

River Island Ranch Annual POA Meeting Minutes  
August 29, 2020

- I. Call to order
  - A. Rick Hardy, president, called the meeting to order at 9:09 a.m.
  - B. Seventeen attendees were at the meeting.
  - C. 19 proxies were presented.
  - D. Members of the board, who were present were introduced.
    - 1. Rick Hardy, president
    - 2. Sandy Wilson, secretary
    - 3. Alfred Bergquist, board member
    - 4. Dennis Nowfel, board member
    - 5. Dave Carr, board member was NOT present
    - 6. Positions of vice-present and treasurer were vacated within the past calendar year.
  - E. Attendees present introduced themselves.
- II. Minutes of the last meeting were available for distribution.
  - A. Alfred Bergquist made a motion to accept minutes as presented.
  - B. Dennis Nowfel seconded the motion.
  - C. Attendees votes unanimously in favor of motion; motion carried.
- III. Rick Hardy announced plans for the POA to go paperless beginning in 2021 to save money and paper.
- IV. Financial reports were presented to attendees.
  - A. Allen Wilson asked about plans for the \$300,000 plus funds available to the POA.
  - B. Rick stated that POAs can have up to \$500,000 available without any repercussions.
- V. State Trust Land to north of RIR
  - A. Rick stated that Vernon Mann has leased the State Trust lands since the inception of RIR for \$1240.00 per year, but Dan Hicks failed to sign the lease renewal.
  - B. The land has now been leased to a cattle rancher who is installing a fence along the northern RIR boundary.
  - C. Rick stated that in talking with Dan Rival, the District Land Man in charge of the State Trust, the trails in that state-owned land have been for fire suppression vehicles only, and that the public has not legally had motor vehicle access to those trails. With the new lessee coming in, the laws for that area will be fully enforced.
  - D. The public is not allowed, because of concerns for wildlife breeding, on the State Trust land from September 1 until the last day of February; however, the public is allowed to be on the land on horseback or on foot between March 1 and August 31. New signs have been posted to that affect by the Colorado government.
  - E. Rick stated that if the POA signs an agreement with the state, we will be able to use that land for ATVs if we pay \$620 and show evidence of

commercial/business liability insurance, which Mary Grace Garcia stated that the POA already has.

- F. Rick also stated that no cattle will be brought into those lands or out of those lands through RIR.
  - G. Brent Goodwin made a motion that if RIR can lease the State Trust land for \$620 without additional insurance, the POA should do that.
  - H. Norma Nowfel seconded that motion.
  - I. Attendees voted unanimously in favor of the motion, and the motion carried.
- VI. Gravel Pit
- A. Rick stated that on March 27, 2019, Rick, Mary Grace, and Stephanie Mitchell, a representative from the entity that governs mining in Colorado, toured the gravel lease, which is a 15-acre mine lease with a 2-acre pit mine.
  - B. In August, 2020, Rick received a letter from Stephanie stating that RIR POA is in violation of the regulations regarding the mine and that the mining permit will be revoked and the land the mine is on be reclaimed using the \$12,000 bond money that Tom Smith submitted when the mine was established.
  - C. Rick stated that the original plans of RIR show the pit being turned into a fishing pond with a gazebo and RV parking, which is what he would like to see happen in the reclamation of the pit with little to no expense from the POA.
    - 1. Allen Wilson suggested that this plan be presented to an attorney for consideration.
    - 2. Alfred Bergquist agreed that an attorney should guarantee there would be no recourse from the reclamation.
  - D. Dennis Nowfel made a motion that the revocation of the permit and the reclamation of the gravel pit be presented to an attorney for consideration, and if there are no foreseeable problems, the POA can vote on what to do with the pit after it has been reclaimed.
  - E. Ralph Miles seconded the motion.
  - F. The attendees approved the motion unanimously, and it carried.
- VII. Tom Smith's offer to trade land for use of bridge
- A. Rick stated that realtor Bruce Steffans approached him because Tom Smith owns 20 acres to the east of our east cabin, and he wants to develop up to 18 lots with anywhere between 4 and 18 homes.
  - B. Tom Smith wants to trade the ditch under the bridge to the clubhouse for the right to use our bridge in his development and to give the owners in his development the right to join the RIR POA.
  - C. Lawana Deweese made a motion not to deal with Tom Smith and not to grant his request.
  - D. Amy Romero seconded the motion.
  - E. Attendees voted unanimously in favor of the motion, and the motion carried.

- VIII. Survey of island
  - A. Rick stated that in his conversations with Bruce Steffans about the island, the RIR POA may own more land on the island that previously believed.
  - B. Rick state that he talked to the Rio Grande County Clerk's office, and a survey of the island was never filed because the original POA failed to pay the surveyor.
  - C. Rick spoke with the surveyor and was told that he does not remember whether he placed surveyor's pins on the island. He remembers there were 69. The surveyor stated that he would charge \$600 to the POA to verify the survey he did IF the pins are in place, or \$3000 to the POA IF the pins are not in place.
  - D. Lawana Deweese made a motion that we pay for the survey but that we do not use the same surveyor because a mistake he made years ago cost the residents of Phase 2 more than a million dollars.
  - E. Sandy Wilson seconded the motion.
  - F. Attendees voted unanimously in favor of the motion; the motion carried.
- IX. Decorative rocks around cabins and clubhouse
  - A. Rick stated the POA voted last year to install decorative rocks to protect meters, buildings, and lawn near and around the cabins and clubhouse.
  - B. Twenty-five boulders costing \$1200 will be brought in during the winter for such a purpose.
- X. Property Liens
  - A. Rick stated that RIR has placed liens on five properties for failure to pay a total of \$15,572 in assessments.
  - B. Rick stated that liens are in affect for six years, Mary Grace is in the process of placing new liens on ones that have expired.
  - C. Mary Grace has flagged the accounts to be able to decline requests for cabin rentals from these owners.
  - D. Rick has removed their codes to prohibit access to the clubhouse.
  - E. Letters sent to these owners at the first of the year.
    - 1. The letters will not include the new gate code which will take effect in January.
    - 2. The letters will offer a grace period until March 1, 2020, for owners to pay delinquent dues/assessments without interest or fees.
  - F. The information of residents who do not pay delinquencies will be forwarded to an attorney for litigation and perhaps foreclosure.
- XI. Water System
  - A. Rick stated that, after the board voted 4 to 1, he sent out letters to the 47 owners in Filing 2 asking whether they were in favor of acquiring the water system that Pueblo Bank & Trust owns but is willing to deed to the POA for free, with the stipulation that rates will not go up without a vote from the RIR POA.
  - B. Forty-six of the forty-seven owners responded that they were in favor of the water system and in agreeance with paying \$20 per month for water availability.

