



BUCKSKIN HEIGHTS ROAD ASSOCIATION

2023 MINUTES

Board & Association Minutes with Summary of Board of Membership

Buckskin Heights Road Association • 2022-23 Board Members (Status July 2022)

Name	Term & Year Elected	Status
Abbott, Brian, At Large*	1 st term Aug 2021	Serving through Aug 2023
Arnold, Mary, Vice President*†	1 st term (1 year) Aug 2022	Serving through Aug 2023
Weber, Sue, Treasurer*	1 st term Aug 2021	Serving through Aug 2023
McQueen, Dan, President	1 st term Aug 2020, 2 nd term Aug 2022	Serving through Aug 2024
Smith, Cindy, Secretary	1 st term Aug 2022	Serving through Aug 2024
Torrey, Bill, At Large	1 st term Aug 2022	Serving through Aug 2024

*Indicates a board member whose 1st term is ending; eligible for a second 2-year term

†Completing Heeney 2021-23 term

Buckskin Heights Road Association • 2023-24 Board Members (July 2023)

Name	Term & Year Elected	Status
McQueen, Dan, President**	1 st term Aug 2020, 2 nd term Aug 2022	Serving through Aug 2024
Smith, Cindy, Secretary*	1 st term Aug 2022	Serving through Aug 2024
Torrey, Bill, At Large*	1 st term Aug 2022	Serving through Aug 2024
Evans, Rich, Vice President	1 st term Aug 2023	Serving through Aug 2025
Weber, Sue, Treasurer	1 st term Aug 2021, 2 nd term Aug 2023	Serving through Aug 2025
Wilson, Justin, At Large	1 st term Aug 2023	Serving through Aug 2025

*Indicates a board member whose 1st term is ending in 2024; eligible for a second 2-year term

**Indicates a board member whose 2nd term is ending in 2024; ineligible for another 2-year term

Buckskin Heights Road Association
BOARD MINUTES for Thursday, January 26, 2023
Zoom Meeting • 6:30 pm

ATTENDANCE:

Board Members Present: Brian Abbott (At Large), Mary Arnold (Vice President), Dan McQueen (President), Bill Torrey (At Large), Sue Weber (Treasurer)
Board Member Excused: Cindy Smith (Secretary),
Community Members: Kathy Hingtgen, Luke McOmie, Paul Rutt, Rick Stahl

CALL TO ORDER, WELCOME/INTRODUCTIONS, QUORUM:

The meeting was called to order by President Dan McQueen with quorum present at 6:30pm.

APPROVAL OF AGENDA:

Mary Arnold made a motion to approve the agenda. It was seconded and **approved**.

AGENDA:

Community Input: None at this time.

Secretary's Report: Sue Weber made a motion to confirm the email approval of the minutes from the November 30, 2022 BHRA Board meeting as distributed. It was seconded and **approved**. Secretary Cindy Smith is travelling; Sue volunteered to take the minutes in her absence.

Treasurer's Report:

1. Treasurer Sue Weber reviewed the attached Treasurer's Report. It summarizes the cash on hand, collection of dues for 2022, and the property sales in 2022.
2. Zelle payments are now supported by Wells Fargo and are being used by the membership already.
3. Sue reviewed the "Final YTD 2022 Financial Report," which summarizes the income and expenditures from last year and the proposed budget for 2023. She made a motion to approve the "Final YTD 2022 Financial Report" and the proposed 2023 budget as distributed. It was seconded and **approved**.
4. Sue made a motion to appoint Jodi Abbott and Bonnie Torrey to conduct the 2022 financial audit for the Association. It was seconded and **approved**.
5. Sue reported that 4 working remote controls were turned in by former property owners. The Board agreed to not charge the next 4 members who requested remote controls.

Road Report:

1. Summary of Nov/Dec 2022 Roadwork: Mary Arnold reported that MCMS (Brad & Jesse Moore on Glade Rd) graded nearly all the roads over about 1 month when the road was wet. They added some water turnouts and reestablished others to ensure proper drainage at a cost of \$5,645. This was the first time on the road – they did a nice job on most areas of the road, but there were some areas on Woodchuck where previous work was damaged. Mary will develop a plan with Brian Abbott and Allan Heese to repair damage this summer.
2. Update on Plan for Winter/Spring 2023:
 - A. Mary Arnold encouraged homeowner donations to supplement what the Association can spend.
 - B. Paul Rutt reported that he had removed a tree from the road that had fallen from the easement above his property. There are other trees in our emergency exit on the Katie Conrad property. He and David Smith will contact Katie to determine how to remove the blockage.
 - C. Dan McQueen made a motion to authorize Paul Rutt to remove trees from the easement that are unsafely encroaching on the right-of-way as per *Bylaws*. Bill Torrey volunteered to help. It was seconded and **approved**.

Gate Report/Security:

1. Structural Damage to Gate: The post on the east side of the electronic gate has a broken weld on the substructure. We need to dig it up this spring to repair it, hopefully with the help of Leroy Lawrence.
2. Bill Torrey and Sue Weber pointed out that we need new signage on the electronic gate: replace sign that indicates "standard wide pickups and cars only" and add contact information for reporting damage. Bill will work on this and also survey the rest of the road for signs that need replacement.

Fire Committee Report: Paul Rutt volunteered to work with others to get the Fire Committee reactivated.

Old Business:

1. *Bylaws* Committee (Arnold, Heese, McQueen, Smith, Torrey, Stahl, Weber) have a meeting scheduled with parliamentarian Lola Fehr by Zoom for Mon, Feb 13, 6:30pm.

2. **Scheduling the Special Meeting:** Sue Weber made a motion to hold a special meeting of the Association on Sunday, March 12 at 2:30pm at Rick Stahl's house for the single purpose of discussing and possibly authorizing a subsequent mail ballot on the REEG capital expenditure proposal (attached). It was seconded and **approved**. Sue and Cindy Smith will get the official notice out with the proposal 30 days in advance.

New Business: Bill Torrey made a motion to install a 36" convex safety mirror (\$70-\$150) on the hairpin corner below the McBride property; he will purchase and install it at no cost to the Association. It was seconded and **approved**. The rest of the group expressed sincere appreciation to Bill for this initiative!

Adjournment to Executive Session: Sue Weber made a motion to adjourn the public meeting at 8:10pm. It was seconded and **approved**. No business was conducted at the executive session.

Adjournment: The meeting was adjourned at 8:30pm.

Respectfully Submitted,
Sue Weber, Acting Secretary

Buckskin Heights Road Association Treasurer's Report

Sue Weber – January 26, 2023 (Board Meeting)

1. Checking account balance 1/26/23	=	\$13,055.05
Pending Expenses	=	\$0.00
Pending Deposits	=	\$1,350.00
Checking available	=	\$14,405.05
Savings account balance 1/26/23	=	\$5,007.95
TOTAL AVAILABLE 1/26/23	=	\$19,413.00

2. Dues:

- 2023 – Dues notices sent out January 16-17, 2023 by USPS and email; one posted on gate on January 21, 2023. Dues for 6 of 67 properties (6 of 62 owners) are paid in full.
- Zelle payments are now supported by Wells Fargo. 3 of the 6 dues payments so far are via Zelle.

3. 10 Completed Property Sales in 2022 (18 total since the Cameron Peak Fire, October 2020):

- 1/7/22 – Jeremiah & Sandra May (8857 Otter Ct) to Luke & Melanie McOmie & Jonathan Dilley
- 1/7/22 – Heather Speicher (13728 Raccoon Dr) to Justin Wilson
- 2/8/22 – Pamela Robinson (8315 Gray Squirrel Ct) to Cameron & Alice Louie
- 4/8/22 – Estate of Gregory Nelson (13451 Raccoon Dr) to Justin Wilson
- 4/15/22 – Estate of Stanley Long (13888 Otter Rd) to Sarah Simpkins, James Leslie & Robert Leslie
- 4/26/22 – Joshua Embrey (8220 Raccoon Ct) to Jeffrey Moe
- 7/15/22 – Glenn Heeney & Ann Dean (13328 Otter Rd) to Bethany & Allison Seymour
- 8/30/22 – Airn & Matthew Hartwig (13001 Otter Rd) to Rich & Debbie Evans
- 9/30/33 – Jacob Jandrew & Samantha Walker (13428 Otter Rd) to Hermine & Clinton Culley Trust
- 12/20/22 – Rudy Hansch Trust (12721 Woodchuck Dr) to Darin & Erin Glenn

4. 4 Current Properties for Sale/Pending Closings:

- Keifer Jacobson (13382 Otter)
- Scott & Sharon Lazarowicz (8025 Wolverine Ct)
- Edwin Standard (13960 Otter Rd)
- Jacob Jandrew & Samantha Walker (12727 Otter Rd)

5. Proposed 2023 Budget (attached)

- ### 6. Designation of Committee for 2022 Audit
- Jodi Abbott & Bonnie Torrey have agreed to serve. *Bylaws*, Article II, Section 3. Annual Audit. The Board shall cause the books of the Association to be audited annually by a committee selected by the directors. The fiscal year for the Buckskin Heights Road Association (BHRA) shall be January 1 – December 31.

