

PROCEEDINGS OF THE DILLEY RANCH COVENANT ENFORCEMENT COMMITTEE

MEETING MINUTES

November 9, 2022

THE DILLEY RANCH COVENANT ENFORCEMENT COMMITTEE MET IN PERSON AND VIA CONFERENCE CALL.

ROLL CALL/DETERMINE QUORUM

The meeting was called to order by Claire McCutcheon at 2:45 p.m. Roll call was taken, and the following were present:

Lavonne Bullard	Member
Tammy Deska	Member
Claire McCutcheon	Member
Linda Stoughton	Member

A quorum was established.

Guest: Jaron Tyner

NEW BUSINESS

Covenant's Proposed Changes

The purpose of the meeting was to review any proposed changes to the covenants, as they are expiring in June 2023. We want to get a head start on any changes. The committee wants to have every property owners input on any changes that the committee proposes.

The committee discussed a change under Section V. that "No commercial activity which invites public traffic in the course of doing business shall be permitted unless approved by the DRPOA Board of Directors." Be changed to "Not allowed unless approved by the association members." The reason behind this change is that the Dilley is having more permanent residents living on the ranch and that the board should not have the final say; the association members should. The major impact would be how a business could impact the roads. Members who own or work for companies where they work from home would not impact the roads, therefore there would be no enforcement issues.

Short term rentals were discussed, and we already have several on Dilley Ranch. It was determined that short term rentals are not considered commercial in the state of Colorado and are allowed on Dilley Ranch if the owners follow all Custer County permit requirements.

Hip camping was discussed, where owners would allow renters to camp on their property. It was discussed that this would be nearly impossible to enforce, unless this was bringing undue traffic onto Dilley roads. Burn bans would be a great concern. It was decided that hip camping would fall under commercial activity.

It was brought up that in the covenants filed 8-21/2001 under section VIII. "Animals: Animals will be allowed on the real property for personal use of parcel owners. Any animals raised for commercial activity must be approved by the Association. Commercial feed lots and swine, except swine kept through the supervision of a recognized youth public youth program, shall be prohibited from the real property." In 2013 the covenants were changed to read that "Any animals raised for commercial activity must have written approval of the Association Board of Directors". It was recommended that the wording be changed back to original covenants that "activity must be approved by the Association Members".

The voting will be the majority of those that submit votes of commercial activity or animals or any other issue. The Secretary will send out an email to all owners to let them know that if they don't vote on an issue, their vote will not be counted.

Write a Policy and Procedure on voting; ballots will be sent out and counted when returned. If a property owner does not return a ballot, it will not be counted.

Claire will check with Colorado state law to amend any Policies and Procedures to make sure we are current.

The group discussed fencing. An owner can fence up to 5 acres around their house and still retain the grazing lease. Additionally, a property owner can fence out their property if the property owner leaves the gate open. We are waiting for documentation from the Assessor's Office to send to all the property owners.

Temporary Residences was discussed. The proposed change is that "No structure or temporary character, including a recreational vehicle, camper unit, trailer, trailer basement tent, accessory building or shipping container shall be used on any tract as a residence. Recreational vehicles, camper units and tents may be used for vacation camping for periods not to exceed ninety (90) days in any calendar days.

Shipping Containers were discussed and how they can be esthetically pleasing (by painting, etc.)

Mobile Homes was also discussed. HUD sanctioned and UBC sanctioned mobile homes of all widths, trailer homes, trailer coaches, recreational vehicles used as a dwelling structure, and modular homes shall not be permitted on any parcel within the Real Property unless the owner is actively building their permanent dwelling with a start and end date of the dwelling, has the proper permits from Custer County Planning and Zoning, and approval of the Board of Directors. They will have 2 Years from the start date to complete their permanent dwelling. Manufactured homes shall not be permitted on any parcel within the Real Property.

The problem that we have is that the two other people that have been living in their RV's were approved in writing from the previous board while they are actively building. At this time, it has been decided that a letter will be written to the property owners that are still in violation stating that by June 2023 they must let the association know what their plans are to build and provide a copy of their dwelling permit.

Claire will also check into shipping container issues.

Meeting Adjourned at 4:35 p.m.