

Around the Ranch

April 2009

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Message from the President

By Elizabeth (Liz) Demetri

Regretfully, the proposed fee increase which would have provided funds for adequate road maintenance was rejected by the property owners who voted. This means that the Ranch must operate on a "bare bones" budget for the coming year. As stated on the ballot, this will force a reduction in funds available for road repair. The Board and Management are dedicated to operating within the current budget.

We still have the issue of the Lodge and no funds with which to attempt to reopen it. Dick Willauer is heading a task force to explore the possibility of leasing the facilities to a group of property owners who will provide the money needed to repairs and reopen the lodge. Additionally, TJ Ramey heads a task force to review possible ways to reopen parts of the facility without costing the association any additional money. I encourage anyone who has suggestions to contact these directors.

We welcome our three new board members, Allan Kimball, Merrill Jordan and Tanya Phillips and look forward to working with them this year. I would like to encourage more property owners to consider running for the board. We also encourage property owners to become involved in finding a solution rather than being part of the problem. The number of members in good standing who vote continues to fall. If we all work together, hopefully, we can find a solution to our continuing dilemma.

Due to the departure of the administrative assistants in the near future, POATRI is seeking applications for a possible Assistant GM position. Please see the POATRI website under employment opportunities to apply.



Photo by Tanya Phillips

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Next Meeting of POATRI's Board of

Directors:

**Saturday April
25, 2009 –
10am at**

**Terlingua
Ranch Head-
quarters.**

Media Committee Report

Due to budget constraints, at this time, we will be unable to offer a printed newsletter. We will continue to offer the ONLINE version of the newsletter which you may read online and/or print a copy of for yourself. If you know of someone who does not have website access, but who would enjoy the newsletter, please feel free to print an extra copy to share. The newsletters can also be downloaded as a PDF and emailed to individuals as needed, or any interested person can come by the ranch office and request a printed copy by paying for the copy in the office. Please be sure to update your information, INCLUDING AN EMAIL ADDRESS, in the POATRI database. Getting information out to property owners is important to us and we are working on a budget that will allow better and more efficient information in the future. ~ Media & Communications Committee

MINUTES OF POATRI BOARD OF DIRECTORS MEETING JANUARY 31, 2009

The regularly scheduled quarterly meeting of the Board of Directors of POATRI was called to order at 10:00 AM by Liz Demetri, President. Directors present and certified were Liz Demetri, TJ Ramey, Don Backer, Tom Durham, Jim Miller, Dick Willauer, Frank Oxsheer, Clara Willis and Diana Wysocki.

Public Service Announcements were made by:

- Liz Demetri- tribute to Janet Sullivan who faithfully served the board for 9 years. She passed on December 04, 2008.
- Dori Ramsey-A memorial service for Janet on February 09, 2009 at the Terlingua cemetery.

The minutes of the October meeting were approved as read.

Don Backer gave the Treasurer's Report which will appear on the website.

The Managers Report was given by Alida Lorio.

The following resolution was read into the minutes: Be it hereby resolved to accept the results of the January, 2009 election for Directors and the amendment to Section I of the Terlingua Ranch Maintenance Agreement as presented. Motion by Tom Durham, 2nd by Don Backer, Accepted unanimously.

The results of the election to amend Section I of the Terlingua Ranch Maintenance Agreement are as follows:

Property owners in good standing 2279

Total ballots received 815

Valid ballots 801

Invalid ballots 14

Amendments

Section I

For 304

Against 495

Abstain 2

Therefore the Amendment fails.

The following reports were presented:

- Audit- no report
- Budget and Finance- Don Backer
- Hunt -Jim Miller
- Road Issue task Force-Tom Durham

Unfinished Business

- The resolutions to be presented were read
- A report from the Executive Session was given by Tom Durham

Public Forum

- Julianne Braun-concerns and questions concerning finances and attorney fees.
- Larry Poetz -feasibility of doing in-house maintenance repairs.
- Virginia Viles-comments concerning budget projections
- Steve Cobb-would like to see portions of the resort re-opened.
- Barbara Trammell-serious concerns concerning voter apathy
- Tanya Phillips-reduce legal fees and comments on foreclosures.
- Bonnie Hill-questions about cash flow and resort closing.

