

2009 Annual Tarryall Fishing Club Membership Meeting
May 30, 2009
10:30 a.m. Jefferson Community Center

1. Call to Order

Bill Van Gundy called the meeting to order at 10:37am.

2. Minutes of 2008 Annual Meeting

Minutes were accepted by the general membership with no corrections.

3. Treasurer's Report and 2009 Proposed Budget (Theresa)

TFC treasury had a balance of \$14,769.78. Theresa reviewed an income/expense summary report showing actuals spent in 2008 and the proposed budget expenditure for 2009. Expenses not billed in 2008 but paid in 2009 were for one portable toilet and patrolling by the Park County deputy. Estimation of dues and other income was \$15,633. Estimate of fish stocking and other costs was \$19,772 approximate budget expenditure.

- a. General Membership move requested to approve treasurer's report from last year, all in favor – membership approval.
- b. General Membership question: does this question approve the proposed budget? Answer: No. Follow up question. What plans do we have to keep from operating in the red?
Bill Van Gundy suggests moving proposed budget discussion– move to 9a in the agenda. Approved by membership.

4. Fish Stocking Plans (Ken)

- a. Stocked on the 19th this month (1000lbs). New signs put up to say no fishing on stocking day.
- b. 3 more stockings are planned but the dates are not set. We provide a couple days to the stocking company and they let us know when they can make it. General membership concern that we need to communicate stocking days to the membership more effectively.
- c. Next proposed stocking date is June 19 or 20. Some fish lost due to heat and stress. The fishing club and the vendor mitigate this risk as much as possible but it does happen sometimes. Future planned dates include July 27-30 and August 27-30.
- d. We have stocked 1000 lbs less over the last 4 years due to the price increase of 10 cents a pounds and no increase in the budget for stocking. Fish on average cost \$4 per fish. Member Question: What is the cost per ton? \$3.85 per pound = \$7700 per ton. Member Question: What proportion of fish is put in the pond compared to the river? The large majority go in the 3 ponds. All rainbows because of the cost of browns. River has a lot of reproducing browns. Some of the Rainbows are also reproducing. Member Comment: It is important to practice appropriate catch and release techniques if you have caught your limit

and continue fish for the enjoyment of catching fish. It is also recommended that anglers do not use treble hooks or cut off 2 of the 3 hooks. If a fish has swallowed the hook and you do not plan on keeping the fish or have already caught your limit you must cut your line and not attempt to pull the hook out. In addition please wet your hand before handling the fish if you need to touch it to remove the hook. Please be careful to ensure the survival of fish that are released. If a fish is bleeding it will die!

5. Pond Status: Bill Van Gundy

- a. Sano-lets – The HOA's for Stagestop and Lost Park Ranch used to pay for them in previous years. Last year Stagestop did not want to continue paying, so the fishing club took on the cost which averages about \$1400 per year. This was an unanticipated cost and has had an adverse impact on the budget.
- b. Water Monitor – A new meter was approved by the board this year and is budgeted to assess oxygen levels in pond. This will enable the fishing club to react to quickly to decreasing oxygen levels in the pond located at the entrance to Stagestop. There was \$1250 projected budget that became an actual \$1226.38 non recurring expense.
- c. Koch Rings and Aeration – Aeration ran all winter and kept a hole in the ice as designed. The aerator stirs up mud which is not good. Tom donated an air compressor kit to rebuild the aerator. Bill will do a complete rebuild this year. Koch rings will be added to the ponds. Water is pumped into the culvert containing the koch rings to help with aeration. This is proposed but not in the budget. Rocks will also do this but not as well. The real issue is no inlet and outlet, so the pond needs oxygen. Trout won't live in water over 68 degrees. The reading was 61 degrees a few days ago, so the pump needs to be turned back on.
- d. General: Need to do some muskrat controls at the Stagestop pond. They are digging holes in the side of the dam. Truck load of gravel mix dumped in the wrong place and we need volunteers to move the dirt. The pump needs to be checked twice a day when it is operating (Bill volunteers his time for this). There was a really good wintering population in the ponds at Lost Park.
- e. Moss issue: The plant growth is producing natural oxygen and as long as fresh water is going into the pond it is under control. It is nearly impossible to get it out. Biologists a few years ago, identified it as milfoil, a noxious weed that is very difficult to remove. Estimates to remove through herbicides and/or bacteria were \$5000 and \$18000. Cline/Liley Fishery sell a fish carp that may eat this but milfoil is typically not on their diet. Membership tried before and it did not work.

