

**Burland Homeowners' Association, Inc. Meeting**

**February 13, 2010**

**PRESENT:**

Cameron Wright	Mark Ruckman
Jim Glenn	Jean Wagner
Mary Ellen Sawyer	Diane Glover
Carrie Maul	Shirley Franklin
Pat White	Roger Sawyer
Melissa Hurich	Sue Glenn

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

Minutes of the January meeting were approved as read.

**President's Report**

Cameron said there had been some progress on the sign project, noting for those who hadn't attended a meeting lately, that there had been some changes since it had been voted on in 2006. Roger said we had originally approved 3 different signs for approximately \$9,000 and that the costs have since changed, and the signs will now be like signs (stone).

Diane gave an update on the sign project. Diane spoke with Sharon Puryear with the County who visited the two sites at Rosalie and Catamount, and the other at Impala/Kudu. There may be issues with the proposed sign at Impala/Kudu as the present sign is close to a drainage ditch and we should probably find another location. A stone sign in this location could possibly be a problem environmentally. Carrie volunteered to take a look at the questionable location. Sharon Puryear also said that the application fees have gone up from \$400 to \$540 and that we would need an application for the two separate locations. The next step is to have each site surveyed. Cameron mentioned that surveys with Pitsker, would probably be in the range of \$300 to \$400 for the two. Carrie and Diane volunteered to proceed with a request for the surveys. **Cameron asked for a motion; it was moved, seconded and approved to proceed with the surveys at the two locations of Impala/Kudu and Rosalie/Catamount.**

Diane reported further that she had contacted the person who spearheaded the Conifer signs and learned that they are not stone, but a pre-fab material. The person did not have the exact price; however, said it was approximately \$2400 for the sign, and \$1200 for the base. It was also mentioned that when we request a bid for the sign at CR72, we might ask the "bidders" to take a look at the other two sites for future planning purposes. Cameron volunteered to prepare a spec package including a design for the potential bidding contractors and noted that this will be a sealed bid process to be presented to the Board for consideration.

Cameron also mentioned that we have two problem properties, one at 1052 CR72, and 1006 CR72. We have contacted the owner of 1052 CR72, and will be sending a letter to the owner of 1006 CR72. In addition, Diane mentioned 102 Mockingbird where the "round barn" is adjacent to this property, and a letter will be sent to that property owner as well. These are properties with primarily junk cars, and generally, trashed property.

The BHA Scholarship was discussed. Mary Ellen stated that this scholarship is awarded to any Platte Canyon High School graduating senior, or homeschooled graduate. They are not

required to live in Burland Ranchettes; however, the Scholarship Committee made the decision initially that if we had two equally deserving students, which would be the tie breaker; the Burland resident would be the winner. The initial scholarship was for \$4,000 and we have three recipients receiving \$1,000 per year. Our first recipient will graduate this year from University of Colorado (Architecture). Last year, we voted to increase the scholarship amount to \$5,000 and that student is receiving \$1,250 per year. It was noted that BHA receives transcripts (or otherwise, proof of attendance) each year from the respective colleges and/or universities, and payments are made directly to the registrars.) New scholarship awards are reviewed annually. Mary Ellen suggested that we allow a second scholarship in the amount of \$5,000 (\$1,250 per year). In our experience, it is a very difficult task to choose one as the winner from our normal and consistently, truly outstanding applicants; we have money to support this, and she stated she would like to see BHA approve a second scholarship. **Cameron asked for a motion; it was moved, seconded and approved to approve the (\$5,000) scholarship award this year, and to put a second scholarship for \$5,000 in place.**

Cameron stated that we had a request from a member (Dan and Pat Lucy) to consider installing a walking path around the perimeter of the Park. There was discussion regarding what type of material would be best i.e., asphalt, concrete, gravel, etc. It was the consensus of opinion that the walking path would be a nice addition to the Park, and we would ask for Dan and Pat Lucy's input and how they might envision this. Jim Glenn and Roger Sawyer volunteered to work on this and it was also mentioned that we would like to have Jack Roberts input on this project.

### **Vice President's Report**

Mark stated in working with our Investment Advisor, the Investment Committee was asked to present a questionnaire to the Board for approval. The questions relate to BHA giving the Investment Advisor discretionary authority; the investment committee having the authority to approve and bind BHA to the investment advisory contract; the investment committee having the authority to approve the institution's investment policy statement (which the Investment Advisor is currently working on); and, the investment committee having the authority to approve who at the investment advisor (sic) (Evergreen Global Investment Group) may act on behalf of the BHA with respect to the account.

