

Douglass Ranch Property Owners Association

Annual Meeting Minutes

November 15, 2011

Approved December 6, 2011

The 2011 Douglass Ranch Property Owner's Association annual meeting convened at the Elk Creek Elementary School where the following officers were present.

Brent Ballard	President	303-816-5620	brentpballard@hotmail.com
Susan Festag	Vice President	303-816-1348	kpfestag@wispertel.net
Lore Genender	Treasurer	303-838-9494	lore@merit-tech.com
Tom Washburn	Secretary	303-838-2225	twashburn@wispertel.net
John Alme	Member At Large	303-816-4011	norskejohn@aol.com

Call to Order: The DRPOA meeting was called to order at 7:13 pm. by Mr. Ballard.

1. Roll Call

Twenty four property owner signatures representing attendees and proxies were counted. Twelve (30% of 39 dues-paid lots) were needed to establish a quorum. Mr. Washburn reported that a quorum was represented at the meeting.

2. Opening Statements

Mr. Ballard welcomed the meeting's attendees. A thank you went out to those who worked some of the neighborhood amenities.

- Flower barrel maintenance
Jane Spooner, John and Cassie Allen, Colleen Jorgenson, Bud Lewis, Jean Alme
- Roadside tree trimming
John Alme & volunteers
- Volunteer committee for sign colors
Rick and Magda Koth, Pam Sickler, Kim Thulin
- Firefighter's dinner organization
Jean Alme

3. Selected committee Reports

a) Treasury Report

Ms. Genender presented the Yearly Comparison of DR balances, income & expenses. A discussion of DR taxes and the tax status of DR ensued. Ms. Genender volunteered to find clarification on this issue.

b) President's Report

Mr. Ballard summarized the board's accomplishments this year

- New DRPOA website
- Garbage survey
- A look at changing dog restrictions on lots 20 – 29
- Entry signs painted
- DRPOA email account

Current Projects include:

- Noxious weeds in the neighborhood

Anticipating a county representative visit in the spring to speak about noxious weeds.

- Pond issues to be legally framed
- Covenant issues
 - vehicle parking
 - dog fences
 - dogs on lots 20-29
 - review of design review standards with respect to legal issues and neighborhood desires
- Private road maintenance and road fund

A discussion of the neighborhood entrance sign color ensued. Dick McAtee asked if the board would accept a request from homeowners to consider a green border on the entrance sign. Mr. Ballard stated that the board is always willing to accept requests for action from the homeowners.

c) Road and Grounds Report

Mr. Alme reported that the roads are in good shape. By performing small road maintenance tasks we are probably delaying the day when resurfacing the private roads becomes necessary. Holland Hurst stated to John that the neighborhood roads are now in good shape.

Road plan needs updated to stay current with today's price of oil.

Expecting to deposit more money in road fund in March to bring the road fund balance up to where it should be.

Diane Brand request: Trees still block view on Douglass Ranch Drive to May Long Court. Mr. Alme will ask Bryan Collier whether we can cut more trees.

Dick McAtee asked whether the forest service would support thinning by reason of fire mitigation? A small discussion ensued but no answer was agreed upon.

Cathy Rheinberger will send a letter from Joe Page regarding Fire Mitigation. Fire Mitigation will likely be a spring topic for the board.

Mr Alme discussed dog restrictions for lots 20 through 29. A resident survey was in favor of a rule change. DOW's Dave Chadwick has been contacted. The board is trying to determine if DOW would try to stop an ODP (Official Development Plan) change via Jeffco.

Mr Ballard mentioned that the board would likely put the issue of covenant and ODP change to a community vote if/when we reach a point where we pursue the change with Jeffco. The vote will include a discussion of the path forward and potential cost.

d) Secretary's Projects Report

Mr. Washburn presented an overview of the Website. The website will:
provide answers to SB100 requests typically made when a home is about to be sold,
allow timely neighborhood-wide information dissemination,
provide a central area for neighborhood documents.

The several sections on the website were presented. The site is a 'work in progress' that will be updated from time to time. <http://www.douglassranch.org>

A DR email address has been setup to provide consistency between successive boards:
douglass.ranchpoa@gmail.com

e) Legal Issues

Ms. Festag outlined the attempt to condemn Glen Elk land by Mr. Lewis' company in order to construct a road to land locked acreage. In brief summary, the trial court sided with Glen Elk in ruling to dismiss the condemnation because Lewis failed to adequately describe the proposed development so that the court could adequately determine the necessity of the road and its proposed easement. Lewis and his son described different development plans for the landlocked land.

The court of appeals ruled that the condemnation could proceed based on the zoning of the Lewis property.

The Supreme Court reversed the court of appeals decision and agreed with the trial court's decision ruling that Lewis must show 'necessity' of the planned road based on actual development plans.

f) Poll regarding covenant issue (parking of vehicles in Douglass Ranch)

Parking issue was raised by outlining inconsistencies in three Douglass Ranch documents.

- Declaration of Protective Covenants, Conditions and Restrictions for Douglass Ranch
(Reception No. 89033830, Recorded 04-21-89)
- Supplementary Declaration of Covenants, Design Review Standards for Douglass Ranch Property Owners Association
(Reception No. F0126148, Recorded 10-05-95)
- Douglass Ranch Design Standards and Construction Regulations, Revised December 3, 2000
(Not recorded with Jefferson County)

No due date for action was proposed. Two documents were distributed to the membership and those documents are attached to these minutes. An email and newsletter will include more information.

