
RECORD OF PROCEEDINGS

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

August 28, 2017

A Meeting of the Board of Directors of Cotton Ranch Homeowners' Association, Eagle County, Colorado, was held August 28, 2017 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:

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

The following Directors were absent and excused:

- Mike Brown
- Mike Coggins
- Ruth Powers

Also in attendance was:

- Charlie Bell
- Dave Collins
- Rich Lehman, Landscape Technologies
- Cheri Curtis, 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

No changes.

Cotton Ranch Landscaping

Rich Lehman with Landscape Technology presented two concept plans for the island on Cotton Ranch Road leading into Sky Legend. The ornamental concept included lots of colors with native trees, plants and flowers recommended in the Design Guidelines. The native concept included native grasses, plants and trees. The cost of maintenance was questioned and Mr. Lehman stated the maintenance would depend on the design chosen.

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It was suggested showing both concept plans at the annual meeting to receive community input. The Board requested an estimate for installation and maintenance costs before presenting anything to the Community.

Public Input

Charlie Bell was present to request the Board consider allowing Auxiliary Dwelling Units (ADU's) within Cotton Ranch. Mr. Bell informed the Board he had purchased a home that was not completed that included an area above the garage that was perfect for a mother-in-law unit. The area could be used as an apartment, although there is currently not a separate entrance. With the Town of Gypsum allowing ADU's, Mr. Bell would like to construct a separate entrance for the area above the garage. Mr. Bell showed the Board the design for the separate entrance.

The Board informed Mr. Bell the Cotton Ranch Covenants do not allow ADU's. Mr. Bell questioned where in the Covenants it states ADU's are not allowed. The Board noted when the Protective Covenants were adopted, ADU's did not exist. Language in the Protective Covenants was presented that could potentially address ADU's. Mr. Bell stated there are existing apartments already in Cotton Ranch and Realtors are advertising them as such.

The Board stated the ADU's discussion was later on the agenda and the Board would respond back to Mr. Bell after the meeting.

Mr. Bell left the meeting at 6:40 p.m.

Mr. Collins is on the Design Review Committee and stated Mr. Bell presented the plans to the DRC. The plans for the stairs was denied since the design did not show that it matched the original design of the home and concerns with neighboring properties. The DRC is not in favor of the Association allowing ADUs.

Auxiliary Dwelling Units

Director Pohl stated the Board needs to review the Protective Covenants to determine a solid stand on ADU's, and how to work with the DRC when there is a conflict.

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Director Pohl explained in the Protective Covenants, an ADU would be considered a business since it has a separate entrance, requires a license with the Town of Gypsum, and charges a fee, therefore should not allowed in Cotton Ranch. It was noted other sections also address the issues with ADU's, although ADU's were not specifically included in the Protective Covenants since they did not exist at the time the Protective Covenants were adopted.

Education will need to be distributed to property owners explaining the reason ADUs are not allowed in Cotton Ranch. The information could be posted on the CottonRanch.org website and possibly included with AmCoBi water bills. It was noted the Design Review Committee can amend the Design Review Guidelines, however, to change the Protective Covenants would require approval from two-thirds of all property owners.

The Board discussed how to enforce the policy regarding ADU's. Ms. Hughes will need to be aware of properties where more than three vehicles are parking overnight on a regular basis or visible separate second entrances. The Board discussed possibly hiring an outside law firm to review the Protective Covenants and Design Review Guidelines to confirm the Board positions is legal. Marchetti & Weaver were directed to draft education on ADU's to the community once more information is made available.

It was noted the importance of having the public present at Board meetings and all decisions should be discussed only at the meetings to avoid miscommunication.

Minutes

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

RESOLVED to approve the June 29, 2017 meeting minutes, as presented.

2017 Landscaping Concept

Landscape Technology will provide estimates for the concept plans and maintenance before the Board can have further discussions on the median landscape on Cotton Ranch Road.

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Design Review Guidelines

The Amended Design Review Guidelines were distributed to property owners, posted on the website and advertised in the Eagle Valley Enterprise on August 3, 2017. To date there has been no public comments received and Marchetti & Weaver will forward on any that may be received. If no comments are received prior to September 2, 2017 that require further consideration by the Board, the Amended Design Review Guidelines will be in effect.

Fencing for Animals

This topic was covered in the Amendments to the Design Review Guidelines and no further action is required.

Compliance Issues

Discussion ensued on the violation letter sent to the owners of 290 Black Bear. The Board agreed the Amended Design Review Guidelines addressed the issue, and unless there is a complaint there is not an issue.

Covenant Enforcement

The Board requested the monthly Covenant Enforcement Violation report. A copy of the Protective Covenants and Design Review Guidelines will be provided to Ms. Hughes. The Board noted the revised violation letters were approved on June 29, 2017 and were mailed starting in July 2017.

Covenant Enforcement is an HOA issue and should be presented to the HOA Board. DRC issues are handled by Design Review Committee and only presented to the HOA Board when the Committee is not able to resolve the conflict. The Board requested Ms. Hughes attends all meetings, when possible.

Social Events

The attendance at the Pool Party was low with few children. The Board suggested holding the event earlier in the day, possibly from 3:00 – 6:00 p.m., around July Fourth. Those in attendance suggested bringing a dessert to share. A possible pot-luck and other suggestions were presented.

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The Board requested having Santa at the Creekside Restaurant on December 9, 2017. Ms. Curtis was directed to contact the necessary parties to schedule the event.

CRMD

The raw water irrigation system will be blown-out in October. The exact date will be communicated to all property owners. The District was able to make a temporary repair to keep the Sky Legend pump operating until a replacement part was available.

Financial Statements

The July 31, 2017 financials were included in the packet. It was noted there were no significant variances between the actual amounts and the budget amounts.

Accounts Receivable

The Board reviewed the accounts receivable list. The Board would like Marchetti & Weaver to review the Collection Policy and determine a method to collect on outstanding amounts, other than filing liens on properties.

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.

Executive Session

There was no need for an executive session.

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 28th day of August 2017.

Respectfully submitted,



Cheri Curtis

Secretary for the meeting