

MHOA Minutes for the Annual Meeting

June 6, 2009

Board Members Present:

| | | | |
|----------------|-------------|-----------------|----------------|
| Dennis Sherman | : President | Bob White: | Vice President |
| Steve Johnson | : At large | Loretta Hubert: | Treasurer |
| Steve Gregory | : Secretary | | |

ACC Members Present: Diana Johnson, Bob White
Unable to attend: Traci Bailey, Sue Ebner

In attendance: 25 Members, 5 officers, 1 guest and 7 Proxies

Dennis Sherman called the meeting to order at 10:15 AM.

A visit from Bill Van Gundy of the Friends of the NRA delivered a message about the new shooting range being built on the Cline Ranch 1 ½ Mile south of 285 on Elkhorn Road. 205 Acres were purchased by the South Park Shooting Association. The group consists of the 4H Shooting Sports group, the NRA, Sheriffs Dept., the Tourism Board and the Division of Wildlife. This is the culmination of 7 years of work to find a suitable venue for a safe practice area. The funding is shared by the Rob Pitman Fund, local tax supported agencies and a Raffle for a rifle and gun safe to be presented at a fundraiser dinner on November 14th at the Safari Ranch.

In answer to the question of trap shooting Bill also listed:

- Trap and Skeet
- Pistol
- Archery
- Rifle to 1000 yards
- Certification
- 4H, Boy Scouts and Boys and Girls clubs will have a separate range with adult supervision present.
- Law Enforcement will have a separate controlled area for training and practice.
- The Colorado Muzzle Loaders will also be active in the use of the range.

The cost for use will be \$7 per day or \$35 per year to join the shooting club. A clubhouse will be built and tourists will be encouraged to use the facility.

The Coalition of the Upper South Platte was unable to attend concerning the use of a chipper that the Forrest Service has.

The minutes of the previous annual meeting were read and accepted.

ACC Business:

Bob White read a summary of applications received since the last meeting that was prepared by Traci Bailey.

Addendum: Enclosed

A question concerning the painting of a house the same color by lot 158 was answered by Bob, to just fill out and submit the ACC form for clarification and to update the MHOA file. Lot 231 asked if staining a deck and stairs needed the ACC submittal form was met with the same answer.

Motion to accept the ACC report given by Bob White was approved by Steve Gregory seconded by Steve Johnson.

Treasurers Report:

Loretta Hubert handed out summaries for the 2006, 2007, and 2008 reports and reported on the recently completed audit by Sue Ebner from 1-1-2006 to 4-30-2009, which was found to be satisfactory. Points were made as to further track and access assets which will be utilized going forward.

- ✓ Assets = \$75,317.17
- ✓ Liabilities = \$75,317.17
- ✓ Cash on hand = \$39,714.91
- ✓ Savings Account Cash reserve = \$500.00

A discussion ensued of interest received on checking and savings accounts by Paul Williams and others were informative and will be pursued further.

- ✓ 17 property owners were not up to date on dues.
- ✓ 2 Liens are in process for last year.

QuickBooks accounting system was initiated by Loretta and Sue for MHOA replacing the Excel program used in the past; it will be used for the record keeping moving forward.

Certificates of Deposit (CD's) equaling \$2,562.00 & \$6,400.00 will be replenished as the grader pays for itself with cost savings in the future. Our current banking is done locally at the Colorado East Bank.

The question was asked how we could get the nonpaying owners to bring their accounts up to date. Usually Loretta will contact the homeowner by phone to check if there is a major problem. If so, payments are arranged. Some do not respond so Liens are filed, some next week. If the arrears go into several years a Notice of future Foreclosure is tendered. Usually this is sufficient to prompt payment.

A motion was made by Steve Johnson to further pursue liens and accept payments from at least 1 owner having difficulties, seconded by Dennis Sherman, all approved.

Old Business:

Burn/Slash Pit: Steve Gregory reported on a conversation with Steve Bargas from the fire department again requesting the digging of a pit. This will allow safe burning under less favorable conditions than required for the present situation. Steve Johnson reported that a trench will be dug with the grader and a dirt separation built to the west for fire protection of surrounding ranches.

Repair to the ailing gate was addressed, Walt Kendell was asked to do it. A question about the gate code was asked, the code to gain access to the Burn pit is 1048, then press the lock together and pull out.

Pond:

Steve Johnson reported the fish were stocked prior to Memorial Day. The road is currently underwater due to recurrent beaver activity. Steve Gregory reported the association owns the pond but the road is only an easement from the adjacent property owner. It was asked if permission is needed to repair the situation. Steve Johnson said Cary North and Tony Sanborn have cleared it in the past. Further study into solutions will be forthcoming. A past estimate of up to \$5000 was given to modify the roadbed.

The question was asked if the Div. Of Wildlife would help with the Beavers? Steve Johnson replied that we need to trap and remove them.

Fishing in the pond is limited to MHOA residents and guests only. Children under 16 years of age may keep 2 fish each per day. The grass carp should be released as they keep the undergrowth down. Adults may catch and release until Labor Day, after this time fish caught may be kept as they will die over the winter.

Another question on pond accessibility was using a gate or chain with code to restrict the use by nonresidents. This is a private road used by the landowners behind the pond and we have the privilege of using it to access the pond. In previous attempts with these kinds of accessibility issues were unsuccessful so those options are not possible.

The presence of Thistle is in various locations on the hill. It is a noxious weed and needs to be addressed. Steve Johnson will contact DOW about spraying before they seed.

