

2005 Annual Meeting Summary

8/21/2005

50 plus property owners and their families attended the 2005 Annual meeting at the clubhouse on Sunday August 21st.

In addition to those attending in person, there were 50 directed proxies returned thereby assuring a quorum. Thank you who took the time to participate in the meeting and election in this manner.

After indulging in a scrumptious and bountiful pot luck meal, Michael Little and Dick Babillis opened the meeting with a "thank you" to Ivo Brieven and Bonnie Masters for getting the place cleaned up and decorated for the event. The clubhouse never looked so good! Although trenching has begun to bring water and electricy to the site, we weren't quite at "lights on" for the event.

The first item of business was the election of three additional members to the Association board of directors. In addition to the three already declared candidates who appeared on the ballot, additional nominations were received from the floor to include Yoli Parker (lots 138, 139), Larry McCormick (Lot 125) and Fred Olson (Lot 97). Those present who had previously returned proxies were allowed to "withdraw" them and vote in person to include the other candidates if they so chose.

Some concern was expressed that not everyone knew of the new candidates and that because of the overwhelming number of already returned directed proxies their being voted on was irrelevant. That being said, it was noted that all candidates had an opportunity to previously declare themselves and be on the ballot and that to step forward and declare themselves now did give them the opportunity to become recognized and considered for interim appointment should a board opening occur.

There being no further nominations from the floor, a show of hands was counted for each of the candidates which when combined with the directed proxies led to the newly elected members being Ivo Brieven, Jody McAlister-Cromwell and David Ousterling. They will join Michael Little and Dick Babillis thereby forming a 5 member board entirely made up of property owners.

Developer Joe Machock then addressed the meeting noting some of the frustrations he has dealt with getting County permitting in a timely manner to proceed with the completion of the clubhouse and other of the equestrian amenities. Drawings for the completed clubhouse and the barn/stable/apartment were on display for the meeting. Joe noted that the contract for the paving of Phase 4 has been placed, as previously scheduled, and that work had begun.

Consultant Bill Whitbred summarized the status of the Phase 5 expansion in the County planning process noting that it was "approved" at the 8/10 meeting of the Archuleta County Planning Commission conditional upon resolution of four items:

Fundamentally, the whole Phase 5 approval was contingent upon the developer having been granted an extension of the timely filing deadline by which the final plat had to be submitted. Available documentation was sketchy and there has been almost a complete turnover in the County Planning Department thereby losing continuity. Testimonial remarks at the 8/10 meeting implied that the required extension had been granted. The County is resolving this issue.

Notwithstanding that "detail", the extension of Shooting Star Drive from Phase 4 all the way up to Cool Pines Drive near the Phase 5 cul de sac requires a variance from County regulations because of the steep grade near Cool Pines Drive. The Fire District has indicated that it will not be a problem to them. The Planning commission will address that issue in their September meeting. Review and approval of the wetlands delineation in relation to this extension also must be received from the Corps of Engineers.

A third condition, previously imposed, was that the Developer have approval of the "Amended and Restated Declarations" which, along other things, reserves his right to continue developing within the subdivision - a condition absent in the original 1999 Dec's. Although a significant number of affirmative replies have been received, a number of property owners are withholding their approval pending resolution of equestrian amenity issues (addressed below).

A fourth condition is resolution of maintenance of Bristlecone Drive from the end of the Timber Ridge subdivision through the Alpine Reserve easement to Trujillo road. It seems that the easement was recorded without written inclusion of maintenance provisions much to the chagrin and distress of the grantor. It serves as the legally required second access to the subdivision yet is not owned by the subdivision.

Homeowner Jim Denvir addressed the meeting noting he was circulating a petition allowing for the provisional retraction of property owners previous approval of the "Amended and Restated Declarations" conditional upon "having a legally enforceable, written agreement setting forth the type and details of the future amenities, when they will be completed, and ensuring that the expense of the amenities are guaranteed". He charged the Association Board to form a committee, draft such an agreement and negotiate it with the developer. Upon the acceptance of this agreement, the withheld votes would be released.

The meeting ended with a concise summary by property owner Jack Rottman noting that, notwithstanding the spirited discussion at this Annual Meeting, this was not the place nor the time when all these issues would or could be resolved. The Association does now have a newly formed full board made up entirely of property owners - it is time for them to get organized, form their committees, solicit the participation of all those expressing an interest in the respective matters facing the Association and move forward.

Minutes for this annual meeting will be prepared for approval at the next annual meeting.