

# Lost Park Ranch Owners Association

## 2011 Annual Membership Meeting

August 6, 2011

Jefferson Community Hall Jefferson, Co

### Minutes – Draft –For Approval by Membership at 2012 Annual Meeting

1. **Call to Order:** President Cliff Pugh called the meeting to order at 10:10 am. The agenda is provided as Attachment A.
  
2. **Guest speaker:** Fred Wegener who is the Park County Sherriff spoke on fire danger in Park County and other topics of interest to LPROA Membership. Sheriff Wegner is in his 13<sup>th</sup> year as Park County Sheriff and is a life-long resident of Park County. In regard to fire danger he mentioned the following:
  - a. Sheriff Wegner is responsible for declaring or lifting fire bans in Park County. He does this in coordination with local fire departments and state and federal agencies such as the U. S. Forest Service.
  - b. Fire bans apply to private property as well as county property.
  - c. Stage I fire bans prohibit campfires except for camp fire rings in developed campgrounds. Stage II and Stage III have many restrictions – information on the three stages of fire bans and the Colorado Burn Ban definitions is available at:  
[http://dola.colorado.gov/dem/public\\_information/firebans/Stages\\_definitions.htm](http://dola.colorado.gov/dem/public_information/firebans/Stages_definitions.htm)
  - d. Because of the monsoon rains there currently is no fire ban in Park County.
  - e. Homeowners are required to have at least a 15-foot defensible space (no trees or shrubs within 15 feet of the house). A 30-foot defensible space is highly desired.
  - f. Some insurance companies will begin to inspect mountain cabin properties and may require a 30-foot defensible zone (Park County only requires 15 feet). One LPROA member mentioned that California requires 30 feet.
  - g. There is pamphlet on fire defensible zones from Colorado State University that may be of interest (“Creating Wild Fire Defensible Zones,” Pamphlet #6.302).
  - h. There is a national program for fire wise communities.  
<http://www.firewise.org/Information/~media/Firewise/Files/Pdfs/Booklets%20and%20Brochures/FirewiseUserGuide.pdf>

Sherriff Wegner also spoke briefly on the following topics:

- a. Sheriff Wegner is in the process of assigning a specific Deputy Sheriff to each of the 168 subdivisions in Park County. At this time there is not a specific deputy assigned for LPR.
- b. Shooting: Shooting within LPR is not permitted because of LPROA Covenants. However, the County Sheriff does not enforce covenants – this is the responsibility of the LPROA Membership.
- c. Bears: It is not legal to shoot bears even if they are on your property. LPROA Members are encouraged to call the Colorado Department of Wildlife if they see bears that are continuing to be a nuisance.
- d. Dogs: Park County has a leash law which states that dogs must either be on a leash or are trained to obey voice commands.

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- e. Mountain lions: More mountain lions than normal have been sighted this year.
  - f. Moose: The moose population in Park County is increasing.
3. Copies of the minutes of the 2010 that were prepared by the LPROA association were provided to LPROA Members present at the 2011 Annual Meeting. A motion was made and seconded to approve the minutes. The minutes were approved unanimously.
4. Treasurer’s Report: The treasurer’s report was presented by Gary Jasper, LPROA Treasurer. A summary of the Treasurer’s Report is provided below. The detailed Treasurer’s Report and the 2011 Financial Report is provided in Attachments B and C respectively.

