

**DOUGLASS RANCH PROPERTY OWNERS ASSOCIATION**

Minutes of the Regular Meeting of the Board of Directors

Wednesday, August 12, 2020

**Call to Order:** Meeting called to order at 6:08pm

**Location:** Virtual via Zoom

**Attendance**

**Board Members:**

Aaron Reilly	President	512-769-6400	drpoa.president@gmail.com
Veris Simms	Vice President	720-220-5631	drpoa.vicepresident@gmail.com
Andréa Swenson	Secretary	612-201-0289	drpoa.secretary2020@gmail.com
Randy Jensen	Treasurer	303-8385117	drpoa.treasurer2020@gmail.com
Mark Ferguson	Roads & Grounds	720-403-3939	drpoa.randg@gmail.com

**Board Members Absent:** None

**Others Present:**

**Advisory Committee Member:** Tricia Jensen

**Members at Large:**

Mike & Cathy Rheinberger

Dallas & AJ Ostrom

Pam Senjem

Doug & Barb Benning

- I. **Approval of the Agenda** – No agenda was presented
  - **Additions to the Agenda** – None
- II. **Approval of the Minutes** - Approval of the previous July 15-29 and August 05, 2020 minutes postponed.
- III. **Business from the Previous Meeting – Review and finalize Edits to the Draft Survey Spreadsheet.** - Mr. Reilly cited new information has been presented regarding some of the line items in the survey and how they relate to our **Dougllass Ranch, Jefferson County, Colorado Official Development Plan Written Restrictions (ODP)**. Mr. Reilly yielded the floor to Mr. Jensen.
  - Mr. Jensen sent an email inquiry to the Jefferson County zoning department. He learned that, although the Douglass Ranch subdivision is not technically zoned as prescribed by the county, our OPD, in fact, is the document which identifies our

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“zone.” If our Association decided to change an article or section of our ODP and make it *less* restrictive (say, the number of dogs allowed to be kept on a lot), it would require a re-zoning of the entire subdivision. **The following are regulated by our ODP:**

- **Storage of Recreational Vehicles** - Line item, storage, and what “*concealing from view*” meant was discussed at length in the previous meeting. However, under **Storage/Trash, Section A** (see attached [ODP](#)), recreational vehicles (boats, campers, horse trailers, etc.), are clearly defined in the ODP.
- **The Line Item Concerning Numbers of Dogs** - Under **Wildlife Habitat Protection, Item 2.**, of our ODP, the restriction states, “*...the number of dogs per household shall be limited to a maximum of two.*” The county zoning department informed that amendments to our CC&Rs (Declaration of Protective Covenants, Conditions, and Restrictions) can, therefore, be made *more* restrictive than our ODP but not less. Consequently, the question about the number of dogs cannot be expanded to allow *more* than two dogs unless the Association wishes to re-zone the entire subdivision. This survey question regarding number of dogs was removed, and an annotation in the CC&R was entered for Article 8.4. requesting our attorney to reference the limits in accordance with language in our ODP.
- **Direct Cross Reference to Our ODP** - Mr. Reilly spoke with our attorney, Kim Porter, requesting that certain sections or line items intended for revision in the CC&Rs include language such as “according to our ODP,” in order to draw a direct cross-reference for clarity and support of the amended section. The goal is to demonstrate that everything posed to the community for revision of the CC&Rs are either equal to or more restrictive than the OPD, so that it is enforceable.

#### IV. **Survey Questions: Review Line Items Not Regulated by the Official Development Plan.**

Mr. Reilly called for a board discussion on the concept of storage and other line items in the survey which are not specifically regulated by our ODP. For instance, specific descriptions of recreational vehicles, and under that category where do motorcycles and dirt bikes fall, and the concept of temporary parking.

- **Storage** - Mr. Reilly reiterated that a firm definition is needed which clearly makes the distinction between what is allowable for permanent storage versus temporary parking on property for trip preparation i.e., loading/unloading and cleaning of recreational vehicles and trailers. Recommends language be drafted in the survey so as to not conflict with our ODP.
- **Temporary Parking** – The board determine that “seasonal” was vague. For example, an RV may be used in winter to travel to warmer climes or a snowmobile parked in the summer with intent to sell. The option for “seasonality” was struck from the survey and replaced with “temporary.” This clearly defines the category of what is temporary versus permanent storage. Mr. Jensen informed that in comparison to other HOA covenants, we do not have a time limit for loading/unloading and cleaning of recreational vehicles.

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Recommends modifying the definition in the survey using similar language found in other HOA covenants such as Hiwan and adopt parameters for trip preparations outgoing and return. Therefore, time options of 24, 48, or 72 hours was so entered into the survey to poll respondents on acceptable time limit for temporary parking.

