

Loma Linda Subdivision Homeowners Association
Minutes of the Board Meeting
December 14, 2020
(Via Zoom online conferencing)

The meeting was called to order at pm 6:01pm by president, Bill Trimarco.

Directors present: Bill Trimarco, Cathy Riddell, Don Haywood

Members present: Rick and Bernie Sautel, Steve Hendrix, Grace and Jimmy Walter, Robert and Anne Farris, Sharon Jennings, Rita Jensen, Patrick Amstein, Randy and Joanie Wittenburg, Al and Joe Myatt.

A motion to accept the minutes of the November 16 Board meeting as written was made by Don Haywood, seconded by Bill Trimarco, and approved by a vote of Don-Yes, Bill-Yes, Cathy-Yes.

Homeowners Open Forum: 1) Sharon placed a bucket of ice melt into the mail station. 2) Al touched up the Loma Linda map and sign as well as cleaned and checked the solar system at the mail station. In the Spring he will take care of staining the bench as needed.

Treasurer's Report: Don Haywood shared the financial reports as of November 30th. The Operating fund has a balance of \$42,623.28; the Reserve Fund has a balance of \$22,603.69. The Profit/Loss statement covering eleven months was reviewed. No substantial income is expected in the last month of the year; a small amount of expenses will have to be paid. A motion to approve the reports as written was made by Cathy Riddell, seconded by Don Haywood, and approved by a vote of Cathy-Yes, Bill-Yes, Don-Yes. Discussion:

Committee Reports:

ACC: Jo Myatt reported one property update application was approved:

a) Britton, Echo Drive - Garage

Jo asked the Board about approval of building an 'Earthship' (a self-contained home made of recycled materials using solar panels for electricity with a well or hauled in water) in the back section of the subdivision. The Board discussed needing southwest exposure for solar noting that the only lot currently listed for sale does not have southwest exposure. Bill stated that our CCR's would not deny any building if it fits with the current requirements (size, etc.). Loma Linda CCR's do not permit digging of a well and if this area is served by Pagosa Area Water (PAWSD) a private well cannot be drilled. Jo notified the interested party that the road is not maintained so there is no easy access in to or out of Winterwood

Fire Wise: Al Myatt presented a summary of the committee's accomplishments in 2020 and will send a copy to the Board. He noted 359 hours of mitigation work were completed by residents or their contractors, Pagosa Fire did a video in our subdivision, a chipper program was conducted, we received WAP recertification, tree planting projects, and erosion protection efforts at a new home were included. It was suggested that a list of these events be included in the year-end letter that the Board would like to send out; these accomplishments can also be included on the website. A suggestion that those who were recipients of personal snow removal on their property make a little donation to FireWise.

Old Business:

Director Election Results: Don worked with Trish to get the results from our mail-in ballot. Rita Jensen received 91 votes; there were two write-in votes. By unanimous vote, Rita Jensen was welcomed as a Board Director for the 2021 through 2023 term.

Adoption of Policy: A motion to formally approve adoption of the Policy for Establishing Bank Accounts and Maintaining Minimum Balances as written was made by Cathy Riddell, seconded by Don Haywood, and approved by a vote of Cathy-Yes, Don-Yes, Bill-Yes. Discussion: This policy is specifically to provide direction on what the Operating Fund and Reserve Fund can be used for.

Results of Forest Service Access issue: Don presented the Surveyor's Exhibit from Tom at Spotted Eagle Surveying pertaining to the fence on the property on Eight Mile Loop between Lots 70 and 77 and the Forest Service easement. There is a 10-foot utility easement on the east side and a fifteen-foot Forest Service easement on the west side; a National Forest Service marker was found on the north side. The existing fence is entirely within in the Forest Service easement and into the adjacent property. A copy of this exhibit will be sent to each proper owner of Lots 70 and 77. The fence needs to be moved. Don suggested permanent signs be created and placed on each side and at each end to designate the Forest Service easement. By consensus, it was determined that Bill would draft correspondence to the owner of Lot 77 explaining

the situation and have them make arrangements to move that section of the fence and requesting that the property owner submit a response to the Board.

Elk Crossing within Subdivision: Bill noted there were three known areas between Loma Linda and Echo Canyon considered major elk crossings (drainage area behind the Wildlife Park, old road across from Bill Trimarco's property (gate is open, but chained to keep snowmobiles out, off Winterwood Drive). There are some minimal costs for fencing fixes. Bill and Cathy have plastic tags for residents to put on the top fence wires to serve as a visual, so animals see something is there; this keeps them from getting caught in the wire (a small elk was stuck in the fence, but some construction workers and residents were able to help it escape.

New Business:

ACC Procedure for Lot Line variance: Bill noted that there is usually a fifty-foot setback from all property line boundaries (no less than 20 feet). Don found that one Loma Linda property had a setback on the Echo Canyon side rather than onto a Loma Linda neighbor's property. He explained that the ACC has the authority to enforce CCR's, but do not have the authority to change them. He spoke with J. Vincent from Colorado Title who said that variances need to be recorded so new property owners know a variance exists because it affects their property. A motion to adopt this procedure and forward it to the ACC for review as made by Bill Trimarco, seconded by Cathy Riddell, and approved by a vote of Bill-Yes, Cathy-Yes, Don-Yes. Discussion: The PLPOA has a good procedure which Don partially used to create a draft for Loma Linda's use. He will send a draft to the ACC and the Board. The Property Line Setback Variance explains existing CCR details, possible reasons where a setback may be needed, and the process for obtaining approvals, etc. Variances should be recorded with the County. The ACC will review this document at their next meeting and bring it back to the Board for approval. Our covenants show two areas upon which a variance can be granted. One recent variance had been approved regarding a garage setback. When a property is purchased, the Buyer must sign a document saying they have reviewed the CCR's. If a variance were given to a seller, but never disclosed or recorded there could be an issue affecting the HOA. Documents pertaining to variances granted, project build time extension documents, etc. should be stored on the website. Creating a procedure for this will be added as an agenda item for the January meeting. (Other documents, including ACC and Board meeting minutes are already stored on the website.

Next Meeting: Monday, January 11, 2021 at 6:00pm via Zoom online. The login will be the same for the next six months unless the site is hacked which will cause us to go back to the single-use, more secure login procedure.

The meeting was adjourned at 7:09pm.

Sharon Jennings/Recording Secretary

Approved January 11, 2021 as written