**LPROA Treasurer Report - August 06, 2011**

<b>Current Year</b>		<b>Last Year</b>	<b>Difference</b>
\$4,595.84	LPROA Checking	\$3,302.20	\$1,293.64
\$20,010.68	Emergency Escrow Account	\$4,241.91	\$15,768.77
\$11,855.96	Special Assess Legal Fund	\$10,114.23	\$1,741.73
\$113,709.71	Water Augmentation Fund	\$106,043.57	\$7,666.14
<b>\$150,172.19</b>	<b>Total</b>	<b>\$123,701.91</b>	<b>\$26,470.28</b>

**Back Dues Collections**

- \$75.00 Estimated bill Lot X
- \$536.84 Estimated bill Lot Y

The LPROA President and others thanked Gary for the hard work that he has done as Treasurer. This included the difficult task of collecting back dues from several lots – this effort included communicating with the lot owners and with the law firm that represents the LPROA in these matters. The back dues collection effort has been very successful due to Gary’s diligence. As can be seen in the detailed Treasurer’s Report provided in Attachment B, more than \$40,000 dollars has been collected. After paying the law firm, the net gain to the LPROA is in excess of \$17,000.

The LPROA Treasurer also reported that Water Augmentation Fund and other fund accounts are in very good shape as can be seen in the detailed Treasurer’s Report in Attachment B.

**5. President’s Report**

- Pond Status, In Lost Park Ranch, LPR Pond near Stagestop, walkways across spillways
  - For historical reasons, the augmentation pond for LPR is in Stagestop and vice versa.
  - LPROA owns the land around the ponds in LPR and the land around the pond in Stagestop.
  - All of the water augmentation ponds are in good shape.
  - The work on the ponds in LPR (Stagestop’s Augmentation Pond) now has a spillway so that excess water goes over the spillway rather than being drained from the bottom. This is better for the fish since it keeps the water colder.
  - The SOA Board and the LPROA Board will be looking into ways to improve the walk over the spill way.

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- Newsletter articles
  - Periodically, newsletters will be distributed via mail and electronic news updates will be provided to the members.
- Bears in LPR this Spring,
  - There have been nuisance bears in LPR this spring. Nuisance bears should be reported to the Colorado Department of Wildlife. The DOW has pamphlets entitled:
    - “Deterrents Can Teach Bears to Stay Away”
    - “Unwelcome Mats”
    - “Attracting Birds, not Bears”
- Shooting in LPR
  - The LPROA Covenants prohibit shooting within LPR
  - Recently, there have been pelicans in LPR that have been eating our fish. Shooting has been authorized to create noise to scare the birds away. This is necessary because each pelican can eat up to 4 pounds of fish per day.
- Work on County Road 77: Paving will take place about Mid-October and the work is scheduled to be completed by November 22<sup>nd</sup>.

### 6. Tarryall Fishing Club Update

Theresa Pugh, a member of the TFC Board gave an update of TFC activities. Some points from her summary are:

- The TFC Board met in May – the minutes are available on the web: [www.tarryallfishingclub.net](http://www.tarryallfishingclub.net)
- Three of the four stockings for 2011 have been completed. Two of these stockings were with large fish.
- The last dues increase was passed by a 3 to 1 margin which demonstrates the interest in fishing by both LPROA and SOA members.
- LPR Members are vigorously monitoring the proper use of passes by members and their guests. Violations will result in the following:
  - First violation: warning.
  - Second violation: \$50 fine.
  - Third violation: \$100 fine.
- The TFC has had Park County deputies checking fishing licenses and passes this year.
- Members are warned not to use a guess pass repeatedly – these passes are good only for one day and must be signed and dated.
- Fishing on the river has been very good.

### 7. LPROA Board member elections

- Two LPROA Members have decided not to run for re-election. President Pugh and other LPROA Members present at the meeting thanked Jeannie Mellinger and Gary Jasper for their long and dedicated service.
- A motion was made and seconded for Jim Hoffmeyer to continue on the LPROA Board.
- A motion was made and seconded for Randy Connett to continue on the LPROA Board.

- Susan Bergmanis and Christopher Stone volunteered to serve on the LPROA Board.
- A motion was made and seconded to approve the renewal of Jim Hoffmeyer and Randy Connett for an additional 2-year term and to appoint Susan Bergmanis and Christopher Stone for a 2-year term. The motion passed unanimously.

