

Buckskin Heights Road Association

2020 Annual Meeting Minutes

Friday, August 21, August 28 and September 18, 2020 at 6:30pm by Zoom due to Covid-19 Pandemic

FRIDAY, AUGUST 21, 2020

ATTENDANCE: 21 properties represented in person (quorum of 10 satisfied); 4 represented by proxies; 25 total properties eligible to vote

Road Association Board Members Present: David Gaudio, President; Allan Heese, Vice President (Ruth Heese); Luke McOmie, Secretary; Sue Weber, Treasurer; Glenn Heeneey (Ann Dean) and Pam Robinson, Directors at Large

Other Road Association Members Present: Brian Abbott, Jennifer Appelman, Mary Arnold, Jacob DeBes, Dick Dickson, Erik Dolph, Paul Hesson, Peggy & Brett Kinsey, Mary Ann Long, Lynette & Max McGowan, Rick Stahl, Bonnie Torrey, Lulu Tupper, Justin Wilson & Matt Wilson, Brittany Woods

Guest: Lola Fehr (Parliamentarian)

Proxies: Traci Ann Reynolds (Rick Stahl), Ed Standard (Rick Stahl), Bob Faris & Linda Bilsing (Ruth Heese); Denise Jackson & Michael Bane (Jennifer Appelman)

CALL TO ORDER & WELCOME: The meeting was called to order at 6:35pm by President David Gaudio. Secretary Luke McOmie recorded property owners who were in attendance. Owners of 21 properties were present in person, exceeding the minimum of 10 properties necessary for a quorum. President David Gaudio welcomed all in attendance. Luke McOmie and Sue Weber helped participants test Zoom features like raising hands, speaker/gallery view, mute/unmute, etc.

AGENDA: The agenda was approved as distributed 30 days prior to the annual meeting. David Gaudio reminded participants that the meeting will be limited to 2 hours as stated in the meeting notice; if we run out of time to complete the bylaws actions, we will reconvene the meeting on Friday, August 28 at 6:30pm to finish this work.

REVIEW OF MINUTES: The Association members were asked if there were any questions or concerns with the Board-approved 2019 Annual Meeting Minutes posted online. None were noted.

DATE FOR NEXT YEAR'S MEETING: The Board concurred with the consensus of those present that the 2021 annual meeting should be held on Friday, August 20, 2021 at 6:30pm.

TREASURERS REPORT:

1. Treasurer Sue Weber reviewed the current status of the budget ("BHRA Budget Update 8-21-20" attached).
 - We have only one long-term delinquency; 67 of 68 properties (98.5%) are paid in full.
 - The Board did not recommend a dues increase this year.
 - A motion was made by Glenn Heeneey to approve the Treasurer's report. The motion was seconded and approved.
2. The "Buckskin Heights Road Association Treasurer's Report for FY2019" was independently audited by Linda Bilsing and Denise Jackson and approved without qualifications (attached). A motion was made by Paul Hesson to approve the Auditors' report. The motion was seconded and approved.

ROAD REPORT: Allan Heese presented the "2020 Work Summary" and "Material Placement" reports (attached). Two major road work events at the end of March and late July spread 53 truckloads of recycled asphalt, covering about 4,000 ft of road (3/4 mile), about 1/4 on interior roads and 3/4 on lower Otter Rd below the gate. Allan anticipates 1-2 remaining gradings this year and some culvert work as well. Erik Dolph offered to help with the culvert work. Max McGowan thanked Allan for his really excellent work this year, with other participants signaling thumbs up on Zoom. A motion was made by Glenn Heeneey to approve the road report. The motion was seconded and approved.

GATE REPORT: Allan Heese reported that the gate has not been hit for a while; gate function has been quietly reliable. Paul Hesson commented that the gate codes were changed in July due to the break-in that occurred; codes will not change in September. The Board will consider installing camera(s) at the gate at its next meeting. Remote control gate openers are available at cost (\$16) from Treasurer Sue Weber for anyone who needs one.

FIRE COMMITTEE REPORT: General appreciation was expressed for the recent quick and effective local response to the small fire on July 5 at the Wood's property. Sue Weber summarized the most recent Fire Committee meeting in early August which highlighted good practice in maintaining safe easements and defensible space, and improving structural fire resistance.

Erik Dolph and others summarized the state of the large Cameron Peak fire.

NOMINATION AND ELECTION OF BHRA BOARD

MEMBERS: The floor was opened to nominations for open seats on the BHRA Board for 2020-21. Allan Heese, (starting new 2nd term), Luke McOmie (starting new 2nd term) and Dan McQueen (starting new 1st term) were unanimously elected to fill these positions. Pam Robinson (second year of a 1st term), Glenn Heeney (second year of a 1st term), and David Gaudio (second year of a 2nd term) are the carry-over members of the 2020-21 board.

OPEN FLOOR: Luke McOmie briefly reported on the emergency radio project; Paul Hesson asked residents to remind their visitors/vendors to recycle their beer cans, not toss them out the window.

DISCUSSION/ACTION ON PROPOSED BYLAWS

AMENDMENTS: The remainder of the meeting was devoted to taking action on the proposed bylaws changes under the auspices of Lola Fehr, parliamentarian. David Gaudio as presiding officer and Paul Hesson, Chair of the Bylaws Revision Committee, presented each amendment described in the “BHRA-2020-Proposed-Bylaws-Amendments” document (attached) sent to the community with the meeting agenda. After discussion, the vote was taken in three ways: electronically by Zoom poll by the majority of online meeting participants; by voice vote of several online participants; and by proxy by 4 memberships. The results for amendments #1-18 are shown in the table below.

ADJOURNMENT: As this meeting was limited to 2 hours as previously stated, a motion to continue the meeting as planned on Friday, August 28 at 6:30pm was approved at 8:42pm. Sue Weber will publicize this meeting, as well as a 3rd bylaws information Zoom meeting on Thursday, August 27 at 6:30pm.

Respectfully submitted,
Luke McOmie, Secretary

FRIDAY, AUGUST 28, 2020 (Continued)

ATTENDANCE: 19 properties represented in person (quorum of 10 satisfied); 3 represented by proxies; 22 total properties eligible to vote

Road Association Board Members Present: David Gaudio, President; Allan Heese, Vice President; Luke McOmie, Secretary; Sue Weber, Treasurer; Glenn Heeney (Ann Dean) and Pam Robinson, Directors at Large

Other Road Association Members Present: John Appelmann, Linda Bilsing, Donna Braun, Jacob DeBes, Erik Dolph, Paul Hesson, Denise Jackson, Peggy & Brett Kinsey, Mary Ann Long, Max McGowan, Rick Stahl, Bonnie Torrey, Brittany Woods

Guest: Lola Fehr (Parliamentarian)

Proxies: Brian Abbott (Allan Heese), Traci Ann Reynolds (Rick Stahl), Ed Standard (Rick Stahl)

CALL TO ORDER & WELCOME: The meeting was called to order at 6:35pm by President David Gaudio. Secretary Luke McOmie recorded property owners who were in attendance. Owners of 19 properties were present in person, exceeding the minimum of 10 properties necessary for a quorum. President David Gaudio welcomed all in attendance.

DISCUSSION/ACTION ON PROPOSED BYLAWS

AMENDMENTS: The only item on the agenda was continued action on the proposed bylaws under the auspices of Lola Fehr, parliamentarian. Presiding Officer David Gaudio expressed concern about the time available to complete consideration of remaining amendments #19-28. He explained that Robert’s Rules restrict speakers to two comments per motion, with second comment only after all have spoken. Sue Weber moved to limit speakers to 2 minutes per comment. The motion was seconded and approved (15 yes, 4 no).

David Gaudio and Paul Hesson, Chair of the Bylaws Revision Committee, presented each amendment described in the “BHRA-2020-Proposed-Bylaws-Amendments” document (attached) sent to the community with the meeting agenda, starting with amendment #19. Votes on each amendment, as well as any secondary amendments, were taken in three ways: electronically by Zoom poll by the majority of online meeting participants; by voice vote of several online participants; and by proxy by 3 memberships. The voting results for amendments #19-24 are shown in the table below.

In the course of the discussion, the group took action on motions from the floor applying to the following amendments:

- Amendment #19: Allan Heese made a motion to add “and grant” to the funding sources. The motion was seconded and approved (20 yes, 1 no). However, the main motion failed (12 yes, 9 no).
- Amendment #21: Allan Heese made a motion to change “Twenty percent (20%) of the entire membership” to “Fourteen (14) active members.” The motion was seconded and approved (16 yes, 5 no); however, the motion was later ruled out of order and vacated. The main motion passed (17 yes, 4 no).
- Amendment #22: After discussion about the definition of “encroachment,” Rick Stahl made a motion to send the amendment back to committee. It was seconded and approved (19 yes, 1 no).

At about 8:25pm, Sue Weber made a motion to extend the time of the meeting by about ½ hour to 9:00pm. It was seconded and approved (15 yes, 6 no). Discussion on amendment #24 proceeded.

ADJOURNMENT: As this meeting was limited to 2.5 hours, a motion to continue the meeting on Friday, September 18 at 6:30pm was approved (14 yes, 3 no). Sue Weber will publicize the continued meeting. The meeting was adjourned at 9:06pm.

