

Approved Minutes
Board of Directors Meeting
Jefferson Community Church – 9 AM
January 19, 2013

Board Members Present:

Blenda Crawford
Steve Johnson
Larry McClymonds
Dennis Sherman

Homeowners Attending:

Tom Clinton, Lot 202
Jerry Clinton, Lot 202
Judy O'Neill, Lot 246
Terry O'Neill, Lot 246
Jamin Ramirez, Lot 271

The January MHOA meeting was called to order at 9:03 a.m., according to church clock. A Quorum was present.

Review of Minutes. The October 6, 2012 board meeting minutes, a request was made for any additions and/or corrections. None were noted. Steve Johnson made a motion to accept the minutes as written. The motion was seconded by Dennis Sherman. A vote was called and the minutes were approved by the Board.

Open Forum: It was observed that the last meeting had a productive forum discussion. No comments or concerns were raised by homeowners in attendance. Forum closed.

Officers' Reports.

Larry McClymonds, President:

- Jerry Clinton resigned her position as Board Member at Large on 11/19/2012. The Board thanked Jerry Clinton for her service to the board and Michigan Hill homeowners.
- Reserve Study: Larry McClymonds and Patrick Strong continue their work on the reserve study. Mark Matulik resigned from his role on this committee in addition all other MHOA duties at this time. The Board expressed appreciation for his contributions. The Reserve Study is due by 4/14/2013.
- Covenants: Section 18 regarding Board member entry onto properties was reviewed by David Ferman, MHOA attorney. It was concluded that Section 18 needs to remain as it permits the MHOA, once they get a court order, to enter the property to resolve issues. Section 18 functions in conjunction with the new policies which were approved by the membership.
- ACC members: The membership of individuals serving as ACC members was raised at the October 2012 meeting. The Architectural Control Committee (ACC) is managed by and reports to the Board. The matter was referred to the MHOA legal counsel, David Ferman for review. According to his legal review, because the ACC is a subcommittee, it can have outside members serve as part of that committee. Discussion ensued about the findings and it was determined that for clear process, it would be important in the future that the managing Board Member sign off on all ACC activity. A motion was made by

Larry to have the managing ACC board member sign off on ACC requests to homeowners and other activity as appropriate. The motion was seconded by Steve Johnson. A vote was called and the motion carried.

- Additional review of bylaws and policies for consistency and clarification. This responsibility has been handled by Mark Matulik in conjunction with the Board. Given that this role was vacated (see prior minutes), Larry is asking for a group of volunteers who would be willing to continue this activity. Next issue for review: review of trailer policy in time for annual meeting. Issues include consideration of issuing trailer permits for designated time periods for homeowners who wish to leave a trailer on their land for short periods of time, i.e. if guests visit and bring a motor home for a couple of weeks and extended periods on unimproved lots during the summer camping season. Currently, both are banned by the current policies. Such a program would need to have clear guidelines that are easily understood and managed. Also need to review having a trailer on a property with a current building permit but with no real active building going on. We have a few lots that have trailers year round and on second or third building permit without any active building for a number of years. Need to define questions that have surfaced in this area. This clarification would need to be in writing and available to homeowners. The Board in conjunction with anyone who wishes to serve on this committee will investigate and clarify based on historical requests and owner concerns. The findings will be reviewed by the MHOA attorney and presented at annual meeting.
- Cell service on the Hill: Larry talked with Black & Veatch who is doing the work for Verizon in South Park. There was going to be one just south of Jefferson to be erected on the south side of 285; however, it did not meet the strict standards of South Park and was voted down. The Board agreed that it would be an asset to have cell coverage on the Hill and encouraged members/Verizon subscribers to call Verizon at 1-800-922-0204 and complain to Verizon. It is important to let Verizon know that their coverage is not adequate and terrible in emergencies. Customer complaints are a great way to help Verizon make a tower in the South Park a priority. Once Verizon erects a tower, it is reasonable to expect that other providers will add their services to the tower.

Dennis Sherman, Vice President:

- Two lots with trailers on them. Contacted owners and they removed trailers. Lot 216 has a trailer on the lot and it does have an current building permit. This is the 4th or 5th permit; however, no building plans have been filed. In addition, the ACC has not received any request to build. Larry is working with Lot 271 to bring dog run into compliance. On Fremont Knoll, owners put a big boulder on their driveway at the edge of road which is problematic for grading and snow plowing. Owners were contacted and will move the boulder back off of the road and right of way, along with plans for a future gate so that they don't impede grading and snow removal.

Larry McClymonds, At-Large:

- Burn pit has been cleaned up and the berms have been pushed back and enlarged. Thanks to Jerry Clinton for her persistence in getting the contents of the pit burned to enable this work to be done. The berms were built higher so MHOA now has a mega burn pit.

- Augmentation pond. A small crew comprised of Larry McClymonds, Steve Johnson, Terry O'Neil and Paul Montgomery filled sand bags and moved rocks by hand and reconstructed the entrance and front part of the weir in anticipation of the Spring runoff. The crew filled sixty bags and covered them with dirt which will preserve necessary water for the pond.
- The road grader was taken for annual maintenance. Worn u-joints were replaced and lights were put on the grader to permit more flexible usage. The two motors on the heater inside the cab are shot. They can be ordered and installed at any time. Did not grade the roads one final time before the snow as was scheduled because of the lack of insured driver.
- Snowplowing is going well. South Park Snow Plowing is doing a good job and they emails the board each time someone goes out to plow so that the Board is aware of their activity. Jamin is taking the lead. Thanks were expressed to Jamin and his crew. It's nice to have people on the hill taking care of the roads.

