

Michigan Hill Owners Association  
Approved - Annual General Membership Meeting  
Minutes June 4, 2016

1. Welcome: The Board welcomed all members and guests in attendance and thanked them for their presence. In addition, the new brunch instead of lunch following the meeting was announced and members were encouraged to partake of the brunch provided by the Board (burritos, coffee, juice, water, muffins and Danish); in addition to the fruit bowls, cinnamon rolls and other goodies contributed by members. Members received handouts, which are attached to the minutes as Appendices.
2. Guest Speaker – The intended speaker, Park County Sheriff Fred Wegener (sp?.) was called away at the last minute and consequently the meeting had to forgo the planned guest speaker.
3. The official business meeting was called to order at 10:20 a.m. by President Larry McClymonds.
4. Members of the Board of Directors were introduced: Larry McClymonds, President; Blenda Crawford, Secretary; Les Choate, VP with oversight of the ACC this past year; Eric Lines, At Large with oversight of the roads and full time resident; and Steve Johnson, Treasurer. In addition, Judy Pecora was recognized as the association Bookkeeper:
5. Determination of Quorum: a minimum of 20% property ownership must be represented at annual business meetings to enable the Association to conduct its business. For MHOA, a minimum of 55 lots must be in attendance, either through physical presence or by proxy.
  - a. The Proxy was forwarded to members on the back of dues statement for member use. 60 proxies were submitted as part of dues payments. Proxies are split proportionately to represent the vote distribution on specific issues at the meeting. Close to 100 properties were represented at the annual meeting. Members were again thanked for their presence and a quorum was recognized. .
6. Review of Annual Association Meeting Minutes of June 6, 2015
  - a. The Board sent out last year's minutes and a copy was available at the meeting for attendees. A call was made for any changes and/or corrections. None were forthcoming. A call was made for a motion to accept the minutes as written. The motion was made by Terry O'Neill, Lot 246; and seconded by Sondra Montgomery, Lot 175. A vote was called. Passed unanimously.
7. Open forum for association member comments:
  - a. Diane McClymonds, Lots 206/207: Requested that the Board look into painting the Association shed behind the hand pump.
  - b. Blenda Crawford, Lot 66: Requested that the Board look in to oiling the hand pump for greater ease of use by members.
  - c. Joe Kirkwood, Lot 52: Thanked the Board and road crew for keeping the north entrance open this past winter.
  - d. Jenny \_\_\_\_\_, Lot \_\_\_\_: Asked what could be done to encourage the County to fill in the potholes on CR 35. Also, raised concerns about mosquito breeding in ditches. The Board suggested members call Park County and ask for roads and bridges to register any concerns they have about county road conditions, which may expedite the work. The Park County telephone number can be found on the MHHOA website for this and other county concerns members may have.
  - e. Terry O'Neil, Lot 246. Reported that one of the road contractors had put in a planning commission proposal for greater use of gravel pit north of CR 35. He serves on country board and stated that the application has been rescinded.