Respectfully submitted, Luke McOmie, Secretary

FRIDAY, SEPTEMBER 18, 2020 (Continued)

ATTENDANCE: 16 properties represented in person (quorum of 14 satisfied); 5 properties represented by proxies; 21 total properties eligible to vote

Road Association Board Members Present: Glenn Heeney, President; Allan Heese, Vice President; Luke McOmie, Secretary; Pam Robinson, Treasurer; David Gaudio and Dan McQueen, Directors at Large

Other Road Association Members Present: Jacob DeBes, Erik Dolph, Paul Hesson, Keifer Jacobson, Peggy & Brett Kinsey, Mary Ann Long, Rick Stahl, Sue Weber, Justin Wilson, Brittany Woods

Guest: Lola Fehr (Parliamentarian)

Proxies: Linda Bilsing (Allan Heese); Michael Fallon (2 properties, Sue Weber); Traci Ann Reynolds and Ed Standard (Rick Stahl)

CALL TO ORDER & WELCOME: The meeting was called to order at 6:43pm by President Glenn Heeney. Secretary Luke McOmie reported that there was no quorum. The meeting recessed until 6:48pm when owners of 16 properties were present in person, exceeding the minimum of 14 properties necessary for the new quorum. President Glenn Heeney welcomed all in attendance.

DISCUSSION/ACTION ON PROPOSED BYLAWS

AMENDMENTS: The only item on the agenda was continued action on the proposed bylaws under the auspices of Lola Fehr, parliamentarian. Presiding Officer David Gaudio again expressed concern about the time available to complete consideration of remaining amendments #22 and #25-28. He explained that the vote at the August 28 meeting to limit speakers to 2 minutes per comment was still in effect. Also, Robert’s Rules restrict speakers to two comments per motion, with second comment only after all have spoken.

David Gaudio and Paul Hesson, Chair of the Bylaws Revision Committee, presented each amendment described in the “BHRA-2020-Proposed-Bylaws-Amendments” document (attached) sent to the community with the meeting agenda, starting with revised amendment #22. Votes on each amendment, as well as any secondary amendments, were taken in three ways: electronically by Zoom poll by the majority of online meeting participants; by voice vote of several online participants; and by proxy by 5 memberships. The voting results for amendments #22 and #25-28 are shown in the table below.

In the course of the discussion, the group took action on motions from the floor applying to the following amendments:

- Amendment #22: Erik Dolph made a motion to strike the last sentence in c. The motion was seconded and **failed** (9 yes, 11 no). Amendment #22 was subsequently approved as revised and recommended by the Bylaws Committee.
- Amendment #27B: The motion to increase special meeting petition from 5 members to 20% received no support. The motion to increase special meeting petition to 15% was approved (13 yes, 8 no). The main motion on amendment #27A&B was subsequently approved with special meeting petition at 15%.
- Amendment #27C: Sue Weber made a motion to strike the words “within the established norm” and substitute “**with a preference for in-person meetings within the platted subdivision.**” The motion was seconded and **approved** (18 yes, 3 no). The main motion on #27C was subsequently approved including this change.
- Amendment #28B: Sue Weber made a motion to insert in d “...shall be preceded by at least **one meeting, in-person or electronically, to discuss the proposal before conducting the mail vote** as follows:” The motion was seconded and **approved** (20 yes, 1 no). The main motion on #28B was subsequently approved including this change.

At about 8:20pm, Sue Weber suggested that the group extend the time of the meeting to complete action on amendment #28A. There were no objections.

ADJOURNMENT: When action on amendment #28A was concluded, Allan Heese made a motion to adjourn at 8:40. It was seconded and **approved** to congratulations and cheers all around!

Respectfully submitted, Luke McOmie, Secretary

Buckskin Heights Road Association

Bylaws Actions at Annual Meeting, Friday August 21, 2020

#	ARTICLE	ACTION	Pass Fail	FINAL VOTE	ZOOM POLL	VOICE VOTES	PROXY VOTES
1-10		Approve ALL WORDING amendments 1-10	Pass	Y: 24 N: 1	Y: 20 N: 0	Y: 1 N: 0	Y: 3 N: 1
1	All Articles	Wording: Permit non-substantive edits by board	Pass				
2	All Articles	Wording: Change mail "poll" to "vote/ballot" sent to members preceded by required debate opportunity	Pass				
3	Article I Govern Article III Officers	Wording: Change "he (or she)" to "he/she," etc	Pass				
4	Article I Govern Article II Board Article III Officers	Wording: Change "members at large" to "directors at large;" duties of directors at large	Pass				
5	Article II Board	Wording: Change spelling "insure" to "ensure;" ensure board insurance coverage	Pass				
6	Article II Board	Wording: Add "Special Assessments" title to section	Pass				
7	Article III Officers	Wording: Simplify wording of president takeover for vice president	Pass				
8	Article IV Members	Wording: Add use of BHRA roads "and facilities"	Pass				
9	Article V Dues Article VI Meetings	Wording: Clarify that mail votes require pros/cons; add USPS abbreviation	Pass				
10	Article VI Meetings	Wording: Specify "Newly Revised" edition of Robert's Rules of Order as authority	Pass				
11	Article II Board	Housekeeping: Clarify board maintenance of records; ensure appropriate access to Association records	Pass	Y: 24 N: 0	Y: 19 N: 0	Y: 1 N: 0	Y: 4 N: 0
12	Article II Board	Housekeeping: Increase frequency of board meetings, allow appropriate board actions without meeting	Pass	Y: 17 N: 7	Y: 14 N: 5	Y: 1 N: 0	Y: 2 N: 2
13	Article II Board	Housekeeping: Indemnify of directors & officers	Pass	Y: 21 N: 3	Y: 18 N: 1	Y: 1 N: 0	Y: 2 N: 2
14	Article II Board Article III Officers	Housekeeping: Reduce required board committee involvement on committees	Pass	Y: 23 N: 1	Y: 18 N: 1	Y: 1 N: 0	Y: 4 N: 0
15A	Article V Dues	Housekeeping: Clarify road use penalties for dues delinquencies	Fail	Y: 15 N: 10	Y: 12 N: 7	Y: 2 N: 0	Y: 1 N: 3
15B	Article VIII Misc	Housekeeping: Delete penalties for violations of rules of road	Pass	Y: 22 N: 3	Y: 18 N: 1	Y: 2 N: 0	Y: 2 N: 2
16	Article VI Meetings	Housekeeping: Permit official notice by USPS and USPS/email combination	Pass	Y: 23 N: 2	Y: 19 N: 1	Y: 1 N: 0	Y: 3 N: 1
17	Article VI Meetings	Housekeeping: Permit electronic meetings	Pass	Y: 23 N: 2	Y: 19 N: 1	Y: 1 N: 0	Y: 3 N: 1
18	Article VIII Misc	Housekeeping: Delete outdated water tank language	Pass	Y: 23 N: 2	Y: 18 N: 1	Y: 2 N: 0	Y: 3 N: 1

Buckskin Heights Road Association

Bylaws Actions at Continued Annual Meeting, Friday August 28, 2020

#	ARTICLE	ACTION	Pass Fail	FINAL VOTE	ZOOM POLL	VOICE VOTES	PROXY VOTES
19	Article II Board	Update: Describe ad hoc & standing committee structure; add Wildfire Mitigation as an unfunded standing committee	Fail	Y: 12 N: 9	Y: 9 N: 7	Y: 2 N: 0	Y: 1 N: 2
20	Article II Board	Update: Approve special assessment at an annual/special meeting in addition to mail vote	Fail	Y: 0 N: 21	Y: 0 N: 16	Y: 0 N: 2	Y: 0 N: 3
21	Article VI Meetings	Update: Increase meeting quorum from 10 members to 20%	Pass	Y: 17 N: 4	Y: 14 N: 2	Y: 2 N: 0	Y: 1 N: 2
22	Article VIII Misc	Update: Change title to "Road Easement"; prohibit future general encroachment on easement; delete Section 4 on fencing.	Referred back to Committee	Y: N:	Y: N:	Y: N:	Y: N:
23	Article VI Meetings	A. Prohibit proxy voting at all meetings	Fail	Y: 3 N: 18	Y: 3 N: 13	Y: 0 N: 2	Y: 0 N: 3
		B. Permit proxy voting at meetings and define requirements	Pass	Y: 19 N: 2	Y: 14 N: 2	Y: 2 N: 0	Y: 3 N: 0
24	Article V Dues	A. Change simple majority to 2/3rds vote at a meeting to recommend a mail vote for a dues change	Fail	Y: 7 N: 14	Y: 5 N: 12	Y: 0 N: 1	Y: 2 N: 1
		B. Change simple majority to 2/3rds vote to approve dues change by mail vote	Fail	Y: 5 N: 16	Y: 3 N: 14	Y: 0 N: 1	Y: 2 N: 1