- C. Rick stated that he will make certain that the system is functional before requesting Pueblo Bank & Trust sign over the deed.
  - D. The POA will pay for electricity, taxes, and insurance for the system until January 2021, when the owners in Filing 2 will begin making their payments (\$240 per year per lot). Beginning January 2021, the maintenance and operation of the system will be solely the responsibility of owners in Filing 2 since owners in Filings 1 and 3 have had to drill their own wells and pay for all charges related to those individual wells.
  - E. Rick stated that all fees collected for the Water System will go into a separate bank account from the other RIR POA fees.
  - F. Mary Grace Garcia is one of a three licensed water system operators in South Fork, and she will oversee the system for the RIR POA.
  - G. Bob Deweese made a motion that RIR POA attain the water system.
  - H. Jean Miller seconded the motion.
  - I. Attendees voted unanimously in favor of the motion; the motion carried.
  - J. Aaron Potts, the representative for Pueblo Bank & Trust, stated that the bank would deed the system to RIR POA.
  - K. Alfred Bergquist asked about insurance for the Water System, and Rick stated that insurance costs may result in a dollar or two increase in the Water System fees paid by owners in Filing 2. Mary Grace Garcia suggested that the system be set up in an LLC rather than belong to RIR POA.
  - L. Rick stated that Pueblo Bank & Trust would deed the system to RIR POA, and the POA would create an LLC (RIR Water System, LLC.)
- XII. Rick asked for comments or questions from the attendees.
- A. Bob Deweese asked about a "No Outlet" sign to be posted at the end of Pfeiffer Loop.
  - B. Rick stated that he would order one.
  - C. Bob Deweese asked whether a security gate would be added at the southwest entrance to RIR, especially since funds seem to be available.
  - D. Rick stated that the board voted in 2019 to delay the installation of that gate, but that the board would consider that suggestion again in 2021.
  - E. Dennis stated that a resident had requested the board to reconsider the RIR bylaws regarding residents being able to own chickens. The proposal was made to change the bylaws to allow one chicken per resident per household.
  - F. Rick stated that the board took the request into consideration but voted not to change the bylaws because chickens attract coyotes, mountain lions, bears, bobcats, and other predators that pose a danger to residents of RIR.
  - G. Comments were made regarding adherence to the covenants of RIR.
  - H. Lawana Deweese stated that sellers must make available to buyers certain documents relating to the POA.
    - 1. Bylaws
    - 2. Covenants
    - 3. Minutes of the last two POA meetings.

4. Financial statements
  - I. Rick stated that at least there were at least three vacancies (due to resignations of treasurer and vice president, and the end of the term for secretary) on the board of directors that need to be filled and asked for volunteers or nominations.
    1. Amy Romero volunteered.
      - a. Mary Grace Garcia made a motion to accept her nomination.
      - b. Sandy Wilson seconded the motion.
      - c. Attendees unanimously voted in favor of the motion; the motion carried.
    2. Cathy Mercer volunteered.
      - a. Brent Goodwin made a motion to accept her nomination.
      - b. Alfred Bergquist seconded the motion.
      - c. Attendees unanimously voted in favor of the motion; the motion carried.
    3. Sue Hartwell volunteered.
      - a. Norma Nowfel made a motion to accept her nomination.
      - b. Lawana Deweese seconded the motion.
      - c. Attendees unanimously voted in favor of the motion; the motion carried.
    4. Alfred made a motion that nominations cease.
    5. Sandy Wilson seconded the motion.
    6. Attendees voted in favor of all the motion; the motion carried.
  - J. Rick stated that members were needed to fill positions on the Architectural Committee.
    1. Dennis Nowfel volunteered.
    2. Ralph Miles volunteered.
    3. Sue Hartwell volunteered.
  - K. Rick stated that members were needed to fill positions on the Water System Committee.
    1. Aaron Potts volunteered.
    2. Bob Deweese volunteered.
    3. Rick Hardy volunteered.
  - L. Dennis asked about expansions to the cabins that were voted on and approved to be made in 2019.
    1. Rick stated that Robert Goodnight was supposed to attend the meeting and bring bids for the expansions.
    2. Goodnight did not show, so Rick will look into other options for expanding the cabins to open up the loft areas for sleeping and to include a kitchenette.
- XIII. Adjournment
- A. Allen Wilson voted to adjourn the meeting.
  - B. Sandy Wilson seconded it.
  - C. Attendees voted unanimously to adjourn.
  - D. The meeting was adjourned, and attendees were invited to stay for social time and lunch.