

Minutes
Buckhorn Ranch Board of Directors Meeting
Tuesday, March 13, 2007
At Guy-Icon Office, 111 Elk Ave., Crested Butte, CO

Board Members present: Grant Bremer (Pres.), Fran Guy (V.P.), Ross Tunkey (Secretary), Peter Nichols, Janet Wiesner.

Absent: Dick Landy.

Meeting called to order at 6:15 p.m.

The Board read meeting minutes from 12/05/06 and 02/06/07. Minor corrections were made and the minutes were approved.

Agenda Items:

Essential Housing Linkage Fee discussion w/ local contractor's association has been table for now since the contractors are not at the meeting to discuss.

Next: Fran Guy and Grant Bremer met with Denise Wise of Gunnison County Housing Authority to discuss Stallion Park's essential housing document. Denise reports that developer of Stallion Park (Dick Landy) needs to rewrite the document, as the existing one from 2001 is now archaic, flawed, vague, and unenforceable. If the HOA is to draft the new document, Fran and Grant request at least a template from the county.

Janet Wiesner asked who qualified the current owners/renters at Stallion Park?"

Ross said he thinks the developer did.

Homeowner Mindy Sturm said she is concerned about the qualification process of those who are living out there. Is there proper monitoring? Also, she feels the HOA is at risk for having to eventually deal with problems arising from Stallion Park.

Grant and Fran agreed with the concern. They would prefer to give the county the responsibility of qualifying residents.

Janet Wiesner asked who is offering these units on the rental market. Ross answered that the developer is.

Pat Wiesner asked who own's the Stallion Park buildings. Peter Bogardus answered that he thinks Brookside Custom Homes owns the buildings.

Mindy Sturm stated the HOA needs to make sure they are collecting proper dues on all Stallion Park units, including the units currently owned by the developer.

Michael Wiener stated that the Stallion Park buildings are like the Statue of Liberty in that they define Buckhorn. They are the first buildings you see out there. Therefore, the HOA needs to deal with the appearance of these buildings now.

Bogardus raised the question if the BOD ever approved a sub-association for Stallion Park. Is it legal? Further, the affordable housing document states the developer can rent the units. In drafting new affordable housing document with County, the HOA has leverage in 1) not allowing renters and 2) not having to manage Stallion Park.

Pat Wiesner asked the BOD why attorney Barton is not present at the meeting. Grant answered that Barton offered, Grant did not think it necessary, but Barton will attend BOD meetings from now on.

Back to issue of Essential Housing:

Grant stated that developer cannot sell Stallion Park units right now due to cloud on title from lawsuit. He would like to see the AMI (Annual Median Income) raised, as Dick has requested, so we can see better clientele living in Stallion Park, which is really a stepping stone for folks ultimately heading towards even better housing.

Michael Wiener stated that Dick should lower the price, not raise the AMI. Landy only wants to raise the AMI to justify selling at a higher price.

Pat Wiesner stated that if the HOA is to vote on changing the essential housing document for Buckhorn, Dick Landy holds the majority of the votes and therefore interferes with association voting. Also, his presence on the Board is a conflict of interest.

Members expressed concern of deferred maintenance at Stallion Park.

There was discussion that the current Essential Housing document regulating Stallion Park is a legal document. Any amendment to it would require signatures of all parties involved, i.e. developer, Board, County, etc.

Grant stated the Board is in a holding pattern on potential re-draft of the document.

Janet Wiesner stated she mentioned to Dick that Stallion Park should pay into two associations, both the Stallion Park sub-association and the master association. Also, if there was a qualification checklist available to local brokers and others, there could be a simple qualification process for prospective owners/renters of Stallion Park.

Mindy Sturm stated the Board needs to ask Dick about who in Stallion Park is paying dues. Get info on the Stallion Park sub-association.

Fran raised questions of the Stallion Park sub-association:

How was it formed? Who approved of it? Who is paying dues? Does Dick pay dues on all the units he owns? Who collects the dues? Where is the money?

Mike Weiner claimed that Art Reeves, one of the builders of Stallion Park, is a convicted felon in construction charges; Weiner presented documentation supporting that claim.

Liz Gowins, association member, stated the county needs to be pressured to deal with issues regarding Stallion Park's approval process, etc.

Next: Grant read Landy's attorney's letter, dated 3/12/07, regarding the settlement offer of \$100,000, to Barton. Barton says the Board owes Landy a response.

Next: Grant stated that 3 of the 6 existing homes in M3 have experienced frozen water lines this winter. The water lines are perhaps not buried deep enough. Dick has a bond with the county that will not be released until the county approves infrastructure and developer's as-built plans.

Also, some areas of the development have standing water issues, where the water does not seem to be draining from the roads properly. SGM surveyors have delineated problem areas.

Michael Weiner posed the question of whether Buckhorn Ranch has ample water rights. Mindy Sturm stated the Board needs to have the development's water rights inspected by a specialist, and that every lot should be assessed to cover for the expense.

Grant stated he will be inspecting the sewer system this summer.

Next: Discussion on vote to modify modular house language in the Protective Covenants

The question was posed why would the HOA vote in favor of modular houses? Grant clarified that any member of the association can submit a ballot issue to the association.

Michael Weiner stated that the Board needs to make sure any posed language modification does not allow for the grandfathering in of existing modular homes.

It was decided that the Board will not be in charge of sending out ballots for the modification of the Protective Covenants regarding Modular Housing. The language is already drafted. Dick is a member of the association, and like all members, he is free to send a ballot to membership if what he wants.

Next: Signage, Protective Covenant 9.6

Some membership present requested the Board to tell the developer that his real estate sign was not approved by design review and it needs to come down.

Next: Presentation of Dues and Budget by Grant

Attached projected budgets for 1&2A by Amy Higgins, and 2B by Ellen Landy

The Board decided to make of list of actions to give to attorney Barton, which Barton will officially pass on to the appropriate parties. The list is as follows:

- 1) Give directive to County to take an active roll in the drafting of the new essential housing document that governs Stallion Park
- 2) Respond to Landy's settlement offer to the Board; it is unacceptable

- 3) Letter to Landy and the County re: current infrastructure problems. The HOA will hire an independent contractor to solve issues if need be; Landy will get the bill
- 4) Board to hire a water rights specialist to assess Buckhorn current water rights and determine if they are sufficient. If necessary, each lot will be assessed to cover this expense.
- 5) Notice to Landy that developer's signage has not been submitted to Design Review
- 6) Notice to Landy that the large green construction vehicle at Buckhorn is considered an abandoned vehicle and needs to be removed from the development
- 7) The construction trash and dumpster at Stallion Park violate the protective covenants and need to be removed
- 8) Landy is to reimburse the HOA for HOA's continual expenditures in road upkeep. The roads should have been paved by now
- 9) Notify Landy that the Board will not be mailing the ballot regarding Modular Houses in the Protective Covenants. Landy can send it himself.
- 10) Notify Landy that Jack Dietrich, manager of the East River Water Company, reports he is currently missing about 20,000 gallons daily in the Buckhorn water system.

Grant made MOTION to give the list to Barton so Barton can act on it.

Fran seconded.

MOTION PASSED unanimously.

Meeting Adjourned at 9:45 p.m.

Minutes prepared by Ross Tunkey, Secretary

These minutes are unofficial; they have not yet been approved by the Board of Directors