

Burland Homeowners' Association, Inc. Meeting

October 11, 2008

PRESENT:

Cameron Wright
Linda DeHoff
Dick Scofield
Havens Guenther

Dave DeHoff
Roger Sawyer
Mary Ellen Sawyer
Eugene Durst

The meeting was called to order at 10:00 a.m. It was determined that there was a quorum.

Minutes of the September meeting were approved as read.

Dick Scofield questioned that in the minutes it was stated that Herb Burton, Code Enforcement Inspector, had determined that the Zimmerman property was in compliance with the LUR's. This was correct; however, we have spoken with Mr. Burton, taking exception to the ruling and were told to re-file the violation. That has been re-filed along with a CD containing current photos of the property.

Dave DeHoff then stated that he had talked with Mr. Burton regarding the Hayes property on Eagle Trail and he does not plan to re-visit the property. He had done so earlier and sent the letter of complaint to Mr. Hayes and that it is Mr. Hayes' responsibility to comply. Mr. Burton said he had turned it over to, Lee Phillips, the County Attorney. Dave and Linda had looked at the property prior to the meeting and determined that there is no change, except maybe it has worsened.

Mary Ellen stated that Bill mentioned asking the County for their code enforcement criteria; however, Bill stated that may be an intimidating factor. Cameron mentioned possibly going to Fairplay and meeting with Mr. Burton and/or Tom Eisenman since Mr. Burton lives in Hartsel and does not work on Saturdays.

Dick Scofield introduced Eugene Durst and Havens Guenther from his area. They filed a verbal complaint against a homeowner living at 5222 County Road 72 whose kids continually ride a motorcycle on their property at this address, disrupting the whole neighborhood. They have called the Sheriff who says there is nothing they can do, as property owners can do as they choose on their property. Mr. Durst stated that he has been firing his shot gun when the motorcycles are being ridden. The Sheriff talked with him about this as someone accused him of allegedly waving the weapon which he denied. Dick said that when the Sheriff was asked about the decibel meter the BHA provided them a few years ago, they stated that it didn't register correctly, or didn't work properly. Dave DeHoff suggested that we ask for its return and either return it to the manufacturer if in fact, it truly does not work properly, or sell it on E-Bay.

There was a lengthy discussion regarding this complaint and it was agreed that the BHA would send a "first letter" regarding a covenant violation, and a signature sheet prepared to be signed by neighbors and used when possibly meeting with the Sheriff in hopes of the Sheriff's Office taking some positive action.

There was further discussion regarding the State statutes regarding noise ordinance, and it is our understanding that Park County does not enforce the "civil" part of the statute.

President's Report

Cameron reported that he had met with the County Commissioners regarding the sign project. He was told that the paperwork, along with our \$400 check, had been lost and we should reapply. The placement of the sign is on the County easement and Cameron said he felt pretty positive about it in talking with Tom Eisenman and John Tighe; however, it must be approved by Dave Kintze of the Road and Bridge Department. Cameron said that may be the biggest hurdle because of snow removal, etc.; however, there is a mail box that has been located there for years, so Cameron didn't believe that snow removal should be a legitimate issue.

Legal

Bill was unable to attend the meeting.

Covenants/LURs

Covenant complaints were discussed earlier in the meeting.

Park

Jack was unable to attend the meeting; however, Roger stated that he, Jack and Steve Franklin had been on Mt. Bailey the past two weekends in an effort to locate the corners of the Park property.

Linda DeHoff reported that she had purchased wildflowers as requested and presented an invoice to Roger for payment. Linda offered information regarding the proper planting of the wildflower seeds and will proceed with that at the appropriate time.

Cameron mentioned the railing for the foot bridge that had been mentioned in a previous meeting. He offered, and it was agreed that he will provide an estimate for the railing. This may be a spring project.

Roger gave an update on the basketball court project which is complete. Roger coordinated the project with Colin Donovan and Keith McDonald, a Park neighbor who provided the water for the project. Colin did a great job and everyone should check it out. It was suggested that the BHA give both Colin and Keith a gift certificate/cash for their contributions. **It was moved and approved to give Colin Donovan a \$400 check and a \$100 gift certificate from Platte Canyon Grill, and Keith McGuire, a \$50 check and a \$50 gift certificate from Platte Canyon Grill.**

Colin asked that the BHA write a letter to the President of his company for their contribution in donating the paint and equipment for the basketball court project. Mary Ellen will prepare the letter.

Roger further stated that he had discussed placing a fence a few feet down the hill on the east side of the basketball court to prevent the balls from rolling into the street. It was decided that Roger would get an estimate from Colin's company for the fence.

Roger stated that Colin had bought a chain and lock and chained the two picnic tables in the area of the court so that they cannot be moved onto the court by the skateboarders.

There was discussion on purchasing two picnic tables and it was decided on two green tables in the Renner Sports catalogue. **It was moved and approved to purchase the two tables.** Roger will order the tables.

Burlander

Mary Ellen reported that the Burlander was currently at the printer and expected to be in the mail the first of the week.

Web Page

Cameron asked if anyone had any suggestions for improving our web page; however, there were none.

Treasurer's Report

The treasurer's report was approved as read. There was a question on the different tower rents and Roger explained the variables.