Cell Tower:

Steve Gregory reported on a Board of Adjustment hearing that considered the installation of a 160-foot tower on CR-34, 1 mile east of 285.

The general public was about 90% in favor but Steve Bargas and Leon Crane the only ranchers anywhere near the site were not. The Board appeared to have a lack of technical knowledge and seemed unfavorable so the request for variance on the 80 foot limit which would have helped the coverage for the north side of the hill was delayed until June 9, 2009. I was unable to attend that meeting but Cary Smith did and will report the results when they are available.

The installation of a tower on the Columbine ranch near the top of Kenosha is just in the infant stages.

Addendum: Cary Smith attended the Planning commission meeting speaking for the residents of the hill and was the only one to speak in favor of the Cell tower – no decision as yet, doesn't look too promising, more later.

New Business:

Dennis stated that the newsletter is costing about \$1K per year. He encouraged anyone who wished to have it e-mailed to contact Traci Bailey. Some e-mail addresses were also added to the sign-up sheet at the door. Loretta has those. Bob stated that because of the requirements of the Colorado Community act for notification for HOAs some letters will have to be sent to those who do not have e-mail. Someone asked if there was a possibility of this list being sold, the answer, **a definite NO**. The motion was made to use this form of notification in the future, seconded and passed with 29 in favor 2 opposed. Ken B. related that the web site needed to be current. Larry McClymonds who updates the website replied that the site was voluntary but he was open to suggestions for improvement. It was suggested to post the information somewhere on the hill. The pump house was recommended for this.

Road Contract and the Road Grader:

Steve Johnson reported the Grader was purchased in January 2009 with reserve funds from the CDs. The cost was \$27,000.00. This then required the sending of a 30-day notice of termination to Sheldon Burton and the hiring of a temporary operator (Mark & Bruce Price) for the remainder of the winter plowing on an as needed basis. A bidding process will be in order for next year. Further discussion revealed that the cost for temporary contractor was \$18.50/hr. using MHOA's grader or \$45/hr using the temporary contractors equipment to plow snow. Marvin Muntz will grade the remainder of the roads for about \$1,500.00 which cost \$5,000.00 per time last year.

Steve Johnson reported that we saved about \$2000.00/mo. for the previous 3 months by terminating the snow plow contract. Thus far in 2009 it has saved MHOA approximately \$10,000.00 this year! He said we would probably need more gravel on some roads and to cut back the extra tree growth in the right of way. Ken suggested we have a couple of volunteer work days and chop up the wood and mulch the slash for ground cover where needed. A question was whether we would replenish the CD funds with the savings, Dennis said absolutely! Another question asked is if we should request the county to take over the maintenance of the roads. Jerry Dean replied that the current width is not to their requirements and would cost \$100,000 or more to bring them into compliance.

Another member asked if the ditches and culverts will be included? Dennis replied that most of the culverts were in private driveways, which were the responsibility of the owners. Dennis mentioned looking at a new culvert at the north entrance with wider turn on the intersection of Georgia Pass Lookout and Michigan Hill Road.

The members thanked Steve Johnson for his efforts in purchase and use of the Grader.

Newsletter:

Good comments from those present, Thanks Traci!

Other Topics:

Dennis spoke concerning repair of the gate to the burn pile that we have talented people who because they are Board members cannot be reimbursed for non-board duties. Steve Johnson suggested we revise the Bylaws to separate the categories where members of the Board could do contract work for the association. The question of liability for the association or coverage by workman's comp creates responsibility for any injury. The answer was a release or other contract wording in any agreement used for the work.

Larry McClymonds made a motion to revise the Bylaws to allow board members to be paid for other than normal Board duties performed. The motion was seconded by Ron Rohr and was passed unanimously.

Ken Baker announced that a Bear was on the hill was up to no good, doing any number of things. Several bear encounters were related for over past 2 weeks. It was suggested bird feeders be removed at night and dog food stored in an inaccessible location.

Elections:

BOARD: (2 year term)

Current members fulfilling their terms were:

- Bob White – completed a term vacated last year.
(He stated he would not be around much any more, we will miss you Bob!)
- Dennis Sherman - completed his 1 year vacated term.
- Steve Johnson – Completed his 2-year term.

Current members continuing Board terms:

- Steve Gregory – starting the 2nd term year.
- Loretta Hubert - starting the 2nd year.

Nominations:

- >Dennis Sherman
- >Steve Johnson
- >Ron Rohr
- >Ken Baker (could not be enticed to accept nomination).

Larry McClymonds moved nominations cease and those nominated be accepted by acclamation. Seconded and all approved.

ACC Members: (3year terms)

- Traci Bailey – in 3rd year of term
- Diana Johnson – in 2nd year of term
- Sue Ebner – in 2nd year of term
- 1 Board Member – new 3year term

Note: Lori Chambers was considered a non-participant and removed from ACC.

Bob White commented that in the 9 years on the Board this was the most rewarding, Thanks!

It was Moved and Seconded to Adjourn. All approved.

Comments: Dennis asked how we could get better participation next year. Suggestions were to stress it in the Newsletter and on the web site

We also plan to have the Annual meeting later in the month – Steve G. will arrange for the 3rd week in June if available. ADDENDEM: Meeting will take place on July 11th at Steve & Diana Johnson's home at 10:00 am.

Respectfully Submitted,

Steve Gregory, Secretary