Steve Johnson, Treasurer:

- Three lots have outstanding dues: one owned by Federal Home Loans-Chase, and two others. \$1,284 is past due. The Board is waiting on one check in the amount of \$666 from Chase.
- Checking balance: \$18,913.17. Savings balance: \$25,872.49. CD-TX: w/interest as of last Wednesday \$6821.12. It is a 10-year CD earning 3% interest. It is in the MHOA name. Administrative control was transferred from a previous board member to three of the current board members. It matures in 2021. Discussion: Could call the CD and lose 1.5% interest; or transfer to a Capital One in Denver. Difference for a year is \$180, which is pretty insignificant. The inclination of the Board is to have all of MHOA funds in Fairplay. Larry McClymonds moved to close the Texas CD and move it to Fairplay. The motion was seconded by Steve Johnson. A vote was called and the motion carried. Steve will let the Board know if he has any problems closing the CD and transferring the money to the MHOA bank.
- Taxes: The 2011 1099s were filed on 9/12/12. The MHOA tax return for 2011 was filed on 9/13/12. 1099s for 2012 need to be out by 1/31/2013. Federal and State tax returns completed and mailed by 3/31/15. All are on schedule to be completed by their deadlines. Discussion: Dues notices for 2013 were discussed. They were sent out in January in 2012 and many were set aside and forgotten by homeowners. It was determined that the 2013 dues notices would be sent out on March 1st. At the October 2012 meeting, the Board discussed sending out a questionnaire about what members would like it to focus on and asking who might be interested in being active on the board and/or committees, etc. Terry O'Neill noted that it would be a good opportunity to find out what concerns matter to members and inform members what the board is doing, as well as being in compliance with the educational requires of CAIRA. The board will take some time in the next six weeks to create a short survey for members to be included with the dues notice mailing.
- Budget: Shows actual 2010, 2011, 2012 as of 12/31/12; last two columns 2012 budget and what is being proposed for 2013. Bottom line: the 2012 balance on hand was \$2,779.00. The key changes are a bump legal fees because of the easement work in process; and bumped up gravel expense because the additional gravel seemed to improve

the roads this past year. The ability to add gravel road base is important. The 2013 Budget will be subject to member approval. Steve is happy to review it with anyone. Larry moved to accept budget as proposed; Dennis seconded. Board approved.

- Jamin Ramirez, South Park Plowing, indicated a need to trim some of the trees along some of the sides of the road. Board discussion: In the past, the Board has scheduled a work day and picked a mile or so of road to work on. Talked with David Ferman, MHOA attorney, regarding responsibility of tree removal. If homeowners planted trees, then is their responsibility to remove them if they are in the MHOA easement/right-of-way. If it is tree encroachment, i.e. natural tree grow, then the MHOA responsible. The Board requested that Jamin mark a map to indicate areas of trees encroachment along roads that interfered with successful plowing activities.

Blenda Crawford, Secretary:

- Received and forwarded one address change for notification of emails to Board. Will get Judy's email for future record updates and include her on future emails of this nature.

Old Business:

- Clarification: Correction to July 16, 2011 Board Meeting Minutes - Executive Session
 - Lot 124 should be Lot 271
 - Final paragraph clarification - board elected not to pursue/collect \$1,700 in attorney fees related to the collection of past due dues associated with this matter. Minutes stated "Discussion was held of whether there should be any further action regarding possible attorney fees to cover the collection process instituted by the previous board. The consensus was that any attorney fees that were deemed legitimate would be paid, so no further action was needed by the Board." This statement is vague in regards to who was to pay. Also, no real board vote was taken on this matter regarding collection of legitimate attorney fees. We must assume that the past board decided to pass the cost to the homeowners even though the attorney fees were/are collectable under MHOA covenants and bylaws that were in effect at the time of the issue.
- Terry O'Neil asked how would any interested property owners have known that a decision was made by the board. The Board indicated that all minutes are posted to the web site.

New Business:

- Deputy Sheriff Sears was in attendance. Recently assigned from night duty to day duty. The Board expressed their appreciation for his attendance and asked about anything of which homeowners should be aware on the hill. Deputy sheriff Sears indicated that they don't get a lot of calls from Michigan Hill. He also indicated that MHOA roads are better than a lot of subdivisions and that it was nice to drive on roads that don't make the whole car rattle. There have been a few minor chimney fires. The Board asked a question about the Sheriff's policy regarding MHOA's private roads and the quads that travel on the roads. Deputy Sears indicate that on private roads, MHOA gets to make its own decisions; however, not on county roads. Doesn't generally enforce certain rules on private roads, unless related to safety. Generally, if he stops someone, he doesn't cite someone, just lets driver let them know to take the quad home. Mainly deals with private

issues. Keep doors locked. If find a door standing open, they will enter. Be sure that doors do seal correctly. The Sheriff's offices doesn't mind receiving calls about suspicious parties or vehicles on road. Helps everyone be alert. No child abductions so far.

- Regarding At-large position: Board talked about the fact that the board is permitted to operate with 3-5 people. Board decided to work with 4 people until elections in June. A motion to work with 4 members was made by Steve Johnson and seconded by Dennis Sherman. A vote was called and the motion was approved by the board. Larry will handle at-large duties. If someone has concerns regarding the roads, they can contact Jamin or email board. Jamin has been very responsive to emails and will send anything he hears back to the board.

Next meeting: March 16, church 9:00 a.m. Blenda will confirm.

A motion to adjourn was made by Steve Johnson and seconded by Dennis Sherman. Members approved. 9:58 a.m. meeting adjourned.