Buckskin Heights Road Association

Bylaws Actions at Continued Annual Meeting, Friday September 18, 2020

#	ARTICLE	ACTION	Pass Fail	FINAL VOTE	ZOOM POLL	VOICE VOTES	PROXY VOTES
22	Article VIII Misc	Revised: Change title to "Road Definition"; prohibit future general encroachment on roadway; delete Section 4 on fencing.	Pass	Y: 15 N: 6	Y: 10 N: 5	Y: 1 N: 0	Y: 4 N: 1
25	Article I Govern Article II Board Article III Officers	Add communications officer to board; define duties of communications officer	Fail	Y: 3 N: 18	Y: 1 N: 14	Y: 0 N: 1	Y: 2 N: 3
26	Article VIII Misc	Change title to "Internet Communications"; change website wording; add internet communication system	Pass	Y: 18 N: 3	Y: 13 N: 2	Y: 1 N: 0	Y: 4 N: 1
27	Article VI Meetings	A&B. Clarify that appropriate issues for special meetings are those that require action before the next annual meeting; increase special meeting petition from 5 members to 15% of membership.	Pass	Y: 19 N: 2	Y: 13 N: 2	Y: 1 N: 0	Y: 5 N: 0
		C. Define board role in scheduling special meetings as amended.	Pass	Y: 20 N: 1	Y: 15 N: 0	Y: 1 N: 0	Y: 4 N: 1
28	Article VI Meetings	B. Clarify general mail vote procedures as amended.	Pass	Y: 20 N: 1	Y: 14 N: 1	Y: 1 N: 0	Y: 5 N: 0
		A. Add combination USPS/electronic mail vote option	Fail	Y: 12 N: 9	Y: 9 N: 6	Y: 0 N: 1	Y: 3 N: 2

PROPOSED AMENDMENTS TO BHRA BYLAWS

At the December 2019 special meeting of the Association, we identified several areas in our current Bylaws that needed attention. The Bylaws Revision Committee was formed by the Board this spring: Ann Dean, Lola Fehr (Parliamentarian Consultant), David Gaudio (BHRA President), Paul Hesson (Committee Chair), Mary Ann Long, Luke McOmie (BHRA Secretary), Pam Robinson (Board Director at Large), Rick Stahl, Sue Weber (Board Liaison). The committee met five times by Zoom with Parliamentarian Lola Fehr, for more than 10 hours of deliberation from the end of May through early July.

The resulting 28 proposed amendments are grouped into four categories:

- 10 wording changes (#1-10);
- 8 housekeeping changes (#11-18);
- 4 updates (#19-22); and
- 6 substantive changes (#23-28).

Each proposed change includes a committee recommendation based on extensive discussion, revision and collaboration.

We anticipate that the membership might feel comfortable acting on each of the first three groups of changes – wording, housekeeping and updates – by single motions to adopt each group, although we are prepared to discuss and vote on each amendment independently. The last six proposed amendments will likely need independent explanation, discussion and action.

Members of the Bylaws Revision Committee will be available to discuss the amendments with you via two optional Zoom meetings as follows:

- **Friday August 7 at 6:30pm**
- **Thursday August 13 at 6:30pm**

(The same registration link you receive after registering for the annual meeting will also allow you to join these optional bylaws discussion meetings.)

Please plan to join one or both of these meetings to answer any questions you may have prior to the annual meeting.

VOTING AT THE ZOOM ANNUAL MEETING

We will be using the “poll” electronic voting feature in Zoom to elect Board members and vote on proposed bylaws amendments. Here’s how:

- There are two enclosed documents that describe the proposed bylaws amendments – a brief 2-page short summary, with space for you to record your vote and another longer document with the exact wording of each proposed amendment.
- Each amendment, or group of amendments, must receive a 2/3 vote of approval for adoption. Parliamentarian Lola Fehr will tally the votes at the annual meeting.
- Registration is limited to members in good standing in the Association. Each membership should register only once under one email address. Each membership is entitled to only one vote – if both owners of the same property register under different emails and both attempt to vote, all votes from that membership will be discarded.
- When you register, you will be asked for your email address and the road address of your Buckskin Heights property.
- After registration, you will receive a confirmation email with a link that will allow you to join any of the four possible meetings listed above. Be sure to save that email!
- You may need to download and install – or update – the Zoom app on your device.
- Any questions? Contact Sue Weber (970-225-1830, sueweber47@gmail.com). She can also arrange a brief “test meeting” ahead of time to be sure all is working well for you at your convenience.

PROXY VOTING AT THE ANNUAL MEETING

Proxy voting is currently allowed by state law. The membership will decide if we wish to continue the practice in the future when we consider Amendment #23 to the *Bylaws*. In the meantime, if you wish to have someone vote your proxy, please send the completed signed form found at buckskinheights.org to Secretary Luke McOmie (bhra80541@gmail.com, PO Box 352, Masonville Co 80541) by Wed Aug 19. An email containing the information on the form sent from an email address we have on file for you will also work.

You are responsible for getting your proxy to the Secretary by the deadline of Wednesday Aug 19.

BHRA EXPENSE & INCOME SUMMARY • August 21, 2020

A	B	C	D	E	F	G	H
Category	2019 Actual	2020 Approved Budget	2020 Actual Expenses & Income to Date	2020 Budget Over (Under) to Date	2020 Expected Remaining Expenses & Income	2020 Projected Total Expense & Income	2020 Projected Over (Under) Budget
Bank Fees	\$12	\$10	\$0	(\$10)	\$0	\$0	(\$10)
Emergency Expense	\$1,485	\$0	\$24	\$24	\$0	\$24	\$24
Gate Maintenance	\$339	\$150	\$0	(\$150)	\$150	\$150	\$0
Grant Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Insurance	\$1,247	\$1,250	\$0	(\$1,250)	\$1,196	\$1,196	(\$54)
Legal/Financial	\$10	\$450	\$356	(\$94)	\$100	\$456	\$6
Mailings	\$194	\$150	\$118	(\$32)	\$32	\$150	(\$0)
Miscellaneous	\$327	\$200	\$0	(\$200)	\$200	\$200	\$0
Signs	\$230	\$600	\$0	(\$600)	\$600	\$600	\$0
Supplies	\$22	\$20	\$38	\$18	\$18	\$56	\$36
Fire Expense	\$252	\$0	\$0	\$0	\$0	\$0	\$0
Road Base Homeowner	\$4,056	\$0	\$478	\$478	\$0	\$478	\$478
Culverts	\$1,009	\$800	\$360	(\$440)	\$1,500	\$1,860	\$1,060
Road Grader Operator	\$10,340	\$10,000	\$7,385	(\$2,615)	\$3,750	\$11,135	\$1,135
Road Base	\$20,777	\$19,000	\$18,060	(\$940)	\$0	\$18,060	(\$940)
<i>BHRA Road Expense Subtotal</i>	<i>\$32,126</i>	<i>\$29,800</i>	<i>\$25,805</i>	<i>(\$3,995)</i>	<i>\$5,250</i>	<i>\$31,055</i>	<i>\$195</i>
Expense Subtotal	\$40,301	\$32,630	\$26,818	(\$5,812)		\$34,364	\$1,734
Dues & Late Fees	\$26,925	\$29,700	\$30,690	\$990	\$300	\$30,990	\$1,290
Emergency Donations	\$1,705	\$0	\$200	\$200	\$0	\$200	\$200
Interest	\$2	\$2	\$1	(\$1)	\$1	\$2	(\$0)
Grant Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Remote Control Sales	\$128	\$128	\$112	(\$16)	\$48	\$160	\$32
Homeowner Road Base Reimburse	\$4,534	\$0	\$0	\$0	\$0	\$0	\$0
Fire Reimburse	\$516	\$0	\$0	\$0	\$0	\$0	\$0
Miscellaneous	\$40	\$0	\$51	\$51	\$0	\$51	\$51
Income Subtotal	\$33,849	\$29,830	\$31,054	\$1,224		\$31,403	\$1,573
Checking Cash Flow Balance	(\$6,452)	(\$2,800)	\$4,235			(\$2,962)	

NOTES

Parliamentarian consultant for bylaws revision \$400

Woodchuck roadbase \$478 carryover (unused in 2019)

*Expected expenses should leave at least \$500 in projected ending balance

Budget: 66 properties @ \$450 = \$29,700
Actual: 67 of 68 properties (65 of 66 owners) are paid partially or in full, so pandemic has not increased delinquencies. \$650 in arrears was also paid.

BHRA ASSET SUMMARY

A	B	C	D	E	F	G	H
Category	2019 Actual Ending Balance	2020 Budgeted Ending Balance	2020 Actual Balance to Date			2020 Projected Ending Balance	
BHRA Checking Balance	\$3,807	\$1,007	\$27,123			\$845	
BHRA Savings Balance	\$5,005	\$5,007	\$5,006			\$5,007	
Total Assets	\$8,812	\$6,014	\$32,129			\$5,852	

*Target is \$500 to avoid bank fee

Buckskin Heights Road Association Treasurer's Report for FY2019 With Approved 2020 Budget • January 10, 2020