Mark read the questions to which the Board responded "yes" to each question. Jean Wagner said that we could do whatever we wanted to, but she didn't agree with the investments. Mark said we are talking only about a very small percentage. Mary Ellen commented that we felt it was our responsibility (as fiduciaries) to do this in an effort to preserve the funds in the event our tower lease income ever goes away. The Committee (Mark, Carrie, Roger and Mary Ellen) will report back on a timely basis.

### **Park and Trail**

Cameron said that Jack was unable to be here today, but had sent some information that he (Jack) had contacted both the Coalition of the Upper South Platte (CUSP) and the Colorado State Forest Service. CUSP has added BHA to their Chipper schedule for Friday and Saturday, September 17<sup>th</sup> and 18<sup>th</sup>. There is a charge of \$50 for BHA members, and \$60 for non-members, and donations are welcomed. The Colorado State Forest Service (CSFS) is under a budget crunch; however, they are recruiting for a temporary work leader and they do hope to work with us again this year. It was mentioned that also when we have the annual picnic that we could ask for volunteers to come early and assist with the trail work. Cameron noted that he had recently been on the trail, and the trail itself is in pretty good shape.

Mary Ellen also reported that Jacque Roberts has agreed to take over the Park caretaker duties and that Roger would be assisting Jacque in preparation for the first few events. Mary Ellen also noted that we received our first Park reservation for the Deer Creek kindergarten class on May 25<sup>th</sup>.

### **Web Page**

Nothing to report at this time.

### **The Burlander and Grant**

The Burlander was published in January and Mary Ellen is working on the next to be published in April. She mentioned that two new businesses had contacted us for advertising in the newsletter.

There is no new information on the Grant. The last follow up made with the County was that the BOCC would make their decision after the Conservation Trust Board made their presentations mid-February. Shirley mentioned that we normally don't have a response until that time, or sometimes March.

With regard to the Grant, Shirley asked that we might consider some sort of a "time-locking" device for the vault toilet if and when it is in place. (We foresee problems concerning this facility in that Park hours are not always adhered to, and there are ongoing problems with graffiti, etc.)

### **The Treasurer's Report**

Roger presented the Treasurer's Report which was approved as read.

### **New Business**

Jim Glenn stated he had contacted CDOT but had not yet received a response on the signage on 285 regarding CR72 which he says you can't see until the exit ramp. BHA may be asked at some point for some follow up support.

Jim also said he is trying to get information on the best things to do in Bailey. Mary Ellen said there is an organization getting started here called "Destination Bailey" and they may be of some help. A contact for that organization is Jerry Humphrey.

Diane mentioned the signage on CR72/Chickadee which reflects two old and unknown phone numbers. Diane will attempt to get more information on this.

Jean Wagner

(Note: Jean had verbal conversations with Mary Ellen and Roger on two separate occasions on 1/26/10, saying that she didn't like the way the meetings were run, that she was going to contact a homeowner attorney, and the Secretary of State, threatening to have our non-profit status taken from us. She said that Cameron should talk to Al Glienke (Mill Iron D) because he knows how to run a meeting, and referred BHA to a homeowner attorney web page, stating that they have free meetings. She further stated that she had been told to "shut up" at a meeting and she was going to have that person recalled.

Jean sent an email to Roger (1/28/10) requesting "a copy of the Treasury reports, Tax records to the IRS and reports sent to the Secretary of State of Colorado for the last 3 years." After checking with Cameron, Roger responded that she would be on the Agenda for the February meeting and that the requested records would be available to her for inspection except for 2009 Financials which were currently with our Bookkeeper for tax preparation.

Jean sent a letter to Cameron (date unknown). On 1/29/10, email from Jean stated that she had a long talk with Cameron and again mentioned the attorney web site, that Cameron was welcome to attend Mill Iron D meeting at Al Glienke's home. Cameron encouraged her to attend the next (February) meeting and express her concerns.

Jean began by saying that she could have a director recalled by getting 10 signatures from active members, that someone had told her to shut up. She cited an incident that happened many years ago (in another HOA), describing the incident, where an individual was recalled. She also said that she was involved years ago when all three commissioners were recalled. She said that there is one vote per property. She talked about the upcoming caucus' and that, not knowing anyone's political preference, that we should attend and described the precinct numbers, one on the south side, and one on the north side of 285.