- **Reporting Violations** – Mrs. Swenson asked how and in what way would violations, if discovered, be reported and fined. Mr. Jensen informed that other HOA's like, Ken Caryl, provide anonymous forms to their residents. Mr. Simms reminded that an anonymous form template was part of an earlier plan for the DR website. Complaints can be brought before a Board member and the Board of Directors decide necessary action. Mrs. Swenson and Mr. Simms will look into drafting a template for an anonymous complaint form.
- **Trailer** – This term is not defined in the ODP. Therefore, we may amend our CC&Rs to be more restrictive. Moreover, the ODP does not regulate trailers used for property maintenance or construction equipment. Mr. Reilly made note to the survey spreadsheet that boats, motorized RV's, RV trailers, snow mobiles, camper shells, pick-up campers, and ATVs are regulated by the ODP. That the concept of "temporary" parking is also applied to the aforementioned vehicles exempting them from permanent storage unless screened from view.
- **Passenger Vehicles Non-Licensed/Inoperable Vehicles** – This is not regulated by the ODP. Mr. Reilly proposed adding a restriction that all parking of non-licensed, non-registered, or inoperable vehicles on property must be stored out of view and should be amended into the CC&Rs as a separate category.
- **OHV Motorcycles and Dirt Bikes & ATVs** - Although considered recreational vehicle and/or off-highway vehicles (OHV), these are not specifically regulated by the ODP. Therefore, more clarification is needed to define what is allowable. Mr. Reilly entered into the survey the following definition: "OHV Motorcycles & ATVs (Non-Street legal OHV = Recreational Vehicle)," in accordance with Colorado state law for off-highway vehicles.
- **The Number of Passenger Vehicles Parked – Article VIII, Section 8.1** allows a minimum of four (4) vehicles parked in garage, carports, driveway, etc. (See [CC&Rs](#) link). Our ODP cites two spaces per dwelling unit. Mr. Jensen recommends that, since this has been a source of contention in the past, to create a stronger definition to this section is necessary to avoid confusion.
- **Birdfeeders** - Mr. Jensen reminds from previous meeting (See August 05, 2020 Minutes) we are adding more restrictions than what the ODP says. Recommends to establish a cross-reference with the ODP and include an explanation. Mr. Reilly so entered an annotation to that effect on the document **CC&Rs Proposed Changes by All**, "... this is consistent with the ODP."

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- **Other Line Items Not Covered in the ODP** – The following line items with its corresponding definitions are entered in the survey (see attached Survey). Those items not covered under our ODP which require community feedback are:
    - i. **Trailers** – Unpowered vehicle towed by another
    - ii. **Construction Equipment** - (Colorado DMV definition) The overarching concern is not the weight the but the visual impact to our surroundings. To ensure we can define this clearly, Mr. Reilly added a note to our attorney asking, “Can this include construction ‘vehicles’ like a bobcat that are lower weight than below for commercial vehicles?”
    - iii. **Commercial Vehicles** – (Colorado DMV definition)
    - iv. **Commercial Passenger Vehicles** –
  - **This concludes the review and finalized edits to the draft survey spreadsheet.**
- V. **New Business - The following Articles of the Declaration of Protective Covenant, Conditions, and Restrictions (CC&Rs) were Evaluated.**
- **Note:** All determinations and proposed suggestions for revision, annotated requests, rewrites, or updates will be submitted to the DRPOA Attorney Kim Porter for legal review. All references stating, “our attorney” or “attorney” from this point forward means DRPOA attorney, Kim A. Porter
    - i. **Article VIII, Section 8.4 Animals**. - Second paragraph, beginning with “...kennel...”: This was amended in 2013 and has been resolved and will be included in the consolidation of documents.
    - ii. **Article VIII, Section 8.4 Animals**. - Last sentence of second paragraph, “*At all other times, dogs shall be on a leash and under the direct control and supervision of said Owner.*” Request attorney add that dog waste must be immediately removed and properly disposed of by the dog owner while outside the confines of their property either on a community road or easement.
    - iii. **Section 8.6 Water Service, Use, and Regulation**. - Middle, second paragraph, “...each Lot would be allowed an average of 350 square feet of lawn or 1,700 square feet of garden, or an appropriate combination of gardens and lawns.”
      - 1. **Annual Reporting** – Randy Jensen reminds that there is a mandatory annual report which must be submitted in October. Any changes to the existing square footage of the Lot/Subdivision must be revised on the report when submitted.
- VI. **Future Action Steps**
- **Mark Ferguson** - reports he contacted a representative from Jefferson County regarding the repair of the culvert that runs under Douglass Ranch Dr.. The plan is to design the repair type this summer and execute the repair next summer. Plans to follow up with this same representative is scheduled for next week.

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- **Randy Jensen** – Will take the finalized edits of the survey spreadsheet and formalize a final draft.
- **Veris Simms & Andréa Swenson** – Will look into drafting a template for anonymous report of violations for website.

### **VII. Adjournment**

- **Motion to Adjourn:** Aaron Reilly moves to adjourn the meeting at 8:13pm
- **Motion Seconded:** Andréa Swenson
- **Motion to Adjourn Passes:** Unanimously

Next meeting scheduled for August 26, 2020 at 6pm.

### **VIII. Board Action without a Meeting** - Minutes for August 12, 2020 were corrected and approved unanimously March 17, 2021.

Submitted by, Andréa Swenson, DRPOA Secretary