6. Legal Report (Bill)

- a. Observatory Ranch – Please get your ballot in for the vote. TFC recommends voting for the litigation. Bison Ranch is for sale in 2 parts - 1.5 million for the river side and 900k for the other side of the road. Bill knows an Attorney who will file the lawsuit for \$900.00. If a lawsuit is filed the ranch cannot be sold. Bill sent a registered letter to the listing agent explaining our lease. The owners get a complimentary membership and guest passes like all other members. Inaccuracies in the listing should be removed.
- b. Topaz Ranch– 6 ft barbed wire fences were added at the point where the river comes onto public land.
- c. Winding River ranch is owned by Kurt Kratz who leases his land to Lawlor Wakem. Bill talked to Mr. Kratz who indicates he has no issue with the fishing club and does not indicate any plan to contest the lease.
- d. Member Question: Friends of the TFC. Who is it? Followed by a comment that Bill is using his position as a means to pursue a “vendetta” against the Clark’s. There was no indication as to what the “vendetta” is about. The position of the board is that the Observatory Bison Ranch is violating our fishing rights by keeping Bison on our lease. Bill was elected to this fishing club to retain the fishing rights. Violations include – Safe access to the river and Buffalo are not safe.
- e. Member comment: Bison are not recognized as live stock in Colorado.
- f. Member Comment: Larry Sharp, bought property in Stagestop for the fishing lease. It’s an amenity and titled guarantee and I will do anything protect these rights. If we do not litigate, they win. The value provided by the fishing lease needs to be maintained. We need to support the HOAs and each individual TFC members’ rights to fish.
- g. Bill explained that he received a letter from Clay Copeland of Jefferson Real Estate, who said that in 1972 they were going to charge \$7,000 to join the fishing club and a \$2,000 renewal fee each year. Bill further explained that the 3 mile stretch below Tarryall dam brought in \$16,000 for one of the South Park Trout Club ranches, and more than \$50,000 for the combined ranches in the club. So there is value in the fishing rights. Clay estimated that most buyers purchase lots for \$8k and he attributes the fishing membership to be worth at least \$5,000. Other agents suggest it is worth upwards of \$12,000.
- h. Member Comment: Bob Ginowksi a fishing member since 1996 asked the following question: What are we litigating about? It’s about access and safety. He explained that adverse possession means that property can be ceded to the owners if not used. We take

pictures with time stamps accessing the Observatory Ranch section of the fishing lease to mitigate the risk.

- i. Member Comment: Skip Slaughter is against the litigation because he does not care about the fishing lease. A non fisherman. Wants to get out of the fishing lease. How do people get out of the fishing club, if they don't want to pay dues?
- j. Member Comment: Carol Lewis. Worried about costs for litigation and a long drawn out process. Assessments are a burden to the HOAs.
- k. Member Question: How about buying the property, clarifying the lease and then selling? Each lot owner would be responsible for around \$2,000 and at this point we are having trouble increasing the dues to \$25 per year.
- l. What is the definition of quiet enjoyment? No one knew the legal definition in Colorado of "Quiet Enjoyment". It is a subjective term and can be interpreted differently by individual judges.
- m. Do the Bison need to be contained in Park County or are they a Free Range live stock? What are the legal definitions in Park County regarding bison?
- n. Motion made by Jim Schumacher LP 101 – 102 -103 to use the existing HOA assessment account to initiate the lawsuit at \$900. Motion was seconded by a Stagestop member with a provision to make it based on the ballot that was sent out. Theresa commented that it seemed like a very bad idea to file a lawsuit with no money to fund it. Motion was withdrawn.

7. Patrolling (Bill and Rusty)

- a. TFC has a budgeted Expense \$750 and expect receipts and times from the deputies that participate. This year trespassing tickets will be issued to non members. The deputies will capture membership names and lots for people not complying with rules. Unused passes from previous years will continue to be honored. Fines generated from additional violations go into fishing club treasury.
- b. Volunteer (Hats and Vests) - Rusty Scott donated vests to be worn by TFC volunteers while on patrol and hats that will be given out to volunteers for serving.

8. Work Day (Bill)

- a. Work Day scheduled June 6th meet at the firehouse at Stagestop 9am
- b. Volunteer sign up sheet is located in the back of the hall.

9. New Business (Bill)

- a. Initiated discussion to raise dues by 20% next year to \$25 for the primary purpose of increasing the amount of fish stocked. Member Motion to raise dues by 20% , a \$4 per year increase to take effect next year. Member motion seconded. Vote is conducted for

the next 15 minutes. Results: 45 “No” votes and 112 “Yes” votes. Motion is approved by a majority of the membership present in accordance with the TFC by-laws. TFC dues will be raised to \$25 next year and will be collected by the HOA’s.

- b. Member Comment: Virginia Skeffington said SOA is being excluded from the TFC board meetings, because they do not get proper notice in advance of the meetings. Through better communication we will notify the SOA 10 days in advance of any board meeting.
- c. Price of guest passes: We can raise the price of guest passes or reduce the fish limit to further increase TFC revenue. Member motion made to raise guest passes to \$8 for 2010 fishing calendar. Member motion seconded. Vote is conducted for the next 15 minutes. Results: 1 “No” votes and 143 “Yes” votes. Motion is approved by a majority of the membership present in accordance with the TFC by-laws. TFC guest pass prices will be increased to \$8 starting with next year’s distribution.
- d. Member motion to reduce the daily limit of fish for each eligible angler from 4 to 2 for 2010. Motion seconded by member. Vote conducted over the next 5 minutes. Results: 17 “Yes” votes and 127 “No” votes. TFC will not reduce the daily possession limit for each eligible angler. Member Comment TFC cannot exceed state limits for general bag and possession limits.

10. Election of Board Members (Paul)

- a. Bill Van Gundy and Ken Black re-elected unanimously by membership
- b. Marv Thompson, who was appointed to fill the position vacated when Leonard Reed died, was elected unanimously by membership.

11. Comments from Membership: None

12. Adjourn: Meeting Adjourned at 1:30pm

Minutes taken by Rusty Scott

Board Members in Attendance:

Bill Van Gundy, President
Paul Grossnickle, Vice President
Rusty Scott, Secretary
Theresa Pugh, Treasurer
Bob Ballard, Member-at-Large
Ken Black, Member-at-Large
Marvin Thompson, Member-at-Large