



DMCA BOARD MEETING MINUTES

Purpose of Meeting: To provide a forum for the DMCA Board to meet and confirm they are fulfilling their duties and functions outlined in the Amended and Restated Bylaws of the Dallas Meadows Community Association.

Meeting Date	August 8, 2022	Meeting Time	6:03 pm – 7:29 pm
DMCA Board Attendees:			
<input checked="" type="checkbox"/> Tom Bennett	<input type="checkbox"/> Josh Freed		
<input checked="" type="checkbox"/> Martin Bouliane	<input checked="" type="checkbox"/> Marvin Lummis		
<input checked="" type="checkbox"/> Mark Dollard	<input checked="" type="checkbox"/> Gary Ratcliff		

***Guests – Andrea**

#	Agenda Item Discussion and Result
1	<p>Public Comment</p> <ul style="list-style-type: none"> • Andrea shared that she supports allowing access to the common lands and she supports the Board’s efforts to ensure said access.
2	<p>Approve Previous Board Meeting Minutes</p> <ul style="list-style-type: none"> • Prior to the meeting, the Secretary shared the draft minutes from the July Board Meeting. With no suggested changes, Tom made a motion to approve the July Board Meeting Minutes as presented. Marvin seconded. Martin abstained. After no further discussion, the minutes were approved with a unanimous vote.
3	<p>Water Team Update</p> <ul style="list-style-type: none"> • For redundancy, Martin much more adepts at assisting Caroline with meter readings. The challenge with reading Lot 41’s meter was solved by Martin placing a plastic cover over the meter to keep the dirt off. Meter reading can now occur like every other meter in neighborhood. • Water overages did occur at several properties. Each were alerted to the amount. Monthly meter report on the web site’s home page. Most overages were minimal, but one property did go over by a great amount due to an issue in the irrigation system. Evidence of leak discovered by Martin and Caroline. The electric bill for the well pump was double in July, a sure sign of a significant overage somewhere. • Pipe Samples & Excavation – The 811 locates were completed but our excavator (Tyler) has not been able to make it out to do the work yet. It is what it is. We won’t wait forever but we are on his schedule as of now. Gary will stay on him and will impress upon him that because the water will need to be shut off for a day, he can’t just show up and do the work. We will need some heads up. Gary seeking at least 48 hours. • Water Tank Access – While here doing pipe excavation, Gary will ask Tyler his opinion on feasibility of cutting a road up the existing Uncompahgre Ct easement to the water tank. Previous investigations on this topic concluded that it would be far too expensive and that an access point from the west side should be investigated. Only possible location crosses the Young’s vacant parcel, the same path the Young’s graciously allowed the neighborhood to use during the most recent tank repair work. Small brainstorm session yielded some thoughts: (1) the HOA signs a Letter of Understanding (LOU) with the Youngs that outlines when/how (under what circumstances) that access would be used, and any consideration owed for such use, (2) move U Ct easement from its existing path onto a the more feasible access path to the west. Just weighing ideas. <ul style="list-style-type: none"> ○ Action: Josh/Gary will develop a documented Standard Operating Procedure for leak detection and valve shut-off/testing. <ul style="list-style-type: none"> ▪ Due Date: October 10, 2022 ○ Action: Gary will provide update on Tyler’s excavation and the grabbing of pipe samples. <ul style="list-style-type: none"> ▪ Due Date: September 12, 2022



