

**BUCKHORN RANCH ASSOCIATION
ANNUAL MEETING MINUTES
JULY 13, 2019 – 9:00 AM
QUEEN OF ALL SAINTS, 401 SOPRIS AVENUE,
CRESTED BUTTE, COLORADO 81224**

Present

Frank Woodruff	Daren Truitt
Bob Silverman (by phone)	Chris Zeckman (by phone)
David Brennan	Braham Haben (by phone)
Grant Bremer	Brian Carney (by phone)
Jan Dijkstra	Jon Woodward (by phone)
Jeff Hermanson	Stacy Straub (by phone)
Tom Shepard	Bob Oddo (by phone)
Cathy Low	Chris Tinstman (by phone)
Sean Patrick	Eric Lauzon (by phone)
Heather McDowell	Mark Pankey (by phone)
Scott & Betty Cox	David Heller (by phone)
Erik Klemme	Phil Dujardin (by phone)
Kirk & Stephanie Mahon	Chad Smith (by phone)
John Davis	Jennifer Cenedella (by phone)
Dawn Stewart	Patrick Walsh (by phone)
Tricia Seeberg	Martin & Elizabeth Frith (by phone)
Mel Harper	
Chris & Shawna Randle	10 Lots represented by proxy
Andrea & John Bertrand	
Jackie Woodruff	
Steven Hock	
Beth Appleton – Legal Counsel	Rob Harper – Toad Property Management
Jack Dietrich – Water Operator	Jim Ruthven – Toad Property Management

Rob Harper called the meeting to order at 9:12 am. Rob said notice of the meeting had been mailed on June 11, 2019 and confirmed with proxies there was a quorum.

Jeff Hermanson made a motion to approve the August 18, 2018 minutes as distributed. David Brennan seconded the motion and it was unanimously approved.

Water Company Update

Frank Woodruff explained the Assets of the Water Company (renamed as Buckhorn Ranch Water Service Company) had been purchased from the Bankruptcy Trustee in September 2018 and work was ongoing to comply with State guidelines for water quality. Frank confirmed part of the State requirements was for regular testing and the quality of the water was very good. Existing wells plus the 300,000 gallon water storage tank were sufficient to meet current water needs but in the future, as more homes were built, it would be necessary to drill additional wells. Frank said the tap fees were providing revenue for those future expansions.

Jack Dietrich said approximately 40,000 – 50,000 gallons of water was required each day at the present time which was approximately 50% of capacity. Jack explained State required testing in June had indicated “ground water under the influence of surface water” which had resulted in additional work at the filtration system and daily testing for a two month period. Frank Woodruff said rules and regulations for water use had been posted on the website and watering restrictions for landscaping would be introduced and signs posted. Jack confirmed bacteria had not been located in the water during any testing. Jack explained the State required expansion plans when water usage reached 80% of capacity and by 90% of capacity construction of those plans needed to be underway. Grant Bremer said meters were not proposed at the present time but irrigated landscaping was limited to 1,000 square feet. Jack Dietrich said it took approximately 2 – 3 years, including engineering work, for a new well to be in use. Jack left the meeting.

Legal and General HOA Update

Beth Appleton gave a brief update and said River Club Memberships were staying in place although there might be additional paperwork for those owners. Beth explained the two remaining items for the Trustee did not involve the Association and were limited to the Trustee, the original Developer and the old Water Company, not the assets purchased by the new and current Water Company.

Roads

David Brennan explained a special assessment of \$2,800 had been levied against all lots at the 2018 Owners’ meeting, spread out over 4 years commencing January 2019. This was to add 2 inches of asphalt in high traffic areas and 1 inch of asphalt on other areas. David explained some owners were paying the entire assessment up front and other owners were repaying over the 4 year plan with the final target being \$1 million (between road assessment and other reserves being accumulated). The work would provide a temporary road surface to last another 8 to 10 years at which time the Association would hopefully be close to full build-out and a longer lasting road surface would be installed. David explained a final grade road with deeper asphalt would cost approximately \$2.5M to \$3M and some new construction would have to cut through the surface which would lead to more patching; therefore a temporary asphalt road seems to be the best solution. Frank Woodruff said the engineering report for the roads, prepared by SGM, would be added to the website so owners could review the most recent report on quality of the existing roads.

