



Rustic Hills Improvement Association

Thursday August 11, 2022 at 7:00 pm
Sunnyside Christian Church, NE corner of Constitution/Murray

MINUTES

Board Members in Attendance

NAME	ADDRESS	EMAIL
Dan Allgeier	1931 Payton circle	danallgeier@msn.com
Doug Eberhart	1912 Payton Cir	rusticboard@aol.com
Tamie Farris	2002 Broken Cir Rd	Dalkw05@gmail.com
John Dolve	5409 Bent Bar Road	jdolve@msn.com
Jim Rickman	2011 Prong Horn	jim@jimandamy.info
Shane Bruckner	5217 Rocking R Drive	shanebruckner@gmail.com
Bev Smith	5118 Brady Rd	ronbevsmith@gmail.com

Residents in Attendance

David Pechacek	2014 Broken Circle Road	dmustang7617@gmail.com
Juan Rodriguez	5011 Brady Road	jtherod5011@gmail.com
John Trojak	2003 Prong Horn Lane	JT336@msn.com

- 1 **Call to order and introductions:** The meeting was called to order at 7:05pm and attendees each self-introduced.
- 2 **Approval of Minutes:** A motion was made by Jim Rickman to approve the minutes of the board meeting on July 14th, 2022, and seconded by Tamie Farris and the motion passed unanimously.
- 3 **Treasurer Report:** Doug Eberhart gave the report which included items from the board meeting on June 8th forward as he was not in attendance in July. He reported that the balance of all accounts was 17,448.90. See addendum #1 for detailed report. The biggest event was the transfer of

\$6,000 from checking to savings to take advantage of higher interest. Jim Rickman asked what amount in the accounts was unspent from the previous fiscal year. Doug Eberhart suggested that we have received dues from about 90 residents since May of 2022 which would amount to \$4,500 so the remainder of funds would be holdover.

4 Committee Reports

- **Trash Coalition** – No Report
- **Hospitality** – Bev Smith reported that in July the JULIET group had 20 at brunch and 12 at bunco and both events were scheduled for the following week in August. The hospitality committee had not been able to visit the new residents on Payton. Bev had noticed that the new listing on 5117 Halfmoon did not show an HOA. The realtor for the buyer had contacted Tamie Farris and asked about the covenants and had been directed to the website to review. There was discussion on who is responsible to make sure that covenants are disclosed to the buyer and there seemed to be no one method. It was thought that the title company might be responsible but if dues are not mandatory then it may not be disclosed. Doug Eberhart has sent a form letter in the past to title companies to notify them of the covenants and non-mandatory dues. If dues were mandatory, then the amount would show up on the settlement statement at closing. However, even if joining the HOA is voluntary, legal covenants are still binding on the new owner. It was decided that if a resident became aware of a home on the market that did not have the HOA listed, the RHIA secretary should be notified so that the listing agent could be contacted. Shane Bruckner agreed to place a watch list for properties listed in Rustic Hill Acres and check for HOA information and let the secretary know. Jim Rickman will check with the state regulatory commission to see who is responsible to notify the Buyer of the existence of an HOA, covenants, or dues.
- **Architectural** – No report – The sale of the home on 5117 Halfmoon Dr was discussed. It was under contract for 750k but not yet closed. No covenants were disclosed on the listing and Bev Smith has called the realtor. The Home on 4730 Brady Road is

listed at 1.8 mil and the covenants were disclosed.

- **Bridle Paths** – John Dolve – No work has been done in the past month. John asked if the covenants committee had discussed the bridle paths, the subject had not yet been addressed. Tamie Farris reported the house on 5209 Brady Road has closed off both bridle paths on either side of their property, but now has purchased a horse. She suggested that the board place a discussion on the agenda for after September to discuss what can be done about closed paths. It is a safety issue, especially with the road paving and it is an issue with blocking the city access to the easements. Jim Richman stated that we need to develop a consistent process to dealing with this issue.
- **Covenants Committee** – Chairperson, Miriamber Daigneault, had sent an email to Tamie Farris stating that each individual covenant suggested in the revised covenants that were voted down in 2018 had been reviewed. The committee, which has 6 members, had determined which needed to be changed and which should remain the same. They decided that there should be separate covenants for filing 1 and filing 2 as there are significant differences between the two filings. She suggested that as they get further in the process that we get more input from residents not on the committee. Juan Rodriguez is on the committee and reported the following for the group: The committee has started reviewing filing 1, particularly, C1, C3b, C2a. The original members of different committees were named in C2 and those would be deleted. The next meeting is scheduled for September 20th. The original plans for the bridle paths/ utility easements were for 10 feet and were reduced to 6 feet and the bridle paths and easements would share the same space. Juan reported that at one time it was proposed at a board meeting that bridle which were already closed, be grandfathered in to allow them to remain closed. This needs further discussion. Tamie Farris stated that in Colorado equestrian activities are considered inherently hazardous and the risk is on the participant. However, this does not apply if someone creates an obvious hazard to the equestrian. As the RHA covenants create legal bridle paths, blocking the paths would create a hazard and the homeowner would be liable.