EXPENSE/INCOME SUMMARY

NOTES

A	B	C	D	E	F
Category	2018 Actual	2019 Approved Budget	2019 Actual	2019 Difference Over (Under)	2020 Approved Budget
Bank Fees	\$67	\$0	\$12	\$12	\$10
Emergency Expense	\$0	\$0	\$1,485	\$1,485	\$0
Gate Maintenance	\$0	\$500	\$339	(\$161)	\$150
Grant Expense	\$0	\$0	\$0	\$0	\$0
Insurance	\$1,237	\$1,190	\$1,247	\$57	\$1,250
Legal/Financial	\$10	\$50	\$10	(\$40)	\$450
Mailings	\$142	\$150	\$194	\$44	\$150
Miscellaneous	\$207	\$0	\$327	\$327	\$200
Signs	\$0	\$0	\$230	\$230	\$600
Supplies	\$0	\$400	\$22	(\$378)	\$20
Fire Expense	\$361	\$0	\$252	\$252	\$0
Road Base Homeowner	\$2,431	\$0	\$4,056	\$4,056	\$0
Culverts	\$0	\$0	\$1,009	\$1,009	\$800
Road Grader Operator	\$13,900	\$14,000	\$10,340	(\$3,660)	\$10,000
Road Base	\$10,049	\$19,400	\$20,777	\$1,377	\$19,000
BHRA Road Expense Subtotal	\$23,949	\$33,400	\$32,126	(\$1,274)	\$29,800
Expense Subtotal	\$28,404	\$35,690	\$40,301	\$4,611	\$32,630
Dues & Late Fees	\$27,200	\$26,400	\$26,925	\$525	\$29,700
Emergency Donations	\$0	\$0	\$1,705	\$1,705	\$0
Interest	\$2	\$2	\$2	(\$1)	\$2
Grant Income	\$0	\$0	\$0	\$0	\$0
Remote Control Sales	\$128	\$100	\$128	\$28	\$128
Homeowner Road Base Reimburse	\$2,431	\$0	\$4,534	\$4,534	\$0
Fire Reimburse	\$361	\$0	\$516	\$516	\$0
Miscellaneous	\$0	\$0	\$40	\$40	\$0
Income Subtotal	\$30,121	\$26,502	\$33,849	\$7,347	\$29,830
Cash Flow Balance	\$1,717	(\$9,188)	(\$6,452)		(\$2,800)

Parliamentarian for bylaws review \$400

Fire Expenses/Income were managed from the Wildfire Mitigation account. Income came entirely from donations from the community. The account was closed in 2019.

Budgeted Road Expense...

...includes \$3,807 carryover from 2019. Avg cost of 2019 delivered road base was \$375/concrete Raccoon, \$335/asphalt Lower

Budgeted Dues Income...

...assumes 66 of 68 properties pay \$450 annual dues

ASSET SUMMARY

A	B	C	D	E	F
Category	2018 Actual Ending Balance	2019 Budgeted Ending Balance	2019 Actual Ending Balance	2019 Difference Over (Under)	2020 Budgeted Ending Balance
Checking Balance	\$10,260	\$1,072	\$3,807	\$2,735	\$1,007
Savings Balance	\$5,004	\$5,006	\$5,005	(\$1)	\$5,007
Total Assets	\$15,264	\$6,078	\$8,812		\$6,014

Budgeted Checking Ending Balance...

...for 2020 is the 2019 ending balance plus the net budgeted 2020 cash flow balance. The target of about \$1,000 allows for \$500 minimum balance plus \$50 for January mailings, plus \$300-500 margin of error.

Fiscal Year 2019 Data Respectfully Submitted for Audit by:

Suzanne Weber 7/10/20
Suzanne Weber, Treasurer, October 2018-Present Date

Fiscal Year 2019 Data Audited and Approved by:

Denise Jackson 7-10-2020
Denise Jackson, BHRA Resident Date
Linda Bilsing 7/10/2020
Linda Bilsing, BHRA Resident Date

Audit of the 2019 financial records was completed by Linda Bilsing & Denise Jackson on 7/10/20, who concluded that "...the [BHRA] financial position and cash flow [are] in conformity with generally accepted principles." (Full report on the BHRA website buckskinheights.org/.)

INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
Buckskin Heights Road Association
P.O. Box 352, Masonville, CO 80541

Report on the Financial Statements

We have audited the Treasurer's Report; Audit Summary; VP's Work Completed details; expense invoices and authorizations; income receipts; and bank statements and check register of Buckskin Heights Road Association as of **December 31, 2019**.

BHRA's Board of Directors Responsibility for the Financial Statements

The Board is responsible for the preparation and fair presentation of these statements, and management of them to be free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we perform the audit to obtain reasonable assurance about whether the statements are free of material misstatement.

The procedures we have performed include but are not limited to: 1) reviewing invoices, receipts and deposits of the organization; 2) reviewing the check register, bank statements, and BHRA Property Owner Records, comparing the three for consistency; 3) reviewing expenses for reasonableness as to their use; 4) confirming all bank statements and invoices had notations that they had been reviewed; and 5) confirming the beginning and ending cash balance in the checking and savings accounts match the Asset Summary report.

Conduct of Audit

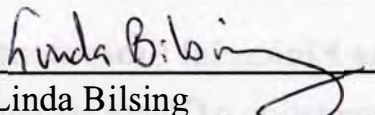
We conducted our audits in accordance with auditing standards generally accepted in the United States of America, specifically those defined by the Association of International Certified Professional Accountants (AICPA). Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements.

An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

Opinion

In our opinion, the statements referred to previously present fairly, in all material respects, the financial position and cash flows of Buckskin Heights Road Association as of December 31, 2019, in conformity with generally accepted accounting principles in the United States of America.

Both Linda Bilsing and Denise Jackson are residents of Buckskin Heights Road Association and have performed this audit free of charge.


Linda Bilsing


Denise Jackson

7-10-2020
Date

2020 WORK SUMMARY

Grading took place two times so far during 2020. These grading events were done at the same time as placement of material, at the end of March and the end of July. Total amount of material placed was 817.54 tons and took 53 truck trips to deliver (~15.4 tons per load average). Amount spent on material alone (not including hauling or spreading) was almost \$10,700; average cost per ton was \$13.09. (Price per ton for the July project was about 7.5% cheaper than the March project, likely because of the larger quantity.)

Length of road covered was just under 4,000 feet or a little over 3/4 of a mile. (Note: We have approximately 10 miles of road for which we are responsible.)

The ratio of road coverage below the gate (exterior road) to above the gate (interior road) was 2,946' to 1,032', or roughly 74% below and 26% above the gate.

The ratio of tonnage of material below the gate to above the gate was roughly 81% to 19% (assuming trucks all carried the average tonnage).

NOTE: This is a very difficult thing to do a direct comparison on, as width of road, thickness of material, and road condition all factor into distance covered.

Ditch cleanout work was accomplished along Raccoon Drive, Gray Squirrel Court, and Wolverine Court.

Road marker signs have been placed along the full length of Otter Road, Woodchuck Drive, and Raccoon Drive, marking approximately every 1/10 of a mile.

TOTAL EXPENSES - 2020 - ROAD WORK COMPLETED - As of August 21, 2020

MONTH	DAYS	COST	Spent to Date	BUDGET REMAINING						
JANUARY				\$ 29,800.00	STARTING AMOUNT AVAILABLE					
MARCH	3/31	\$ 6,486.59			Grading of Otter Road from pavement to intersection with Raccoon Rd. Also, placement and spreading of 12 loads of road base below the middle cattle guard. Cost Breakdown: Grading / Spreading Equipment \$2,370 Mobilization \$ 195 Material \$2,361.59 Trucking / Hauling \$1,560 Total <u>\$6,486.59</u>					
APRIL	4/1		\$ 6,486.59	\$ 23,313.41						
April	4/15 & 4/29	\$ 230.00	\$ 6,716.59	\$ 23,083.41	Ditch cleanout along Raccoon Drive and Gray Squirrel Court.					
JULY	7/26	\$ 130.00	\$ 6,846.59	\$ 22,953.41	Ditch cleanout above culvert near end of Wolverine Court.					
JULY	7/27 thru 7/29	\$ 19,436.12			Grading from pavement to intersection with Raccoon Road. Placement of material at various locations near middle of Otter Road and several interior roads. Cost Breakdown: Grading / Spreading Equipment \$ 4,625 Mobilization \$ 195 Material \$ 8,336.12 Trucking / Hauling \$ 6,280 Total <u>\$19,436.12</u>					
			\$ 26,282.71	\$ 3,517.29						

MATERIAL PLACEMENT - WORK COMPLETED, As of August 21, 2020

DATE	# OF LOADS	LOCATION OF MATERIAL DROP		MAT TYPE *	LENGTH OF DROP (FT)	LENGTH PER LOAD **	APPROX TRUCK CYCLE TIME ***
		GENERAL DESCRIPTION/LANDMARK	DISTANCE TO/FROM ROAD MARKERS				
3/31/2020 through 4/1 2020	6	Below the middle cattle guard	RM 16 + 120' TO RM 17 - 15'	R	393	65.5	1+30
	3	Below the middle cattle guard	RM 17+161' TO RM 17+280'	R	280	93.3333	1+30
	3	Sharp curve below Windmill House	RM 10-103' TO RM 10+180'	R	283	94.3333	1+15
7/27/2020 through 7/29/2020	4		RM 13 - 50' TO RM 13 + 224'	R	274	68.5	N/A
	6		RM 14 - 40' TO RM 14 + 320'	R	360	60	N/A
	11		RM 21-295' TO RM 21 + 380'	R	675	61.3636	N/A
	9.5		RM 24 - 13' TO RM 25 + 100'	R	641	67.4737	N/A
	0.5		RM 26 - 15' TO RM 26 + 35'	R	40	80	N/A
	1	Otter Road just above intersection with Woodchuck Drive	RM + 117' TO RM 234'	R	117	117	N/A
	2	Near end of Wolverine Ct	North of Driveway @ 8025 Wolverine, 125' to 330'	R	205	102.5	N/A
	2	Midway down Gray Squirrel Court	West of Driveway @ 8266 Gray Squirrel, 116' to 320	R	204	102	N/A
	3	Raccoon Drive near Intxn w/Wolverine	RM 2 - 15' to RM 2 + 306'	R	321	107	N/A
	1	Woodchuck Drive	RM 2 + 00' TO RM 2+70'	R	70	70	N/A
1	Woodchuck Drive	RM 8 + 272 TO RM 8 + 387	R	115	115	N/A	

LEGEND / NOTES: * Type: R = Recycled Asphalt Road Base: 53 Total Loads, 817.54 Total Tons of Material = 15.4 Tons per Average Load

2) Weather: Dry and cool (~55 degrees). Heavy snow a few days before (about 5 days prior).

