

**Eagle Peak Property Owners Association
2024 Annual Meeting
Cliff Lanes, Westcliffe, Colorado
November 23, 2024**

Meeting Call to Order. Will Longtain, President and Chair, opened the meeting at 1:05 pm.

Verifying Quorum and Certification of Proxys.

Larry Yarger, Secretary, verified that a quorum was met. Nine (9) Lots were represented in person. One by proxy (Lot 17). In attendance were: Larry Yarger (Lot 2), Donna Southard (Lot 3), Jim and Monica Young (Lots 4 and 24), John Noard (Lot 13), Marc Yoder (Lot 14), Will Longtain (Lot 21), Greg and Sharon Gempler (Lot 26), and Scott Baker (Lot 27).

Review of Agenda. Will reviewed the agenda.

Approval of 2023 Annual Meeting Minutes. Will asked if there were any concerns with the minutes from the 2022 Annual Meeting. None were raised.

Motion: Scott motioned to approve the minutes. Sharon seconded. Minutes approved unanimously.

Election of Director. Will selected volunteers Donna Southard and Marc Yoder to serve as judges. Monica Young was elected to the Board.

Rule 2024-01. Scott provided background and summarized the Rule (Copy enclosed). The Rule reflects those items that the association's attorney felt could be included in a Rule. Monica suggested for the animal section that Fremont County Animal Control (719-276-5519) should be listed and be the first contact for noncompliance. Fremont County has an animal control resolution, Resolution 2015-37 (Copy enclosed).

Scott mentioned some guidance from the Association's attorney regarding what can be done by a rule and that according to the association's attorney, generally if the covenants do not address an item such as open burning and shooting guns then the item(s) cannot be addressed in a Rule.

John expressed a concern that although this rule regarding nuisance noises (racing vehicles, operating them in a manner similar to off road racing, amplified music or other sounds through a speaker) did not mention shooting of firearms, it could be directed at this activity. The Board assured John that this Rule was not directed at firearms and in fact did not provide any additional deterrence or restriction on shooting than what is already provided by the existing nuisance and other provisions in the existing covenants.

Motion: Scott motioned that the Board pass Rule 2024-01 with the addition of language concerning Fremont County Ordinance 2015-37 and that property owners may contact Fremont County Animal Control at 719-276-5519 to report violations of the Animal section of the Rule. Sharon seconded. Rule approved unanimously.

Committee and Officer Reports.

Treasurer: Donna summarized status of the 2024 budget. Will summarized the 5-year budget. Copies of both budgets are enclosed with these minutes. The 2025 budget was approved by the Board at a Board meeting earlier this fall. Copies of budget documents are enclosed.

Roads and Cattle: Jim summarized the status of roads and cattle grazing. Jim's report is enclosed. Jim, Tom Southard and Ted Eggleston repaired the front gate. There was discussion regarding the Roads committee providing opportunities for property owners to comment on proposed road work before the committee presents recommendations to the Board. Jim was in favor of providing opportunities through open committee meetings. Larry was added to the Roads committee.

There was discussion about placing a 20 MPH speed limit sign with the word "Please" on Flying Eagle Trail. This may require the permission of the owners of the lots where the sign would be located.

Motion: Scott motion that based on requests from the membership that Jim explore the purchase of 1 sign with 20 MPH and the word "Please" to be placed near the entrance to EPR. Will seconded. Member voter was unanimous.

There was discussion regarding having a controlled gate at the entrance to EPR. There is not a proposal on the table but rather an opportunity to again briefly discuss the topic. There are many pros and cons to a controlled gate and property owners have strong opinions. A gate may require recessing the location further from CR 1A than the current gate due to entrance of large trucks and other vehicles. Fremont County may have setback requirements for controlled gates. Larry offered to check with the County.

This topic may be discussed further if there is property owner support for a controlled gate.

Secretary: Larry summarized the enclosed report. Larry and Marge are resigning from the Secretary's job. Larry offered to continue to maintain EPR mailing/contact lists.

Architectural Control Committee (ACC): Larry summarized the enclosed ACC report. Larry is resigning from the ACC but will be working independently of the ACC to come up with some suggested guideline for placement of electricity generating windmills by property owners. State law allows windmills in POA/HOA's, however, associations may limit height and location. Larry will provide his findings to the ACC.

Larry, on behalf of the ACC, provided the Board with a draft of a revised ACC Rule for consideration and reviewed the changes from ACC Rule 2016-01.

Governing Documents Update. Will keyed this topic as an opportunity for anyone to comment or ask questions regarding the status of revising the governing documents. Discussion centered on the cost to revise the documents and whether the 2017 amendments had the requisite 2/3's support of property owners. Estimated cost in 2024 was about \$8,000. Costs will no doubt be higher in the future. Scott added that the documents will stay as they are unless there is renewed interest in starting another revision process. Scott stated that documents pertaining to the 2017 revisions to the covenants do not say that 2/3's of the property owners voted for them (although

they may have had 2/3 support/votes). Larry offered to check the files for documents and the actual votes.

Outgoing Director. Scott thanked Will for an amazing job as President of EPRPOA. Property owners in attendance agreed and thanked Will for volunteering to serve on the Board the past 3 years.

Adjournment. Will motioned to adjourn. Scott seconded. Meeting adjourned at 3:30 pm.

Submitted,

Larry Yarger
Secretary

Enclosures:

- Agenda
- Budget Documents (5-year and 2025)
- Roads and Cattle Report
- Secretary Report
- ACC Report
- Fremont County Animal Control Resolution
- Draft revised ACC Rule

January 14, 2025