

**HIDDEN MINE RANCH OWNERS' ASSOCIATION, INC.**  
**ANNUAL OWNER'S MEETING**  
**TUESDAY, MARCH 19, 2019 – 9:00 A.M**

Present: Don Ochs  
Curt Koutelas (by phone)  
David McEntire (by phone)  
Sarah Hartigan  
Megan Clark  
Steve Langbein (by phone)  
Brent Barker (by phone)  
Ira Conn  
Niki O'Connor  
Rob Harper, Toad Property Management  
Jim Ruthven, Toad Property Management  
Aaron Huckstep, Legal Counsel for two owners

Rob called the meeting to order at 9:02 a.m. and said notice of the meeting had been mailed on March 4, 2019. Rob confirmed proxies for the meeting had been received and there was a quorum. Steve made a motion to approve the minutes of the March 2018 annual meeting. Don seconded the motion and it was unanimously approved.

Rob explained Lacy Construction had been keeping up with the significant snowfall and pushing banks back as necessary. Rob agreed to deal with the packed snow and ice around the gate to get the gate functioning again.

David explained Hidden Mine Ranch and Whetstone Mountain Ranch had signed agreements regarding the trash receptacle and invoices had been issued to address construction and prior and future use expenses. David said the Board had appointed Chip Fudge to fill Chuck Beck's term on the Board.

Jim Ruthven reported \$8,600 had been spent on snow removal by the end of January and February and March expenses from Lacy Construction were not yet available but due to heavy snowfall during February final snow removal expenses would probably be close to the 2019 Budget figure of \$20,000.

David explained a letter had been sent to all owners on December 3, 2018 with an update on the lawsuit filed by Freeman Enterprises and the attempts made at mediation. David said a trial date had been set for October 28, 2019 – October 30, 2019 in front of Judge Patrick in Gunnison and Rusty had committed to attend that trial on behalf of the Association. David explained written Discoveries were due to be completed by August 1, 2019 and Depositions would be taken. Aaron Huckstep explained he was representing Cjay and Megan Clark and Oak Horn LLC who were concerned that the lawsuit had already dragged on for two years with only limited information made available to owners and as the pond was on a residential lot Aaron asked if any documentation had been prepared to depict the pond as a common element for the enjoyment of all owners. David said the Board had shared as much information with owners as legal counsel

had authorized and the Board also shared in the frustration of owners as the lawsuit dragged on but the Board had been working hard to resolve the issues. David explained, Mike Dawson, on behalf of the Association, had prepared an easement between Amstar Homes and the Association prior to any litigation and Aaron agreed to reach out to Mike Dawson for a copy of that easement.

Immediately prior to the meeting Aaron had submitted a letter to the Association with several questions regarding the lawsuit and after a short discussion it was agreed the letter would be sent to the Association's legal counsel and the response shared with owners and a special meeting called if considered necessary. Aaron requested a special meeting be set and a tentative date of Tuesday, April 9, 2019 at 9 am was set for a special meeting if required.

Jim explained the 2019 Budget increased dues from \$2,500 to \$4,500 per year, per lot, with the intention of avoiding future special assessments to cover any shortfall in dues and also to begin building up a separate reserve account and make more funds available for road maintenance. Steve made a motion to approve the 2019 Budget. Don seconded the motion and the ratification of the 2019 Budget was unanimously approved. Curt explained the loan for the pond could not be restructured until the lawsuit was settled and the existing 10 year loan at 5% fixed interest would continue.

Don said the State had required the valve for the drain at the reservoir to be left fully open and the significant snowpack should not cause any drainage problems.

Megan questioned the current policy for visitor access to the Ranch and David confirmed the Association's website was still active and owners could continue to enter visitor access on the website. It was agreed a reminder needed to be sent to owners of the process to enter visitor access on the website. Rob confirmed the Toad website included copies of the Association's governing documents and minutes but did not have a calendar or visitor access section. After discussion it was agreed Rob would notify owners of upcoming Board meetings and owners could listen into the meeting and make comments during public comment periods. Rob explained the only time owners would not be able to listen into the meeting would be during Executive Session but owners would be able to rejoin the meeting to hear any motions or decisions made as a result of the Executive Session.

It was agreed the 2020 annual meeting would be held on Tuesday, March 17, 2020 at 9 am.

David confirmed the Board would continue to negotiate a Grazing Lease for 2020 to retain the agricultural classification with the County. David explained the County now required an annual lease and not a perpetual lease.

David made a motion to adjourn the meeting at 10:06 am. Megan seconded the motion and it was unanimously approved.