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#	Agenda Item Discussion and Result
4	<p>Financial Report</p> <ul style="list-style-type: none">• Martin (Treasurer) shared the financial report through July 31st with the Secretary prior to the meeting, which was then forwarded to the full Board. No surprises and no expense overruns. Account balances all in good shape. Several lots had water overages last month with overage fees due. Financial Report will be included with these final minutes. Lot 32 is only owner with past HOA Dues. Small late fees are accruing. No other surprises.
5	<p>Other Business</p> <ul style="list-style-type: none">• Home-Based Businesses Matrix – The matrix will detail existing paragraphs/clauses in the HOA’s current Declaration that might be candidates for updating/editing/elimination. Clauses seeking to be updated will have suggested possible new language. This matrix will be updated and added to by all board members. It is still a work in progress today. Each board member will come to the September meeting prepared to move the matrix one step closer to its final incarnation by identifying clauses that might be out of date.• The current Declaration allows for work from home situations but restricts the number of client/customer visits to zero. The county land use code allows for 7 visits per day. Brainstorm ideas among Board members suggested 4 visits per day, and only Monday-Friday. The current Declaration specifically states that the neighborhood “will not be adopting the county land use codes”. Nothing finalized or ready for a vote yet. Will be more finalized at September BOD meeting.• NewsLetter to Owners – Discussion on different topics that should be included in the NewsLetter included: common area land and rules of use, letter from HOA attorney, existing easements, home-based businesses, other declaration updates, pets and dogs off leash, speed limit violations.• HOA Attorney Letter on Common Area Land – David Skarka is the attorney a previous HOA Board retained. The current Board has found him to be thorough and responsive. He shared a letter that contained his conclusions related to the neighborhood’s obligations to allow/provide access to common lands. The letter was posted to the web site and will be included as an attachment to these Minutes. Essentially, after communicating the County Planner and the County attorney, and after reviewing the Land Use Code in force at the time Dallas Meadows was formed, Skarka concluded that the HOA is obligated to allow access to common lands. Gary suggested a Common Area Subcommittee for finalization of rules/use/etc. Future discussion.<ul style="list-style-type: none">○ Action: Mark will seek new management proposals.<ul style="list-style-type: none">▪ Due Date: September 8, 2022○ Action: Everyone will research and send suggestions for the CC&D update spreadsheet. Ongoing.<ul style="list-style-type: none">▪ Due Date: Ongoing
6	<p>Open Action Items</p> <ul style="list-style-type: none">○ Action: Marvin will investigate updating the CC&Ds as it relates to home-based businesses and any other items the membership deems important. Everyone will review CC&Ds and bring items they believe need updating to the Board meeting. Ongoing.<ul style="list-style-type: none">▪ Due Date: September 12, 2022○ Action: Josh with Gary assisting will develop a documented Standard Operating Procedure for leak detection and valve shut-off/testing.<ul style="list-style-type: none">▪ Due Date: October 10, 2022○ Action: Gary will provide update on excavation work and obtaining pipe samples.<ul style="list-style-type: none">▪ Due Date: September 12, 2022○ Action: Mark will re-work existing management proposals and obtain a third.<ul style="list-style-type: none">▪ Due Date: October 10, 2022



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#	Agenda Item Discussion and Result
7	Adjournment <ul style="list-style-type: none">• With consensus among all members, Gary adjourned the meeting at 7:29 PM.
8	Next Meeting <ul style="list-style-type: none">• Next meeting – September 12, 2022 at 6:00 PM via Zoom• Current Items for the August Agenda – Declaration Update Matrix (eg home-based biz, etc.), Pipe Testing Update, Newsletter to Lot Owners, Start Plan for Annual Meeting and Votes

Dallas Meadows Community Association
Monthly Finance Report **January**

last data entry: 1900-01-00

Operating Budget	Annual Budget	Actual YTD	Plan Difference	Comments
Income				
HOA Dues Improved lots	\$27,540.00			\$765 per lot (35 lots)
HOA Dues Unimproved lots	\$3,990.00	\$44,565.00	\$29,400.00	\$665 per lot (6 lots)
Reserve Dues	\$42,435.00			\$1035 per lot (41 lots)
Tap Fees	\$0.00	\$0.00	\$0.00	
Fines for Violations	\$0.00	\$0.00	\$0.00	
Water Overage Payment	\$0.00	\$995.46	\$995.46	
Transfer from Savings or Reserves	\$0.00	\$0.00	\$0.00	
Other	\$0.00	\$113.19	\$113.19	
Total Income	\$73,965.00	\$45,673.65	(\$28,291.35)	
Expenses				
Utilities				
Water Testing	\$3,000.00	\$875.81	\$2,124.19	
Water O&M	\$17,200.00	\$9,121.75	\$8,078.25	
Water System Capital/Reserves	\$0.00	\$0.00	\$0.00	
Electricity (Pump & Tank)	\$1,800.00	\$1,142.32	\$657.68	
Water Meter Reading	\$0.00	\$0.00	(\$0.00)	
Administration				
U. S. Post Office/Postage	\$100.00	\$0.00	\$100.00	
Office/Copy	\$150.00	\$0.00	\$150.00	
WEB Site	\$250.00	\$378.00	(\$128.00)	
Annual Meeting/Special Meeting	\$150.00	\$0.00	\$150.00	
Social (e.g., Yearly Picnic)	\$250.00	\$0.00	\$250.00	
Misc. (e.g., Associations, etc.) + Bank Error	\$500.00	\$0.00	\$500.00	
Legal and Professional				
Tax Prep/Audits/Fees	\$1,000.00	\$0.00	\$1,000.00	
Attorney/Legal	\$2,000.00	\$938.00	\$1,062.00	
Audit	\$1,000.00	\$0.00	\$1,000.00	
Insurance				
Insurance	\$2,300.00	\$938.00	\$1,362.00	
Contingency	\$1,000.00	\$0.00	\$1,000.00	
Transfer to Savings/Reserves	\$42,435.00	\$0.00	\$42,435.00	
Total Expense	\$73,135.00	\$13,393.88	\$59,741.12	
Net Income	\$830.00	\$32,279.77		
Checking Account End of Month Balance		\$47,531.32		