©2023 Buckskin Heights Road Association
Buckskin Heights Road Association Treasurer's Report for FY2022
 With **PROPOSED** 2023 Budget • January 26, 2023
 EXPENSE/INCOME SUMMARY

A	B	C	D	E	F	NOTES
Category	2021 Actual	2022 Approved Budget	2022 Actual	2022 Difference Over (Under)	2023 PROPOSED Budget	
Bank Fees	\$0	\$0	\$0	\$0	\$0	
Emergency Expense	\$2,025	\$0	\$0	\$0	\$0	
Gate Maintenance	\$0	\$200	\$0	(\$200)	\$500	
Grant Expense	\$0	\$0	\$0	\$0	\$0	
Insurance	\$1,235	\$1,300	\$1,337	\$37	\$1,400	
Legal/Financial	\$61	\$100	\$383	\$283	\$500	
Mailings	\$104	\$100	\$198	\$98	\$300	
Miscellaneous	\$0	\$0	\$0	\$0	\$0	
Road Signs & Accessories	\$0	\$200	\$0	(\$200)	\$500	
Office Supplies	\$99	\$100	\$54	(\$46)	\$100	
Technology	\$0	\$0	\$154	\$154	\$350	
Fire Expense	\$0	\$0	\$0	\$0	\$0	
Transfer to Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	
Road Base Homeowner	\$3,950	\$0	\$3,000	\$3,000	\$0	2022: 6 15T loads (Raccoon Rd/Ct); (BHRA: 29 15T loads total)
Road Culverts & Ditchwork	\$1,372	\$4,000	\$1,705	(\$2,295)	\$1,500	
Road Grader Operator	\$14,006	\$14,700	\$18,243	\$3,543	\$16,000	2022: Single grading ~\$3K; with 35 loads road base ~\$9K
Road Base	\$12,933	\$14,000	\$14,349	\$349	\$20,000	40 15T loads
Possible Road Groom Operation						
Possible Road Groom Maintenance						Assumes no Road Groom expenses for 2023
Possible Road Groom Contract						
BHRA Road Expense Subtotal	\$28,311	\$32,700	\$34,296	\$1,596	\$37,500	2022: 35 loads of delivered road base \$17.3K, ~\$500/15T-load
Possible Road Groom Cap Expense						Assumes no Road Groom capital expense for 2023
Expense Subtotal	\$35,784	\$34,700	\$39,423	\$4,723	\$41,150	
Dues & Late Fees	\$30,410	\$29,700	\$41,890	\$12,190	\$30,150	Budgeted Dues Income...
Emergency Donations	\$2,175	\$0	\$0	\$0	\$0	...assumes all 67 properties (65 of 65 owners) pay \$450 annual dues
Interest	\$1	\$1	\$1	\$0	\$6	and includes undesignated donations.
Grant Income	\$0	\$0	\$0	\$0	\$0	
Remote Control Sales	\$16	\$0	\$112	\$112	\$100	
Road Base Homeowner Reimburse	\$3,950	\$0	\$3,004	\$3,004	\$0	
Fire Reimburse	\$0	\$0	\$0	\$0	\$0	
Miscellaneous	\$0	\$0	\$0	\$0	\$0	
Possible Road Groom Assessment						Assumes no Road Groom capital special assessment for 2023
Income Subtotal	\$36,552	\$29,701	\$45,007	\$15,306	\$30,256	
Cash Flow Balance	\$767	(\$4,999)	\$5,585		(\$10,894)	

ASSET SUMMARY

A	B	C	D	E	F	NOTES
Category	2021 Actual Ending Balance	2022 Budgeted Ending Balance	2022 Actual Ending Balance	2022 Difference Over (Under)	2023 #1 Budget Ending Balance	
Checking Balance	\$5,978	\$979	\$11,561	\$10,582	\$667	Budgeted Checking Ending Balance...
Savings Balance	\$5,007	\$5,008	\$5,008	\$0	\$5,014	...for 2023 is the 2022 actual ending balance plus the net budgeted
Total Assets	\$10,984	\$5,986	\$16,569		\$5,681	2023 cash flow balance. The target of <\$500 allows for minimum

Fiscal Year 2022 Data Respectfully Submitted for Audit by:

 Suzanne Weber, Treasurer, October 2021-Present Date

Fiscal Year 2022 Data Audited and Approved by:

 BHRA Member Date

 BHRA Member Date

PURCHASE AN 8.5' ROAD GROOM (www.roadgroom.com)
PULL-BEHIND ROAD SMOOTHING IMPLEMENT FOR NO MORE THAN \$15K TO BE OPERATED BY BHRA BOARD-APPROVED RESIDENT(S) IN OPTIMAL WEATHER BETWEEN 3 REGULAR PROFESSIONAL MOTOR-GRADINGS (under Budget Options #1, #2 or #3.)

1. Approval: The Association membership must approve any capital expenditure to purchase the Road Groom by a 2/3 vote of those responding to a mail ballot (Bylaws, Article II, Section 6b).
2. Initial Financing: As of January 2023, we had about \$11K in checking mostly from a one-time dues payment on a long-delinquent property. Our approved 2023 budget without the Road Groom purchase is below. Budget Options #1-3 show options for purchasing the Road Groom, with or without an optional special assessment as follows:
 - A. **Option #1:** Maintain professional road upkeep at 2022 level with a one-time special assessment of \$150/property in addition to current annual dues of \$450/property. Grading costs and road base purchases (29 BHRA loads) would be about the same as 2022.
 - B. **Option #2:** Reduce professional road upkeep with a one-time special assessment of \$100/property in addition to current annual dues of \$450/property. Grading costs would be somewhat reduced because road base purchased (24 loads) would drop by about 20% from 2022.
 - C. **Option #3:** Minimize professional road upkeep with no additional money from property owners. Grading costs would be reduced by about 20% and road base purchased would drop by 50% (15 BHRA loads) from 2022.
3. Ongoing Costs
 - D. Maintenance: Allocate BHRA budget of about \$500/year to maintain the Road Groom – new tines at regular intervals, repair of any incidental damage, etc.

- E. Insurance: No additional insurance is necessary if we budget for maintenance/damage costs (see 3D above and 4H below). Liability/collision insurance will be covered by the owner of the vehicle towing the Road Groom (see 4I below).
- F. Personnel: The Association will budget for an authorized volunteer operator(s) to use personal truck(s) to operate the Road Groom at \$200/smoothing for up to 7 smoothings/year.
- G. Re-establishing/continuing 2022 professional road upkeep in 2023 and beyond would require a \$30/property increase** in road dues in 2023 to cover ongoing maintenance/operating costs (\$1,900).
4. Insurance:
 - H. Damage to the Road Groom cannot be covered by our existing BHRA liability policy – options are a specialized policy or budgeting those costs as regular maintenance.
 - I. Liability insurance on the towing vehicle will be the responsibility of the owner of the vehicle (see 5K below).
5. Board Responsibilities:
 - J. The BHRA Vice President will authorize each use of the Road Groom (Bylaws, Article II, Section 6d); schedule authorized operators (see 5K below); and maintain accurate records of each use (date/time, operator, areas smoothed, weather conditions, any issues, etc).
 - K. The BHRA Board will approve a list of authorized operators who:
 - Have specific experience or been specifically trained to use the Road Groom equipment; and
 - Annually provide proof of adequate insurance (\$500K) on the towing vehicle AND sign an updated “Hold Harmless” agreement (draft attached).
 - L. The BHRA Board will designate specific Association member(s) who will store the equipment and arrange timely maintenance and repairs.