Mark responded that we are abiding by the By-Laws, and that we are working on revisions to make them more specific than and not as ambiguous as they currently appear to be. Jean interjected that she knew they are very old and were written many years ago. (Current By-Laws were adopted September 2002)

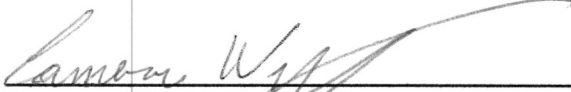
The records Jean had requested were then offered to her for her inspection (per By Laws) and she refused.

Jean then handed a letter to Cameron. The letter stated: "I previously wrote and asked Rodger (sic) and Mary Ellen Sawyer for all records from January 2006 to include December 2008." These records include all Treasurer reports, Secretary Records, Tax Records and reports to The Secretary of State. Under the open records statute I'm entitle (sic) to copies of these records." Hand written on the letter was "Open Records Law CRS 24-72-201-309".

(Note: This particular letter references different dates (January 2006 to include December 2008) from the original email request (1/28/10) which stated "3 years", and this letter also includes the Secretary Records, not In the 1/28 email request.)

Jean was told that we were abiding by the By Laws in answer to her request(s), and we would consult with our attorney regarding the Open Records Law as it applies (or not) to BHA. We will then proceed accordingly.

The meeting was adjourned at 11:45 p.m.

  
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Cameron Wright, President

  
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Mary Ellen Sawyer, Secretary

**Burland HOA Board of Directors Agenda for Feb 2010**  
**10am-11am**

*Handwritten scribbles and signatures at the top right of the page.*

**Visitors (30 min)** - Ron LaLone & Bill Fox from DCVR about Firewise

**Approval of minutes from the prior meeting**

**President Report - Mark Ruckman**

- Meeting time - move from 10am to 9am? *OK!*
- Scholarships
  - Does the board want to do a scholarship in 2011? *yes*
  - If yes, how many & for how much?
  - Requirements for candidates
    - Must have a GPA of xx and ??? *NO*
  - Requirements for winners?
    - E.g. must maintain a 2.0 GPA or ??

*Handwritten notes: "not in a com. path" with an arrow pointing to the GPA requirements.*

**Treasure Report - Roger Sawyer**

**Sign status - Diane Glover (Pat White to update on her conversation with BOCC member)**

**Swing Set status - Melissa**

**Tower Fence - Mark**

Letter to the cell companies & Park County sent earlier this month

**Covenant Violations**

- 718 Quakie Way - Owner missed committed date, requested an extra 18 days to finalize clean up
- 325 Yellow Pine - (Zimmerman property) The HOA & county worked on violations several years ago and the property has become a problem again. *- date - list - plan -*
- 847 Quakie Way - owners relative or friend claims the owner has health issues and will give us a plan when she feels like it. We gave her until Feb 12th to provide a plan (total of 1 month to create a plan) and then we will send a 2nd letter.

*Handwritten notes: "Dale" and "Feb 18th" with arrows pointing to the 325 Yellow Pine and 847 Quakie Way items.*

*Handwritten notes: "Wade" with a bracket pointing to the 847 Quakie Way item, and "health issues and for plan email 2 atty" with a line underneath. Below that is "deal w/ atty" with a diagonal slash.*

**New Business**

**Close Meeting**

AGENDA FOR FEB 13 2010

OPEN MEETING WITH 5 ACTIVE MEMBERS/DIRECTORS AND OFFICERS.

*Diane Cameron  
wks. 12 - app. for CUSP*

PRESIDENTS REPORT. CAMERON WRIGHT  
Sign Project. Chipper Service scheduled for Sept. 17/18<sup>th</sup>. Through CUSP. Problem properties at 1053 CR72 and 1006 CR72. Scholarships for 2010. Walking Path around park.

VICE PRESIDENT'S REPORT. MARK RUCKMAN  
Investment report.

PARK AND TRAIL, JACK ROBERTS (NP)

*CSFS  
budget owner -  
shouldn't be who set  
to do*

WEB PAGE. Improvements to the site.

THE BURLANDER. MARY ELLEN SAWYER  
Status of grant?

TREASURES REPORT. ROGER SAWYER

NEW BUSINESS  
Jean Wagner.

CLOSE OF MEETING