<u>Capital or Reserve Planned Expenses</u>	Expected	Actual	Difference
			\$0.00
			\$0.00
Total Capital	\$0.00	\$0.00	\$0.00

<u>Savings Account</u>	Expected	Actual	Difference
Balance forward from previous year: \$2043			
Input	\$0.00	\$0.00	
Expenses		\$0.00	
Savings Account End of Month Balance		\$2,043.13	

<u>Reserve Account</u>	Expected	Actual	Difference
Balance forward from previous year: \$154489			
Input	\$0.00	\$0.00	
Expenses		\$0.00	
Reserve Account End of Month Balance		\$154,490.22	

Annual Dues Accounting
2022

Lot #	Name	Lot Status	Total Due	Balance	Payment 1	Deposit Date 1	Check #	Payment 2	Deposit Date 2	Check #	Payment 3	Deposit Date 3	Check #	Payment 4	Deposit Date 4	Check #
1	Sokolowski	Improved	\$1,800.00	\$900.00	\$450.00	3/29/2022	1247	\$450.00	6/2/2022	1254						
2	Freed	Improved-TC	\$765.00	\$0.00	\$765.00	7/17/2022	156									
3	Bennett	Improved	\$1,800.00	\$0.00	\$1,800.00	4/11/2022	2148									
4	Hooper	Improved	\$1,800.00	\$0.00	\$900.00	2/22/2022	3035	\$900.00	7/17/2022	3103						
5	Kigar	Improved	\$1,800.00	\$900.00	\$450.00	3/31/2022	2507	\$450.00	6/2/2022	2513						
6	Wilson	Improved	\$1,800.00	\$900.00	\$450.00	3/24/2021	1320	\$450.00	6/2/2022	1339						
7	Lummis	Unimproved	\$1,700.00	\$850.00	\$850.00	5/16/2022	1758									
8	LaCorte	Improved	\$1,800.00	\$900.00	\$450.00	3/31/2022	27620622044	\$450.00	7/5/2022	26130592978						
9	Lummis	Improved	\$1,800.00	\$900.00	\$900.00	5/15/2022	1757									
10	Lindler	Improved	\$1,800.00	\$450.00	\$450.00	3/31/2022	8108123	\$450.00	8-Jun	818	\$450.00	7/25/2022	19568666			
11	Klonoski	Improved	\$1,800.00	\$900.00	\$900.00	6/2/2022	111									
12	Ratcliff	Improved	\$1,800.00	\$900.00	\$450.00	3/19/2022	2616	\$450.00	5/15/2022	2621						
13	Snowbarger	Improved	\$1,800.00	\$0.00	\$1,800.00	3/31/2022	1168									
14	Bouliane/Rivard	Improved	\$1,800.00	\$450.00	\$450.00	3/14/2022	139	\$450.00	5/19/2022	148	\$450.00	8/7/2022	108			
15	Cagney	Improved	\$1,800.00	\$0.00	\$450.00	3/29/2022	516	\$450.00	5/31/2022	517	\$450.00	8/7/2022	518	\$450.00	8/7/2022	519
16	Romano	Improved	\$1,800.00	\$0.00	\$1,800.00	2/23/2022	1527									
17	Romano	Unimproved	\$1,700.00	\$0.00	\$1,700.00	2/23/2022	1526									