New Business

Mary Ellen reported that she had researched the tax question. She reported that she had called the IRS and learned that we are in fact a 501c4 tax exempt organization and we have since received a letter of confirmation. She further reported that our bookkeeper is an Enrolled Agent, a tax professional recognized by the IRS, and as a result of these disclosures, the tax question is resolved.

Mary Ellen gave an update on the ambulance situation in North Park County. There had been no ambulance service in this area since June as North Park County Ambulance was out of service because of various reasons. Many people were not aware of the situation. The Platte Canyon Fire Department was running the calls (first response) with ambulance service coming from Elk Creek and South Park. The PCFD goal was to have an ambulance staffed 24/7 by Oct. 2 and that goal has been met. They have their license and have a borrowed ambulance from North Fork. A second ambulance has been donated by South Metro and is waiting to be stocked (and manned). (Roger noted that the ambulance service in this area is "fee for service", and not tax based, as is the Fire Department.) The Fire Department has stated that they have the funds to operate this ambulance service for at least two months, and will have to reevaluate it at that time with the possibility of looking at asking for a mill levy. Mary Ellen proposed that the BHA donate \$1000 to the PCFD in their efforts in funding the ambulance service. **It was moved and approved to donate \$1000 to the PCFD.** Mary Ellen will also send this information to the Flume for possible publication,.

Paid position for Secretary was discussed. The duties of this job have been expanded over time and are believed to be beyond that of a volunteer. Mary Ellen presented a written job description for this position outlining in detail the duties of the job that she is currently performing. A copy of that is attached and made a part of this record.

Mary Ellen stated that she estimates an average of 8 hours per week and based on minimum wage of \$7.25, is \$251.33. Cameron suggested a monthly wage of \$250, plus the usual \$50.00 for an Officer/Director. **It was moved and approved to pay Mary Ellen \$250 monthly in addition to the normal \$50 payment for Officers/Directors.**

Cameron further stated that he felt that everyone should be paid for special projects that are completed, possibly at a rate of \$15.00 per hour.

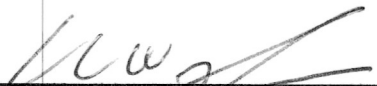
Cameron stated that he had talked with Tom Eisenman and John Tighe of the County regarding the possibility of the BHA purchasing the land adjacent to the Park (34 acres). The owners of the land have contacted the Colorado Open Lands (COL) to discuss placing a conservation easement on the property. Cameron read from a memo to the BHA from the COL which read in part..."the landowners may be interested in donating the property (with the easement restrictions in place) to a public entity with the capacity to manage the property for public access. The BCA is a logical recipient of the property as an expansion of your existing public park....We anticipate that our role will be to facilitate the donation of the conservation easement and the possible donation of the property to the BCA if the goals of all parties can be met. The landowners are seriously considering this project and are currently weighing the tax implications of these donations. Creating a conservation easement is a complicated and expensive process, and landowners can expect to incur costs in the range of \$30,000 to \$40,000. There has been limited discussion of the BCA potentially contributing to offset the landowner's costs of creating the conservation easement. As we move forward in our discussions with the landowner, it will be useful to understand the association's possible willingness and ability to provide financial support for the project."

There was discussion regarding how we might use the land. Cameron stated that we could possibly build more trails and perform some fire mitigation as we have at the Park. There can be no structures built on this land. Roger stated that just for the record, that when he, Jack and Steve were identifying the corners of the Park property, that there are about 25 acres of this land that are on the back-side, all rock, and totally unusable.

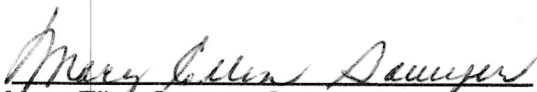
Cameron stated that it was his opinion that it would be a great deal to acquire that much land for the approximately, estimated \$35,000 to \$45,000. He further stated that he would not pursue it because it would take so much time, unless it was felt that it was worth pursuing. It was decided that he would move forward and gather more information at this point.

Linda DeHoff was nominated and elected to serve as Director of District 4.

The meeting was adjourned at 12:15 p.m.



Cameron Wright, President



Mary Ellen Sawyer, Secretary

AGENDA FOR OCTOBER 11 2008

OPEN MEETING WITH 5 ACTIVE MEMBERS/DIRECTORS
AND OFFICERS.

GUESTS, Dick Scofield and Neighbors for noise complaint.

PRESIDENTS REPORT. CAMERON WRIGHT

Meeting with BOCC in regard to signs. Railing for foot bridge.
Basketball court completion and gift certificate for Colin Donovan.
Suggest donation for Platte Canyon Fire Department ambulance
service. Our 501c4 status all good to go! Conservation easement
for land beside park.

LEGAL, BILL HUDGINS

VICE PRESIDENTS REPORT. DAVE DeHOFF

PARK AND TRAIL, JACK ROBERTS

Signs?

WEB PAGE,

Suggestions for additions to the site?

THE BURLANDER, MARY ELLEN SAWYER

TREASURES REPORT, ROGER SAWYER

NEW BUSINESS Paid position(s) within the Board. Fence for
basketball court.

CLOSE OF MEETING

Linda - Director - #4