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# RECORD OF PROCEEDINGS

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## **Minutes of the Meeting Of the Board of Directors of Cotton Ranch Homeowners' Association**

**February 10, 2016**

A Meeting of the Board of Directors of Cotton Ranch Homeowners' Association, Eagle County, Colorado, was held February 10, 2016 at 6:00 p.m., at the Gypsum Creek Grill, Gypsum, Eagle County, Colorado, in accordance with the bylaws of the Association and applicable statutes of the State of Colorado.

### **Attendance**

The following Directors were present and acting:

- Tom Pohl
- Chris Meister
- Steve Forster
- Jennifer Kirkland
- Mike Coggins

The following Directors were absent and excused:

- Mike Brown
- Ruth Powers

Also in attendance was:

- Tristan Cada, Homeowner
- Matt Jones, Marchetti & Weaver, LLC
- Eric Weaver, Marchetti & Weaver, LLC

### **Call to Order**

The Meeting of the Board of Directors of Cotton Ranch Homeowners' Association was called to order by Director Pohl at 6:00 p.m. noting a quorum was present.

### **Changes to Agenda**

There were no changes to the Agenda.

### **Public Input**

Homeowner Tristan Cada joined the meeting to review her proposal for an in home childcare business and distributed some information in regards to the licensing requirements with the state. After review, although the Board felt that the in home business would be great for Gypsum, the Board noted that the plan would be in violation of the covenants as a fenced in back yard area is required, outside activities would be conducted, and it would require regular visits by customers causing additional traffic. The Board asked that Tristan to as a first step, submit a formal written application to the DRC for the fence approval. Because the whole

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board wasn't at the meeting the present Board wanted to review the in home business variance needed before deciding whether the remaining items would be allowable. Mr. Jones will forward the request to the DRC once he receives it from Tristan.

### **Design Review Committee Board Seats**

Mr. Jones reported that the design review committee had a new board member they would like to appoint to the board to fill the alternate seat vacancy. The DRC board recommended appointing Mark Lehman who is a construction engineer for Vail Valley Medical. It was reported that Mark has been attending the meetings regularly and would be a good addition to the DRC board. Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the appointment of Mark Lehman to the Cotton Ranch DRC.

### **Design Review Committee**

Mr. Jones reviewed the email from Leah included in the Board pack. JT, the Developer of the Villas at Cotton Ranch, had several requests for variances to the current DRC process for new homes. JT requested that the building compliance deposits be per building instead of per unit, using a letter of credit for deposits instead of cash, and that the deposits be rolled to new units as the old ones are completed. The Board briefly discussed all of the requests and everyone was in agreement that they would accept \$5,000 per building over per unit on a going forward basis. The Board stated that the first 7 homes deposits of \$5,000 that are currently completed or under construction will be held and any new buildings will be set up as \$5,000 per building.

Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to approve allowing The Developer of the Villa units a \$5,000 building compliance deposit per building instead of per unit.

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The other requests were denied. The Board didn't want to have to manage the letter of credit account and felt that he should pay deposits in the same manner as other owners. The Board also discussed the rolling of the deposits to new units as the old units are completed. The Board would like for JT to be held to the same standards for compliance deposit refunds. He will be required to wait a full grow season before the deposits can be transferred to newer constructed homes. The Board requested that Mr. Jones send a letter from the Board responding to his request with what had been decided.

### 2016 Calendar

The Board reviewed the proposed meeting calendar for 2016, noting the next regular board meeting being held on May 4th and the annual member meeting on March 28th. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the following meeting dates for 2016: February 10, May 4, Aug 3, and Nov. 2 with and the annual meeting scheduled for March 28th. Each meeting location will be determined before the meeting.

### Minutes

Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the November 11, 2015 meeting minutes, subject to minor modification.

### Compliance Contract

Mr. Jones reported that he had passed out the Compliance proposal at the November meeting and would like to get the proposal ratified at the February meeting. The Board reviewed the current monthly rate for the compliance patrols. Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to ratify the contract as presented.