New Business

- The following resolutions were adopted.
- That the budget attached to this document be accepted as the 2009 Operating Budget for POATRI. Motion by Don Backer 2nd Diana Wysocki, unanimous. See budget here: —> <http://www.poatri.org/2009budget.html>
- That the BOD instruct the General Manager to actively engage in seeking out ways to open for use various aspects of the lodge area, and to proceed in making them open for use by property owners and possibly other people as soon as possible. Such areas should be critically analyzed to discover that usage would not be a financial burden to POATRI, fully accepting the fact that the area and associated structures will have to be maintained weather in use or not. Motion by Clara Willis, 2nd Dick Willauer, unanimous
- That the results of the January 2009 election for Directors and the amendment to Section I of the Terlingua Ranch maintenance Agreement as presented. Motion-Tom Durham, 2nd Don Backer, unanimous.
- Dick Willauer presented a proposal to lease the Resort to a group of individual property owners for the operation of all facilities. He is soliciting ideas and volunteers to put together this proposal and determining the level of interest to see if it is feasible.

The results of the 2009 Directors election were announced.

Property owners in good standing 2279

Total ballots received 746

Valid ballots 735

Part of a quorum 402

Not part of a quorum 333

Invalid ballots 11

Candidates

Tanya Phillips 605

Allan Kimball 558

Merrill Jordan 405

All will be seated.

Meeting was adjourned.

Respectfully submitted,
Tom Durham

Update on the Christmas Mountains

The lease between POATRI and the Texas General Land Office for recreational access to the Christmas Mountains became official January 1, 2009. POATRI is now authorized to open hiking and horseback riding trails in the land owned by the State of Texas and administered by the GLO. The GLO has retained all hunting rights to on the property.

To date, the only trail open to the public, which includes Terlingua Ranch property owners, is the "Old Mine Road" which starts on the west side of Section 91, near the Lodge, and leads to the spectacular overlook on the south cliff in Section 95. This three mile hike takes approximately 4 hours to reach the top and 2 to 3 hours to return, making it a great way to spend a day in the Big Bend.

Day use permits are required for this hike and can be obtained through the POATRI office at the Ranch headquarters. The POATRI office is opened 9 am to 5 pm every Thursday, Friday and Saturday. Arrangements for permitting can be made prior to arrival by contacting the POATRI office at 432-371-3146.

The Ament Lake picnic area is also open to the public. No permits for the Lake are required at this time, however visitors are restricted to the picnic area only.

It is hoped that POATRI will be able to open additional hiking trails in the near future and to expand access to the Christmas Mountains to designated camping areas.

Minutes of the First Meeting of the 2009 POATRI BOD, January 31, 2009, 11:45 AM

The meeting was called to order by Liz Demetri. The three newly elected Directors, Tanya Phillips, Allan Kimball, and Merrill Jordan, were seated. All members of the BOD were present. These were Liz Demetri, TJ Ramey, Tom Durham, Frank Oxsheer, Jim Miller, and Dick Willauer, Tanya Phillips, Allan Kimball, and Merrill Jordan.

Officers for coming year were elected. Liz Demetri, President, Tom Durham, Vice President, Merrill Jordan, Treasurer, and Allan Kimball, Secretary.

The following resolutions were adopted under new business.

To authorize the following persons to sign checks on all bank accounts with the exception of the savings account styled Contingency Fund at WTNB: President, Vice President, Treasurer, Secretary and General Manager.

To authorize the following persons to sign checks and make transfers from the Reserve account at Fort Davis State Bank and the Contingency Fund Account at WTNB: President, Vice President, Treasurer, and Secretary.

Motions by Liz Demetri, second by Tom Durham 9 ayes, 0 nays

The meeting was adjourned.

