

**EL RANCHO FLORIDA HOMEOWNERS ASSOCIATION, INC.**  
**Annual Meeting – February 11, 2020**

The Annual Meeting of the El Rancho Florida HOA, Inc. was held on February 11, 2020 at 6:00 p.m. at the Oxford Grange, 8016 Hwy 172, Durango, Colorado. Board members present were: Rex Emenegger, Pete Dietrich, Paul Valdez and Wendy Ludgewart.

**I. QUORUM AND INTRODUCTIONS**

Rex Emenegger, President reported that the meeting notice was emailed or mailed out to the residents. Notice was also posted on the web site. There were 7 proxies received and 22 lots present in person, making 29 lots satisfying the quorum requirement of 20 lots. The Board of Directors and the homeowners present introduced themselves.

**II. MINUTES**

A motion was made, seconded and passed approving the minutes of the Annual Meeting of February 12, 2019.

**III. PRESIDENT'S REPORT**

a. **2019 Overview:**

- There were 0 delinquent accounts as of this meeting.
- Reflective address signs are available at the County Building Department. Emergency response personnel are looking for address identifiers when responding to emergencies in the subdivision.
- There are 5 undeveloped lots in the subdivision. 15 properties sold in 2019.
- Check out the web site [elranchoflorida.org](http://elranchoflorida.org) for information on the Association and Metro District and to list your business on the 'Neighborhood Business and Services' tab.
- **Irrigation** - The HOA reached a settlement with Pioneer Ditch Company (PDC) in April of 2018. HOA now has the responsibility for ditch maintenance within the subdivision boundaries. All properties along the ditch are either 'adjudicated' or 'project' water users and billed accordingly by the HOA. PDC assesses the HOA and those fees are passed on to our users.
- **Pioneer Ditch Company** - The HOA has hired Jeffrey Kane, Southwest Water and Property Law, to represent the HOA on concerns they have with the Pioneer Ditch Company (PDC). The PDC is not running according to the State water laws and needs to be corrected on procedures, rules, and the 'Sunshine Law' for open meetings.

Last spring the HOA had a meeting of the irrigation users in the subdivision. Very informative and productive. The HOA wants maintenance done on the ditch by PDC, delivery of irrigation water on time and the correct amount to the subdivision. Paul Valdez, HOA Board member, volunteered to be the 'ditch

walker' for PDC last spring. Paul was hired by PDC and did not get paid near enough for his time and was not allotted an adequate amount to spend on maintenance of the full length of the Pioneer Ditch. The Water Commissioner did complement Paul on his work with the PDC. 2019 was the best year for 'adjudicated' water delivery at 6.5 weeks instead of the 5 days in previous years. There needs to more maintenance done on the full length of the Pioneer Ditch. The PDC gate is supposed to put 15 cfs in the ditch but it is only pushing thru 8 cfs due to all the congestion in the ditch. The PDC's Annual meeting this year is March 10<sup>th</sup>. Rex encouraged all those who use irrigation water to be there.

- **AlignTec** has an agreement with a homeowner, Randy Black, to put a tower on his property by the water tank. It will be a minimum of 15 megs. There is no environmental impact since it is on 'existing' property.

Jeff Wester asked why the HOA Board has not checked into getting a grant, as he suggested last year, for having fiber optic internet put in the subdivision. Marsha commented that Federal and State grants are made to quasi municipalities for specific utility services and not HOA's as a rule. Wester did not agree.

A motion was made to have Jeff Wester form a committee to check into the fiber optics option and IF grants available to HOAs.

- HOA files are now digitized. Wendy did a great job for the Association digitizing the files.
- Traffic Control and speeding is still a concern. If you see someone speeding call 970-385-2900 to report them to the Sheriff's Department. HOA is not an enforcement agency for speeding concerns in the subdivision. Posted speed is 25 MPH.

b. **Items for discussion:**

1. **New Rules #31 and # 32** passed by the Board of Directors:

**Rule # 31:** Outlawed the use of 'Dog Kennels' on the lots in subdivision.

**Rule # 32:** Non-licensed sport utility vehicles ie: go carts, rvs, atvs, dirt bikes, etc. are not allowed on subdivision roads. Must be licensed drivers if on roadways.

Rex asked those present what their feeling is about 'dirt bike tracks' in the subdivision and the noise associated with allowing them. A lengthy discussion followed with concerns about the 'quiet enjoyment' of property owners rights of their lots.

Chris Hoffman stated there is 'NO' quiet enjoyment of their property with a track next door or nearby.