EXPENSE/INCOME SUMMARY

NOTES

A	B	C	D	E	F	G
Category	2021 Actual	2022 Actual	2023 Approved Budget	2023 RG PURCHASE #1 Budget	2023 RG PURCHASE #2 Budget	2023 RG PURCHASE #3 Budget
1 Non-Road Expenses	\$3,524	\$2,126	\$3,650	\$3,150	\$3,150	\$3,150
2 Road Base Homeowner	\$3,950	\$3,000	\$0	\$0	\$0	\$0
3 Road Culverts & Ditchwork	\$1,372	\$1,705	\$1,500	\$1,250	\$1,000	\$750
4 Road Grader Operator	\$14,006	\$18,243	\$16,000	\$15,500	\$15,000	\$13,000
5 Road Base	\$12,933	\$14,349	\$20,000	\$14,500	\$12,000	\$7,500
6 Possible Road Groom Operation				\$1,400	\$1,400	\$1,400
7 Possible Road Groom Maintenance				\$500	\$500	\$500
8 Possible Road Groom Contract						
9 BHRA Road Expense Subtotal	\$28,311	\$34,296	\$37,500	\$33,150	\$29,900	\$23,150
10 Possible Road Groom Cap Expense				\$15,000	\$15,000	\$15,000
11 Expense Subtotal	\$35,784	\$39,423	\$41,150	\$51,300	\$48,050	\$41,300
12 Dues & Late Fees	\$30,410	\$41,890	\$30,150	\$30,150	\$30,150	\$30,150
13 Interest	\$1	\$1	\$6	\$6	\$6	\$6
14 Other Income	\$2,191	\$112	\$100	\$100	\$100	\$100
15 Road Base Homeowner Reimburse	\$3,950	\$3,004	\$0	\$0	\$0	\$0
16 Possible Road Groom Assessment				\$10,050	\$6,700	\$0
17 Income Subtotal	\$36,552	\$45,007	\$30,256	\$40,306	\$36,956	\$30,256
18 Cash Flow Balance	\$767	\$5,585	(\$10,894)	(\$10,994)	(\$11,094)	(\$11,044)

2022: Homeowner 6 loads (+BHRA 29 loads = 35 loads total)
 2022: Single grading ~\$3K; with 35 loads road base ~\$9K
 2023 Approved=40 loads;
 #1=29 loads; #2=24 loads; #3=15 loads
 Possible \$50/hrx4hrs/day=\$200/day, 7/year=\$1,400
 Possible maintenance of Road Groom
 2022: 35 15-T loads of delivered road base \$17.3K, ~\$500/load
 #1-3 Possible purchase of Road Groom**
Budgeted Dues Income...
 ...assumes all 67 properties (62 of 62 owners) pay \$450 annual dues and includes undesignated donations.
Special capital assessment/property #1=\$150, #2=\$100, #3=\$0
 **In 2024 and beyond, re-establishing/maintaining 2022 level grading/materials after Road Groom purchase requires dues increase of \$30/property

ASSET SUMMARY

A	B	C	D	E	F	G
Category	2021 Actual Ending Balance	2022 Actual Ending Balance	2023 Budgeted Ending Balance	2023 RG Purchase #1 Budget Balance	2023 RG Purchase #2 Budget Balance	2023 RG Purchase #3 Budget Balance
19 Checking Balance	\$5,978	\$11,561	\$667	\$567	\$467	\$517
20 Savings Balance	\$5,007	\$5,008	\$5,014	\$5,014	\$5,014	\$5,014
21 Total Assets	\$10,984	\$16,569	\$5,681	\$5,581	\$5,481	\$5,531

Budgeted Checking Ending Balance...
 ...for 2023 is the 2022 actual ending balance plus the net budgeted 2023 cash flow balance. The target of >\$500 allows for minimum bank balance.

THE FOLLOWING TWO RENTAL OPTIONS ARE NOT PART OF THE REEG PROPOSAL. THEY ARE POSSIBLE OPPORTUNITIES THAT THE BOARD MAY CHOOSE TO IMPLEMENT; NEITHER REQUIRES ASSOCIATION APPROVAL.

If the Association votes NOT to purchase the Road Groom, a BHRA resident may purchase it privately and offer it for hire. Another BHRA resident already owns a box grader that is available for hire.

HIRE THE OWNER OF A 8.5' PULL-BEHIND ROAD GROOM (www.roadgroom.com) OR 10' PULL-BEHIND BOX GRADER TO SMOOTH THE ROAD IN OPTIMAL WEATHER BETWEEN 3 REGULAR PROFESSIONAL MOTOR-GRADINGS (Budget Option #4)

1. Approval: The BHRA Board is authorized to enter into reasonable contracts (Bylaws, Article II, Section 6). Association approval is not required.
2. Initial Financing & Ongoing Costs:
 - A. All expenditures would come out of the regular annual budget.
 - B. Possible cost of use for 7 monthly 8-hr smoothings/yr:
 - **Road Groom:** \$6,720/yr – Approximately \$120/hr inclusive of implement, pull vehicle, operator, fuel and all incidentals (subject to inflation). A commitment to a multiple-year contract between BHRA and the equipment owner would be required.
 - **Box Grader:** \$3,920/yr – Approximately \$70 per hour inclusive of implement, pull vehicle, operator, fuel and all incidentals (subject to inflation).
 - C. Maintenance and storage of the Road Groom/box grader and the towing vehicle(s) would be the responsibility of the owner of the Road Groom/box grader and vehicle(s) respectively.

- D. The owner of the Road Groom/box grader would be responsible for arranging, and paying if necessary, the authorized operator(s) (see 4I below) of the equipment for each smoothing.
- E. Maintaining 2022 professional road upkeep in 2023 and beyond would require:
 - Road Groom – \$100/property increase in road dues to cover ongoing contractual costs (\$6,700).
 - Box Grader -- \$60/property increase in road dues to cover ongoing contractual costs (\$3,920).
3. Insurance:
 - F. Liability and damage insurance for the Road Groom/box grader would be the responsibility of the owner.
 - G. The operator of the towing vehicle would provide annual proof of adequate insurance (\$500K) on the towing vehicle AND sign an updated “Hold Harmless” agreement (see 4I below).
4. Board Responsibilities:
 - H. The BHRA Vice President would be responsible for authorizing each use (Bylaws, Article II, Section 6d) of the Road Groom/box grader, subject to 4I below; and maintaining accurate records of each use of Road Groom/box grader (date/time, operator, areas groomed, weather conditions, any issues, etc).
 - I. The owner of the Road Groom/box grader and the BHRA Board would jointly approve a list of authorized operators who:
 - Have specific experience or been specifically trained to use the Road Groom/box grader equipment; and
 - Annually provide proof of adequate insurance (\$500K) on the towing vehicle AND sign an updated “Hold Harmless” agreement (draft attached).

EXPENSE/INCOME SUMMARY

NOTES

	A	B	C	D	H
Category	2021 Actual	2022 Actual	2023 Approved Budget	2023 RG Hire #4 Budget	
1 Non-Road Expenses	\$3,524	\$2,126	\$3,650	\$3,150	
2 Road Base Homeowner	\$3,950	\$3,000	\$0	\$0	2022: Homeowner 6 loads (+BHRA 29 loads = 35 loads total)
3 Road Culverts & Ditchwork	\$1,372	\$1,705	\$1,500	\$1,250	2022: Single grading ~\$3K; with 35 loads road base ~\$9K
4 Road Grader Operator	\$14,006	\$18,243	\$16,000	\$15,500	
5 Road Base	\$12,933	\$14,349	\$20,000	\$14,500	2023 Approved=40 loads; #4=29 loads
6 Possible Road Groom Operation					
7 Possible Road Groom Maintenance					
8 Possible Road Groom Contract				\$6,720	#4 Possible owner contract (3-years) for Road Groom operation *
9 BHRA Road Expense Subtotal	\$28,311	\$34,296	\$37,500	\$37,970	2022: 35 15-T loads of delivered road base \$17.3K, ~\$500/load
10 Possible Road Groom Cap Expense					
11 Expense Subtotal	\$35,784	\$39,423	\$41,150	\$41,120	
12 Dues & Late Fees	\$30,410	\$41,890	\$30,150	\$30,150	Budgeted Dues Income...
13 Interest	\$1	\$1	\$6	\$6	...assumes all 67 properties (62 of 62 owners) pay \$450 annual dues and includes undesignated donations.
14 Other Income	\$2,191	\$112	\$100	\$100	
15 Road Base Homeowner Reimburse	\$3,950	\$3,004	\$0	\$0	
16 Possible Road Groom Assessment					
17 Income Subtotal	\$36,552	\$45,007	\$30,256	\$30,256	
18 Cash Flow Balance	\$767	\$5,585	(\$10,894)	(\$10,864)	