Synopsis of Minutes of POATRI Members Meeting, Saturday 31 January 2009

The Members Meeting of Terlingua Ranch convened at 1:30 P.M. and was brought to order by Virginia Viles who was chosen to chair the meeting by the members present. Bonnie Hill was charged with doing the resolutions and Jane Brewster was secretary. Mrs. Viles read the Policy and Procedures rules pertaining to a Members Meeting and stated that comments would be appreciated from the members present and that all could speak without a time limit. No board members were present.

There were approximately 50 members present at the onset of the meeting. At least twenty people spoke during the three and a half hour meeting. The discussion was lively at times, but orderly. There were diverse opinions on some subjects, and a consensus on others. Concerns among members varied: issues about voting rights, fairness of road maintenance, manipulation of the by-laws, transparency, road easements, closing of the "commons" areas of the headquarters, the extra fees charged, audit information; voter apathy; use of the website to disseminate information to property owners; volunteer work; and more members meetings.

From these discussions eleven resolutions were suggested, reworked and presented to the members present for a vote. All of these resolutions were approved for presentation to the Board of Directors of Terlingua Ranch. The meeting adjourned at 5:05 PM. A digital recording will be released of the entire meeting sometime in the near future.



Twin Corazones
Photo by Tanya Phillips

"This three mile hike takes approximately 4 hours to reach the top and 2 to 3 hours to return, making it a great way to spend a day in the Big Bend."



Photo by Tanya Phillips

Operations Report for the Period Ending 12/31/2008

The resort facility remains closed. We are doing simple upkeep and emergency type maintenance projects only.

- **Financial:**
 - 1) At year end the operating cash accounts totaled \$24,997, \$11,622 of which was 2009 assessments collected in December, leaving \$13,375 of 2008 revenues to cover \$15,247 of 2008 expenses. This shortage has been covered by January collections of BVC and non-2009 assessments of \$14,381.
 - 2) The Capital Reserve Fund and Contingency Funds were increased during 2008 by slightly over \$22,550 each through collection of NRC revenues. NRC collections continue to be split equally between the two funds.
 - 3) The 2008 Contingency Fund cash flow loan to operations will be paid from the continued collection of BVC and past assessments.

- **Collections:**
 - 1) We continue our in-house collections program of interim billings, filing liens and taking deeds back in lieu of assessments. These properties are auctioned once or twice a year. In 2008 auctions produced net cash of past due collections of approximately \$27,000.
 - 2) The amnesty program continues to encourage purchase of properties with delinquencies.
 - 3) We continue to experience an approximate 10% slow pay ratio where assessments charged in the current year are not collected until the following assessment year.
 - 4) The badly delinquent, uncollectible accounts where property taxes are also owed are considered abandoned and are being worked on through the Brewster County tax assessor's attorneys. These 600 or so accounts represent \$1,148,600 in TRIPOD receivables, \$650,279 of which were written off in 2005, although the full amount remains in TRIPOD.

- **Road Maintenance:** We continue to operate with one crew and will continue to do so for the foreseeable future. Where revenues allow we will be completing repair projects that require special treatment.

- **Resort:** The resort facility remains closed. We are doing simple upkeep and emergency type maintenance projects only. There are a number of repair projects, both large and small, which await the decision of the Board of Directors regarding the disposition of the resort facility.

- **Other:** The Christmas Mountains lease was signed effective January 1, 2009 and the Memorandum of Lease has been filed with Brewster County. We have submitted the permitting process for the Old Mine Road hiking trail and are awaiting final approval from the GLO.

- **Interesting Membership Facts:**
 - 1) At year end we had 4893 active TRIPOD accounts. Owner account totals since 2006 have averaged 4878, so despite fairly healthy transfer activity, our owner base has remained stable.
 - 2) At the time of the 2009 assessment our owner account total was 4908, of which 4288 non-exempt accounts were charged, which is no significant change over the last four years average.
 - 3) Our all-exempt owner accounts currently number 620, which is a reduction from a high total of 683 in early 2008. The gain in owner account between the 2009 billing and the end of the year were all non-exempt accounts.
 - 4) In the three years of 2006, 07 & 08 we added 1,213 new owner accounts.
 - 5) Our resident to non-resident ratio remains at about 6.5%.

