

**Board of Directors Regular Monthly Meeting Minutes  
Fairway Pines Estates Owners Association  
Tuesday, June 7, 2016 @ 2:00 PM (MDT)  
664 Marmot Drive  
Ridgway, CO 81432**

The meeting was called to order by President Chris Carr at 2:00 PM. The Board members present were Ann Blakely and Patricia Jennings. Jerry Farrington, Mike Forstner, and Sharon Kreutzen, advisors, were present. Recording secretary, Mary Ann Guilinger, was present.

**1. Review and approval of minutes of May 9, 2016, Meeting**

A motion was made by Ann Blakely and seconded by Pat Jennings to accept the minutes of the May 9, 2016, Board Meeting. The motion was approved unanimously by the Board.

**2. Member Comments (Limited to five (5) minutes per person)**

None.

**3. Reports**

**a. Compliance Violation Report**

Compliance Officer Report – Violations were reviewed. Specific actions will be taken in the form of courtesy or violation letters.

**b. President's Comments**

Chris Carr stated that the Association is filing a permit on behalf of the Divide Ranch and Club to move its sign from the west to the east side of County Rd. 1. The location is about 60' south of Ponderosa Drive. Ouray County will waive the \$100 permitting fee. The sign will be renovated and moved by Divide staff on June 11<sup>th</sup>.

Chris Carr stated that the Association will remove a dead, beetle-damaged ponderosa pine tree near the black tee box on Hole 6. Dan Choate will take down the tree within the next 30 days. Divide Ranch and Club has agreed to pay for the

full cost of removal. Two 12' sections of the trunk may be saved for future road sign replacements if not beetle infested.

The Beautification Committee is working on the planting of bushes and flowers at the entrance to the development at Ponderosa and Marmot. The Association had set aside money for the planting, with Log Hill to also share in the cost. A picture of the volunteers and a short article will be included in the Association Newsletter in July. The Board wished to thank the volunteers, especially Phyllis for their efforts and hard work.

Fill rock will be placed on White Tail Lane where there is heavy erosion in the north side ditch area. Cost will be in the \$800-\$900 area including equipment, labor and materials.

**c. Treasurer's Monthly Report as of May 31, 2016**

Ann Blakely reviewed the May 31, 2016, monthly Treasurer's Report.

The ending balance as of May 31, 2016, for the Operations Account is \$44,829. An additional \$7,000 was collected at the ARC meeting yesterday for initial application fees and road impact fees. The ending balance of the Road Operations Account is \$3,281.

The ending balance as of May 31, 2016, for the Reserve Fund is currently \$256,765.

**d. ARC Update**

Ann Blakely, the Board liaison to ARC, discussed the four applications reviewed at the ARC meeting yesterday. Mike Saville, owners and contractor for Lot 436, was not completely prepared for the Preliminary Plan review. Lot 436 is on South Badger Trail between the Calbeck's and Brooks residences. He had three modifications to the drawings submitted: changes to the roof slope to be under the maximum height of 30 feet, an additional single-car garage, and an exterior wall modification to get more square feet. Mike Saville will attempt to provide the drawings for the Preliminary Plan Review and Final Plan Review at the next ARC meeting scheduled on July 11<sup>th</sup>.

Deb and Randy Collins are building a home on Lot 256 at Antler and Marmot. The Collins received a conditional approval for the preliminary plan review. They

will come to ARC at the next meeting, July 11<sup>th</sup>, with their Final Plan Review. Collins will probably have to remove five ponderosa pine trees because there is a great deal of rock where they originally proposed the septic and leach field to be placed. The Collins paid the initial application fee of \$2,000. Randy will be the contractor on the building of the home.

Tony Girard along with Kari Wage, broker from Ponderosa Real Estate, attended the ARC meeting to get approval for Tony's conceptual design on a spec home on Lot 440 on South Badger Trail. He received approval. Girard has requested a special ARC Meeting to request approval for the Preliminary, and the Final Plan Review. He will submit the drawings for the Preliminary Plan Review and the Final Plan Review in pdf soon and request a special ARC meeting ten business days after submitting the drawings. Girard has opted to be in the Fairway Pines Sanitation District for this residence.

Barry Zane is building a spec home on Lot 229, 181 Woodchuck Place. Zane received ARC approval on both the Preliminary and Final Plan Review.

The Jones' home on Marten Court and the Blumke's home on Puma Lane and Marmot Drive are progressing. The Board recently requested that both new home builders and owners be advised at future ARC meetings about three issues. First, contractors are required to cover trash containers at all times so debris does not blow out. Second, contractor vehicles are not permitted to use nearby driveways to turn around at any time due to past damage complaints. Third, they cannot leave trucks or equipment in the streets overnight at any time.

#### **4. Old Business**

None.

#### **5. New Business**

##### **a. Status of delinquent account Small Claim Court filings/liens and A/R Account Update**

The Association had twelve delinquent owners who had not paid their 2016 HOA dues as of April 4, 2016. Starting in April, Chris Carr filed actions in Small Claims Court.

