

**MINUTES  
RED MOUNTAIN RANCH OF GUNNISON COUNTY  
ASSOCIATION, INC.  
MEETING OF THE BOARD OF DIRECTORS  
JUNE 2, 2022**

A meeting of the Board of Directors of Red Mountain Ranch of Gunnison County Association, Inc. was held on June 2, 2022 at 4:00 p.m. via Zoom.

Present:

Mary Lou Skinner

Greg Glosser

Bill Lacy

Kip Richards

Jason Martin

Rob Harper, Toad Property Management

Marcus Lock, Law of the Rockies, Association's legal counsel

Elizabeth Appleton

Rob called the meeting to order at 4:02 p.m. and confirmed that a quorum was present.

Kip made a motion to approve the minutes from the March 3, 2022 meeting. Greg seconded the motion, and it was unanimously approved.

Rob said that the first item on the agenda was a discussion of the driveway to service Lots 1, 2, and 3. Beth Appleton said that she represented the owners of Lots 1 and 3, who had requested to build a driveway through Lot 2 to access their properties. Beth said that the Board requested a written easement agreement for that driveway among all parties, and the owners of Lots 1, 2, and 3 had not yet been able to reach an agreement. Beth had reached out to the Board to determine how the owners could access their property in the absence of a written agreement and noted her interpretation that the recorded notes on the Plat and the 2nd Amendment to the Covenants gave the Board the ability to relocate the platted driveway for good cause. Beth said that Lot 2 was very steep, and the platted location of the driveway was very close to the house, which gave reasonable cause to relocate the driveway. Beth said that if the Board continued to require a written agreement, it would likely prevent the owners of Lot 3 from developing their lot, and she asked the Board to approve the relocation of the driveway without a written agreement.

Marcus said that reaching a written agreement would still be preferable. However, Marcus said that he believed the owners of Lots 1 and 3 had made a good faith effort to reach an agreement and the owners of Lot 2 had not been reasonable in their requests in negotiating the agreement. Marcus agreed with Beth that the governing documents gave the Architectural Control Committee the authority to approve relocation of the driveway and said that he was comfortable with the Board moving forward with approving the relocation if they wished. Marcus suggested that the Board send a letter to the owners giving them a deadline of July 1st to reach the agreement, and if the agreement was not

reached by that time, the Board would approve the driveway as proposed by Norm Whitehead.

Beth Appleton left the meeting.

At 4:21 p.m. Kip made a motion to go into executive session to discuss legal matters with counsel. Bill seconded the motion, and it was unanimously approved.

At 4:41 p.m. Kip made a motion to leave executive session. Jason seconded the motion, and it was unanimously approved.

Jason made a motion to approve the design for the driveway as submitted by legal counsel for the owners of Lots 1 and 3 in her letter on May 18, 2022, subject to consideration of any additional comments by the owners of Lot 2 submitted to the Board on or before June 16. Greg seconded the motion, and it was unanimously approved.

It was agreed that Rob would communicate with the owners of Lot 2 to let them know about the 2 week deadline for comments.

Kip made a motion to confirm that any associate member with associate agreements that provides that they pay regular assessments should be paying the full amount of those regular assessments. Bill seconded the motion, and it was unanimously approved.

Kip Richards left the meeting.

Bill said that he would visit 455 Oversteeg to map out the path of the driveway so that the owners could move forward with resolution of the dual driveway matter.

Marcus Lock left the meeting.

Rob said that the Forest Service did not have any plans for development of the trail across the street from the highway department, which was no longer accessible.

There was a discussion of road maintenance costs that should be built into the 2023 budget. Bill said that he would drive through the ranch to create a cost estimate for pulling and clearing the ditches. Rob said that many aspen trees had fallen during recent windstorms and there might be a need to increase the budget for tree clearing if the Board wished to clean up some of the areas that had already been cleared in past years as well as continue the project further up the Ranch. Bill estimated that pulling the ditches would cost about \$25-30,000. Bill said that replacing the gravel in the ditches would be a significant cost, but he did not want to estimate the cost until he had reviewed the site. Rob said that so far the Association had spent \$37,000 on improvement of the entry, with about \$200,000 left.

It was agreed to build road maintenance and tree clearing into the regular budget, but to keep the funding for the pond project as a special assessment.

Rob said that current dues were \$3,500 with an additional \$1,000 special assessment for tree removal. Greg said that, in order to capture the cost of road and tree maintenance in the regular budget, dues would need to increase to \$4,500, and in order to save funds for future projects such as ditch pulling, dues should increase to over \$5,000.

Rob said that he would confer with Bill about estimated costs for pulling the ditches and replacing gravel and come up with a number over \$5,000 for the 2023 dues.

Greg confirmed that he planned to host the Annual Meeting at his home again on July 26, 2022 at 5:00 p.m.

Board members agreed that they would like to pursue the amendment to the Bylaws to increase Board terms to 5 years.

Bill confirmed that he was willing to volunteer for an additional Board term.

Rob said that the Bennet project had been pulled, and the owners planned to come back to the Board next year with a new plan.

Greg made a motion to approve the plans for the White project, with the provision that the Board see the design with the building envelope overlaid to ensure that the project was inside the building envelope, and the Board could look at the site prior to excavation. Mary Lou seconded the motion, and it was unanimously approved.

Rob said that the Tocher deck project and the Lee driveway paving project had been approved by the Board over email.

Mary Lou gave an update on the entry project. Mary Lou said that Spencer would have the gate ready in the near future. Some fill had been procured for Rocky Mountain Trees to do some contouring when they returned. Greg said that he had confirmed with Rocky Mountain Trees that they would do the work, but they were busy and would likely not be able to complete the work until July. The next step would be for Spencer to provide a sign.

On the subject of the pond project, Greg said that it was likely not an option to decrease the size of the ponds, and the best option would be to line the ponds at their current size.

Rob said that he would send around an updated budget in the near future.

At 5:20 p.m., Bill made a motion to adjourn the meeting. Mary Lou seconded the motion, and it was unanimously approved.

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Bill Lacy, President

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Prepared by Rob Harper,  
Toad Property Management, Manager

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