Seeking Director Applicant

Resignation Announcement – March 27, 2009

Director Allan Kimball has informed the POATRI Board of Directors of his resignation from the Board, effective immediately. As referenced in the Policies & Procedures manual, applications will be taken from members in good standing interested in filling the position. Applications must be received by the General Manager no later than April 17, 2009. Selections will be made at the next Board meeting on April 25, 2009. Applicants will be required to attend and review their applications with the Board on Thursday, April 23, 2009. Applicants will be contacted individually to schedule this interview.

TREASURER'S REPORT - For the Period January 1 thru December 31, 2008 Don Backer, Treasurer

1/ Revenue Summary for 2008 – based on Cash Collections

For all of POATRI operations, including the assessment side and the Resort, we took in \$918,000. In round numbers the major revenue components included:

- Assessment collections for 2008 and prior years of \$491,000. Our budget for assessment collections was \$516,000, so we had a \$25,000 shortfall.
- NRC collections of almost \$45,000, which were deposited into the Capital Reserve and Contingency Fund accounts.
- BVC collections of \$157,000. The level needed to reach cash flow breakeven for 2008 was approximately \$212,000.
- Property auction proceeds and Tax Sales were almost \$39,000.
- And, the resort contributed \$170,000 in revenue before it was closed in September.

2/ Expense Summary for 2008

- For the year Resort expenses totaled \$237,000 against the budget of \$349,000. Expense control throughout the year and closing the Resort for the last quarter contributed to keeping expenses less than budget by \$112,000.
- On the Assessment side, Operations expenses and debt service were \$548,000 against a budget of \$556,000.

3/ Overall Performance for 2008

- During 2008 we again had to borrow from our Contingency Fund, in the amount of \$76,000, to cover short term cash requirements and balance our budget. In previous years we repaid our short term cash loan during the following year, but for 2008 the Board and Management had wanted to pay off this year's loan by December, so that we could achieve a balanced budget and eliminate the practice of short term borrowing.
- We were not able to pay off the \$76,000 short term loan due to the shortfall in Assessment and BVC collections. The amount of the shortfall in collections is the amount needed to pay off the loan and achieve a balanced budget for the year.
- The consequence of the collections shortfall is that the loan is carried forward into 2009. Our plan is to pay off the Contingency Fund loan of \$76,000 with collections of past due assessments and the BVC charge. However, our ability to accomplish this is dependent on the amount of these collections. Our ability to achieve a balanced budget every year is dependent on assessment collections and when we do not collect the amount that we planned on, this results in a budget shortfall.

4/ Financial Reports

- I want to remind everyone that all of our financial statements and are available on the web site, and those without computer access may request a copy from the office.



Photo by Tanya Phillips

Non-Binding Resolutions from Members:

1. Be it resolved that the Laundry facilities be reopened immediately and remain open.
2. Be it resolved that the No Trespassing signs be immediately removed from POATRI Café and Patio areas.
3. Be it resolved that the Bathhouse be reopened as soon as possible.
4. Be it resolved that board members are invited to be present during members meetings.
5. Be it resolved that a meeting time be reserved for the membership to discuss with the board issues that the membership presents with a time limit of 10 minutes per speaker so all are heard.
6. Be it resolved that all Property Owners can opt to receive all newsletters and communication via email or hard copy.
7. Be it resolved that a procedure for information request be expanded to include a Q & A interface on the Internet so all members could obtain information from the board, the operations manager, or the committee responsible. That information is to be published and archived.
8. Be it resolved that write-in candidates be counted as valid. Spaces need to be provided on the ballot for write-in candidates. In addition, these results are reported to the membership.
9. Be it resolved that the Board of Directors re-evaluate the authority of the general manager.
10. Be it resolved that an adjustment to the budget be made to move funds allocated for Attorney Fee's to provide for Bathhouse Renovations.
11. Be it resolved that a procurement policy be developed to require a bid process and proposals on all projects (excluding those done by volunteers).

The Board of Directors will address these non-binding resolutions at the April meeting



West Corazones Peak Photo by: Ron Campbell