- f. Ray Witmer, Lot 491: Request that homeowners with dogs please keep them on the leash and not running free on the roads. Loose animals are a hazard for drivers on the road. The Board indicated that members should feel free to contact the County Sheriff for recurring problems of this nature and file a complaint.
  - g. Joe Kirkwood, Lot 52: Asked for sources of fire mitigation information. The Board indicated that Como fire department has a brochure available on this topic; and last year's minutes have more detailed information as well. Association members can get an address plate from the Fairplay fire department to identify the street number for a property for emergency services. Can also get a chipper from county upon request.
  - h. Gerry Clinton, Lot 202. Suggest that Emergency services also appreciate a circle drive so that they can turn vehicles around rather than backing out a driveway.
  - i. The Board: Indicated that the burn pit is available. Code 1048. No tree stumps with rocks in them are permitted. Recommended to those dumping usable firewood that they put this usable wood toward the front of the burn pit for others' use. Another option was to put usable wood on front of a lot with a sign indicating it was free for the taking.
8. Reports of officers:
- a. President
    - i. Status of easement issues: Last fall the Association was able negotiate the details of the fencing issue with High Plains Ranch regarding use of a preexisting fence and 9 acres of Michigan Hill property. In exchange for grazing rights, Michigan Hill put in 3700' of fence to reclaim its open space on SE side of the subdivision so that now members can walk the property around that side of the hill. In addition, the Association applied for an agricultural designation for this and additional area including that on which the burn pit resides. As a result, at the end of 2016, the Association hopes for approval of its application, which will reduce taxes on that property from approximately \$822.36 to approximately \$32.85 per year.
    - ii. On south side of Michigan Hill, the 30 year BLM lease expired 3 years ago. As a result, MHOA negotiated for and purchased a full time indefinite Right-Of-Way with the landowner to be paid over five years. The Association is in the fourth year of the five year purchase agreement. As a result of these efforts and investment, MHOA will have perpetual easement on the south side of the subdivision.
    - iii. Pond Road easement is no longer an issue. The Pond Road has been in use since early 1900s. A Landowner on the pond road wanted some improvements. The road is situate across the 74 Ranch and another property owner. It was determined to be in the best interests of all not to take the ranch to court to establish eminent domain, but to leave current arrangements as is, i.e. the pond road belongs to MHOA, is maintained by MHOA, and is shared with neighbors.
    - iv. Reserve Study: Reference to handout on back of balance sheet. (See attached as Appendix \_\_\_\_). The Reserve Study look at main assets owned by MHOA and makes sure the Association is adequately funding reserves to handle problems with these assets as they occur. Discussion of Key Assets ensued. Grader: probably have another 7 years on the grader. To replace would be about \$35,000. This year went through it for general maintenance and parts replacement. Augmentation pond: will need to replace valve at some time in the near future. Cost would be approximately \$12-15,000. Looking at other options. Only need to open the valve every couple of years, so it works for now. Hand pump well. Two new assets: 2 plow trucks in very good shape. Have

annual maintenance as needed. For specific funding details, see Reserve Study. Roads are biggest assets: 13-1/2 miles, which need to be maintained. The Board called for motion to accept the Reserve Study as presented. Joe Kirkwood, Lot 52, made a motion to accept the study as presented; the motion was seconded by Terry O'Neill, Lot 246. A vote was call. Unanimously approved.

- v. Augmentation Pond: Includes the Fishing Pond and maintaining the road to the pond. To find the road, go out the north entrance and make a left. Take the first right and travel a couple of hundred yards and the pond is on the right. The Augmentation pond is important as it enables each owner to have a well. Well water is meant for domestic use (washing dishes, running toilets, etc.), not yard use or washing cars. The Association is asked by the Colorado Water Department to dump a certain level of water each year as requested. The Association has completed ditch work so that the pond overflow stays in designed ditches and culverts, keeping surrounding land dry and free from overflow.
  - vi. Andy Bailey, Lot 248. Recognized the Board for the great job it has done on all the easements work on behalf of the Association.
  - vii. Terry O'Neill, Lot 264. Landowners and members appreciate the good relationships developed with MHOA through discussions and easements.
- b. Vice President
- i. ACC Activity Report: Handout (Attached as Appendix \_\_\_\_ ) itemizes what was handled by ACC this past year. The ACC would like to shorten the response time to homeowners. While the Board has 30 days to respond, its goal is to get back to owners within a week to 10 days of receipt of request.
    - 1. Sheds: County will not permit a secondary building on a property without a primary building. Must have a building permit and house foundation started and then county can approve a secondary building such as a shed. MHOA tries to stay in compliance with county regulations.
      - a. Ken Baker, Lot 169. Requested clarity regarding certain guidelines for decks, house painting, etc. The Board indicated that if an owner is painting their house the same color, the board doesn't need to know and no request/approval is required. The board acts in accordance with the covenants and bylaws.
      - 2. Terry O'Neill, Lot 246. The County is redoing all its building codes. It is currently contemplating doing away with the exception to put up a shed that is 120 square feet or less. Owners must take out a permit to do anything material to their homes. At that time, county may require that other elements be brought up to code.
        - a. Tom Clinton, Lot 202: Asked for clarity regarding which laws trump which, i.e. County or MHHOA. The Board indicated that sometimes the county rules trump (i.e. building permits, etc.) versus MHHOA which takes priority when it comes to trailers, camping on property, etc. Basically, the stricter rules trump.
        - b. Melanie Middlefield Lot 11; Asked for information regarding how members can change MHOA covenants. The Board indicated that it takes a majority vote of the membership for any changes. Typically, the Board looks at forming a committee, if

needed to get a study done of the issue and will get the MHOA attorney involved. The language for the change goes out to the membership. Then it's put to the vote at an annual meeting. The Board looked at trailers last year and the membership present at the annual meeting voted not to move forward on the proposal to look into changing the bylaws.