#### 8. Architectural Control Committee Update

- Jude Sacry and Misi Ballard have decided not to seek an additional term. This left two vacancies on the ACC.
- Gary Jasper and Neal Underwood volunteered to serve on the ACC.
- A motion was made and seconded for Gary and Neal to be appointed to the ACC. The motion passed unanimously.

#### 9. Work Day volunteers:

- Volunteers are needed for work on the walkways at the ponds located at LPR and for some trench work at the lake.
- Please contact any of the LPROA Board members if you wish to volunteer.

#### 10. Wood Chipping:

The annual wood chipping date is set for September 10<sup>th</sup>. Wood chipping is a useful way to rid your property of dead wood that may increase the fire danger. This is a good community activity. Please contact Misi Ballard if you are interested in participating.

#### 11. Membership Comments:

- Concern was expressed about closure of Forest Service roads adjacent to LPR. These closures make access to hiking trails more difficult. Since LPR has no control over these closures, concerned individuals should contact Forest Service representatives.
- Concern about unauthorized trailers was expressed. It is against the LPROA Covenants for any owner to park any type of trailer or RV on their property. Specifically the Covenants state:

*“All campers, where permitted by County zoning, must be of a temporary and transportable nature, and must comply with County regulations as regards disposal of sewage and gray water and length of stay. Each lot owner must obtain a permit from Park County Building and Zoning Department.”*

It is anticipated that the ACC will become more active in monitoring violations of this aspect of the LPROA Covenants. Information on Park Count Land Use Rules can be found at:

<http://www.parkco.us/FAQ.aspx?QID=156>

- Concern was expressed about the increases in property assessments. While the LPROA Board and Members obviously have no direct control of the assessments, the following factors were mentioned:
  - There are few recent sales upon which to make a fiscal analysis of comparable property values.

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- Sales as a result of tax sales, foreclosures and sheriff's sales cannot be used by the assessor for the purpose of determining comparable property values because these sales tend to be much lower than the actual property value.
- A question was asked as to why the bylaws of the Stagestop Owners Association and the Lost Park Owners Association were different. It was explained that this was the result of past history and priorities of the two owners associations. The LPROA Board and the SOA Board is planning on having a joint meeting in September to discuss common issues. Bylaws may be part of the discussions during this joint meeting.

**12. Adjourn**

A motion to adjourn was made, seconded, and unanimously approved at 12:15 pm.

**Attachment A: Agenda**

**Lost Park Ranch Owners Association**

**Annual Membership Meeting**

**August 6, 2011**

Jefferson Community Hall Jefferson, Co

10:00 AM

1. Call to order
2. Guest Speaker- Fred Wegener, Park County Sherriff – Fire danger in Park County
3. Minutes of the last Annual Meeting – Jim Hoffmeyer
4. Treasurer’s Report – Gary Jasper
5. President’s Report – Pond Status, In Lost Park Ranch, LPR Pond near Stagestop, Walkways across spillways, newsletter articles, Bears in LPR this Spring, Shooting in LPR
6. TFC Update
7. LPROA Board member elections. – Randy, Jim willing to serve another term, Gary & Jeannie – stepping down – we need 2 new board members.
8. ACC Update, Elections – Bill, Misi, Jude; Jude stepping down, Gary willing to serve on ACC
9. Work Day volunteers- Walkways, trench at lake
10. Wood Chipping Date - September 10<sup>th</sup>, Sign up
11. Membership Comments
12. Adjourn

**Attachment B: Detailed Treasurer’s Report: August 6, 2011 LPROA Annual Membership Meeting**

**1. Taxes**

Park County Property Taxes for the two out lots and the 40 acres were paid February 13, 2011 by check for **\$370.78**.

**2. Insurance**

Director Insurance for the LPROA - was paid to All Colorado Insurance Services, Inc. on May 30, 2011 for **\$1,457.00**.