18	Hall	Improved	\$1,800.00	\$0.00	\$1,800.00	2/22/2022	1112									
19	Dollard	Improved	\$1,800.00	\$0.00	\$1,800.00	2/24/2022	1000166									
20	Feierabend	Improved	\$1,800.00	\$450.00	\$450.00	3/19/2022	5644	\$450.00	5/16/2022	5666	\$450.00	7/5/2022	5682			
21	Bouliane/Rivard	Unimproved	\$1,700.00	\$425.00	\$425.00	3/14/2022	139	\$425.00	5/19/2022	148	\$425.00	8/7/2022	108			
22	Smith	Improved	\$1,800.00	\$450.00	\$450.00	3/26/2022	10313	\$450.00	5/16/2022	10332	\$450.00	7/28/2022	10350			
23	Benasutti	Improved	\$1,800.00	\$450.00	\$450.00	3/20/2022	1000491	\$450.00	5/4/2022	1000498	\$450.00	7/25/2022	1000508			
24	Giek	Improved	\$1,800.00	\$0.00	\$1,800.00	2/24/2022	6079									
25	Szwarc/McAlevy	Improved	\$1,800.00	\$900.00	\$450.00	3/31/2022	1883	\$450.00	6/2/2022	1895						
26	Young	Improved	\$1,800.00	\$900.00	\$450.00	3/31/2022	4970	\$450.00	8-Jun	4987						
27	VerStraete	Improved	\$1,800.00	\$0.00	\$900.00	3/20/2022	1159				\$900.00	7/28/2022	1172			
28	Mull	Improved	\$1,800.00	\$900.00	\$450.00	4/4/2022	6857	\$450.00	6/20/2022	6873						
29	Rytlewski	Improved	\$1,800.00	\$900.00	\$450.00	2/22/2022	1155	\$450.00	8-Jun	1045						
30	Young	Unimproved	\$1,700.00	\$850.00	\$425.00	3/31/2022	4970	\$425.00	8-Jun	4987						
31	Edwards	Unimproved	\$1,700.00	\$850.00	\$425.00	3/19/2022	1046	\$425.00	6/2/2022	1011						
32	Link	Improved	\$1,800.00	\$1,800.00												
33	Cosby	Improved	\$1,800.00	\$0.00	\$1,800.00	2/22/202										
34	Born/Pennings	Improved	\$1,800.00	\$0.00	\$1,800.00	3/26/2022	154									
35	Seaman	Improved	\$1,800.00	\$450.00	\$450.00	3/19/2022	3592	\$450.00	6/2/2022	3632	\$450.00	7/21/2022	3675			
36	Veenstra	Unimproved	\$1,700.00	\$0.00	\$1,700.00	4/8/2022	996711									
37	Fallenius	Improved	\$1,800.00	\$0.00	\$1,800.00	2/21/2022	9643									
38	McAndrews	Improved	\$1,800.00	\$0.00	\$1,800.00	2/21/2022	3500581									
39	Ritter	Improved	\$1,800.00	\$900.00	\$450.00	4/2/2022	779	\$450.00	6/20/2022	785						
40	Chevalier	Improved	\$1,800.00	\$0.00	\$450.00	3/19/2022	8560	\$450.00	5/15/2022	8583	\$900.00	7/17/2022	8607			
41	Harper	Improved	\$1,800.00	\$900.00	\$450.00	3/31/2022	102	\$450.00	8-Jun	4011						
42	Weibel/FOley	Improved	\$1,800.00	\$0.00	\$1,800.00	3/27/2022	211									

