

Elkhorn Ranch Owners' Association
Regular Meeting at Jefferson Community Center
October 9, 2010

The Regular Meeting was called to order at 10:18am by Debbie Van Gundy. A quorum was established with the following Board members present: Cindy Gharst, Bruno Huber, Art Burnham, David Drake, and Rich Schreiber.

Member Participation

No comments from any Members present.

Consideration of Agenda

Agenda was accepted with no changes.

Approval of Minutes

Minutes from the regular Board Meeting on July 10, 2010 was reviewed and approved as written.

Board Business Without A Meeting/Electronic Vote Actions

●Extra Patrol by Park County Sheriff's Office

To spend up to \$900 to hire deputies from the Park County Sheriff's Office to patrol the subdivision for 5 4-hour shifts over the Labor Day weekend. **Passed with 5 votes approving the patrol and 1 vote against.**

Treasurer Report

David Drake is still in transition with the Treasurer responsibilities. The Board reviewed the financial reports for the year to date period ended September 30th. Dave advised he is sending more email reminders regarding unpaid dues. The process to update check signers has not been easy to coordinate due to the bank's procedures. Consideration to expedite the process next year when new Board members are elected should be given as soon as practical. Cindy is working with Dave to ensure the Quickbooks balances tie into the 2009 Financial Review conducted by Jill Fishinger, CPA.

Committee Reports

Architectural Committee

There is no report from Terry or Art, other than two projects currently in progress.

Welcome Committee

There is no report. Dave advised that he sent new owner information to Betty.

Maintenance/Security Report

Terry Shumaker asked for help to put the picnic tables away for the winter. He reported that the pump out of the RV Dump station is scheduled for after the 15th of the month. The restrooms are not full yet. He also reminded the Board about the problems with the trash dumped in the restroom toilets. There was discussion about using lime to maintain the small level at this time.

The Board also discussed that some maintenance might be required where there was a small breach in the Slater Ditch.

Unfinished Business

Annual Water Testing

Debbie advised the Board that the physical address on file with the Colorado Department of Public Health and Environment needs to be updated to David Drake's address for testing next year. When ordered the free testing bottles will be delivered to the physical address on file, the EROA will be billed \$35.00 after the water is tested.

Water Augmentation

Art Burnham presented two letters from Tim Buchanan. One letter is available for members to read and the other letter is privileged attorney-client information at this time with discussion in a work session at a future date. He did not think that information discussed in this meeting required an Executive Session.

Art referred to the General Description of the Water Supply System for the EROA. For the second document, Confidential Attorney-Client Communication, there are some items which require immediate attention and other not. There is precedent

The document also discussed the requirement that the EROA must annually appoint an individual representative to serve as the contact for the Division Engineer for the purposes of ensuring compliance with the plans for augmentation approved by the W-7903 Decree and the W-8107 Decree. This designation must be made by April 1st each year. The representative's name and contact information must be provided to the Division Engineer.

There was a motion and a second to appoint Art Burnham as the EROA representative to be the contact for the Division Engineer. The motion passed unanimously.

Art also reported that representatives from Indian Mountain's homeowners association contacted Buchanan and Sperling regarding the same issues faced by EROA. Art discussed with Tim Buchanan the potential for conflict of interests and sharing costs with Indian Mountain. At this time, there does not appear to be any conflict; however, if one arose, EROA would take priority and Buchanan and Sperling would not represent Indian Mountain.

Webmaster/Electronic Mailing

Debbie spoke with Denny Nall about how much it would cost to hire him to continue maintaining the website. The proposal from Denny was \$100 per year to maintain the website and \$25 per mass electronic mailing (i.e. newsletter). The estimated cost from a different webmaster was approximately \$30-50 per month.

There was a motion and a second to hire Denny Nall, Nall Consulting, to maintain the website for \$100 per year. The motion passed unanimously.

The Board also discussed the \$25 proposal for services each time a mass group email is processed including the pros, cons and limitations. At this time, the EROA still needs a new editor for the newsletter; without one, consideration must be given to no newsletter.

There was a motion and a second to hire Denny Nall, Nall Consulting, to produce and send a mass email for newsletters or other mailing (preapproved via email from the Board in advance) for \$25 per mass mailing project. The motion passed unanimously.

Governance Policies

The Board reviewed the draft Governance Policies and made more revisions related to the complaint procedure, financial review by a CPA periodically, and other clarifications of policies and procedures. The final draft will be reviewed by an attorney before being adopted by the Board. Cindy will find out the rate charged by Lee Phillips, who is a local attorney in Fairplay with experience in government, special districts, etc. He has also represented homeowners associations in the area.

The meeting was stopped at 12:17pm for a short break and resumed at 12:30pm.

New Business

Security Patrol

Debbie asked the Board to give consideration for the upcoming budget to hire deputies from the Sheriff's Office on a more regular basis, such as 2 4-hour shifts per month from Memorial Day to Labor Day. Although our own security patrol does a good job in patrolling the neighborhood, he does not have any authority to enforce laws. Hiring the deputies would reduce some of the time/expense for the EROA security/patrol. The Board would like to get some feedback regarding the recent patrols; there was at least one citation issued. Debbie will look into it more for the future.

Dues Forms Available on Website

Debbie provided a sample form to publish on the website to give property owners a way to pay dues if they are on vacation or did not receive their statement.

Burn Pit

There has been discussion and concern that Jefferson Como Fire Protection District will close the burn pit because people are dumping trash into it and disregarding the slash only rule. Art will check with Susan Higgins about a meeting to see what is been planned or if any meetings have been planned to come up with ideas to keep it open for those who use it properly;

January Meeting-Budget Work Session

Debbie asked that the Board meet one-half hour early before the regular meeting to conduct a budget work session. A draft budget will be prepared in advance for discussion at the work session.

Members Picnic 2011

Jean Kramer is not going to be able to be in charge of the picnic in 2011 but is willing to help coordinate a committee and advise. The picnic in 2011 will be on Saturday, July 2nd.

Website Content and Who Provides Information to Webmaster

The website needs updating such as the revised 2008 edition By-Laws, questions about how many newsletter editions or minutes and financial information. After discussion, the Board agreed to keep the most recent 2 years of newsletters and minutes and the quarterly financial reports for the current and prior year.

Election Committee

There was a motion and a second to appoint Jean Kramer as the head of the Election Committee. The motion passed unanimously.

Items of Concern from Board Members

1. Rich Schreiber advised the Board about his concern regarding potential violations of Park County Land Use Regulations at a property on Night Hawk Way. The Board discussed the process of Code Enforcement at the County. The Board would like Terry to obtain a complaint form from the Code Enforcement Department and contact the Code Enforcement Inspector, Herb Burton, about this matter.
2. Cindy Gharst presented materials from El Paso Oil & Gas Co regarding the oil and gas operations and the proposed test sites in South Park. El Paso Oil & Gas presented this material to the Board of County Commissioners after some citizens requested an appeal of the test permits approval. Cindy gave the Board an overview of the BOCC's meeting with the appellants and El Paso Oil & Gas.
3. Debbie Van Gundy updated the Board about the circumstances where trash was dumped on another owner's property. The Sheriff's Office investigated and charges were filed. The person responsible passed away and the matter is now closed.

With no further business, the regular meeting of the Elkhorn Ranch Owners Association was adjourned at 1:46pm.

Respectfully submitted,

Cindy Gharst