David Brennan explained a road access fee was being collected on all new construction. David said \$28,000 had been taken from the Budget for road maintenance and the road access fees which had been collected were added to cover the cost of the current road maintenance work which was expected to cost approximately \$35,000 - \$40,000. David explained that the more restorative/maintenance work that could be done would positively impact the likelihood that the asphalt could be done on this budget. David also explained that a good amount of work had been completed on Buckhorn Way as that had not received work in the past and David said it had not been possible, due to financial considerations, to do as much work on North Avion as was

needed. David said restorative work would have to happen on North Avion next year due to the 5 homes and 1 barn still being built and with the continued heavy construction traffic the repairs would not hold. With only 58 lots developed out of 240 lots there was still a lot of construction to happen. Bob Silverman said the current plan covers a 14-year period based on 4 years of restorative/maintenance while the reserve is being accumulated and then a 10 year lifespan with a based to build off from there. Bob also stated that in developing this plan and proposing to the owners in 2018, this was the compromise as the Board did not want to burden each owner with a \$10,000 or more special assessment.

The Board said they would continue to review road maintenance and take into account concerns that had been raised by owners. David Brennan explained the County would not take over maintenance of the roads without the roads being in good condition and a final asphalt surface.

Construction

Grant Bremer explained four new construction projects were underway and two more were expected to break ground this summer. Grant said Bart Laemmel had been hired as Design Review Liaison and he worked with the Design Review Committee and Kent Cowherd, Architect, on the review of all plans. Grant explained the process to review construction plans and said Bart reviewed the plans and passed them to a local architect for review and once that review was completed the plans were passed with comments and recommendations to the Design Review Committee. Grant said there were vacancies on the Design Review Committee and said some owners did not like sections of the Design Guidelines and it was necessary for any volunteers to put in a lot of hours to keep up with the plan review. Frank Woodruff encouraged owners to reach out to the Board if they wanted to join the Design Review Committee. David Brennan encouraged owners to join the Beautification Committee (previously the Settlement Committee) and also help in the community to keep the neighborhood looking good.

Concern was expressed that the change to the Design Review Guidelines prohibited hangar homes. It was explained that hanger homes had never been approved in the past, and that the change was to make this from implicit to explicit. The 44 runway lot owners are a sub component of all Buckhorn Ranch owners and the DRGs apply to all owners. Frank Woodruff said this language in the Design Review Guidelines only had a potential impact on the 44 owners of runway lots and suggested the discussion be in a special meeting with those owners and not part of the annual meeting. A request was made that the roof pitch requirements introduced in 2012 be relaxed. Frank Woodruff said a meeting to discuss the Design Review Guidelines questions would be scheduled in the next few weeks and owners would be notified by email.

Frank Woodruff said all owners needed to contact adjacent owners prior to the commencement of construction and Bart Laemmel would remind owners as plans were submitted to the association for review.

Frank Woodruff said for future meetings the Board would review the idea of specific Agenda items with written questions and documentation to support the discussion to be provided by owners prior to the meeting to make it easier for owners on the phone to follow the discussion.

Frank Woodruff said the Agenda would be slightly modified and the Airpark discussion would be moved to later in the meeting.

Financial Report

Bob Silverman explained revenue was in line with budget and \$43,000 had been spent on snow removal due to the significant snow fall during the 2018/19 winter season. Bob said the snow removal Budget figure would remain at \$25,000 as that figure was based on a 10 year average for snow removal costs and not a weather prediction.

Bob Silverman said a full independent audit was performed every three years and that 2020 was the next year for the audit. Bob explained in 2020 \$100,000 would be moved from Operating to the Road Reserve and with the addition of the road reserve fees the association would reach the \$1M required for the road repairs in the 4 years. Bob confirmed the association kept one full year of operating expenses in the Operating Account with the additional funds being moved to Reserve.