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### Operation Contracts

At the November board meeting Director Meister brought a proposal from the Golf course to maintain all the common areas that Brush Creek Landscaping has been maintaining for the Association. The two issues with the contract were that the Golf course doesn't do flower bed maintenance or dog station maintenance. Mr. Jones reported that he had found a contractor to maintain the dog stations for the same price as Brush Creek Landscaping. The Contractor currently maintains several neighborhood dog stations and he should be more consistent than the prior contractor. Mr. Jones also reported that he got a separate proposal from Brush Creek Landscaping for maintaining the flower beds at the entrance of Cotton Ranch Drive.

Upon review and by motion duly made and seconded it was unanimously

**RESOLVED** to ratify the landscaping proposal from the Golf Course in the amount of \$15,000 for the summer.

**FURTHER RESOLVED** to ratify the flower bed landscaping in the amount of \$2,750 for the summer.

**FURTHER RESOLVED** to ratify the dog station maintenance proposal from Dan Carlson in the amount of \$2,730 for the 2016.

### Sidewalk Snowplowing

Mr. Jones reported that he has taken several complaints this year in regards to the sidewalk snowplowing. The Board reviewed the 3" snowfall required and whether this was the issue. The Board discussed and felt that the snowplow contract should be put out to bid for next winter.

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### Social Events

The Board reviewed the planned social events for 2016 and reviewed the calendar. The Board decided to hold the Neighborhood garage sale on June 4<sup>th</sup> and decided to hold the BBQ & Pool Party on July 9<sup>th</sup>. Mr. Jones reported he will get notices out for both events and also bring them up at the upcoming Annual Association meeting.

### Cotton Ranch Metropolitan District

Director Meister provided an update on the activities of the Cotton Ranch Metropolitan District. He reported that the irrigation system is scheduled to be turned on the last week of April. The system will be checked for leaks before and an email will go out to all owners notifying them of the irrigation system turn on. The billing period runs from May 15<sup>th</sup> till October 15<sup>th</sup>. If you notice any leaks upon start up please contact Mr. Jones and he will facilitate getting it corrected.

### Accounting Engagement Letter

Mr. Weaver briefly reviewed the memo and the updated accounting & administration engagement letter in the packet. The Board briefly reviewed what this means in regards to the financial statements that are compiled for each board meeting. After discussion and by motion duly made and seconded it was unanimously

**RESOLVED** to approve the updated engagement letter with Marchetti & Weaver, LLC

### Financial Statements

Mr. Weaver presented the December 31, 2015 financials and reviewed the 2016 preliminary budget which was reviewed at the November meeting. During 2015 the Association expenses came in under budget mainly due to less bad debt write offs as well as

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having less general administration expenses then budgeted. The revenues came in slightly under budget mainly due to all the design review revenue that was budgeted that will be received in future years. This allowed the Association to increase the fund balance from approximately \$180,000 to \$195,000 before accounting for the delinquent accounts receivable.

The Board reviewed several expense lines in the preliminary 2016 budget and upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve December 31, 2015 financials;  
and

**FURTHER RESOLVED** to approve the 2016 Budget with noted changes and to set the 2016 dues at \$300 per property.

### **Accounts Receivable**

The Board briefly reviewed the accounts receivable list with nothing more to report.

### **Accounts Payable**

The Board reviewed the accounts payable list. Upon motion duly made and seconded, it was unanimously

**RESOLVED** to approve the accounts payable list as presented.

### **March 28, 2016 Annual Meeting Agenda**

The Board briefly reviewed the draft agenda for the Association annual meeting scheduled for March 28<sup>th</sup> at the Creekside Grill. Mr. Jones reported that he has spoken with the restaurant about opening up for the meeting and having some appetizers and a cash bar to encourage attendance. It was reported that an annual meeting sign will be placed at the entrance of Cotton Ranch and an email blast sent out in addition to the meeting notice mailed with the annual HOA statements.

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There are 3 board seats up for at the annual meeting for Directors Brown, Coggins and Meister. All three stated that they would like to rerun. The Board will also take nominations from the floor at the meeting.

#### **Adjournment**

Upon motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the meeting of the Cotton Ranch Homeowners' Association Board of Directors this 10<sup>th</sup> day of February 2016.

Respectfully submitted,



Matt Jones

Secretary for the meeting