* Type: R = Recycled Asphalt Road Base

** Length per load depends on variables such as condition of road at that location (exposed rock, etc.), actual quantity per load, thickness, and width of drop.

The last two were controlled by contractor as he was spreading with general direction from me which was given as 4-5 inches

*** Cycle time is time between same truck's consecutive arrival's at drop point. Highly variable due to variety of factors such as pit location, traffic between pit and drop point, location of drop point (e.g. Lower Otter versus end of Raccoon), staging and sequencing of trucks at drop point, etc. This information was not available for te July project because of wide spread between various drop locations.

Buckskin Heights Road Association • Proposed Bylaws Amendments • July 21, 2020

Questions? Contact Paul Hesson (sigmanu1959@gmail.com, 970-282-0848)

CURRENT	PROPOSED	EXPLANATION OR PROS & CONS
<p>01 Recommended All Articles</p>	<p>Wording: Permit non-substantive edits by Board. Approve the rewording, renumbering or re-lettering of sections/parts of the Bylaws, and addition of current amendment dates {}, as needed to maintain logic and sequencing <i>without changing meaning</i> after all amendments are approved.</p>	
<p>02 Recommended All Articles</p>	<p>Wording: Change mail “poll” to “vote/ballot” sent to all members preceded by required debate opportunity</p> <p>Change wording in all articles mentioning “mail poll” to “mail vote by all members” or “mail ballot sent to all members” as grammatically appropriate.</p> <p>Add requirement to all articles mentioning mail poll/vote/ballot that all “must be preceded by at least one opportunity for debate.”</p>	<p>“Vote” means that an action will be taken as a result of the preference shown in the vote. “Poll” is just to get an idea of what the general preference is; no action will be taken, it’s just for interest.</p> <p>Change throughout provides consistent language for the fair conduct of all mail votes.</p>
<p>03 Recommended Article I Governance Article III Officers</p>	<p>Wording: Change “he (or she)” to “he/she,” etc Throughout <i>Bylaws</i> as necessary, change alphabetically to: He (or she) to he/she Him (or her) to her/him His (or her) to her/his</p>	<p>These changes make it clear that women are not parenthetical members of the Association.</p>
<p>04 Recommended Article I Governance Article II Board Article III Officers</p> <p>Article III Officers <i>Section 6. Duties of the Members at Large. No description of duties has been defined.</i></p>	<p>Wording: Change “members at large” to “directors at large” and define duties of directors at large</p> <p>Throughout <i>Bylaws</i> as necessary, change “member(s) at large” to “director(s) at large”</p> <p><i>Section 6. Duties of the Directors at Large. The Directors at Large support Board functions as assigned.</i></p>	<p>Clarifies that all members of the Board of Directors have equal status and responsibility to serve the Association.</p>
<p>05 Recommended Article II. Board of Directors <i>Section 1. Duties.</i></p> <p>h. insure that all mandatory local, state and federal documents are filed, including, but not limited to, taxes, and other such requirements related to the legal status of the Association. {Annual Meeting 8/18/13}</p> <p>i. insure that the liabilities and assets of the Association are properly protected with appropriate insurance policies.</p>	<p>Wording: Change spelling “insure” to “ensure;” ensure board insurance coverage</p> <p>h. Ensure that all mandatory local, state and federal documents are filed, including, but not limited to, taxes, and other such requirements related to the legal status of the Association. {Annual Meeting 8/18/13}</p> <p>i. Ensure that the liabilities and assets of the Association are properly protected with appropriate insurance policies; and that the Association maintains appropriate directors’ and officers’ liability insurance coverage.</p>	<p>Correct word and spelling. To <i>ensure</i> something is to make sure it happens, to guarantee it. To <i>insure</i> something or someone is to cover it with an insurance policy.</p> <p>Puts our current practice in writing. This duty is always important, but especially so given proposed new Article II, <i>Section 8. Indemnification of Directors and Officers</i> in 13 below.</p>
<p>06 Recommended Article II Board of Directors <i>Section 6 Expenditure of Funds</i> b. Capital expenditure authorization (other than normal maintenance and operating expenses) shall require a mail ballot sent to all property owners. The expenditure shall be approved if two thirds (2/3) of those responding vote for approval.</p>	<p>Wording: Add “Special Assessment” title to section</p> <p>b. Special Assessments. Capital expenditure authorization (other than normal maintenance and operating expenses) shall require a mail ballot sent to all property owners, in accordance with these Bylaws. The expenditure shall be approved if two thirds (2/3) of those responding vote for approval.</p>	<p>Defines “special assessment” as used later in Articles IV, V and VI.</p>

CURRENT	PROPOSED	EXPLANATION OR PROS & CONS
<p>07 Recommended Article III. Officers <i>Section 2. Duties of the President.</i> . . . He (or she) shall keep informed of the Vice President's functions and perform these functions in the absence or disability of the Vice President.</p>	<p>Wording: Simplify wording of president takeover for vice president</p> <p><i>Section 2. Duties of the President.</i> . . . He (or she) shall assume the functions of the Vice President in the absence or disability of the Vice President.</p>	<p>Eliminates awkward wording in the last sentence.</p>
<p>08 Recommended Article IV. Membership <i>Section 2. Requirements of Membership.</i> In order to become and maintain a membership of the Association, a member representing said membership shall own land or interest in land as above described; and shall pay all annual dues and assessments. <i>Section 3. Use of the Facilities of the Association.</i> a. All valid memberships of the Association shall be accorded equal use of the roads of the Association.</p>	<p>Wording: Add definition of "membership in good standing" and use of BHRA roads "and facilities"</p> <p>In order to become and maintain a membership in good standing of the Association, a member representing said membership shall own land or interest in land as above described; and shall pay all annual dues and assessments.</p> <p>a. All memberships in good standing shall be accorded equal use of the roads and facilities of the Association.</p>	<p>The definition of "valid memberships" is "memberships in good standing."</p> <p>" . . . "and facilities" includes gate, water tank, and possibly equipment used by Wildfire Mitigation Committee, etc.</p>
<p>09 Recommended Article V. Dues <i>Section 1. Dues.</i> i. Conduct a mail vote within thirty (30) days by providing to each membership in good standing: (1) a description and justification for the change in dues; and (2) a self-addressed, postage-paid, uniquely-identified ballot. ii. Ballots must be returned to the Association's United States Postal Service mailing address within thirty (30) days of the initial mailing date to be counted.</p>	<p>Wording: Clarify that mail vote requires pros/cons; add USPS abbreviation</p> <p>i. Conduct a mail vote in accordance with these Bylaws within thirty (30) days by providing to each membership in good standing: (1) a description of the change in dues; (2) a brief summary of reasons for and against the change in dues; and (3) a self-addressed, postage-paid, uniquely-identified ballot. ii. Ballots must be returned to the Association's United States Postal Service (USPS) mailing address within thirty (30) days of the initial mailing date to be counted.</p>	<p>Requires an even-handed description of all the issues related to the dues change, not just the positive points. (This language is repeated in 28 below Article VII Meetings Section 4 regarding other mail votes.)</p> <p>Allows the use of the USPS abbreviation throughout the rest of the document.</p> <p>This section will require minor wording changes if electronic voting is approved in 28.</p>
<p>10 Recommended Article VI. Meetings <i>Section 7. Rules of Order.</i> All meetings will be conducted according to Robert's Rules of Order.</p>	<p>Wording: Specify "Newly Revised" edition of Robert's Rules of Order as BHRA authority <i>Section 7. Rules of Order.</i> All meetings will be conducted according to Robert's Rules of Order Newly Revised.</p>	<p>Clarifies that the current version of Robert's Rules of Order is the authority for BHRA.</p>
<p>11 Recommended Article II. Board of Directors <i>Section 1. Duties.</i> j. Review, approve, and publish the minutes of the annual meeting on the Association website in a timely manner.</p>	<p>Housekeeping: Clarify board maintenance of records; ensure appropriate access to Association records</p> <p>j. Association Records. i. Review, approve, and publish the minutes of the annual and special meetings on the Association website in a timely manner. ii. Ensure both the openness of Association records and privacy of membership records as required by Colorado law. iii. Any membership may inspect public records of the Association upon specific written request. The Secretary shall make such specified records available within seven (7) days of receiving the request.</p>	<p>Ensures that minutes are drafted, approved and made publicly available for all meetings of the Association in a timely fashion.</p> <p>Puts our historical and current practices in writing.</p>