\$38,240.00

\$10,725.00

\$5,375.00

\$450.00

Total Due: \$73,965.00

Total Paid: \$54,790.00

Amount Outstanding: \$19,175.00

Total Improved: 35
 Total Unimproved: 6
 Total Impr-TC: 1
 Op Dues - Improved: \$ 27,540.00
 Op Dues - Unimproved: \$ 3,990.00 \$ 31,530.00
 Reserve Funds: \$ 42,435.00
 \$ 73,965.00

DMCA Monthly Water Usage

Period (Days): 31
 Limit for Period (Gals): 12230
 Reading Date: 7/1/2022 8/1/2022

LOT	MIUID	Start Reading	End Reading	Usage	1st 10k Over \$5/1000 gal	Next 8k Over \$10/1000 gal	18k Over \$40/1000 gal	Due Current Month
1	1567580266	375000	381900	6900	\$0.00	\$0.00	\$0.00	\$0.00
2	TC	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00
3	1567617396	2333650	2348200	14550	\$11.60	\$0.00	\$0.00	\$11.60
4	1567616506	554400	557500	3100	\$0.00	\$0.00	\$0.00	\$0.00
5	1568199212	1014550	1020000	5450	\$0.00	\$0.00	\$0.00	\$0.00
6	1568199226	959700	963850	4150	\$0.00	\$0.00	\$0.00	\$0.00
7	NONE	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00
8	1568199230	1483150	1493550	10400	\$0.00	\$0.00	\$0.00	\$0.00
9	1567617806	1489200	1495800	6600	\$0.00	\$0.00	\$0.00	\$0.00
10	1567559472	122616	135082	12466	\$1.18	\$0.00	\$0.00	\$1.18
11	1567549124	1079800	1083300	3500	\$0.00	\$0.00	\$0.00	\$0.00
12	1567556264	483650	486700	3050	\$0.00	\$0.00	\$0.00	\$0.00
13	1567559476	514650	524150	9500	\$0.00	\$0.00	\$0.00	\$0.00
14	1567561322	1390200	1397200	7000	\$0.00	\$0.00	\$0.00	\$0.00
15	1567556044	803100	807100	4000	\$0.00	\$0.00	\$0.00	\$0.00
16	1567561150	434000	437800	3800	\$0.00	\$0.00	\$0.00	\$0.00
17	NONE	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00
18	1567582476	1520500	1523400	2900	\$0.00	\$0.00	\$0.00	\$0.00
19	1567559870	1051000	1055700	4700	\$0.00	\$0.00	\$0.00	\$0.00
20	1567581876	751300	753250	1950	\$0.00	\$0.00	\$0.00	\$0.00
21	NONE	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00
22	1567559462	974650	975300	650	\$0.00	\$0.00	\$0.00	\$0.00
23	1567583076	1470350	1477700	7350	\$0.00	\$0.00	\$0.00	\$0.00
24	1567581968	1960400	1974100	13700	\$7.35	\$0.00	\$0.00	\$7.35
25	1567561160	320850	324400	3550	\$0.00	\$0.00	\$0.00	\$0.00
26	1567566810	868100	871900	3800	\$0.00	\$0.00	\$0.00	\$0.00
27	1564937394	1344900	1348550	3650	\$0.00	\$0.00	\$0.00	\$0.00
28	1567572930	1495650	1499850	4200	\$0.00	\$0.00	\$0.00	\$0.00
29	1564892062	1075700	1084900	9200	\$0.00	\$0.00	\$0.00	\$0.00
30	NONE	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00
31	NONE	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00
32	1564926300	127500	140350	12850	\$3.10	\$0.00	\$0.00	\$3.10
33	1564926228	2259400	2276650	17250	\$25.10	\$0.00	\$0.00	\$25.10
34	1567583012	2123800	2146200	22400	\$50.00	\$1.70	\$0.00	\$51.70
35	1564940058	1564900	1577150	12250	\$0.10	\$0.00	\$0.00	\$0.10
36	NONE	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00
37	1567566422	774950	783250	8300	\$0.00	\$0.00	\$0.00	\$0.00
38	1567566876	163027	166845	3819	\$0.00	\$0.00	\$0.00	\$0.00
39	1567617220	857350	863200	5850	\$0.00	\$0.00	\$0.00	\$0.00
40	1567653552	1341450	1351600	10150	\$0.00	\$0.00	\$0.00	\$0.00
41	1567617222	906950	915150	8200	\$0.00	\$0.00	\$0.00	\$0.00
42	1568194332	364850	375500	10650	\$0.00	\$0.00	\$0.00	\$0.00

ATTACHMENT 1

C·D·S

CLAY, DODSON & SKARKA, PLLC

415 PALMER STREET · P.O. Box 38, DELTA, COLORADO 81416
(970) 874-9777 / FAX (970) 874-7224

MICHAEL R. DODSON
DAVID J. SKARKA

AARON R. CLAY - OF
COUNSEL

August 8, 2022

Dallas Meadows Community Association
A Colorado nonprofit corporation
855 Meadows Circle
Ridgway, CO 81432

Re: Common Area Access

Dear Board of Directors,

This letter provides a summary of my analysis of access to the nineteen acres of common area located at the south end of the Dallas Meadows Subdivision, Ouray County, Colorado. I have reviewed plats for the subdivision, communications in 2019 from attorney Martha P. Whitmore of Hockersmith & Whitmore, LLC to Andrea Sokolowski (which was shared with the board of directors) and conferred with Ouray County Attorney Leo Caselli and Ouray County Planner Mark Castrodale. I also reviewed portions of the Ouray County land use code (hereinafter, "Ouray County LUC").

The subdivision plats, read in conjunction with the Ouray County LUC, provide Dallas Meadows lot owners with access to the common area. I agree with Ms. Whitmore's analysis of this issue. I do not believe the DMCA may prohibit residential access to the common areas altogether. This is based on my understanding that the 19 acres of common area at the south end of the PUD is/was "open space" meant for recreational use.

I believe Ouray County would view either (1) the "20' road & utility easement," or (2) the "20' access easement along existing road for well & facilities" as providing recreational access to the common area to the south. It is not likely that the Ouray County planning commission, nor the board of county commissioners, would approve a plat amendment that eliminated all access to the common areas for recreational purposes. Earlier versions of the Ouray County LUC and the current version require residential access to open spaces, and I understand there is an emphasis with the planning commission and board of county commissioners on recreational access.

Very Truly Yours,


David J. Skarka