*In 2024 and beyond, maintaining 2022 level grading/materials with Road Groom hire requires dues increase of \$100/property

ASSET SUMMARY

	A	B	C	D	H
Category	2021 Actual Ending Balance	2022 Actual Ending Balance	2023 Budgeted Ending Balance	2023 RG Hire #4 Budget Balance	
19 Checking Balance	\$5,978	\$11,561	\$667	\$697	Budgeted Checking Ending Balance...
20 Savings Balance	\$5,007	\$5,008	\$5,014	\$5,014	...for 2023 is the 2022 actual ending balance plus the net budgeted 2023 cash flow balance. The target of >\$500 allows for minimum bank balance.
21 Total Assets	\$10,984	\$16,569	\$5,681	\$5,711	

**Buckskin Heights Road Association
HOLD HARMLESS AGREEMENT**

This HOLD HARMLESS AGREEMENT (the "Agreement") is made as of [REDACTED] (the "Effective Date") by and between Buckskin Heights Road Association (the "Indemnitee"), located at PO Box 352, Masonville, Colorado 80541, and John/Mary Doe (the "Indemnifier"), located at ### XXXXXX Rd, Loveland, Colorado 80538. The Indemnitee and Indemnifier may be referred to individually as the "Party", or collectively, the "Parties".

RECITALS

WHEREAS, the Indemnifier desires to hold harmless and indemnify the Indemnitee from all liabilities, losses, claims, judgments, suits, fines, penalties, demands or expenses that may result from the indemnitee's participation in the activity defined in Section 1.7; and

WHEREAS, Indemnitee desires indemnity against all liabilities, losses, claims, judgments, suits, fines, penalties, demands or expenses that may result from the Indemnitee's participation in the activity defined in section 1.07.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

SECTION 1: DEFINITIONS AND INTERPRETATIONS

- 1.1 Words in the singular shall include the plural and vice versa.
- 1.2 A reference to one gender shall include a reference to the other genders.
- 1.3 A reference to writing or written includes e-mail.
- 1.4 Any obligation in this Agreement on a Party not to do something includes an obligation not to agree or allow that thing to be done.
- 1.5 Any phrase introduced by the terms "including", "include", "in particular" or any similar expression shall be construed as illustrative and shall not limit the sense of the words preceding those terms.
- 1.6 References to sections or clauses are to the sections or clauses of this Agreement.

1.7 "Activity" shall mean: Grading, smoothing, excavating or other work done to improve the surface and/or drainage of private roads managed by the Buckskin Heights Road Association (BHRA, Indemnitee) using equipment rented for that purpose by BHRA or owned by the indemnifier.

SECTION 2: INDEMNIFICATION

- 2.1 Indemnification. To the fullest extent permitted by applicable law, the Indemnifier will hold harmless and indemnify the Indemnitee against any and all claims and actions arising out of Indemnitee's participation in the Activity, including, without limitation, expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with any liability, suit, action, loss, or damage arising or resulting from the Indemnitee's participation in the Activity, subject to the limits on indemnification described in section 2.02.
- 2.2 Exceptions. Indemnifier shall not hold harmless and indemnify Indemnitee under the following circumstances:
 - (1) against a claim caused by the negligence or fault of the Indemnitee, its agent or employee, or any third party under the control or supervision of the Indemnitee, other than the Indemnifier or its agents, employees or contractors.
 - (2) in a civil action, where the Indemnitee did not act in good faith and in a reasonable manner; and
 - (3) where the actions or conduct of the Indemnitee constituted willful misconduct or the Indemnitee was knowingly fraudulent or deliberately dishonest.
- 2.3 Settlement and Consent. The Indemnitee will not settle any claim or action without first obtaining the written consent of the Indemnifier. The Indemnifier or will not be liable for any amounts paid in settlement of any claim or action where written consent was not obtained.
- 2.4 Cooperation. Both Parties agree to cooperate in good faith and provide any and all information necessary for the defense of any claim or action.

SECTION 3: MISCELLANEOUS

3.1 Representation on Authority of Parties/Signatories. Each Party signing this Agreement represents and warrants that they are duly authorized and have legal capacity to execute and deliver this Agreement. Each Party represents and warrants to the other that the execution and delivery of the Agreement and the performance of such Party's obligations hereunder have been duly authorized, and that this Agreement is a valid and legal

agreement binding on such Party and enforceable in accordance with its terms.

- 3.2 Amendment. This Agreement may only be changed or supplemented by a written amendment, signed by authorized representatives of each Party.
- 3.3 Waiver. The waiver of any breach or violation of any term or condition hereof shall not affect the validity or enforceability of any other term or condition, nor shall it be deemed a waiver of any subsequent breach or violation of the same term or condition. No waiver of any right or remedy under this Agreement shall be effective unless made in writing and executed by the Party so to be charged. The rights and remedies of the Parties to this Agreement are cumulative and not alternative.
- 3.4 Entire Agreement. This Agreement constitutes the entire Agreement between the Parties, replacing all other written and/or previous agreements.
- 3.5 Severability. The Parties acknowledge that this Agreement is reasonable, valid and enforceable. However, if any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, it is the Parties' intent that such provision be changed in scope by the court only to the extent deemed necessary by that court to render the provision reasonable and enforceable and the remainder of the provisions of this Agreement will in no way be affected, impaired or invalidated as a result.
- 3.6 Governing Laws. The validity, construction and performance of this Agreement shall be governed and construed in accordance with the laws of

Colorado, without giving effect to any form of conflict of law provisions thereof. The Federal and State courts located in Colorado shall have sole and exclusive jurisdiction over any disputes arising under the terms of this Agreement.

- 3.7 Effect of Title and Headings. The title of the Agreement and the headings of its Sections are included for convenience and shall not affect the meaning of the Agreement or the Section.
- 3.8 Attorney's Fees. If any legal proceeding is brought for the enforcement of this Agreement, or because of an alleged breach, default or misrepresentation in connection with any provision of this Agreement or other dispute concerning this Agreement, the successful or prevailing party shall be entitled to recover reasonable attorney's fees incurred in connection with such legal proceeding. The term "prevailing party" shall mean the party that is entitled to recover its costs in the proceeding under applicable law, or the party designated as such by the court.
- 3.9 Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the Parties, their respective successors and assigns.
- 3.10 Interpretation. The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either Party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.
- 3.11 Counterparts. This Agreement may be executed in counterparts. Facsimile signatures are binding and are considered to be original signatures.

THE UNDERSIGNED HAVE READ, UNDERSTAND and ACCEPT THIS AGREEMENT, and by signing this Agreement, all Parties agree to all of the aforementioned terms, conditions and policies.

XXXXXX, President
Buckskin Heights Road Association

Date Signed

John/Mary Doe

Date Signed

Buckskin Heights Road Association Special Meeting Minutes

Sunday, March 12, 2023 • Stahl Residence (13914 Otter) and by Zoom

ATTENDANCE: Quorum of 14 membership was satisfied as follows:
19 properties represented in-person (14) or on Zoom (5); 9 represented by proxies. 28 total properties eligible to vote.

Road Association Board Members Present (6):

In-Person (4): Dan McQueen, President; Mary Arnold, Vice President; Sue Weber, Treasurer; Bill Torrey, Director at Large
By Zoom (2): Cindy Smith, Secretary; Brian Abbott, Director at Large

Other Association Properties Present (22):

In-Person (10): John Appelmann (2 properties), Rich & Debbie Evans, Allan Heese (& Ruth by Zoom), Sanjeev Karki, Shana Longo, Michael Lowe, Traci Reynolds, Melissa St Clair, Rick Stahl
By Zoom (3): David Gaudio, Kathy Hingtgen, Calvin Simpkins

Proxies (9): Faris/Bilsing (Heese), McGowan (Weber), Rutt (Heese), Seymour (McQueen), Stewart (Smith), Wilson (3 properties, McQueen), Woods (Evans)

Other: None

CALL TO ORDER AND WELCOME: The meeting was called to order at 2:40 PM by President Dan McQueen.

