

**MINUTES
RED MOUNTAIN RANCH OF GUNNISON COUNTY
ASSOCIATION, INC.
MEETING OF THE BOARD OF DIRECTORS
DECEMBER 1, 2022**

A meeting of the Board of Directors of Red Mountain Ranch of Gunnison County Association, Inc. was held on December 1, 2022 at 3:00 p.m. via Zoom.

Present:

Greg Glosser

MaryLou Skinner

Bill Lacy

Jason Martin

Kip Richards

Andrew Knox

Dan Murphy, attorney for Mendel project

Rob Harper, Toad Property Management

Alex Summerfelt, Toad Property Management

Marcus Lock, Law of the Rockies

Rob called the meeting to order at 3:02 p.m. A quorum was established.

Rob said additional items had been added to the Agenda and the order of the Agenda topics would be adjusted.

Dan Murphy, Architect for the Mendel project, explained the calculations of square footage had been calculated to the inside walls in accordance with the Fifth Amendment of the Covenants. Marcus explained there was not a record of the Fifth Amendment ever passing and being recorded in the Gunnison County records. Without that Amendment the Covenants stated square footage was calculated based on the Uniform Building Code and Gunnison County allowed Red Mountain Ranch to have a maximum square footage of 7,500.

Greg explained the maximum square footage for a barn was 1,500 and for a guest house it was also 1,500. Those figures could not be combined for a barn/guest house as one structure to be 3,000 square feet. Furthermore, the barn showed two parking spaces inside the barn and a separate (existing) garage and combining the two parking areas would exceed the 1,000 square foot maximum for garage space. Greg said the amended plans did not meet the written or the spirit of the Covenants and the plans were not approved.

Dan argued the Covenants stated a garage or guest house could be attached or detached to the main house. Marcus clarified the Covenants did have that language for the guest

house being attached or detached but the Covenants did not specifically address a barn being attached.

Marcus said the Association would be addressing the Fifth Amendment in the future to avoid any further confusion. Dan explained the owner wanted to use the barn as a barn and it was common to have space in the barn for parking of trucks and trailers. Greg said 250 square feet was available to use for parking (as the current existing garage was approximately 750 s.f.) and the barn could have one parking space of that size and still meet the maximum total of 1,000 square feet. Dan stressed the owner wanted to park the trailer inside the barn and would need a 14 foot alley for the truck/trailer to drive through the barn. Dan was thanked for his time and Dan left the meeting.

Andrew Knox said his lot was at 515 Oversteeg Gulch and that lot did not have an established building envelope as it was one of the parcels which became part of Red Mountain Ranch at a later date. Marcus confirmed there was not a platted building envelope for this lot but all other parts of the Covenants would apply to design review and the Board had the opportunity to approve the siting of structures. Andrew said he would submit plans for Board review. Andrew explained the existing guest house was in the south west corner of the lot and the new structure for the barn would be located at the most accessible point off the driveway due to the topography of the lot and not clustered close to the guest house. Andrew left the meeting.

Rob said the Bennet project review had been cancelled and there was nothing more to discuss at the present time.

Marcus said money had been received for the new Woodard driveway but Lacy Construction had been unable to do the work prior to the snow arriving. Bill said the work would be scheduled for the Spring.

Rob explained the paperwork for the Stroup building envelope change had been prepared by Law of the Rockies and Rob confirmed he would send out hard copies for owner approval. Marcus said there had been legal expenses of approximately \$1,000 and suggested the Stroups be asked to pay those fees. MaryLou stressed reminders should state the Board did not object to the building envelope change and immediate neighbors supported the change. Marcus confirmed the approval from individual owners did not need to be notarized.

MaryLou said there was not an update on forest management but Rocky Kimball and Rich Tocher continued to work on the process.

Rob said the entry gate was currently functional and the holiday lights were in place. Garland would be added to the gate. Rob explained England Fence had made changes to the exit loop for the gate and since then the gate had been operating well.

MaryLou said work on the new sign would be completed during the winter months and be ready for installation in the Spring. Greg said Rocky Mountain Trees would work on

the landscaping after the installation of the sign. MaryLou stressed the rocks/lettering would remain and the new sign would be easier to see from the road. Greg said parking would remain at the front entrance in the area where the dumpster had been located. Parking along the road would be eliminated and the areas at the side of the road would require some beautification.

It was agreed communication/cell towers would not be permitted in the Ranch and Rob said he would respond to the fire department as the location currently proposed was unacceptable and would impact multiple owners. Marcus said if the towers were going to be located outside of the Ranch the opportunity to provide comment on the location would be possible during a county or federal review process as applicable. The Association would have less input if the tower was located outside the Ranch than it would inside the Ranch.

Rob said a driveway proposal had been circulated to the Board for Lot 49. Marcus explained the process for changing the location of a driveway. Rob agreed to ask the owner of Lot 49 to obtain approval to the driveway change from immediate neighbors and then the Board would review and approve.

MaryLou asked if fees could be recovered when the review process for construction was protracted or contentious. Marcus stressed the need to follow the recently adopted Design Guidelines and said the Guidelines did allow for recovery of some legal expenses. Owners could be requested to make an additional payment for legal fees or if legal action was taken any resolution or agreement of that action would include legal fees. Rob said new construction projects generated a deposit which was held until the project was completed. Rob explained there would be the opportunity at that time to charge any expenses which were above and beyond a normal review.

Marcus explained Beth Appleton had previously inquired about the status of the Fifth Amendment on behalf of a prospective purchaser, and Marcus confirmed that it had not been recorded in the Gunnison County records. Rob agreed to remove the Fifth Amendment to the Covenants from the Toad website and the Board would discuss the provisions of that amendment at a future meeting. How to calculate square footage would also be discussed at another meeting. Marcus left the meeting.

Prior to the meeting Rob circulated a third quarter financial report to the Board. Rob confirmed dues would increase to \$5,500 from January 1st and Rob said all owners would be subject to one level of dues. The three owners who had paid a lower rate in the past had been notified of the change. Rob confirmed three owners were delinquent and a reminder had been sent out to those owners and late fees added.

At 4:25 p.m. MaryLou made a motion to adjourn the meeting. Jason seconded the motion and it was unanimously approved.

Greg Glosser, President

Prepared by Rob Harper,
Toad Property Management, Manager

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