Russ Batza asked why the Board does not enforce the 'noise' issues in the covenants where that should be covered.

Stan & Deborah Longwell said the bikes are noisy, ugly and do not want them allowed. They ride motorcycles but would *not* put a 'dirt bike' track on their property in respect for other neighbors.

Rex commented that the Board wanted to hear from property owners on this concern because it is coming up more often. They can make it unlawful to have a dirt bike track but still riders can do what they want on their property. The 'noise' issues have been addressed previously but does not limit the activity on the individual's property.

2. **2020 Irrigation Season** – Eric Sibelius, Irrigation Superintendent for the HOA, needs to have an assistant to help him with the ditch in the subdivision. The budget has been increased to allow for hiring an assistant for Eric.

3. **Annual Picnic** – Rex reported that only the board showed up for the picnic last year. There will be no picnic in 202.

4. **Yard Sale** – One (1) yard sale will be held this spring. Those present asked that the yard sale NOT be held on a holiday weekend. Email notice will be sent out letting residents know when that will be. Rex encourage every resident to be sure that Marsha has their email address.

5. **Nominations and election of Board Members** – Rex Emenegger and Wendy Ludgewart are nominated to fill the board vacancies by the nominating committee. Rex asked if there were nominations from the floor. No nominations were received. A motion was made and passed electing Rex Emenegger and Wendy Ludgewart to serve another 3 year term each.

6. **Florida Mesa Planning District (FMPD)** – Jim Belcher, Metro Board member, gave a brief summation on the Florida Mesa Planning District's recommendations to La Plata County Planning Commission. The decisions are made as to planning on the Florida Mesa. Development is happening but there is not a lot of logic involved. The plan is in the County Commissioners hands right now for approval. Anyone may go the County website for updates on the planning for the Florida Mesa.

IV. **2019-2020 BUDGET REVIEW:** There is \$50,000 in the reserve for legal expense as directed by the members of the Association. Annual Dues for 2020 will be \$120 for the year. Ditch Fees for Adjudicated and Project water will be \$250 for the year. No word as to whether the PDC fees are increasing, if they do then the HOA's fees will be adjusted accordingly.

A motion was made and passed approving the 2020 Budget.

V. **OPEN FORUM:**

- Joan Gladden does not feel it is appropriate to list the names of 'Delinquent' homeowners in the Annual Meeting packet. No reason to cause more embarrassment.

VI. METRO DISTRICT UPDATE ON ROADS, WATER SYSTEM IMPROVEMENTS AND SNOW REMOVAL: Steve Swisher, President of the Metro Board, reported:

- In about 1985 the District was formed and purchased the whole water system for \$135,000 from the Developer. The Metro Board's job is to protect the Quality, Quantity and Viability of the District's water system, roads and common areas. The Water System Replacement Project was started in the mid 90's. The Board first bought the 'Bowman Tract' in 2005. It is 9 acres at the entrance where the ponds are to protect the water systems 'infiltration gallery'. That Bond was paid off early and cost \$160,000.

Upgrades to the water system were started due to the change of the District's classification from a 'ground 'water system to a system 'under the influence of ground water'. That classification caused the Board to present to the voters for approval of a loan from Colorado Water and Power Authority for a \$2.2 million dollar loan at 2% over 20 years to upgrade the pump house, lines, pumps, adding a filtration system, hydrants, valves and water system overall. 4 "lines were all upgraded to 8" lines. The Board applied for grant money in all 3 phases of the project and completed the project at \$2.5 million with \$1 million of that cost received in grant money from DOLA (Department of Local Affairs).

Steve thanked all those involved in the success of the project. Robert Ludwig, Tom Riley, Marsha Moreland, Ken Charles, File Construction and Goff Engineering. The Board of Directors have updated the system to the most modern and best rated in the State. He expressed the Board and Staff's appreciation for the residents' patience with the inconvenience and water outages during the phases of construction.

- The La Plata Archuleta Water District and the Metro District have an intergovernmental agreement to have a 'back up' shared water tap that can work for either District when needed in emergencies.
- The District will be doing the mag chloride application of the main thoroughfares in Spring 2020 from CR 510 to CR 222. The roads are done on a 'priority' basis determined by the Board. Steve thanked Rex Emenegger and Bob Schmidt for their great job maintaining the integrity of the roads, cleaning culverts and snow plowing in the winter months.

In that no other business was received from the floor, the meeting was ADJOURNED at 7:45 pm.

\_\_\_\_\_, Secretary