AGENDA: The agenda and meeting notice was approved as distributed 30 days prior to the special meeting (attached).

METHOD OF VOTING: Stahl made a motion to make voting a roll call method. The motion was seconded by Sue Weber and **approved**.

REVIEW OF AGENDA: Sue Weber reviewed the agenda as outlined in the special meeting notice as follows:

This special meeting of the Buckskin Heights Road Association membership was called by the BHRA Board of Directors in accordance with the BHRA Bylaws to discuss and vote upon the following three motions. Any of these motions, if adopted, incorporate the proposed policies and procedures detailed in the "BHRA Special Mtg REEG Proposal 2-8-23 FINAL" (attached) unless amended, as follows.

Purchase Option #1: Purchase a Road Groom for no more than \$15K, with one-time special assessment of \$150/property, maintaining professional road upkeep at 2022 level.

Purchase Option #2: Purchase a Road Groom for no more than \$15K, with one-time special assessment of \$100/property, reducing professional road upkeep to about 80% of 2022 level.

Purchase Option #3: Purchase a Road Groom for no more than \$15K, with no special assessment, reducing professional road upkeep to about 50% of 2022 level.

No Purchase Option: Do not purchase the Road Groom.

- *If one of these 3 mail ballot purchase options is approved by the majority of the members of the members attending the special meeting, a subsequent mail ballot of the membership will be conducted according to our Bylaws, Article II, Section 6(b). If a 2/3 majority of those members responding to the mail ballot approve, the equipment will be purchased.*
- *If none of the 3 mail ballot purchase options are approved by a majority vote of the members attending the special meeting, no mail ballot of the Association will be conducted and no purchase will be made.*

DISCUSSION OF REEG PROPOSALS: Questions from participating members were discussed concerning:

1. How to accurately define “2022 levels” of road upkeep? Sue Weber explained that costs in future years at the “2022 level” in the REEG proposal were based on costs for the three gradings and 35 loads of road base spread in 2022, without accounting for probable inflation (best case scenario).
2. How many Association members were willing to sign up for pulling the Road Groom? Two residents of the 19 properties represented in person at the meeting were willing to use personal vehicles to operate the Road Groom. The possibility that community volunteers could be hired by BHRA to operate the Road Groom was discussed.
3. What sort of vehicle would be required to pull the Road Groom? Based on 2022 experience, knowledgeable opinion was that a ¾ ton pickup was required.
4. Some members were concerned that details of the functionality and benefits of the Road Groomer seemed to be lacking in the three purchase options provided by REEG.

RESULTS:

Round 1 Results: The vote was inconclusive. Since we had a 50/50 vote to purchase or not purchase, the roll call vote was conducted a 2nd time.

Purchase Option #1:	4
Purchase Option #2:	4
Purchase Option #3:	6
<u>No Purchase Option:</u>	<u>14</u>
	28

Round 2 Results: Since over 50% voted to not to purchase, no purchase will be made by BHRA.

Purchase Option #1:	0
Purchase Option #2:	7
Purchase Option #3:	6
<u>No Purchase Option:</u>	<u>15</u>
	28

ADJOURNMENT: The meeting was adjourned at 3:53 PM.

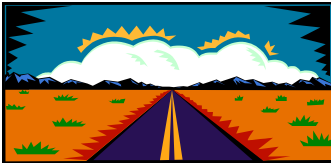
Respectfully submitted,
Cindy Smith, Secretary

VOTING ON THE REEG PROPOSALS: The BHRA *Ad Hoc* Bylaws Committee recommendation that we use a roll call vote procedure as follows was adopted:

*Round 1: Every membership votes for one of 4 options. If no option receives a majority, we drop the **purchase** option with the lowest vote total for Round 2.*

*Round 2: Every membership votes for one of 3 options. If no option receives a majority, we drop the **purchase** option with the lowest vote total for Final Round 3.*

*Final Round: Every membership votes for one of 2 options: the remaining **purchase** option or the **No Purchase Option** is adopted.*



BUCKSKIN HEIGHTS ROAD ASSOCIATION
PO Box 352
MASONVILLE CO 80541

February 6, 2023

NOTICE OF SPECIAL MEETING

A special meeting of the Buckskin Heights Road Association membership has been called by the BHRA Board of Directors in accordance with the BHRA *Bylaws*, Article II, Section 6(b) and Article VI, Section 2 (<http://buckskinheights.org/BHRA-Bylaws-Sep20-Copyright.pdf>).

The hybrid (in-person/Zoom) meeting will take place as follows:

DATE: Sunday, March 12, 2023

TIME: 2:30 – 4:30pm

LOCATION: Rick Stahl's House at 13914 Otter Rd, Loveland CO 80538

ZOOM INFO: BY COMPUTER:

<https://us02web.zoom.us/j/86937140650?pwd=bHhpbnFPWHhubXZoOEVIMERjWnk0Zz09>

BY PHONE: +1 346 248 7799

FOR BOTH:

Meeting ID: 869 3714 0650

Passcode: 501161

PURPOSE OF THE MEETING: To consider and vote upon 3 mutually-exclusive mail ballot options (see attached proposal) for the capital expenditure purchase of an 8.5' Road Groom (www.roadgroom.com) pull-behind road smoothing implement for up to \$15k, to be operated by BHRA board-approved resident(s) in optimal weather between 3 regular professional motor-gradings.

- If one of the 3 mail ballot purchase options is approved by the majority of the members of the members attending the special meeting, a subsequent mail ballot of the membership will be conducted according to our *Bylaws*, Article II, Section 6(b). If a 2/3 majority of those members responding to the mail ballot approve, the equipment will be purchased.
- If none of the 3 mail ballot purchase options are approved by a majority vote of the members attending the special meeting, no mail ballot of the Association will be conducted and no purchase will be made.

No other Association business will be conducted at this meeting.

BAD WEATHER ALTERNATIVE: If the weather is bad on Sunday, March 12, 2023 at 9am, emails will be sent and notices will be posted on the BHRA website buckskinheights.org and GroupsIO to postpone the meeting to the following week, Sunday, March 19, 2023 at the same time and location.

We hope that all members who can attend, will attend.

Dan McQueen, President
Buckskin Heights Road Association

PURCHASE AN 8.5' ROAD GROOM (www.roadgroom.com)
PULL-BEHIND ROAD SMOOTHING IMPLEMENT FOR NO MORE THAN \$15K TO BE OPERATED BY BHRA BOARD-APPROVED RESIDENT(S) IN OPTIMAL WEATHER BETWEEN 3 REGULAR PROFESSIONAL MOTOR-GRADINGS (under Budget Options #1, #2 or #3.)

1. Approval: The Association membership must approve any capital expenditure to purchase the Road Groom by a 2/3 vote of those responding to a mail ballot (Bylaws, Article II, Section 6b).
2. Initial Financing: As of January 2023, we had about \$11K in checking mostly from a one-time dues payment on a long-delinquent property. Our approved 2023 budget without the Road Groom purchase is below. Budget Options #1-3 show options for purchasing the Road Groom, with or without an optional special assessment as follows:
 - A. **Option #1:** Maintain professional road upkeep at 2022 level with a one-time special assessment of \$150/property in addition to current annual dues of \$450/property. Grading costs and road base purchases (29 BHRA loads) would be about the same as 2022.
 - B. **Option #2:** Reduce professional road upkeep with a one-time special assessment of \$100/property in addition to current annual dues of \$450/property. Grading costs would be somewhat reduced because road base purchased (24 loads) would drop by about 20% from 2022.
 - C. **Option #3:** Minimize professional road upkeep with no additional money from property owners. Grading costs would be reduced by about 20% and road base purchased would drop by 50% (15 BHRA loads) from 2022.
3. Ongoing Costs
 - D. Maintenance: Allocate BHRA budget of about \$500/year to maintain the Road Groom – new tines at regular intervals, repair of any incidental damage, etc.