A small claims court hearing is set for June 9th for the past due amounts for HOA dues and penalties on Lot 527. Another small claims court hearing is set for June 9<sup>th</sup> for the past due amounts for HOA dues and penalties of \$1,549.68 on Lot 509. \$1,616 – last year's penalties – court fees, file dismissal of claims

The payment for past due 2016 HOA fees and penalties of \$906.24 for Lot 527 was received this past week. Chris will file for dismissal of the small claims court hearing set for June 9th.

A small claims court date was set for May 26th for the delinquent account of \$956.76 on Lot 430. The owner had been delinquent for four years in a row. Unfortunately, the owner passed away as a result of an accident in February of 2016, so the Association will have to file a claim through the probate court. A lien will be left on the lot and the claim will have to be processed through probate. The association attorney who handles collections will follow-up on the collection. (Lot 430 was the first lot that the Association sold after an Association foreclosure action).

**b. Update on CR1fix initiative**

Chris Carr stated that the CR1fix initiative has collected 310 signatures on the petition to place the initiative on the ballot in November. The petitions were filed yesterday. Only 200 signatures were required to place the initiative on the ballot. Generally, 90 % of voters that sign a petition will vote for the ballot initiative.

If the initiative passes, then construction would most likely begin next May. The voters who did not sign the initiative in most cases did not want their taxes increased. The initiative may be changed to only chip seal the graveled part of County Road 1. Therefore, the public improvement district would be decreased to include property that uses County Road 1 over the graveled part. The public improvement district would not include the owners/voters on the north side of County Road 1 who disapproved of the initiative at the two public hearings held in May. The Ouray County Board of County Commissioners will hold a public hearing on the initiative, possibly on July 12.

In 1999, the public improvement district created to pave the switchbacks up County Road 1 passed by only 18 votes.

**c. Update on dog bite incident and coyote attack, and actions required of Association**

On May 17<sup>th</sup>, Wayne Landis, while on the golf course near the Dens was bitten by a dog outside the condo at 51B Red Fox Lane. Wayne had to have 13 stitches and has a deep bruise on his leg. The police were called because the Mountain Medical Center is required to notify the police for a dog bite. The Association will be sending a violation letter to the dog's owner outlining the Covenant requirements and the need to control his dogs. The dog's owner, who has since purchased a home at 180 Puma, adjacent to the 7<sup>th</sup> Fairway, indicated to Chris Carr that he will request through ARC for approval to construct a dog run area on his new property in the near future.

An email dated June 4, 2016, was sent to all homeowners with a Coyote Alert. The Colorado Division of Wildlife (DOW) has provided Chris Carr with brochures about how to handle wildlife. Chris will include the brochure in the Newsletter. The DOW will not take action if a domestic animal is involved with a coyote attack but will take action should livestock or a human be involved in an incident. Owners can trap and remove wild animals on their own property, but must request written permission from the Association to do so.

**d. Review and approval of cart path striping. Cost estimated to be approximately \$740**

Chris Carr stated that the Association is responsible for the striping on the streets in ten locations for the crossing of the golf cart paths. The last time that the striping was painted was in fall of 2012. The striping will be done in July on a Monday. Ann Blakely made a motion to approve that the Association spend an estimated \$640 to paint stripes in the ten locations for the crossing of the golf cart paths. Pat Jennings seconded the motion. The motion was passed unanimously.

**e. Approval of cost to make minor repairs to pot hole at Marmot and Ponderosa, and additional crack sealing. Cost estimated to be less than \$500**

Chris Carr stated that the Association is making minor repairs to a pot hole on Marmot Drive and Ponderosa Drive, and additional crack sealing on the roads. ArmorProseal will do the work for an estimated amount of less than \$500 sometime over the summer. Ann made a motion to approve that the Association

spend less than \$500 on minor repairs on the Fairway Pines roads. Pat Jennings seconded the motion. The Board unanimously passed the motion.

**f. Renegotiation of two-year snowplowing agreement with Seaborn Farms LLC**

Chris Carr is negotiating with Seaborn Farms LLC, Dan Choate's company, a renewable two-year snowplowing agreement from the fall of 2016 through the fall of 2018. The agreement should be finalized by early August. Dan Choate has done an excellent job on snowplowing over the past four years. In addition, but unrelated, an invoice for repair of the culvert on Whitetail Lane previously approved was incorrect as a final load was needed and had not been billed. An invoice for \$1211.81 will be submitted later this month instead of the \$900 approved previously. Board approved the additional charge.

**g. Approval of request to allow Fortuna Tierra Club to conduct a Fun Run through the streets of Fairway Pines on September 17**

The Board members reviewed the permission letter for Fortuna Tierra to hold a Fun Run through the streets of Fairway Pines on September 17<sup>th</sup>. Two suggestions were made to the draft letter. First, Fairway Pines will be an additional insured and second, the date for set-up of the race needs to be included. A Newsletter will be issued in July, and an article can be included on the event.