CURRENT	PROPOSED	EXPLANATION OR PROS & CONS
<p>12 Recommended Article II. Board of Directors <i>Section 4. Meetings.</i> The Board of Directors shall meet at least semi-annually, and may meet at other such times and intervals as it may deem necessary.</p>	<p>Housekeeping: Increase frequency of board meetings, permit appropriate board actions without meeting <i>Section 4. Meetings.</i> a. The Board of Directors shall meet at least quarterly, and may meet at other such times and intervals as it may deem necessary. b. The Directors may take any time-sensitive action in the absence of a meeting, which they could take at a meeting, by obtaining the approval of a majority of the Directors. Any such action or approval shall have the same effect as though taken at a meeting of the Directors; and shall be ratified and recorded in the minutes of the next Board meeting.</p>	<p>Both parts put our historical and current practice in writing.</p>
<p>13 Recommended Article II. Board of Directors Add NEW Section 8</p>	<p>Housekeeping: Indemnify directors & officers <i>Section 8. Indemnification of Directors and Officers.</i> Each person who acts as a director or officer of the Association, or any agent of the Association given such privileges by the Board of Directors, shall be indemnified by the association against expenses actually and necessarily incurred by him/her in the connection with the defense of any action, suit or proceedings in which he/she is made a party by reason of his/hers being or having been a director or officer of the Association, except in relation to matters as to which he/she shall be adjudged in such action, suit or proceeding to be liable for gross negligence or willful misconduct, and except any sum paid for the Association in settlement of an action, suit or proceeding based upon the gross negligence or willful misconduct in the performance of his/her duties. The right of indemnification provided herein shall insure to each director and officer, whether or not he/she is such director or officer at the time such cost or expenses are imposed or incurred, and in the event of his/her death shall extend to his/her legal representatives.</p>	<p>An important protection for members elected to serve on the BHRA Board as fiduciary officers. The standard language of this provision is found in the bylaws of all common interest communities in our area.</p>
<p>14 Recommended Article II. Board of Directors <i>Section 1. Duties.</i> Consistent with these <i>Bylaws</i>, the Board of Directors shall: e. Constitute and appoint committees and define the powers and duties of the same. Article III. Officers <i>Section 2. Duties of the President.</i> He (or she) shall appoint, subject to confirmation by the Board of Directors, all standing and special committees, designating the chairman thereof. He (or she) shall be an <i>ex officio</i> member of all committees. . . . <i>Section 4. Duties of the Secretary.</i> He (or she) shall be an <i>ex officio</i> member of all committees.</p>	<p>Housekeeping: Reduce required board involvement on committees Article II. Board of Directors <i>Section 1. Duties.</i> Consistent with these <i>Bylaws</i>, the Board of Directors shall: e. Constitute and appoint committees, define the powers and duties of the same, and appoint the membership and leadership of the same. At least one Board member shall be designated by the Board as an <i>ex officio</i> member of each committee formed, who shall serve as liaison to the Board. Article III. Officers <i>Section 2. Duties of the President.</i> The President shall preside at the meetings of the Association and of the Board. He (or she) shall be the administrative officer of the Association. He (or she) shall keep informed of the Vice President's functions and perform these functions in the absence or disability of the Vice President. <i>Section 4. Duties of the Secretary.</i> The Secretary shall send out the notices of the meetings of the Association and of the Board; keep the minutes, maintain the corporate records and attend to the correspondence pertaining to the office as may be required by the Board. In the absence or disability of both the President and Vice-President, the Secretary shall perform the minimal necessary functions of those offices for the continuing operation of the Association.</p>	<p>This addition to Article II Section 1 replaces portions of Article III Sections 2&4. This amendment clarifies how committees are formed and committee membership and leadership are designated. It eliminates the current ambiguity of language between Article II Section 1(e) and Article III Section 2. More importantly, this amendment makes it possible for the Board to appoint the appropriate <i>ex officio</i> officer or director at-large to each committee, which may not be the President or Secretary. It reduces the potential number and influence of Board members on each committee. It distributes the work of the Board more efficiently.</p>

CURRENT	PROPOSED	EXPLANATION OR PROS & CONS
<p>15 Recommended Article V. Dues <i>Section 2. Delinquencies.</i> a. In the event that members become delinquent in the payment of annual dues or assessments, the Board may: ii. Suspend all privileges of membership, including road use privilege, by sending a registered letter to the last known mailing address of the member.</p> <p>Article VIII. Miscellaneous <i>Section 6. Rules of the Road</i> b. Violations of the Rules of the Road. i. Reckless or careless driving that endangers persons or property shall be reported to the Larimer County Sheriff's Office. ii. Documented violations of the rules of the road may result in the suspension of road usage privileges on the platted roads within the subdivision. Violation of a Board-authorized suspension of road usage may result in civil or criminal action.</p>	<p>Housekeeping: Clarify penalties for dues delinquencies; delete penalties for violations of rules of the road.</p> <p>ii. Suspend privileges of membership, including road use by motor vehicles, by sending a registered letter to the last known mailing address of the member.</p> <p>b. Reckless or careless driving that endangers persons or property shall be reported to the Larimer County Sheriff's Office.</p> <p>DELETE (ii) as unenforceable.</p>	<p>Each membership has a legal obligation to pay dues to maintain the road. This change clarifies the penalty for dues non-payment to something we can potentially enforce.</p> <p>The Association does not have the authority to impose road use restrictions based on violations of Colorado traffic law.</p>
<p>16 Recommended Article VI. Meetings <i>Section 3. Notice.</i> Whenever notice to the membership shall be required by the Bylaws, the Article of Incorporation or otherwise, said notice shall be determined properly given and adequate when it is addressed to the memberships at such address as shall appear in the records of the Association, and is deposited in the United States Mail, postage prepaid. Notice to any member of a membership shall constitute notice to the entire membership. Each membership shall be responsible to provide the Association with its correct address and any change of address.</p>	<p>Housekeeping: Permit official notice by USPS and USPS/email combination <i>Section 3. Notice.</i> a. Whenever notice to the membership shall be required by the <i>Bylaws</i>, the Article of Incorporation or otherwise, said notice shall be determined properly given and adequate when it is either (1) addressed to the memberships at such address as shall appear in the records of the Association, and is deposited with the USPS mail, postage prepaid; or (2) addressed to the memberships at such USPS or email address as specified by the membership and contained in the records of the Association, and is either deposited with the USPS mail, postage prepaid, or electronically transmitted. b. Notice to any member of a membership shall constitute notice to the entire membership. c. Each membership shall be responsible to provide the Association with its correct address and any change of address.</p>	<p>Puts our current practice in writing.</p> <p>In adding electronic notice as an option, it is important to maintain the Association's legal right to send anyone official notice by documentable USPS only.</p>
<p>17 Recommended Article VI. Meetings Add NEW Section 3</p>	<p>Housekeeping: Permit electronic meetings</p> <p><i>Section 3. Electronic Meetings.</i> All meetings of the Association – annual, special, board and committee – may be held electronically.</p>	<p>Covid-19 reality. Electronic meetings are specifically allowed by the Colorado Revised Nonprofit Corporation Act.</p>

CURRENT	PROPOSED	EXPLANATION OR PROS & CONS
<p>18 Recommended Article VIII. Miscellaneous Section 7. Community Water Tank. The Association shall be authorized to construct, operate and maintain a community water tank for fire suppression to promote the general welfare of the members of the Association. {Mail Poll 6/25/17} a. Funding for the construction, operation, and maintenance of the project shall come entirely from private sources, not from Association funds. b. Liability insurance for the water tank will be included in the Association's policy at no additional cost to the Association. c. The Association is authorized to enter into an agreement for a suitable plot of land with a cost not to exceed one (1) dollar per annum. No additional costs are authorized.</p>	<p>Housekeeping: Delete outdated water tank language Section 7. Community Water Tank. The Association shall be authorized to maintain a community water tank for fire suppression to promote the general welfare of the members of the Association. Funding for the maintenance of the water tank shall come entirely from private sources, not from Association funds.</p>	<p>Deleted verbiage is no longer applicable.</p>
<p>19 Recommended Article II. Board of Directors Section 1. Duties. Consistent with these <i>Bylaws</i>, the Board of Directors shall: e. Constitute and appoint committees and define the powers and duties of the same. Add NEW Section</p>	<p>Update: Describe ad hoc & standing committee structure; add Wildfire Mitigation as an unfunded standing committee Delete Section 1(e) and move to new Section 2 in Article II. Renumber subsequent sections. The <u>[underlined portion]</u> may or may not have been approved in 14 above. Section 1A. Committees. a. Consistent with these <i>Bylaws</i>, the Board of Directors shall constitute and appoint ad hoc committees and define the powers and duties of the same <u>[...and appoint the membership and leadership of the same. At least one Board member shall be designated by the Board as an <i>ex officio</i> member of each ad hoc committee formed, who shall serve as liaison to the Board.]</u> b. Standing Committees: i. The Wildfire Mitigation Standing Committee is responsible for (1) maintaining the Community Wildfire Protection Plan and the Buckskin Heights Wildfire Evacuation Plan, both of which shall be posted on the Association's website; (2) seeking and administering community fire mitigation grants; and (3) organizing and implementing community projects to reduce the potential spread of fire in Buckskin Heights. The Board of Directors shall appoint one of its members as liaison to the committee. All memberships in good standing may join the committee. Funding for wildfire mitigation activities shall come entirely from private sources, not from Association funds.</p>	<p>This new section puts all information about committees in one place. An <i>ad hoc</i> committee is a temporary committee that is formed for a specific purpose. A standing committee is a permanent committee that meets regularly. Part (b) moves the existing Wildfire Mitigation Committee into the BHRA governance structure. It establishes a formal communication channel between the Board and the committee; and it defines the essential duties of the committee to “promote the health, civic and general welfare” of the neighborhood. It recognizes the value of state and federal grant funds for mitigation projects that focus mainly on the common road easement. Self-funding language is similar to 18 Article VIII Section 7 Water Tank.</p>

