

**Minutes of Special Meeting of the Buckhorn Ranch Association, Inc.
May 8, 2008 at SMUGS: 1135 E. Evans Ave, Denver, CO**

This meeting was called by Brush Creek Airport, LLC, majority owner of lots at Buckhorn Ranch. The meeting commenced at 7:20pm. A quorum was established with the acknowledgment of 146 members either in attendance or by Proxy before the meeting. In addition, the following persons were in attendance: Richard Landy, JerelynGott, Ellen Landy-Steward, Glen Clark, and Ken Heller.

ITEMS OF DISCUSSION/CONCERNS FACING THE HOA:

1. AFFORDABLE HOUSING/SETTLEMENT:

- A. Richard Landy reported that the Nikki Hewitt has been appointed as receiver for the money regarding lawsuit settlement. Details of the settlement were not discussed since they are only available to members upon signing of a confidentiality agreement per the settlement terms.
- B. Per the settlement, the Review Board ("DRB") is required to approve the first six buildings at Stallion Park and the final 2 buildings of Stallion Park before the settlement money can be released to the HOA. As of the date of this meeting, this has not occurred.
- C. Richard Landy reported that the present Affordable Housing Guidelines have set sales of Stallion Park units at 100% of the Average Median Income ("AMI") of Gunnison County. However, in other areas of Gunnison County, such as Mt. Crested Butte and CB South, affordable housing requirements have been set at 160-200% of the AMI. Per Richard Landy, Denise Wise is willing to reevaluate the AMI restrictions as well as other needed changes to the Affordable Housing Guidelines for Stallion Park once the judge signs off on the settlement. These requested changes must come from the HOA first.
- D. Ken Heller suggested a committee be formed to consider amendments to the Affordable Housing Guidelines and to work with the county on reviewing the present Affordable Housing Guidelines. Carl Moyer, Justin Feder and Richard Landy have volunteered to be members of this committee. Others who wish to work on this committee should come forward.
- E. Ken Heller, who also volunteered to be on this committee, suggested that all Board/Committee meetings be held by teleconference so that more Members of the Association are able to participate in such discussions and committees. This needs to be reviewed in the near future.

1. ROADS/INFRASTRUCTURE:

- A. A letter from Gerald Burgess of Schmueser, Gordon and Meyer Engineers & Surveyors was distributed to all members present. This letter addressed the road conditions of Buckhorn Ranch. Mr. Burgess met with Alan Moores of Gunnison County on 4/17/08 to observe and review damage to the roads. Several observations were made as to what caused the deterioration of the roads. For example: some roads were not properly plowed in relation to the heavy snows this winter forcing traffic to drive on the shoulder; a number of residential construction sites were utilizing the road as construction staging areas; and, construction traffic rutted the roads, and in some cases, tore off the road surface, causing snow melt to saturate the integrity of the road sub base.
- B. An additional site visit with Alan Moores, Gerald Burgess and Richard Landy will occur on May 30, 2008 at 11 a.m. to further evaluate and determine what caused the road damage.
- C. Todd Parker, of Parker Dirtworks which had the contract to plow this last winter, has previously stated that he was given instructions by Grant Bremer to not completely plow the roadways this winter due to lack of funding available.
- D. Ken Heller suggested that, for the future, the association should dedicate the roads (including all maintenance) to the county especially since lot owners pay such outrageous taxes to the county anyway. In order to do this, the association needs to chips seal filings 1 & 2a and make sure the roads are up to county standards.
- E. Richard Landy reported that the county would not allow the construction of a softball field in the open space since it is too close to the air strip. Landy suggested that a committee be formed to determine what other recreational options are available (i.e. Volleyball, courts)
- F. Richard Landy reported that Roseland Lake seems to be holding water now. Repairs have been made by Spallone Construction.
- G. Jerelyn Gott of the Landscape Committee reported that much needs to be done to improve and beautify the landscape of the subdivision. She reminded the members that Michael Weiner promised a \$10,000 donation to the Association to help in this area, but it has not been received. Ken Heller suggested that the Association get bids from local landscape companies to improve and maintain the entry way.