**h. Approval of voting documents for Board vacancies to be mailed to membership on June 20 with return date of July 25**

Chris Carr provided a copy of the ballot which includes the biographies of Tara Del Rossi and Sharon Kreutzen who are running for Board vacancies. The ballots will be mailed or emailed to members on June 20<sup>th</sup>, with a return date of July 25<sup>th</sup>. There will be a short cover letter to the ballot. An article will be included with the announcement. A reminder, as noted in the Minutes from the March Board Meeting, the Board approved the appointment of Mike Forstner to assume the remaining year of a two-year term that Chris Carr has been filling, since no volunteers came forward in 2015 to run for the two-year vacancy on the Board. Due to job related project commitments, Mike requested that his commitment to the Board vacancy not begin until July 28, immediately following the Summer Member Meeting.

**i. Review of agenda topics for Summer Member Meeting scheduled for Thursday, July 28 at the Clubhouse**

Chris Carr stated that the agenda for the July 28<sup>th</sup> Summer Member Meeting will include Board achievements since January, an update on the water project, Association-owned properties update, CR1fix initiative update, update on collections of past due HOA dues, and an update on the Fairway Pines Sanitation District. The summer member meeting is tentatively scheduled to be held at the clubhouse preceded by a BBQ if staff is available. Sharon Kreutzen suggested that Brent Clark could update Association members at the meeting about his three-year plan for the golf course, or write an article for the newsletter.

**j. Formal approval of voice vote made on May 26 to initiate Association utility easement work on Lot 121, located at 46 Marmot Court. Divide Ranch LLC to pay 50% cost of excavation work**

Chris Carr received approval from the Board members in a voice vote on May 26<sup>th</sup> to give him permission to initiate utility easement work on Lot 121, located at 46 Marmot Drive. The Divide Ranch and Club will share in 50 % of the excavation costs. The reason for the Divide sharing the costs is because they plan to build a permanent restroom at the location of the port-a potty. Conduits for water and power will be laid in the 10-foot utility easement. The Association and the developer have the right from the covenants for a 10-foot easement on the side of all lots, however Lot 121 is owned by the Association and has a specific utility easement attached to the property for exactly this purpose.

Ann Blakely made a motion to formally approve the utility easement work on Lot 121, located at 46 Marmot Drive with the Divide Ranch and Club paying 50% of the excavation costs. Pat Jennings seconded the motion. The motion was unanimously passed by the Board.

**k. Review of Monitor Well Testing and further development of the Greenbelt Site**

The reason that the Association started pursuing the water decree and storage options was for drought and fire protection, and for backup irrigation.

Due to the test results on the two wells, the decision is pending to further develop the infrastructure, and change the permitting for the wells to a production status.

Then the project will be reviewed to determine practical storage needs, either in the existing reservoir on the 16<sup>th</sup> Fairway, or in a revised pond storage project on Association Greenbelt. The filing for a grant will determine further development, as will the sales of property owned by the Association and related cost recovery methods available to the Association.

As soon as the Association starts pumping water from its decree, the water decree of 80 AF will become absolute, and we still have five years to perfect the decree.

**l. Review of infrastructure requirements, bid process and timeline for pending work on revised Water Project**

Chris Carr provided the timeline for water availability based on the revised water project. The revised water project may be operational by the beginning of 2017 or sooner depending on a number of related efforts. Chris Carr will present to the Association members at the July 28<sup>th</sup> summer member meeting, the details on the revised water project. The funds expended for the revised water project will come from the Reserve Fund temporarily, pending cost recovery from available sources. Chris Carr asked if the Board members had any concerns. None noted from members or advisors present.

Ann Blakely made a motion to give approval to the Board President authority to go forward with the revised water project infrastructure work. Pat Jennings seconded the motion. The Board unanimously approved the motion.

**m. Pending release of Upper Uncompahgre Water Supply and Enhancement Project Status Report**

Chris Carr stated that the draft of the Upper Uncompahgre Water Supply and Enhancement Project Status Report will be issued, after another delay, sometime in August according to Marti Whitmore.

**n. New items – Open discussion**

Gay Dicus is taking over the Welcome Committee to welcome newcomers. Gay Dicus will introduce Tom and Chris Blumke, Bill and Heidi Roth, Eric Loeb, and Sadie Williams at the July 28<sup>th</sup> summer member meeting. Ann Blakely will purchase \$25 gift certificates from the Divide Ranch and Club Pub with the Club to also donate \$25 to the certificate value for a total of \$50.



**6. Executive Session**

The meeting adjourned at 3:45 PM to go into executive session.

**7. Adjournment**

The meeting adjourned at 4:30 PM with a motion by Chris Carr, seconded by Ann Blakely and unanimously approved.

(Next scheduled regular Board Meeting will be on Thursday, July 7, 2016 @ 3:00 PM (MDT) – 664 Marmot Drive)

Respectfully submitted,

Mary Ann Guilinger  
Recording secretary  
June 14, 2016