

Michigan Hill Owners Association
Board of Directors Meeting
February 24, 2007

Old Business

- By-laws change – ownership clarification. Amended 12/9/07 by association attorney, signed by board members and to be recorded with Park County.
- 2007 Budget – final 2007 budget changes reviewed and approved. Loretta to supply to Larry so the 2007 budget can be posted to the association Web site.
- Augmentation pond state submittal – not completed, Bob White to complete and submit.
- Snow fence north entrance – owners of the property (not part of the association) do not want a snow fence on their fenced in property.
- Cell Tower – the independent cell tower companies have been non-responsive. Larry will continue to follow up with them. Currently does not look like there is any interest.
- Colorado Common Interest Communities (S.B. 05-100 and S.B. 06089) – See Exhibit A with the pertinent provisions that the Michigan Hill Owners Association must comply with. This is considered a working document.

New Business

- New snow removal contract – Completed with Sheldon Burton, 719-836-1403. Sheldon has agreed to the same contract that we originally signed with Tom Clinton. Our many thanks to Tom for all of his many years of hard work supporting the Hill. We also thank Sheldon for stepping up and taking over the snow plowing work.
- Snow plowing concerns – There have been a few concerns expressed but most of are minor communication or expectation issues which are easily fixed. Jerry Dean will stay on top of these. Sheldon does not mind taking calls about areas which need plowing but we all need to understand that it is not ok to call and be un-respectful to anyone. Thank you for your help in this area. Jerry Dean is the board member who is responsible for the roads. There was a complaint about a property owner that was having trouble getting a delivery truck in to their property due to snow. Please not that is you are planning to have a delivery in the winter, please contact the board so we can help coordinate to make sure that the road are passable. Please also remember that we can not control the weather and there will be times that the snow will present major challenges. **Mountain living involves mountain weather, please be understanding.**
- Road grading – summer. Jerry Dean will be working on this and will report to the board in the near future.
- Possible winter road – Ken Baker has been very supportive of this initiative and asked if he could contact the county as a representative of the association. Permission was granted and Ken was to set up a

meeting with the county to discuss the possibility of a new “winter access only” road.

Long-term snow plowing plan The following were briefly discussed without any decisions for any long-term plans:

Turnkey contract

Buy or Lease snow equipment – possibly buy a snow blower for a BobCat and lease one (BobCat) from a property owner for those few times that a plow truck is not enough.

Other ideas

ACC report – no recent activity

Local Ambulance Service – a letter was sent to the Colorado Department of Health regarding low supplies of oxygen and other medications that should be routinely available in the local ambulance.

Jerry moved and Loretta seconded and meeting was adjourned.

Larry McClymonds, president

Exhibit A

Colorado Common Interest Communities (S.B. 05-100 and S.B. 06089)
Effective January 1, 2006
Michigan Hill Owners Association
Compliance Plan

1) General Governance

- a) must maintain accurate financial records
- b) written policies and procedures
 - i) collecting unpaid assessments
 - ii) handling board member conflicts of interests
 - iii) conducting meetings
 - iv) enforcing covenants and rules
 - v) owner inspection and copying of association records
 - vi) investing reserve funds
 - vii) adopting and amending policies, procedures, and rules
 - viii) addressing disputes between the association and owners
- c) Notice of owner meetings
 - i) Association must post the notice of any annual or special owner meeting in a conspicuous place. The notice must state time, place and agenda including proposed declaration or bylaw amendments, budget changes and proposal to remove board member(s). Accomplished through meeting notices and the Web site (<http://www.MHHOA.com>).
- d) Owner participation in Board Meetings
 - i) Requires that owners be allowed to speak before the board takes a vote on any matter under discussion. The association permits owners to speak.
- e) Association Records
 - i) Must keep permanent records
 - (1) minutes of all board and owner meetings
 - (2) all actions taken by board or owners by written ballot
 - (3) all actions take by a committee of the board on behalf of the association
 - (4) all waivers of the notice requirements for owners, board member, or committee meetings
 - ii) Association must keep a copy at its principal office
 - (1) articles of incorporation
 - (2) declaration
 - (3) covenants
 - (4) bylaws
 - (5) board resolutions affecting owners
 - (6) minutes of all owner meetings and records of any actions taken by owners without a meeting for past three years
 - (7) all written communications within last three years to owners
 - (8) list of names and address of board members and officers
 - (9) most recent annual report
 - (10) financial audits or reviews – N/A does not meet dollar requirement
 - iii) Association must maintain these records in written form.
 - iv) Association must maintain a record of all owner names and addresses
 - v) Owner inspection and copying of Association records

- (1) Owner request must be in writing, in good faith, for proper purpose, describe why the records are required and what records are required. The association will charge a fee to copy requested documents.
 - vi) Required audit or review – required if association has annual revenues or expenditures exceeding \$250,000.
 - vii) Use of secret ballots and proxies
 - (1) Association must use secret ballots in contested board member elections, can be exempt if twenty percent of owners are present or represent by proxy at meeting – based on our rules this is not applicable.
 - viii) Board of directors' conflicts of interests
 - (1) Any board member with a conflict of interest must disclose that conflict in an open meeting. After notice of conflict the board member is permitted to vote on the issue.
- 2) Required Disclosures
 - a) Annual disclosures within 90 days
 - i) date fiscal year begins
 - ii) association's operating budget for current fiscal year
 - iii) association's annual financial statements
 - iv) list of association's insurance policies, insurance company name, policy limits, deductibles and expiration date(s)
 - v) association bylaws, articles, and rules and regulations
 - vi) minutes of board and member meetings for the prior fiscal year
 - b) Disclosures in connection with sale of unit**
 - i) As of January 1, 2007, the contract for the purchase and sale off residential real property must contain a disclosure statement in bold-faced type stating that the property is located within a common interest community and is subject to the declaration for such community – **This is the sellers and the listing real estate agent responsibility!**
 - ii) Access to association documents shall be through its Web site located at <http://www.MHHOA.com>.
- 3) Board Member and Owner Education
 - a) At least once a year, the association must provide education to their owners at no cost. The content of this education must relate to the general operation of the association and the rights and responsibilities of the owners, the association and its board members. Education can be face-to-face, material on its Web site or through a newsletter. The association will add this to the annual meeting notice.