1. BYLAWS/COVENANTS & CCIOA:

- A. Richard Landy reported that there are many inconsistencies in the Bylaws, Articles of Incorporation and Covenants and suggested that a committee be formed to evaluate and amend them. An example of the inconsistencies is: The Principal Office of the Association is filed with the Secretary of State's office

at 9618 E. Maplewood Cir., Englewood, CO. However, the Bylaws also state that the office should be in Gunnison County.

- B. Richard Landy reported that an annual report to the Secretary of State has not been filed for Buckhorn Ranch since 2005. However, the State is still showing the HOA as in Good Standing. In addition, there are new state rules for the formation and maintenance of non-profits that need to be addressed. The committee which will be
- C. formed to review the Bylaws, etc. should check into conforming with the State.
- D. Richard Landy reported that the Association may not be in conformity with CCIOA, and that the Board of Directors needs to address this immediately.
- E. Ken Heller suggested the association hire an attorney to review both the Bylaws & Covenants and CCIOA conformity.

1. DESIGN GUIDELINES:

- A. Richard Landy reported the DRB has not officially revised and adopted any recent changes to the Design Review Guidelines as promised; and therefore, the 2004 Design Guidelines of the Association are still in effect.
- B. Richard Landy also reminded the members that, according to the Bylaws, it is the responsibility of the DRB to prepare amendments and submit them to the Board of Directors for voting and adoption.

1. BOARD OF DIRECTORS:

- A. The July 12, 2007 Annual Meeting was never adjourned or continued. Therefore, there was no official election of the Board of Directors, there was no budget approval, no adoption of previous year's minutes, etc.
- B. Richard Landy reported that the Bylaws require a yearly "staggering of at least one-third the Board Members"
- C. Ken Heller suggested that there be 8 or 9 board members. Richard Landy reported that the Bylaws state there are to be a minimum of three, and not more than seven board members. The number will be voted on at the meeting continuing this one.
- D. Richard Landy reminded the members that the Board of Directors needs to invest in a liability insurance policy for the board now that the lawsuit has been settled.
- E. Ken Heller suggested the board Google, "Colorado nonprofit organizations," to find companies that provide insurance and documents specifically for nonprofit organizations.
- F. Ken Heller suggested the board compile a list of all lot owners with their physical addresses, phone numbers, and email addresses to be distributed to all of the members. He also reiterated the need for meetings to be held by teleconference so that a more diverse range of lot owners can participate in board meetings and committees. Again, the practicality of this will be explored.
- G. Ken Heller suggested that the Board compile and distribute a list of all the committees and duties of The Association so that more members are aware of volunteer opportunities and can participate in such committees.

1. UPPER EAST RIVER WATER COMPANY:

- A. Ellen Landy-Steward of the Upper East River Water Company reported that bimonthly water safety tests are done by the County of Gunnison, and all reports have determined the water is safe. In addition, the water company will conduct more extensive testing this summer.
- B. Ellen Landy-Steward reported that, at the expense of the Developer, Brush Creek Airport, LLC, every lot at Buckhorn Ranch has now been pre-tapped to the water main so that there will be no need to tear up the roads for new construction projects to tap the main
- C. The need for more security on the water tank and pump house was also addressed. This summer the water company will address this concern.
- D. Ellen Landy-Steward reported that Jack Dietrich, a Class C water operator and operator of the CB South water system, will continue to run and maintain the water system.
- E. Ken Heller suggested that the water company invest in metering each lot for water use instead of having a standard "User Fee." Ellen Landy-Steward explained that the water company is in the process of determining the feasibility of metering now that there are more residences in Buckhorn Ranch; and, especially since last summer, there were reports of people watering their lawns all day long!

1. CONTINUATION OF SPECIAL MEETING:

- A. This portion of the Special Meeting adjourned at 8:40pm and was tentatively scheduled to continue on May 31 or June 1, 2008 at the Pump House in Crested Butte. Adequate notice will be given to all members prior to the meeting.

Minutes recorded for this Special Meeting by Ellen Landy-Steward