5. **Picnic** – Tom and Marion Hartig are out of town and Tamie Farris was asked to give the following report:

- The date is September 10th, from 11:30am - 3:00 pm at 1820 Pronghorn Lane, the home of Tom and Marion Hartig.
- Lester Nowell has graciously agreed to again to supply green beans, coleslaw, Brunswick stew and ice.
- Tony James will be cooking the meats as in the past
- In addition we will have baked beans, chips, and dessert but not sure yet on ice cream due to freezer problems.
- Drinks will include water, sodas and juice boxes
- Bev Smith and the hospitality committee planned to have a birthday cake for Ardis Meeske as she has been a long-time resident, and it will be her 90th birthday. They will also have a bulletin board for residents to advertise their businesses, and a sign honoring those who contributed items of funds to the event, and a sign asking for donation for guests.
- Jim Rickman will supply the names and address of dignitaries we want to invite to the secretary for invitations to be mailed.
- A motion was made by Bev Smith to hold a food drive in conjunction with the picnic and contribute the goods to Mitchell High School food pantry. The motion was seconded by Doug Eberhart and passed unanimously.
- Bev Smith was going to check on a PA system

6. **Chipping Program** – Week of August 15th – 26th. A reminder email was sent to RHA residents and posted to the FB group page. The message included instructions on how to find the information to sign up on the RHA website.

7. **Roads & Drainage Committee** – Juan Rodriguez –

- Juan received the list of concerns from owners who responded to the survey sent out to the residents about the road paving to include in the comments to the city. Travis Easton also received a copy of the concerns.
- The Roads committee consists of the following 8 RHA residents
 - 1 Juan Rodriguez – chair
 - 2 Denis Watters
 - 3 John Fornander
 - 4 Ray Hoff
 - 5 Lyle Bonham
 - 6 Kent Morris
 - 7 Kris Sahlstrom

8 Steve Cox

- The 1st meeting of the committee was held on July 21st
- Juan, Dan Allgeier, Ray Hoff, and Kent Morris met with City Engineer, Travis Easton and project manager Tyra Sandy on August 4th, letting them know that there were 14 design issues we wanted to bring to their attention. This was the initial meeting to give them an overview of our concerns.
- Using the 60% design drawing plans from the city website, Juan created a spreadsheet with tabs for each section where issues were found for easy reference. He then added a list of questions and a list of construction issues from an engineering point of view. The same will be done for the 90% drawings and final set for construction that will come out from the city. (see addendum, # 2)
- A second meeting is scheduled with the city on August 24th, where they will begin to dig into the issues in more detail
- The committee members are dividing up to reconnaissance of the roads in RHA to assess the issues they see to add to the spreadsheet. He will then add the residents' concerns as well. The document will be sent to the board for approval before forwarding to the city engineer and project manager.
- The utilities department has already started to replace aging gas and water lines and our question to them is how long this part of the project is scheduled to last and how does that effect the schedule for paving. A question as to if the utilities replacement would happen concurrently or sequentially on the different roads.
- Juan wanted to suggest to the city that paving be postponed until the spring so that the issues with the plans could be worked out. Some of the issues on Payton Rd were the lack of ditches on the uphill side of the road and plans for a Texas Culvert just north of the sharp curve and the homes on Payton now being lower than the level of the road.
- Other issues are plans showing 2 ft shoulders on both sides and depth of the ditches.

8. Other Matters:

- Tamie Farris asked for feedback on the dues letter to be sent to the residents who had not paid. She also asked if the board was ok with having a mailing service send the letters. Both issues were unopposed by the board members in attendance.
- Tamie Farris also asked if RHIA wanted to sponsor a neighborhood garage

sale on September 16th and 17th. Jana Younger has agreed to organize and those attending liked the idea.

- Bev Smith suggested we consider asking for signs warning people that they may encounter horses and riders in the neighborhood. This will be a discussion for a later meeting.

9. **Next Board Meeting** – The board had previously voted to have the meeting the second Thursday of the month. The room at Sunnyside Christian Church has been reserved for those dates. The next meeting will be September 8th, at 7:00pm.

10. **Adjournment:** The meeting was adjourned at 8:40pm