Liability Insurance for the Fire Station. Lot 206 and out lots A & B and the 40 acres was paid to Westfield Insurance, on June 23, 2011 for **\$723.00**.

**3. Special Funds      Emergency Escrow Account**

This fund was created so the Board could transfer some of the Association Operating Expense dues to an Interest bearing account, and as needed, transfer them back to the LPROA Checking account.

The account balance is as shown on the 2011 Financial Statement, and is **\$20,010.68** as of August 1, 2011. **2003 Special Assessment Fund**

This fund was created to hold the \$100 per lot assessment for legal expenses related to the fishing lease. As I collect back dues on properties sold, I deposit the unpaid Special Assessment fees and associated late fees into *this account*.

In 2010, The Lost Park Ranch Owners Association borrowed \$6,198.51 from this account to pay the legal fees incurred while we are working with our attorney to collect back dues owed to our association. The property owners are required to pay the legal fees as well as the back dues owed. At this time, we have completely paid back this loan.

The account balance is as shown on the 2011 Financial Statement, and is **\$11,855.96** as of August 1, 2011. **Water Augmentation Maintenance Fund**

Money for this account is held in a Liquid Asset Account. We have received **\$542.10** of interest on this account this year.

The account balance is shown on the 2011 Financial Statement, and is **\$113,709.71** as of August 1, 2011.

**4. Budget Balances      Tarryall Fishing Club - "TFC"**

This line shows a negative number since the LPROA Board of Directors voted several years ago to pay the Tarryall Fishing Club for the total number of Dues Producing Lots, not the number of Lots paying their dues for 2011. When we collect back dues, we do not have to figure out what portion should go to the TFC since we have already paid for all lots. We had three (3) lots that did not pay dues this year and at \$27.00 per lot, that accounts for the (-\$81.00) we show here. We will recover this money *when we* collect back dues.

**5. Budget Status**

This Year    \$4,595.84

Last year at this time            \$3,302.20

Difference    +\$1,293.64 But we still owe at least \$611.84 to attorney for legal fees, leaving +\$681.80

**6. 2011 Back Dues Collections**

Total Money Collected            \$40,558.88

Total Attorney Fee's            -\$23,011.50

Total Back dues Collected +17,547.50

**7. 2011 Back Dues**

Unpaid Lots 2010            9

Unpaid Lots 2011            3

**Attachment C: LPROA 2011 Financial Report**

August 1, 2010

to

July 31, 2011

1st Bank - Balance as of July, 31 **2010** **-+** **-->** \$ 3,193.20

**INCOME**

**2011**

Board Operating Expenses (Collected) 2011		7,119.00	
Attorney Fees - Back Dues (Collected) 2011	\$	5,878.00	
Back Dues (Collected) 2011		17,879.30	
Transfer Fees (Collected) 2011	\$	6,125.17	
Late Fees (Collected) 2011		80.00	
2003 Special Assessments (Collected)		3,269.93	
IREA Refund		225.00	
Advertising/Fire Station Lease	\$	33.01	
Refund of Pond Expenses		90.00	
Refund of TFC Fishing Club Dues Deposited in Emergency Escrow Account		-	
1st Bank Emergency Escrow Account Interest	\$	6.38	
1st Bank 2003 Special Assessment (Legal) Fund Account Interest		9.92	
(Water Augmentation Fund) 1st Bank Liquid Asset Account Interest		542.10	
Transfer from 2003 Special Assessment Legal Fees	\$	9,026.77	
Transfer from Water Augmentation Maintenance Fund		703.96	
Miscellaneous Income		189.50	
		<b>Total Income</b>	<b>59,306.04</b>
		<b>Balance</b>	<b>\$ 62,499.24</b>