CURRENT	PROPOSED	EXPLANATION OR PROS & CONS
<p>20 Recommended Article II Board of Directors <i>Section 6 Expenditure of Funds</i> b. Capital expenditure authorization (other than normal maintenance and operating expenses) shall require a mail ballot sent to all property owners. The expenditure shall be approved if two thirds (2/3) of those responding vote for approval.</p>	<p>Approve special assessments at annual/special meetings in addition to mail vote</p> <p>b. Special Assessments. Capital expenditure authorization (other than normal maintenance and operating expenses) shall require a two-thirds (2/3) vote of the membership in good standing present in person or by proxy at an annual meeting, or special meeting called for that purpose; or by a mail ballot sent to all property owners, in accordance with these Bylaws.</p>	<p>Annual and special meetings provide the opportunity to debate any capital expenditure above and beyond what can be absorbed by annual dues.</p> <p>"Or by proxy" will be added if proxy voting in 23 is approved.</p>
<p>21 Recommended Article VI. Meetings <i>Section 5. Quorum. Ten (10) active members,</i> present in person shall constitute a quorum at all Association meetings.</p>	<p>Update: Increase meeting quorum from 10 members to 20% (14 members)</p> <p><i>Section 5. Quorum. Twenty percent (20%) of the entire membership,</i> present in person, shall constitute a quorum at all Association meetings.</p>	<p>20% of 67 properties = 13.4 = 14 Annual (Special) Mtg Attendance: 2011: 19, 2012: 20, 2013: 14, 2014: 17, 2015: 25, 2016: 24, 2017: 21, 2018: 17, 2019: 25 (17) 1980: 12 full-time or part-time residents 2020 49 full-time or part-time residents</p> <p>The Colorado Common Interest Ownership Act provides guidance: "...unless the bylaws provide otherwise, a quorum is deemed present throughout any meeting of the association if persons entitled to cast twenty percent ... of the votes ... are present ..."</p>
<p>22 Recommended</p> <p>Article VIII. Miscellaneous <i>Section 3. Width of the Road.</i> The width of the road is legally described by the Grant of Easement (April 17, 1969) as "sixty (60) feet wide, extending thirty (30) feet from either side of the center line of said existing road," as defined by the Dedication of Access Road (October 13, 1970) and the Plat Plan of the Buckskin Heights First and Second Filings (October 21, 1970 and January 1, 1971). As a practical matter, the width of the road shall be determined by terrain, drainage, and community safety considerations. {Change approved 8/18/13}</p> <p><i>Section 4. Fences.</i> (Change approved 8/10/97) a. No fence shall be located so as to interfere with the right of way easement [thirty (30) feet in each direction perpendicular from the center line of all existing roads]. b. Existing fences as of August 10, 1997 shall be exempt from this provision given that they are at least twenty feet from centerline of existing roads. c. Fences in violation of this provision shall be moved or removed at the owner's expense.</p>	<p>Update: Change title to "Road Definition"; prohibit future general encroachment on easement; delete Section 4 on fencing.</p> <p><i>Section 3. Road Easement. Definition.</i> a. The width of the defined roadway is legally described by the Grant of Easement (April 17, 1969) as "sixty (60) feet wide, extending thirty (30) feet from either side of the center line of said existing road," as defined by the Dedication of Access Road (October 13, 1970) and the Plat Plan of the Buckskin Heights First and Second Filings (October 21, 1970 and January 1, 1971). b. As a practical matter, the width of the road shall be determined by terrain, drainage, and community safety considerations. c. No encroachment into the road easement shall be permitted. Existing structures as of August 21, 2020 shall be exempt from this provision.</p> <p>c. No encroachment into the defined roadway that poses a safety hazard, or impedes emergency access or road maintenance, shall be permitted. Existing structures as of August 21, 2020 shall be exempt from this provision. Larimer County ordinances shall be followed.</p> <p>DELETE ENTIRE Section 4. Fences</p>	<p>At the Annual Meeting on August 28, 2020, the original proposed amendment highlighted in yellow was referred back to the BHRA Bylaws Committee for revision.</p> <p>The revised wording highlighted in green was unanimously recommended to the Association by the Bylaws Committee at their Zoom meeting on Tuesday, September 8, 2020.</p> <p>Encroachment into the easement poses safety risks, affecting emergency access, wildfire hazard and plowing/grading.</p> <p>Part (c) added to Section 3 covers fences, so Section 4 can be deleted</p>

CURRENT	PROPOSED	EXPLANATION OR PROS & CONS
<p>23 Recommended</p> <p>Assumes that <u>underlined language</u> changing “mail(ing) polls” to “mail votes” has been previously approved.</p> <p>Article VI Meetings. Section 4. <i>Voting at Meetings (or in a Mail Vote Sent to All Members)</i>. Only memberships in good standing shall be entitled to vote at meetings of the Association (or in a <u>mail vote</u> sent to all members). Voting may be by voice, but five (5) memberships shall have the right to demand a roll call vote. Each membership shall be entitled to one (1) vote. A membership in good standing is defined as one where no annual dues or assessments are delinquent.</p>	<p>23 Permit proxy voting at meetings and define requirements, with proviso</p> <p><i>Section 4. Voting at Meetings <u>or by Mail.</u></i></p> <p>a. Each membership in good standing shall be entitled to one (1) vote. A membership in good standing is defined as one where no annual dues or assessments are delinquent.</p> <p>b. Voting at meetings may be by voice, but five (5) memberships shall have the right to demand a roll call vote.</p> <p>23</p> <p>c. Proxy voting.</p> <p>i. At annual and special meetings of the Association, a member entitled to vote may vote in person or by proxy.</p> <p>ii. The proxy must be executed in writing and include:</p> <ul style="list-style-type: none"> • the date of the meeting; • the name and address of the person designated to execute the proxy; • the specific or general scope of the proxy; and • the name, BHRA property address and dated signature of the member granting the proxy. <p>iii. An email containing all the bulleted information above from the member granting the proxy, sent from an email address on file with the Association, is acceptable.</p> <p>iv. All proxies must be presented to the Secretary of the Association before the meeting is called to order. It is the sole responsibility of the member granting the proxy to ensure that her/his proxy is received in a timely manner.</p> <p>v. The Secretary shall determine the validity of all proxies.</p> <p>vi. No membership may vote more than two (2) proxies at any meeting.</p> <p>Provisio: If this amendment fails, “Proxy voting at Board or Association meetings is prohibited” will be inserted into the Bylaws.</p>	<p>PRO: Proxy voting allows more members to have a voice in decisions, even when they cannot attend a meeting to participate in debate.</p> <p>CON: Proxy voting conflicts with the purpose of a deliberative assembly and the equality of members within it. Proxy voting allows members to avoid attending meetings in person. Equity is diminished when one member has more votes than another.</p> <p>BACKGROUND: The Colorado Revised Nonprofit Corporation Act permits documented proxy voting at membership (but not board) meetings unless specifically prohibited by the bylaws of the organization. Therefore, we must let out members know either that:</p> <p>(1) Proxies are legal and how to properly execute a valid proxy at our membership meetings OR</p> <p>(2) Proxies are not permitted at any membership meeting OR</p> <p>The documentation requirements for a legal proxy are defined in the Colorado Revised Nonprofit Corporation Act, and are reflected in the wording of this amendment.</p>
<p>24A Not Recommended</p> <p>24B Not Recommended</p> <p>Article V. Dues Section 1. <i>Dues.</i></p> <p>b. When a simple majority of the memberships in good standing present at an annual meeting, or special meeting called to consider a change in dues, recommends a vote to change the annual dues, the Board shall: ...</p> <p>iii. If a simple majority (more than half) of all the valid mail ballots received by the deadline are cast in the affirmative, the change in dues shall be approved.</p>	<p>24A Change simple majority vote to 2/3rds vote at a meeting to recommend a mail vote for a dues change</p> <p>24B Change simple majority vote to 2/3rds vote to approve dues change by mail vote</p> <p>[24A] b. When 2/3rds of the memberships in good standing present in person or by proxy at an annual meeting, or special meeting called to consider a change in dues, recommends a vote to change the annual dues, the Board shall: ...</p> <p>[24B] iii. If 2/3rds of all the valid mail ballots received by the deadline are cast in the affirmative, the change in dues shall be approved</p>	<p>PRO: As a compromise between the rights of the individual and the rights of the assembly, a 2/3 vote is necessary. Matters of finance and BHRA monies should be authorized by more than a difference of 1 vote.</p> <p>CON: The current procedure was approved in 2018 by 41 of 46 members (89%) as a way to give balanced voice to residents (who use the road regularly and can attend a meeting), and the entire resident/non-resident membership (in a subsequent mail vote). Realistically, a change to 2/3 mail vote would make most future dues increases difficult if not impossible; the condition of the road will get worse with inflation. Furthermore, 2/3 of our members would be unfairly at the mercy of a small minority of property owners whose “no” mail votes would each count twice as much as a “yes” vote.</p> <p>If proxy voting is approved in 23, the phrase “or by proxy” will be inserted in (b) for clarity.</p>

