
 - a. Roads
Mike Shelton reported that the Common Area meeting had been rescheduled for

Monday, November 18. The main topics for the meeting will be the roads, including: road base, ditch mitigation, and culvert cleanout and/or repair. The committee members are also planning a drive through of the roads at this meeting. Road Committee members: Mike Shelton, Jerry Withington, Fred Vaugeois, Mike Freidrick, and Harry Ritchie. Mike Shelton reminded the Board that the Ranch has a contract with Matt Ciarlo until July 2003 and a copy of that contract will be given to all members of the Road Committee, as well as Rick Johnson. Mike Shelton also reminded the Board that snow removal procedures are posted on the web site.

b. Grazing Lease

Jerry Withington reported that there are some cattle still on the Ranch, but it looks like most have been moved off.

c. Mail Boxes

Mike Shelton reported the need for additional mailboxes for new and existing residents. The Committee will pour a concrete pad to house 16 additional boxes. Mike has already been in touch with the post office with this request. Mike also suggested that the Entrance Subcommittee might like to consider constructing a building to house both the mailboxes and the bulletin board, so residents could have covered access to mail and news. This will be discussed further at future meetings.

2. Emergency Services

Michelle Minion reported that the Las Animas County Sheriff's Department would meet with the Committee in January to give input on the neighborhood watch program and the gate issues. Michelle reported there have been some loose dog complaints recently. The Committee will work with the Covenant Committee in this issue, as it deals with both safety and regulation issues. Michelle also reported that the Committee had received reports about a white prison van on the Ranch. Michelle contacted the Sheriff's office about this and found that the inmates were on road clean-up detail, but there should have been trespassing on Ranch roads. Michelle will follow-up with the Sheriff's office to make sure this does not happen again. Rick Johnson noted that the "no outlet" signs are in place. Rick Johnson also reported that the video camera equipment is working and recording. However, the monitor at the guardhouse is broken, but in the process of being repaired.

3. Covenants

Harriet Vaugeois reported that the most recent minutes of the Committee have been posted on the website. The Committee has received two trailer/RV permit requests/extensions. The first one is from the Allison's, Lot F13. After Board discussion, Harriet Vaugeois moved to approve a provisional 6-month RV permit with the condition that there are no further complaints and that the RV is removed and construction started at the end of the 6-month timeframe. Monica Leche seconded. All were in favor. Motion passes. The second request came from Greg Beaumont, Lot F22. Mr. Beaumont has started the construction process. The cistern is installed and the home site has been prepared. Monica Leche moved to approve a 6-month extension. Diane Rader seconded. All were in favor. Motion passes. The Committee will begin work on setting up written guidelines to approve/disapprove permit extensions. Harriet asked for Board input regarding complaints about loose animals on the Ranch. There was much discussion as to possible solutions, such as a fining system, calling in the authorities, or letters from the Board of Directors. Rick Johnson asked that the Committee meet to review this item and come up with a policy that is fair and consistent and present to the Board at the February meeting. Committee members: Harriet Vaugeois,

Michelle Minion, Mike Shelton, Carol Rawle, Will Potter, Diane Rader, Dan Jondron, and Liz Polasak.

4. Communications

Rick Johnson reported that the discussion forum on the website had been suspended temporarily. The Committee will report their recommendations to the Board at the February meeting.

B. Other- None

IX. NEW BUSINESS

A. Contracts

Rick Johnson requested copies of all contracts the Ranch currently holds, including: roads, trash, grazing lease and conservancy contracts. Diane Rader will work with Century Small Business and past and current Board members to make sure all Board members and committee chairs have applicable contract.

B. Other- None.

X. FROM THE FLOOR- Darrell Lee Phelan approached the Board with three issues:

1. Fence posts and propane tank easement violations contestment.
2. Discussion forum removal.
3. Director removal process.

1. Mr. Phelan received a letter from the Covenant Committee regarding placement of his proposed fence and the location of his propane tank. The Committee reported that these two items were in violation of property easements. Mr. Phelan maintains that, at this time, he does not have fence posts in place. The "poles" he has in place are used to identify the property boundaries for clearing brush. Mr. Phelan did go on to say he does intend to build a fence on the property line. The Board will review Mr. Phelan's letter on these two issues and review at the February Board meeting.
2. In Mr. Phelan's letter to the Board regarding the forum removal from the website, he stated he felt the Board had not given proper notification to the membership, as is required by the rules and regulations of the Ranch. Rick Johnson responded by saying that the suspension of the forum was a decision made by the Communications Committee chairman and does not require formal action by the Board. The Communications Committee is reviewing the purpose, design, and use of the forum and will report its progress to the Board at the February meeting.
3. Mr. Phelan feels the Board did not follow proper procedure in regards to the removal of Bob Santoro from the Board. Rick Johnson responded that this action was taken by the Board after thorough consideration and council. However, because Mr. Phelan is formally requesting the Board reconsider it's decision, the Board has agreed to do so, and will report back to the membership at the February meeting.

XI. OTHER- None.

XII. DATE OF THE NEXT MEETING- Saturday, February 22, 2003, 9:00 am.

XIII. ADJOURNMENT- Jerry Withington moved to adjourn the meeting at 10:25 am. Harriet Vaugeois seconded. All were in favor. Motion to adjourn passes.