- E. Insurance: No additional insurance is necessary if we budget for maintenance/damage costs (see 3D above and 4H below). Liability/collision insurance will be covered by the owner of the vehicle towing the Road Groom (see 4I below).
- F. Personnel: The Association will budget for an authorized volunteer operator(s) to use personal truck(s) to operate the Road Groom at \$200/smoothing for up to 7 smoothings/year.
- G. Re-establishing/continuing 2022 professional road upkeep in 2023 and beyond would require a \$30/property increase** in road dues in 2023 to cover ongoing maintenance/operating costs (\$1,900).
4. Insurance:
 - H. Damage to the Road Groom cannot be covered by our existing BHRA liability policy – options are a specialized policy or budgeting those costs as regular maintenance.
 - I. Liability insurance on the towing vehicle will be the responsibility of the owner of the vehicle (see 5K below).
5. Board Responsibilities:
 - J. The BHRA Vice President will authorize each use of the Road Groom (Bylaws, Article II, Section 6d); schedule authorized operators (see 5K below); and maintain accurate records of each use (date/time, operator, areas smoothed, weather conditions, any issues, etc).
 - K. The BHRA Board will approve a list of authorized operators who:
 - Have specific experience or been specifically trained to use the Road Groom equipment; and
 - Annually provide proof of adequate insurance (\$500K) on the towing vehicle AND sign an updated “Hold Harmless” agreement (draft attached).
 - L. The BHRA Board will designate specific Association member(s) who will store the equipment and arrange timely maintenance and repairs.

EXPENSE/INCOME SUMMARY

NOTES

A	B	C	D	E	F	G
Category	2021 Actual	2022 Actual	2023 Approved Budget	2023 RG PURCHASE #1 Budget	2023 RG PURCHASE #2 Budget	2023 RG PURCHASE #3 Budget
1 Non-Road Expenses	\$3,524	\$2,126	\$3,650	\$3,150	\$3,150	\$3,150
2 Road Base Homeowner	\$3,950	\$3,000	\$0	\$0	\$0	\$0
3 Road Culverts & Ditchwork	\$1,372	\$1,705	\$1,500	\$1,250	\$1,000	\$750
4 Road Grader Operator	\$14,006	\$18,243	\$16,000	\$15,500	\$15,000	\$13,000
5 Road Base	\$12,933	\$14,349	\$20,000	\$14,500	\$12,000	\$7,500
6 Possible Road Groom Operation				\$1,400	\$1,400	\$1,400
7 Possible Road Groom Maintenance				\$500	\$500	\$500
8 Possible Road Groom Contract						
9 BHRA Road Expense Subtotal	\$28,311	\$34,296	\$37,500	\$33,150	\$29,900	\$23,150
10 Possible Road Groom Cap Expense				\$15,000	\$15,000	\$15,000
11 Expense Subtotal	\$35,784	\$39,423	\$41,150	\$51,300	\$48,050	\$41,300
12 Dues & Late Fees	\$30,410	\$41,890	\$30,150	\$30,150	\$30,150	\$30,150
13 Interest	\$1	\$1	\$6	\$6	\$6	\$6
14 Other Income	\$2,191	\$112	\$100	\$100	\$100	\$100
15 Road Base Homeowner Reimburse	\$3,950	\$3,004	\$0	\$0	\$0	\$0
16 Possible Road Groom Assessment				\$10,050	\$6,700	\$0
17 Income Subtotal	\$36,552	\$45,007	\$30,256	\$40,306	\$36,956	\$30,256
18 Cash Flow Balance	\$767	\$5,585	(\$10,894)	(\$10,894)	(\$11,094)	(\$11,044)

2022: Homeowner 6 loads (+BHRA 29 loads = 35 loads total)
 2022: Single grading ~\$3K; with 35 loads road base ~\$9K
 2023 Approved=40 loads;
 #1=29 loads; #2=24 loads; #3=15 loads
 Possible \$50/hrx4hrs/day=\$200/day, 7/year=\$1,400
 Possible maintenance of Road Groom
 2022: 35 15-T loads of delivered road base \$17.3K, ~\$500/load
 #1-3 Possible purchase of Road Groom**
Budgeted Dues Income...
 ...assumes all 67 properties (62 of 62 owners) pay \$450 annual dues and includes undesignated donations.
Special capital assessment/property #1=\$150, #2=\$100, #3=\$0
 **In 2024 and beyond, re-establishing/maintaining 2022 level grading/materials after Road Groom purchase requires dues increase of \$30/property

ASSET SUMMARY

A	B	C	D	E	F	G
Category	2021 Actual Ending Balance	2022 Actual Ending Balance	2023 Budgeted Ending Balance	2023 RG Purchase #1 Budget Balance	2023 RG Purchase #2 Budget Balance	2023 RG Purchase #3 Budget Balance
19 Checking Balance	\$5,978	\$11,561	\$667	\$567	\$467	\$517
20 Savings Balance	\$5,007	\$5,008	\$5,014	\$5,014	\$5,014	\$5,014
21 Total Assets	\$10,984	\$16,569	\$5,681	\$5,581	\$5,481	\$5,531

Budgeted Checking Ending Balance...
 ...for 2023 is the 2022 actual ending balance plus the net budgeted 2023 cash flow balance. The target of >\$500 allows for minimum bank balance.

THE FOLLOWING TWO RENTAL OPTIONS ARE NOT PART OF THE REEG PROPOSAL. THEY ARE POSSIBLE OPPORTUNITIES THAT THE BOARD MAY CHOOSE TO IMPLEMENT; NEITHER REQUIRES ASSOCIATION APPROVAL.

If the Association votes NOT to purchase the Road Groom, a BHRA resident may purchase it privately and offer it for hire. Another BHRA resident already owns a box grader that is available for hire.

HIRE THE OWNER OF A 8.5' PULL-BEHIND ROAD GROOM (www.roadgroom.com) OR 10' PULL-BEHIND BOX GRADER TO SMOOTH THE ROAD IN OPTIMAL WEATHER BETWEEN 3 REGULAR PROFESSIONAL MOTOR-GRADINGS (Budget Option #4)

1. Approval: The BHRA Board is authorized to enter into reasonable contracts (Bylaws, Article II, Section 6). Association approval is not required.
2. Initial Financing & Ongoing Costs:
 - A. All expenditures would come out of the regular annual budget.
 - B. Possible cost of use for 7 monthly 8-hr smoothings/yr:
 - **Road Groom:** \$6,720/yr – Approximately \$120/hr inclusive of implement, pull vehicle, operator, fuel and all incidentals (subject to inflation). A commitment to a multiple-year contract between BHRA and the equipment owner would be required.
 - **Box Grader:** \$3,920/yr – Approximately \$70 per hour inclusive of implement, pull vehicle, operator, fuel and all incidentals (subject to inflation).
 - C. Maintenance and storage of the Road Groom/box grader and the towing vehicle(s) would be the responsibility of the owner of the Road Groom/box grader and vehicle(s) respectively.

- D. The owner of the Road Groom/box grader would be responsible for arranging, and paying if necessary, the authorized operator(s) (see 4I below) of the equipment for each smoothing.
- E. Maintaining 2022 professional road upkeep in 2023 and beyond would require:
 - Road Groom – \$100/property increase in road dues to cover ongoing contractual costs (\$6,700).
 - Box Grader -- \$60/property increase in road dues to cover ongoing contractual costs (\$3,920).
3. Insurance:
 - F. Liability and damage insurance for the Road Groom/box grader would be the responsibility of the owner.
 - G. The operator of the towing vehicle would provide annual proof of adequate insurance (\$500K) on the towing vehicle AND sign an updated “Hold Harmless” agreement (see 4I below).
4. Board Responsibilities:
 - H. The BHRA Vice President would be responsible for authorizing each use (Bylaws, Article II, Section 6d) of the Road Groom/box grader, subject to 4I below; and maintaining accurate records of each use of Road Groom/box grader (date/time, operator, areas groomed, weather conditions, any issues, etc).
 - I. The owner of the Road Groom/box grader and the BHRA Board would jointly approve a list of authorized operators who:
 - Have specific experience or been specifically trained to use the Road Groom/box grader equipment; and
 - Annually provide proof of adequate insurance (\$500K) on the towing vehicle AND sign an updated “Hold Harmless” agreement (draft attached).