Frank Woodruff made a motion to adopt the 2020 Budget as distributed. David Brennan seconded the motion and it was approved by a majority.

Election

Rob Harper said Jan Dijkstra was willing to continue on the Board and no additional names had been put forward. Rob explained Jan had received the support of a majority of owners and Jan was elected to the Board for a three year term.

Frank Woodruff said there was a Nominating Committee for new Board members and Frank encouraged owners to review the process on the website and contact the Board if they were interested in joining the Board. Frank confirmed the Nominating Committee would be working throughout the year and owners did not need to wait for the annual meeting to begin the process.

Frank Woodruff explained Jeff Hermanson had agreed to complete the remainder of Spencer Low's term. Frank said Spencer had been a very active member of the Association and he would be greatly missed.

Date of Next Meeting

It was generally agreed July was a good time to have a meeting and Frank said the Board would attempt to schedule the meeting close to the third Saturday of the month.

Unscheduled Business

Frank Woodruff said the Board did not know how many short term rentals there were in Buckhorn although he did not think there were many. Rob Harper said there had not been any recent complaints about noise or disturbances from a rental unit. Rob explained there was a rental policy in place which required a local contact so any complaints could be acted upon

quickly. If owners had a problem with noise or disturbances at neighboring houses the problem should be reported to Toad Property Management with as much specific information as possible. Beth Appleton said it would be a lengthy process to completely prohibit short term rentals and a majority of owners would have to support that change.

Owners concerned with dogs at large or barking dogs should contact the Mt. Crested Butte Police Department and again as much specific information about the problem should be provided. We must remember that Buckhorn Ranch has more homeowners than past years and the days of allowing dogs off leash to run through the community must come to an end. Please keep your dogs on a leash or at a minimum within easy reach to prevent conflicts or trespassing on private property.

It was suggested the Board research Positive Pay which was a service provided by the Bank and would be an additional protection for the Association funds. Frank Woodruff said the Board would discuss that and Frank confirmed a professional independent audit was performed everything three years. Frank also confirmed that Toad Property Management was bonded and insured.

Crested Butte Airpark

Jeff Hermanson said the passing of Spencer Low had left a large gap due to the significant amount of work he performed for the Association and the Airpark Board had been working hard to address everything. Jeff explained the current Board was himself, Erik Klemme and Cathy Low.

Erik Klemme said safety, noise control and animal control were priorities and asked owners to provide contact information so the Airpark and the Association could reach a balance for the benefit of the entire community.

Erik Klemme reminded owners the runway was an active runway and owners should not walk or permit their pets to roam on the runway and respect the signage which was in place. Erik explained the Airpark owners were attempting to control noxious weeds, maintain the old fence and address the small drop off at the edge of the runway. Erik said the Airpark wanted to work with the Buckhorn Board to come up with a plan which would address and balance the needs and concerns of both the runway lot owners and all of Buckhorn.

Erik Klemme said anybody operating a drone in the immediate vicinity of the runway needed to notify Toad Property Management of the hours of operation as that information needed to be shared with pilots using the runway.

Beth Appleton explained owners of lots on the runway were part of the Airpark as well as Buckhorn and lots fronting the runway paid for the maintenance of the runway even if they did not use the runway. Beth said owners could agree to provide contact information to the Airpark but Colorado law did not permit the Association to release owner email information. Frank Woodruff encouraged owners to review the documents, including Airpark documents, on the website – www.toadpropertymanagement.com

Grant Bremer said there was an East River Sanitation District easement for a water line along the south side of the runway and although there were no current plans to act on that easement owners should be aware of the easement.

Erik Klemme explained the regulations for landing at Crested Butte Airpark were very specific and owners could review those on the website. Erik encouraged owners to provide contact information.

The meeting adjourned at 11:50 am

Prepared by Rob Harper
Toad Property Management

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