c. At-Large Member

- i. County cellular and Internet update: Meetings on these topics take place monthly at the county fair barn in Fairplay. Everyone is invited. So far, the county communication center has a tower; and Verizon is going to place a larger tower to serve that side of Red Hill Pass. Verizon is back and interested in Park County. May be able to get them interested in this side of Red Hill Pass. With the higher tower regulations in place, may be interested again.
  1. Century has a new fiber run to the facility in Como, which will increase DSL speed through Century Link. Contacts from the community to encourage Century Link and Verizon efforts in the Michigan Hill area are important.
- ii. 2015-2016 Snow plowing: This was the first year the Association owned and used its own plows. Thanks to Tom Clinton for using his front end loader for heavy lift situations with the drifts. Overall, a good first year with a couple problems which were resolved as they occurred. Thanks to Terry O'Neill, main plow operator this past year.
  1. Melanie Littlefield, Lot 11: Expressed her thanks to the Board for talking with her and Chuck to hear their concerns and resolve issues.
    - a. Ken Baker, Lot 169: Indicated that Michigan Hill had an average amount of snow and wind. The Board agreed and indicated that it was a good year to work out some of the problems arising with ownership and scheduling of the grader and the two snow plows. Thanks to Terry, Steve and all who supported this Board effort. The Board reminded owners that it does not have any control up to Red Hill, since those roads are county maintained.
- iii. 2016 Road grading and gravel addition: All roads have been graded in the past couple of weeks. 40 loads of gravel are anticipated, primarily for Selkirk. The fish are in the pond. Owners were reminded of the catch and release (unless damaged) guidelines for adults. Kids under 16 can keep what they catch.
- iv. Burn pit use: MHOA hopes to burn contents of the pit this next fall. MHOA will let members know when scheduled; however, could be delayed depending on weather.
- v. Weed control: County will be spraying for weeds on the hill this summer.
- vi. Federally Funded Health Clinic in Fairplay: Part of the grant application for the Clinic in Fairplay will permit it to expand services into Park County if the grant application is successful. This would mean access to mental health, dentist, and nurse practitioner.
- vii. Additional discussion: Someone has purchased pharmacy building in Fairplay. Additional changes in services and activities can be found in city and county meeting minutes. Also looking into a windsock for the hill for emergency helicopter landing.

d. Treasurer

- i. Financial report for current year (see attached Appendix \_\_\_\_\_): Balances: Checking \$14,445.96. 5/31/2016. Savings: \$70,421.34. Total: \$84,867.30. 20 properties with dues outstanding in the amount of \$4,81,89. Grand Total: \$88,949.49.
    1. In last week paid for fish, food for meeting and grader at approx. \$3000.
  - ii. Budget review (See handout/attachment): Shows last few years and what is being proposed for the next year. Roads are the biggest expense.
    1. Call for questions: Have about \$7,000 emergency fund for the year.
    2. Motion to approve as submitted was made by Paul Montgomery, Lot 475; and Seconded by Andi Bailey, Lot 248. Approved unanimously.
- e. Secretary
- i. Election of two Board of Directors members - 2 year term
    1. Nominations: the positions of Les and Larry expire this year. Requested nominations from the floor and encouraged self-nominations.
      - a. Larry McClymonds nominated from the floor; accepted nomination.
      - b. Les Choate nominated from the floor; accepted nomination.
      - c. No further nominations submitted.
    2. Terry O'Neill, Lot 246, motioned to vote on nominations by acclamation; seconded by Steve Johnson, Lots 182/183/184. Motion and vote for nominees carried unanimously.
9. New Business: Helen Baker, President of the Community Center Board for church and community center announced a free dinner next Saturday at 5:30 p.m. Encouraged attendance and participation. Dinner will include announcements of board events and encouragement of new members. The Center has three fund raisers each year – breakfasts on Memorial Day, July 4<sup>th</sup> and Labor Day. The Center is working on a new website. Jeffersoncolorado.org The Center can also be rented for special events.
  10. Old business: Dump site near front entrance has two tanks; one may be full, which will require maintenance. May need to add to budget \$700-800.
  11. Adjournment: Motion to adjourn was made by Blenda Crawford, Lot 66 and seconded by Joe Kirkwood, Lot 52. Unanimously approved. Meeting adjourned.