EXPENSE/INCOME SUMMARY

NOTES

	A	B	C	D	H
Category	2021 Actual	2022 Actual	2023 Approved Budget	2023 RG Hire #4 Budget	
1 Non-Road Expenses	\$3,524	\$2,126	\$3,650	\$3,150	
2 Road Base Homeowner	\$3,950	\$3,000	\$0	\$0	
3 Road Culverts & Ditchwork	\$1,372	\$1,705	\$1,500	\$1,250	
4 Road Grader Operator	\$14,006	\$18,243	\$16,000	\$15,500	
5 Road Base	\$12,933	\$14,349	\$20,000	\$14,500	
6 Possible Road Groom Operation					
7 Possible Road Groom Maintenance					
8 Possible Road Groom Contract				\$6,720	
9 BHRA Road Expense Subtotal	\$28,311	\$34,296	\$37,500	\$37,970	
10 Possible Road Groom Cap Expense					
11 Expense Subtotal	\$35,784	\$39,423	\$41,150	\$41,120	
12 Dues & Late Fees	\$30,410	\$41,890	\$30,150	\$30,150	
13 Interest	\$1	\$1	\$6	\$6	
14 Other Income	\$2,191	\$112	\$100	\$100	
15 Road Base Homeowner Reimburse	\$3,950	\$3,004	\$0	\$0	
16 Possible Road Groom Assessment					
17 Income Subtotal	\$36,552	\$45,007	\$30,256	\$30,256	
18 Cash Flow Balance	\$767	\$5,585	(\$10,894)	(\$10,864)	

2022: Homeowner 6 loads (+BHRA 29 loads = 35 loads total)
2022: Single grading ~\$3K; with 35 loads road base ~\$9K

2023 Approved=40 loads; #4=29 loads

#4 Possible owner contract (3-years) for Road Groom operation *
2022: 35 15-T loads of delivered road base \$17.3K, ~\$500/load

Budgeted Dues Income...
...assumes all 67 properties (62 of 62 owners) pay \$450 annual dues and includes undesignated donations.

*In 2024 and beyond, maintaining 2022 level grading/materials with Road Groom hire requires dues increase of \$100/property

ASSET SUMMARY

	A	B	C	D	H
Category	2021 Actual Ending Balance	2022 Actual Ending Balance	2023 Budgeted Ending Balance	2023 RG Hire #4 Budget Balance	
19 Checking Balance	\$5,978	\$11,561	\$667	\$697	
20 Savings Balance	\$5,007	\$5,008	\$5,014	\$5,014	
21 Total Assets	\$10,984	\$16,569	\$5,681	\$5,711	

Budgeted Checking Ending Balance...
...for 2023 is the 2022 actual ending balance plus the net budgeted 2023 cash flow balance. The target of >\$500 allows for minimum bank balance.

**Buckskin Heights Road Association
HOLD HARMLESS AGREEMENT**

This HOLD HARMLESS AGREEMENT (the "Agreement") is made as of [REDACTED] (the "Effective Date") by and between Buckskin Heights Road Association (the "Indemnitee"), located at PO Box 352, Masonville, Colorado 80541, and John/Mary Doe (the "Indemnifier"), located at ### XXXXXX Rd, Loveland, Colorado 80538. The Indemnitee and Indemnifier may be referred to individually as the "Party", or collectively, the "Parties".

RECITALS

WHEREAS, the Indemnifier desires to hold harmless and indemnify the Indemnitee from all liabilities, losses, claims, judgments, suits, fines, penalties, demands or expenses that may result from the indemnitee's participation in the activity defined in Section 1.7; and

WHEREAS, Indemnitee desires indemnity against all liabilities, losses, claims, judgments, suits, fines, penalties, demands or expenses that may result from the Indemnitee's participation in the activity defined in section 1.07.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

SECTION 1: DEFINITIONS AND INTERPRETATIONS

- 1.1 Words in the singular shall include the plural and vice versa.
- 1.2 A reference to one gender shall include a reference to the other genders.
- 1.3 A reference to writing or written includes e-mail.
- 1.4 Any obligation in this Agreement on a Party not to do something includes an obligation not to agree or allow that thing to be done.
- 1.5 Any phrase introduced by the terms "including", "include", "in particular" or any similar expression shall be construed as illustrative and shall not limit the sense of the words preceding those terms.
- 1.6 References to sections or clauses are to the sections or clauses of this Agreement.

1.7 "Activity" shall mean: Grading, smoothing, excavating or other work done to improve the surface and/or drainage of private roads managed by the Buckskin Heights Road Association (BHRA, Indemnitee) using equipment rented for that purpose by BHRA or owned by the indemnifier.

SECTION 2: INDEMNIFICATION

- 2.1 Indemnification. To the fullest extent permitted by applicable law, the Indemnifier will hold harmless and indemnify the Indemnitee against any and all claims and actions arising out of Indemnitee's participation in the Activity, including, without limitation, expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with any liability, suit, action, loss, or damage arising or resulting from the Indemnitee's participation in the Activity, subject to the limits on indemnification described in section 2.02.
- 2.2 Exceptions. Indemnifier shall not hold harmless and indemnify Indemnitee under the following circumstances:
 - (1) against a claim caused by the negligence or fault of the Indemnitee, its agent or employee, or any third party under the control or supervision of the Indemnitee, other than the Indemnifier or its agents, employees or contractors.
 - (2) in a civil action, where the Indemnitee did not act in good faith and in a reasonable manner; and
 - (3) where the actions or conduct of the Indemnitee constituted willful misconduct or the Indemnitee was knowingly fraudulent or deliberately dishonest.
- 2.3 Settlement and Consent. The Indemnitee will not settle any claim or action without first obtaining the written consent of the Indemnifier. The Indemnifier or will not be liable for any amounts paid in settlement of any claim or action where written consent was not obtained.
- 2.4 Cooperation. Both Parties agree to cooperate in good faith and provide any and all information necessary for the defense of any claim or action.

SECTION 3: MISCELLANEOUS

3.1 Representation on Authority of Parties/Signatories. Each Party signing this Agreement represents and warrants that they are duly authorized and have legal capacity to execute and deliver this Agreement. Each Party represents and warrants to the other that the execution and delivery of the Agreement and the performance of such Party's obligations hereunder have been duly authorized, and that this Agreement is a valid and legal

agreement binding on such Party and enforceable in accordance with its terms.

- 3.2 Amendment. This Agreement may only be changed or supplemented by a written amendment, signed by authorized representatives of each Party.
- 3.3 Waiver. The waiver of any breach or violation of any term or condition hereof shall not affect the validity or enforceability of any other term or condition, nor shall it be deemed a waiver of any subsequent breach or violation of the same term or condition. No waiver of any right or remedy under this Agreement shall be effective unless made in writing and executed by the Party so to be charged. The rights and remedies of the Parties to this Agreement are cumulative and not alternative.
- 3.4 Entire Agreement. This Agreement constitutes the entire Agreement between the Parties, replacing all other written and/or previous agreements.
- 3.5 Severability. The Parties acknowledge that this Agreement is reasonable, valid and enforceable. However, if any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, it is the Parties' intent that such provision be changed in scope by the court only to the extent deemed necessary by that court to render the provision reasonable and enforceable and the remainder of the provisions of this Agreement will in no way be affected, impaired or invalidated as a result.
- 3.6 Governing Laws. The validity, construction and performance of this Agreement shall be governed and construed in accordance with the laws of

Colorado, without giving effect to any form of conflict of law provisions thereof. The Federal and State courts located in Colorado shall have sole and exclusive jurisdiction over any disputes arising under the terms of this Agreement.

- 3.7 Effect of Title and Headings. The title of the Agreement and the headings of its Sections are included for convenience and shall not affect the meaning of the Agreement or the Section.
- 3.8 Attorney's Fees. If any legal proceeding is brought for the enforcement of this Agreement, or because of an alleged breach, default or misrepresentation in connection with any provision of this Agreement or other dispute concerning this Agreement, the successful or prevailing party shall be entitled to recover reasonable attorney's fees incurred in connection with such legal proceeding. The term "prevailing party" shall mean the party that is entitled to recover its costs in the proceeding under applicable law, or the party designated as such by the court.
- 3.9 Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the Parties, their respective successors and assigns.
- 3.10 Interpretation. The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either Party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.
- 3.11 Counterparts. This Agreement may be executed in counterparts. Facsimile signatures are binding and are considered to be original signatures.

THE UNDERSIGNED HAVE READ, UNDERSTAND and ACCEPT THIS AGREEMENT, and by signing this Agreement, all Parties agree to all of the aforementioned terms, conditions and policies.

