

**Burland Homeowners' Association, Inc. Meeting**  
**September 9, 2006**

**PRESENT:**

Cameron Wright  
Dave DeHoff  
Roger Sawyer  
Pat White  
Melba Dykema  
Larry Petroskey

Bill Hudgins, Attorney  
Shirley Franklin  
Mary Ellen Sawyer  
Jack Roberts  
Sue Petroskey

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

Minutes of the previous meeting on August 12, 2006, were read and approved as written.

**Reports of Officers**

**President's Report**

Cameron reported that Verizon's structural report provided by an independent engineering firm indicates that the tower is sufficient as it stands and no modifications are needed for what is there at this time.

The T-Mobile lease expires this month. They currently pay \$1.00 per month and at the expiration, it is to be increased to \$400 for a period of 5 years. Cameron stated he would like to renegotiate this as other companies are paying approximately \$1400 per month. Bill will review the contract, along with the site lease-option that will be provided by Cameron, to determine if it is renegotiable. Roger had offered in the past to assist with contract negotiations and Cameron turned the T-Mobile contract over to Roger after Bill has reviewed and determined that it is renegotiable.

Cameron mentioned a new "lost and found" program (Jefferson County) that we may possibly consider for assisting in cleaning up trashed properties. A waiver of liability form would have to be signed for "hired labor" and a stipulation in writing that Jefferson County is not relinquishing responsibility.

**Covenants and Zoning**

Bill stated apparently we have no credibility with the County. Bill read from an email he had received from Tom Eisenman dated August 14, 2006 saying that he would send Bill information on two of our cases pending with the County, and he would have to look up the 718 Quakie property to see what the issues are. (The 718 Quakie property is one we felt involved some health issues and we sent it to Tom Eisenman on July 9, 2006 and asked that they treat it as an emergency

matter.) So far, however, Mr. Eisenman has not followed through on these matters.

A new rental property problem at 198 Blueberry was discussed at great length. It has been determined that the renters are the same as those who trashed the property at 571 Yellow Pine. Cameron will contact the leasing company to discuss and help us decide what the next step should be.

Cameron received a call on a property on Quakie where there are horses allegedly located too close to a well. The water was tested and was 500 times the normal level for fecal matter, etc.

#### Park Improvement/Grant Committees

Shirley had nothing to report.

#### Burlander

Mary Ellen asked for items of interest for the next publication in October. Cameron mentioned he would like to include something on wells in view of the new problem with horses and non-potable water.

#### Defensible Space/Park Trail.

Jack reported the layout of the trail on Mt. Bailey is planned for Friday, September 22d with actual work to begin on the 23rd. Mary Ellen will help Jack coordinate plans for a barbeque on Saturday for the CSFS and any other volunteers.

#### Treasurer's Report

Roger presented the report that was approved.

#### Unfinished Business

Signs - Cameron stated that the cost of concrete for the new signs is more than originally proposed i.e., approximately \$900. **It was motioned and approved to allow additional funds not to exceed \$1,000 to complete this project.**

Mailboxes - Roger reported that he met with Ruthie Lamping at the Post Office and she offered to send out a survey letter for locked mailbox interest using the USPS letterhead. He is drafting the letter and will coordinate this with the Post Office. Pat White mentioned that someone had apparently hit and knocked down several mailboxes in the area where she lives.

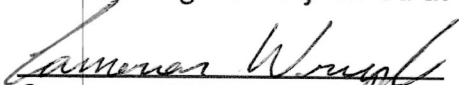
Roger talked with a representative of Platte Canyon Rescue Service and left a message asking them to speak at a future meeting; however, they have not yet responded. He will follow up.

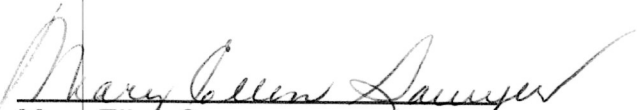
Bill reviewed information concerning meeting procedures, clarifying that only board members should be able to make "motions" and vote on resolutions. He explained that the board, as representatives of the members, manages the Association by passing resolutions, and that active members should only vote on amendments to the governing documents. He said the current Bylaws contain some inconsistent language regarding who may vote on matters before the board, and they should be corrected.

Bill stated that in his initial review of the bylaws, he would suggest some changes, e.g., add an indemnification provision that is common in corporate bylaws wherein the Board and members are indemnified by the Association for actions properly taken. He would like to see this in the Articles of Incorporation as well. Second, there were Articles in the 1970's and again in 1994 and he questions why we re-incorporated, as he does not think there was an actual lapse of corporate existence. It should be on record that this is the same organization as that in the 1970's and that there was no lapse, in order to remove any question. In addition, he suggested that in order to recognize the Board's intent to make charitable contributions not restricted to Burland residents, the Association should amend its allowable purposes under the Bylaws.

Shirley suggested that the bylaws be changed to say that directors can cover any area and not be limited to just the area in which they live (i.e., elected "at large").

The meeting was adjourned at 12:00 Noon.

  
Cameron Wright, President

  
Mary Ellen Sawyer