The process of changing covenants was discussed. The board is not opting to accept our lawyer's suggested total covenant rewrite for a cost of \$5400. The board is considering specific changes to the covenants such as:

- the parking issue
- the 75% vs 65% of property owners approval to change covenants (to be consistent with state law)
- mortgage holders approval revision to be consistent with state law

A question was raised of whether we should collect and analyze covenants from other neighborhoods. No path forward was agreed upon.

A short discussion concerning the legality of recent fencing changes for dogs followed. No path forward was adopted.

4. Nomination and Election of Board Members

Ms. Festag, Mr. Washburn and Ms. Genender volunteered to serve an additional term. There were no other recommendations or volunteers for the board.

Mr. Koth moved to accept nomination of three board members, Ms Festag, Ms. Genender and Mr Washburn. Mr Sosnowski seconded.

The motion carried unanimously.

5. New Business

No new business was proposed.

6. Members Comments

No members comments were offered.

7. Adjournment

Mr Ballard motioned to adjourn the meeting.

Ms Festag seconded.

The meeting was adjourned at 8:55 pm.

Respectfully Submitted,

/s/ Tom Washburn, Secretary

Douglass Ranch Property Owners Association

Douglass Ranch Property Owners Association (DRPOA)
Comparison of Covenant Provisions
November 15, 2011

One of our goals this year has been to collect all the legal documents that govern the DRPOA and to make these documents available to all DRPOA members. In the process of collecting and reviewing these documents, the board of directors has found apparently conflicting provisions regarding the parking of vehicles on driveways rather than being housed in garages.

The conflicting portions of the relevant documents are as follows:

Declaration of Protective Covenants, Conditions and Restrictions for Douglass Ranch
(Reception No. 89033830, Recorded 04-21-89)

“All Lots within Douglass Ranch shall be used only for the construction and occupancy of one single family Dwelling Unit together with off street parking for a minimum of four vehicles in garages, carports and on driveways and parking aprons as approved or required by the Design Review Board.” (Article VIII, Covenants, Conditions and Restrictions, Section 8.1 Use of Lots, page 11)

Supplementary Declaration of Covenants, Design Review Standards for Douglass Ranch Property Owners Association
(Reception No. F0126148, Recorded 10-05-95)

“Any planned use of site for regular parking of more than a total of three vehicles shall be specifically submitted to the Design Review Board for review and approval. Furthermore, all vehicles, RVs, boats, snowmobiles or trailers regularly parked at a residence shall be garaged and out of sight of neighbors”. (Architectural and Site Design Standards, Section 4, Access, Driveways and Parking, page 7)

Douglass Ranch Design Standards and Construction Regulations, Revised December 3, 2000
(Not recorded with Jefferson County)

“Any planned use of site for regular parking of more than a total of three vehicles shall be specifically submitted to the Design Review Board for review and approval. Furthermore, RVs, boats, campers, snowmobiles, motorcycles, ATV’s, commercial vehicle and any type of trailer or non day-to-day use vehicle regularly parked at a residence shall be garaged”. (Article IV, Architectural and Site Design Standards, Section D, Driveways and Parking, page 6)

Our goal tonight is to call these inconsistencies to your attention, to determine if there is additional information that we need to consider, and to get a sense of what the membership believes the restrictions should be. Once we have this information, the board can move forward with the actions required to amend our governing documents so they reflect the opinion of the DRPOA members.

Douglass Ranch Property Owners Association (DRPOA)
Comparison of Covenant Provisions - Straw Opinion Poll
November 15, 2011

To assist the board of directors in resolving the conflicting provisions of the documents governing Douglass Ranch, I/we believe the standard regarding parking vehicles outside garages should be as follows:

Select one only but comments may be made under any or all options

_____ No restrictions (base language on original covenants, see excerpt below):

“All Lots within Douglass Ranch shall be used only for the construction and occupancy of one single family Dwelling Unit together with off street parking for a minimum of four vehicles in garages, carports and on driveways and parking aprons as approved or required by the Design Review Board.” (Article VIII, Covenants, Conditions and Restrictions, Section 8.1 Use of Lots, page 11)

_____ All vehicles including cars must be garaged (base language on supplementary covenants, see excerpt below):

“Any planned use of site for regular parking of more than a total of three vehicles shall be specifically submitted to the Design Review Board for review and approval. Furthermore, all vehicles, RVs, boats, snowmobiles or trailers regularly parked at a residence shall be garaged and out of sight of neighbors”. (Architectural and Site Design Standards, Section 4, Access, Driveways and Parking, page 7)

_____ No restrictions on day-to-day use cars but all other vehicles must be garaged (base language on Design Standards revised December 3, 2000, see excerpt below):

“Any planned use of site for regular parking of more than a total of three vehicles shall be specifically submitted to the Design Review Board for review and approval. Furthermore, RVs, boats, campers, snowmobiles, motorcycles, ATV’s, commercial vehicle and any type of trailer or non day-to-day use vehicle regularly parked at a residence shall be garaged”. (Article IV, Architectural and Site Design Standards, Section D, Driveways and Parking, page 6)

_____ Other option, please be specific