**EXPENSES**

**2011**

Newsletters / Office Supplies / Postage / Bank Charges 1 Web Page etc. Income		1,042.40	
IREA (Electricity)		390.00	
Pond & Pump Expenses		703.96	
Tarryall Fishing Club Dues & Dues Election Expense		7,338.37	
Tarryall Fishing Legal Expenses	\$		
Property Tax (Fire Station) 2011		370.78	
Toilets & Septic Tank		767.10	
Fire Station			
Directors insurance		1,457.00	
Fire & Liability Insurance	\$	723.00	
Donation for Jefferson Community Hall		75.00	
Miscellaneous Expenses		180.12	
Legal Fee		9,448.30	
		<b>Total Expenses</b>	<b>(22,996.03)</b>
		<b>Balance</b>	<b>\$ 39,503.21</b>

**TRANSFERS TO SPECIAL ACCOUNTS 2011**

Water Augmentation Maintenance Fund @ 1st Bank	\$	7,828.00	
Interest Earned Water Augmentation Maintenance Fund @ 1st Bank		542.10	
2003 Special Assessment (Legal) Fund @ 1st Bank	\$	10,758.58	
Interest Earned - 2003 Special Assessment (Legal) Fund @ 1st Bank		9.92	
Emergency Escrow Account @ 1st Bank	\$	15,762.39	
Interest Earned - Emergency Escrow Account @ 1st Bank		6.38	
		<b>Total Transfers</b>	<b>(34,907.37)</b>
1st Bank Checking Balance as of		July 31, 2011	<b>\$ 4,595.84</b>

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Attachment - A to Financial Statement - LPROA	August 1, 2010	to	July 31, 2011
<b>BUDGET BALANCES 2011</b>			
Board Operating Expenses - "BOE"		\$	675.64
Water Augmentation Maintenance - "WAM"		\$	7,395.00
Emergency Escrow Account - "EEA"		\$	765.00
Uncollected Tarryall Fishing Club Dues - "TFC"		\$	(81.00)
Late Fees Collected (to be transferred to "BOE")		\$	3,269.93
Budget Balances - as of		July 31, 2011	\$ 12,024.57
<b>2003 SPECIAL ASSESSMENT FUND 2011</b>			
Balance as of July 31, 2010		\$	10,114.23
Deposits		\$	10,758.58
Interest Earned to Date		\$	9.92
Transfer to Checking	(Dues Collection Legal Fees)	\$	(9,026.77)
Payments to Tarryall Fishing Club	(TFC & Dues Legal Fees)	\$	-
2003 Special Assessment Fund Balance - as of		July 31, 2011	\$ 11,855.96
<b>WATER AUGMENTATION MAINTENANCE FUND 2011</b>			
Balance as of December 31, 2010	( @ 1st Bank Liquid Asset Account)	\$	106,043.57
	Deposits	\$	7,828.00
Deposit Dues Collected for "WAM"		\$	-
Transfers to other accounts		\$	703.96
Water Augmentation Maintenance Fund Balance - as of		July 31, 2011	\$ 113,709.71
<b>EMERGENCY ESCROW ACCOUNT 2011</b>			
Balance as of December 31, 2010	( @ 1st Bank / Savings Account)	\$	4,241.91
Deposits		\$	16,728.31
Interest Earned to Date		\$	6.38
Transfer to Checking		\$	(965.92)
Emergency Escrow Account Balance - as of		July 31, 2011	\$ 20,010.68
<b>UNCOLLECTED CURRENT DUES &amp; 2003 SPECIAL ASSESSMENTS 2011</b>			
Outstanding Dues & 2003 Special Assessments - as of		July 31, 2011	
Details as follows:			
Outstanding Dues 2011	3	x	\$ 86.00
Late Fees	5	x	\$ 25.00
Accumulated Late Fees	79	x	\$ 25.00
Accumulated Late Fees	90	x	\$ 10.00
			\$ 2,358.00
Outstanding Dues - 2003 Special Assessment	2011	1	x
Accumulated Late Fees - 2003 Special Assessment		8	x
			\$ 300.00