CURRENT	PROPOSED	EXPLANATION OR PROS & CONS
<p>25 Not Recommended Article I. Governance <i>Section 1. Management.</i> The Association shall be managed by a Board of six (6) Directors. The Board shall consist of a President, Vice President, Secretary, Treasurer, and two members at large.</p> <p>Article II. Board of Directors, <i>Section 1(c)</i></p> <p>Article III. Officers <i>Section 1. Officers.</i> The officers of the Association shall be President, Vice President, Secretary, and Treasurer. The officers shall be elected annually by the Board of Directors by a majority vote from among its members; and shall hold office until the end of the first meeting of the Board following the annual meeting. An officer may be removed from office by a two-thirds (2/3) vote of the Board of Directors.</p> <p>Add New Section 7</p>	<p>Add communications officer to board and define duties of communications officer</p> <p><i>Section 1. Management.</i> The Association shall be managed by a Board of six (6) Directors. The Board shall consist of a President, Vice President, Secretary, Treasurer, Communications Officer, and one Director at Large.</p> <p>[Make a similar amendment to Article II]</p> <p><i>Section 1. Officers.</i> The officers of the Association shall be President, Vice President, Secretary, Treasurer and Communications Officer. The officers shall be elected annually by the Board of Directors by a majority vote from among its members; and shall hold office until the end of the first meeting of the Board following the annual meeting. An officer may be removed from office by a two-thirds (2/3) vote of the Board of Directors.</p> <p>Section 7. Duties of the Communications Officer. The Communications Officer shall maintain the Association's website, internet communication system and electronic meeting platform; and implement electronic meetings as may be required by the Board or the membership.</p>	<p>PRO: With the advent of electronic communications (website, Groups.io and virtual meetings), a board member with the same terms as other officers (Article I Governance, <i>Section 2 Terms of Directors</i>) should hold an official position with the BHRA. Communications to and from the Board should be handled as seriously as the other directors and at-large members, and governed by the same term of office and rules as the rest of the Board.</p> <p>CON: The Board has the existing power in Article II(1)(d) to appoint one or more directors at large – or any other qualified persons – to perform some or all of these technical duties. This amendment would require the Board to rely solely on the skills of one of the six people willing to serve on the Board, with potential disruptive turnover every year. This would not serve the board or membership well.</p>
<p>26 Recommended Article VIII. Miscellaneous</p> <p><i>Section 5. Website.</i> a. The Association website shall be known as <u>www.buckskinheights.org</u>. It shall be maintained by a webmaster appointed by the Board of Directors. b. The content of the website shall be determined by the Board of Directors. The content of the website shall promote the health, civic and general welfare of the members of the Association; and shall not include political or religious information, or commercial advertisement.</p>	<p>Change title to “Internet Communications;” change website wording; add internet communication system</p> <p>If communications officer in 25 is not approved: [26A] Section 5. Internet Communications a. The Association website shall be known as <u>www.buckskinheights.org</u>. It shall be maintained by a webmaster appointed by the Board of Directors. The content of the website shall be determined by the Board of Directors. The content of the website shall promote the health, civic and general welfare of the members of the Association; and shall not include personal opinion, political or religious information, or commercial advertisement. b. The Association shall also maintain an internet communication system for both emergency and general interest use; it shall exclude religious, political and commercial content. The Board of Directors shall appoint two co-administrators to promote civility and fairness, and provide technical support and continuity.</p> <p style="text-align: center;">OR</p> <p>[26B] If communications officer in 25 is approved: Section 5. Internet Communications a. The Association website shall be known as <u>www.buckskinheights.org</u>. It shall be maintained by a webmaster appointed by the Board of Directors. The content of the website shall be determined by the Board of Directors. The content of the website shall promote the health, civic and general welfare of the members of the Association; and shall not include personal opinion, political or religious information, or commercial advertisement. b. The Association shall also maintain an internet communication system for both emergency and general interest use; it shall exclude religious, political and commercial content.</p>	<p>BACKGROUND:</p> <ul style="list-style-type: none"> The website is designed to be an objective source of mostly static information useful to the community over time – contact information for board members; minutes and legal documents; descriptions of active interest groups; etc Our communication system has evolved over the last 15 years from an emergency-only email chain maintained by the fire committee through internet-based <i>AirSet, BigTent</i> to <i>GroupsIO</i>. It now supports general interest and board functions, as well as its original emergency function. It should be administered by the Association, not the fire committee, “to promote the health, civic and general welfare” of the neighborhood. <p>CURRENT ADMINISTRATION:</p> <ul style="list-style-type: none"> The website is currently updated infrequently by one webmaster appointed by the Board. The communication system is currently administered by two co-administrators appointed by the Wildfire Mitigation Committee. They provide immediate, though infrequent, support for individual accounts, and provide infrequent redundant coordination of emergency efforts.

CURRENT	PROPOSED	EXPLANATION OR PROS & CONS
<p>27A Recommended 27B No Recommendation 27C No Recommendation</p> <p>Article VI. Meetings Section 2. Special Meetings. Special meetings of the Association may be called by the Board of Directors or upon written request of five (5) memberships given to the Secretary, stating the purpose thereof. At least thirty (30) days written notice shall be given to the memberships.</p>	<p>27A Clarify special meeting procedures</p> <p>27B Increase special meeting petition from 5 members to ____. Vote blank 20% (14), 15% (10), 10% (7)</p> <p>27C Define board role in scheduling special meetings</p> <p>Section 2. Special Meetings. [27A] Special meetings of the Association to deal with important issues that require action before the next annual meeting may be called by the Board of Directors</p> <p>[27B] or upon written petition, signed by ten percent (10%) of the memberships, given to the Secretary. At least thirty (30) days written notice shall be given to the memberships.</p> <p>[27C] The Board shall determine the time and place of special meetings, within the established norm, to maximize attendance.</p>	<p><u>Underlined</u> text is consistent with RONR, p 92 language on special meetings.</p> <p>Data: 10% of 67 properties = 6.7 = 7 15% of 67 properties = 10 20% of 67 properties = 13.4 = 14</p> <p>1980: 12 full-time or part-time residents 2020 49 full-time or part-time residents</p> <p>The bold red phrase in 27C is subject amendment to “..., with a preference for in-person meetings within the platted subdivision,...” The current phrase is too vague to offer clear guidance for board action.</p>
<p>28A No Recommendation 28B Recommended</p> <p>Article VI Meetings Section 4. Voting at Meetings (or in a <u>Mail Vote Sent to All Members</u>). Only memberships in good standing shall be entitled to vote at meetings of the Association (or in a <u>mail vote</u> sent to all members). Voting may be by voice, but five (5) memberships shall have the right to demand a roll call vote. Each membership shall be entitled to one (1) vote. A membership in good standing is defined as one where no annual dues or assessments are delinquent.</p>	<p>28A Add combination USPS/electronic vote option</p> <p>28B Clarify general mail vote procedures</p> <p>Section 4. Voting at Meetings <u>or by Mail.</u></p> <p>a. Each membership in good standing shall be entitled to one (1) vote. A membership in good standing is defined as one where no annual dues or assessments are delinquent.</p> <p>b. Voting at meetings may be by voice, but five (5) memberships shall have the right to demand a roll call vote.</p> <p>c. PROXY VOTING decision from 23</p> <p>[28B]</p> <p>d. Mail Votes: Mail votes not specifically authorized in these Bylaws should generally be reserved for important issues that require action before the next annual meeting. All mail votes shall be preceded by at least one opportunity for debate and conducted as follows:</p> <p>(i) Send by USPS to each membership in good standing (1) an exact description of the proposal; (2) a brief summary of reasons for and against the proposal; and (3) a self-addressed, postage-paid, uniquely-identified ballot;</p> <p>[28A] ... or</p> <p>(ii) Send by USPS or email to each membership in good standing, at such USPS or email address as specified by the membership and contained in the records of the Association, (1) an exact description of the proposal; (2) a brief summary of reasons for and against the proposal; and as appropriate (3) a self-addressed, postage-paid, identifiable paper ballot; or (4) an email with a method to return a secure identifiable electronic ballot.</p> <p>[28B Continued]</p> <p>iii. All ballots must be returned to the Association's USPS mailing address or completed electronically, as appropriate, before the published deadline to be counted. The Secretary shall keep paper ballots and printed copies of electronic ballots on file in the records of the Association.</p>	<p>The <u>Bylaws</u> specifically authorize mail votes for special assessments for capital expenditures, changes in the dues, and bylaws changes. The <u>underlined phrase</u> relative to other potential mail votes is from RONR, p 424.</p> <p>This amendment makes it clear that all mail votes must be preceded by debate and fairly conducted by including any cons as well as the pros in any summary sent to the memberships. Whatever language is adopted here about how mail votes are conducted will apply to all articles that permit mail votes – including special assessments, dues and bylaws changes – unless otherwise specified. Details need not be repeated in those articles.</p> <p>[28A] Part (ii) adds the optional use of a secure electronic voting mechanism in combination with a USPS mail vote using paper ballots.</p> <p>PROS: Electronic voting might appeal to younger residents. CONS: Exclusive electronic voting cannot be required since memberships can opt to receive official notices by USPS. Not all memberships use or trust the security of electronic devices. A USPS/email vote would be an unnecessary and work-intensive administrative challenge.</p> <p>[27A] Part (ii) and the <i>bolded phrases</i> in 28B are subject to an amendment to strike.</p> <p>Voting Anonymity:</p> <ul style="list-style-type: none"> • When only uniquely-identified paper ballots are used in a USPS-only mail vote in (i), the tabulation of votes is anonymous. • When a combination of paper and electronic ballots are used in (ii), the vote tabulation cannot be anonymous because each vote must be matched to the membership roster to be validated and recorded.