

Minutes for Dec 7,2011 :

The Meeting was called to order at 5:45 by President, Mike Motiff.

Treasurer's Report:

The current balance in the Ruby Canyon Estate HOA account was given at \$23,261.34. Aside from the standard monthly expenses, there was one extra expenditure of \$20.41 written to Grand Valley Power for electrical.

Street Lights:

Attendees discussed the current situation with street lights in the subdivision, which are currently not in use. Many of the attendants expressed a desire to see the lights turned back on. Jason Elder volunteered to check with the power company to find out what needed to be done in order to get this accomplished.

Liability Insurance:

Mike checked with American Family Insurance on liability insurance for the reservoir. It was recommended that the insurance be at a coverage level of between \$2-4 million and that the HOA post thin ice and no swimming signs around the reservoir. The group decided to raise the level of insurance from the current \$1 million to \$2 million to insure adequate coverage.

Road seal:

Attendees discussed the current expectations regarding how much road maintenance the county will provide in the subdivision. Since the 18 month bond arrangement has passed and the county has agreed to plow the roads as necessary, it is hopeful that they will also repair/seal the road as necessary. It was suggested that the HOA arrange for the county to come and inspect the road in the spring and request that they seal it as needed. This will be arranged as spring nears.

Upcoming Covenant Changes:

It was suggested that we send a letter out to all home owners with a list of covenants, as well as a list of suggested changes and ask for any other suggestions or comments. The president pointed out that a list of the covenants have already been sent to each owner in the subdivision and that there have only been a few owners who have submitted suggestions for changes. It was agreed that everyone would have until Dec. 31, 2011 to submit suggestions for amendments and that suggestions would be voted on at the January meeting. The new covenants would then go into effect by February 2012. Tanya Elder suggested that letters be sent via certified mail to make sure everyone has received notice of these intentions and has an opportunity to respond. It was also pointed out that everyone should be made aware that any covenant changes will require a 2/3 majority vote (out of those who respond) in order to be put into effect.

HOA Contact info:

Members discussed the need for an HOA contact list that would enable everyone, especially those with residences in the subdivision, to be contacted in case of emergency (fire, possible break-ins etc.) It was suggested that the board members' contact information be made available to each owner in the HOA, but that all other resident contact information be made available only to the board members. Another suggestion was made to compile an HOA directory and give each owner the option to list their contact information if they so choose. It was decided to request information from Heritage for this purpose, and Tammy agreed to compile the directory and updated map.

Trail updates:

There has been some interest by owners in the HOA in making some changes to the hiking trail that runs through the subdivision. (The developer, Jeff Williams was to turn the right of way to the trail over in deed to the HOA) Current subdivision/property boundaries were discussed for the purpose of changes to trail. The plan at this stage will be to call an attorney to clarify the current status of trail rights. It was pointed out that there are references in both the covenants and on the Platte map regarding the rights to the trail being deeded to the HOA.

Current Reservoir News :

Recently, the HOA requested quotes and information from 30 different consultants regarding what actions need to be taken in continuing to get the HOA reservoir up to code and legal. Several of these consultants came back with questions of their own- many of which were complex in nature, and the new HOA board was not equipped to answer. Denise was able to get a (non-specific) quote for \$ 5000.00 from two local consultants- one from Fruita and one from Montrose. A third consultant, Mike Claffey of Ecological Consulting Inc., put together a proposal that was wider in scope and very thorough. He also is known to have contacts with the Army Corps of Engineers, and is very knowledgeable about what steps need to be taken. He quoted the HOA \$5000 for delineation plus \$5000 for submission of permits etc., and \$3,000 for filing a public response and for meeting with Army Corp. It was pointed out that wetlands restoration may be required, and that this was not included in cost. There is also a possibility that there may be even more cost to complete delineation, soil testing, for determining the need for a diversion structure, and for a preliminary delineation report and obtaining permits. There is a good chance that a nation-wide permit will also be required. In light of this, it is suspected that the quotes from the two local consultants do not include many of the necessary stages of getting the reservoir plans together. It is certain that a Wetlands delineation will be required by Army Corp. (This was originally completed by Jeff, but has a 5-year limitation, which has passed.) The delineation is included in Mike's quote, as is the site location map, fish habitat improvement plans etc.. Most of all consultant fees are charged for hourly labor and any materials. Delineation cannot be done until April when the weather warms, so little can be done before then. It was suggested to get the Army Corps involved so that we can budget appropriately and avoid spending all of the available funds and still not have the reservoir complete. The cost to actually fix the reservoir will be over and above the fees quoted by any of the consultants. It was suggested by one consultant that it may cost the HOA around \$50,000 when all is said and done. It was agreed to call the lower bidders and ask about possible gaps/lack in services that may be needed and clarify on whether or not a Section 404 is included in their quote. Since the reservoir was never permitted properly in the first place by Jeff Williams, no reference will be required. 2009 was earliest found reference to any permits (Flood plain). It was decided to invite the consultants to a meeting so that they might better explain the fees and suggest what total costs might be so that the HOA can budget and plan appropriately .

The meeting was adjourned at 7:38 pm by President,

The next HOA meeting will be held on Jan 17, 2012 at 5:30.