XXXXXX, President
Buckskin Heights Road Association

Date Signed

John/Mary Doe

Date Signed

Buckskin Heights Road Association BOARD MINUTES for Monday, March 27, 2023

Zoom Meeting • 6:30 pm

ATTENDANCE:

Board Members Present: Brian Abbott (At Large), Mary Arnold (Vice President), Dan McQueen (President), Cindy Smith (Secretary), Bill Torrey (At Large), Sue Weber (Treasurer)

Community Members: Rich & Deb Evans, Michael Lowe, Rick Stahl, Brittany Woods

CALL TO ORDER, WELCOME/INTRODUCTIONS, QUORUM:

The meeting was called to order by President Dan McQueen with quorum present at 6:36pm.

APPROVAL OF AGENDA:

Cindy Smith made a motion to approve the agenda. It was seconded and **approved**.

AGENDA:

Community Input: None at this time.

Secretary's Report: Dan McQueen made a motion to approve the Board Meeting minutes of 1/26/2023 and Special Meeting Minutes of 3/12/23 as distributed. The motion was seconded and **approved**.

Treasurer's Report: Treasurer Sue Weber reported that:

1. Annual dues are coming in; 33 properties have paid, about a third electronically by Zelle.
2. Gate repairs from recent damage totaled \$622. Weber noted that the east post of electronic gate needs welding for which we have budgeted \$500. The Smiths have offered to donate paint for the gate, to be painted in the summer after repair work is completed. Money has also been set aside for repair and purchase of road signs; Bill Torrey is leading this project.

3. Preliminary income tax documents have been filed; final state and federal forms will be filed before the April deadline.
4. Bonnie Torrey and Jodi Abbott have audited the 2022 books; all was found to be in order.
5. Mary Arnold made a motion to approve the Treasurer's Report (attached) as distributed. The motion was seconded and **approved**.

Road Report: Vice President Mary Arnold reported that:

1. Raccoon Ct and Grey Squirrel Ct will be graded this spring as well as Otter Rd, asphalt to gate, and upper Otter Rd, hopefully up to the emergency gate, provided that is free of debris. Material may be added to Raccoon Ct, Grey Squirrel Ct, and upper Otter Rd, depending on its condition after the grading this spring. It was noted that several large trees are across the emergency exit near the top of the road.
2. Recycled asphalt will be added between road markers 14-17 and 27-32 to address washboarding. Mary will consult with Brian Abbott about adding material and grading on Woodchuck, per the request of property owners on Woodchuck.
3. Donations for purchase of the Road Groom by one or more individuals is being considered. Starting a "Go Fund Me" for this purpose was suggested by Rich Evans. The owner of the Road Groom and Mary are in conversation regarding the price. Sue Weber pointed out that the Board would need to know within the next few months about any potential summer contractual or piecework use of the Road Groom or other resident-owned equipment.
4. Cindy Smith made a motion to approve the road report as delivered. The motion was seconded and **approved**.

Gate Report/Security:

1. As reported above, the east post of the electronic gate needs welding, and the entire gate will be painted this summer.
2. Bill Torrey was appointed to the position of "Gate Manager," with Brian Abbott as assistant. Dan McQueen will coordinate with Bob Faris and Bill to continue gate repairs and programming codes; Bill will also work on updating gate and other signage as necessary.
3. The gate report was accepted by the board.

Fire Committee Report: Mike Lowe volunteered to chair and will work with Cindy Smith to schedule an organizational meeting and request volunteers from the community. Removal of trees from very top of Otter Rd was discussed as a possible first project.

Old Business:

1. The *Ad Hoc* Bylaws Committee (Arnold, Allan Heese, McQueen, Smith, Torrey, Stahl, Weber) had a meeting with parliamentarian Lola Fehr by Zoom on Monday, March 6.
2. Mirror & Signage Project:
 - A. Bill Torrey has researched the convex safety mirror; it is on order and will be installed this spring. It is 36" in diameter, made of acrylic and has three mounting points for attachment to a 12' steel mounting pole.
 - B. David Smith showed Bill how to use ARC GIS to access the Buckskin Heights Base Map, allowing mapping of signage, road improvements, mile markers, and much more.
 - C. Bill reviewed several replacement sign types with possible costs; he will work with David to develop a proposal with costs for purchase and installation this year.
 - D. It was pointed out that Allan Heese has lettering supplies for the mile markers.

New Business: Sue Weber presented a document to the Board (attached) which summarizes her board and non-board community service to the Association in 2020-2021. The document points out that a non-Board member of the Association has publicly accused her of serving an illegal 6-year term on the Board, in collusion with a current Board member and several former Board members, all in violation of the *Bylaws*. The document she shared refutes this false accusation with concrete evidence (screen shots) from all the official board minutes from that time period. The board unanimously approved that this document be entered into the minutes of this meeting.

Executive Session (If Any): None

Adjournment: The meeting was adjourned at 7:51pm by Dan McQueen.

Respectfully submitted,
Cindy Smith, Secretary

Buckskin Heights Road Association Treasurer's Report

Sue Weber – March 27, 2023 (Board Meeting)

1. Checking account balance 3/27/23	=	\$25,767.14
Pending Expenses	=	-\$14.00
Pending Deposits	=	\$0.00
Checking available	=	\$25,753.14
Savings account balance 3/27/23	=	\$5,009.16
TOTAL AVAILABLE 3/27/23	=	\$30,762.30

2. Dues:

- 2023 dues for 33 of 67 properties (29 of 62 owners) are paid in full.
- Zelle payments are now supported by Wells Fargo. 8 of the 29 members have paid by Zelle.

3. Recent Completed Property Sales (18 total since the Cameron Peak Fire, October 2020):

- 1/7/22 – Jeremiah & Sandra May (8857 Otter Ct) to Luke & Melanie McOmie & Jonathan Dilley
- 1/7/22 – Heather Speicher (13728 Raccoon Dr) to Justin Wilson
- 2/8/22 – Pamela Robinson (8315 Gray Squirrel Ct) to Cameron & Alice Louie
- 4/8/22 – Estate of Gregory Nelson (13451 Raccoon Dr) to Justin Wilson
- 4/15/22 – Estate of Stanley Long (13888 Otter Rd) to Sarah Simpkins, James Leslie & Robert Leslie
- 4/26/22 – Joshua Embrey (8220 Raccoon Ct) to Jeffrey Moe
- 7/15/22 – Glenn Heeney & Ann Dean (13328 Otter Rd) to Bethany & Allison Seymour
- 8/30/22 – Airn & Matthew Hartwig (13001 Otter Rd) to Rich & Debbie Evans
- 9/30/33 – Jacob Jandrew & Samantha Walker (13428 Otter Rd) to Hermine & Clinton Culley Trust
- 12/20/22 – Rudy Hansch Trust (12721 Woodchuck Dr) to Darin & Erin Glenn
- 1/27/23 – Keifer Jacobson (13382 Otter) to Melissa St Clair & Benjamin Hodgkin
- 2/8/23 – Edwin Standard (13960 Otter Rd) to Ian Morello, John & Jennifer Appelman

4. Current Properties for Sale/Pending Closings

- Scott & Sharon Lazarowicz (8025 Wolverine Ct)

5. New Residents:

- Victoria & Jacob Marek renting from Jacob Jandrew & Samantha Walker (12727 Otter Rd)

6. March 27, 2023 Budget (attached)

7. **Income Tax Filings:** I filed our required IRS Forms 1096 and 1099-NEC forms on 1/31/23. I will file our required IRS Form 1120-H before the April 15 deadline.

8. **2022 Audit:** The "Buckskin Heights Road Association Treasurer's Report for FY2022" was independently audited by Jodi Abbott and Bonnie Torrey and approved without qualification.

BHRA EXPENSE & INCOME SUMMARY • March 27, 2023

A	B	C	D	E	F	G	H
Category	2022 Actual	2023 Approved Budget	2023 Actual Expenses & Income to Date	2023 Budget Over (Under) to Date	2023 Expected Remaining Expenses & Income	2023 Projected Total Expense & Income	2023 Projected Over (Under) Budget
Bank Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Emergency Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Gate Maintenance	\$0	\$500	\$622	\$122	\$500	\$1,122	\$622
Grant Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Insurance	\$1,337	\$1,400	\$0	(\$1,400)	\$1,400	\$1,400	\$0
Legal/Financial/Procedural	\$383	\$500	\$10	(\$490)	\$490	\$500	\$0
Mailings	\$198	\$300	\$23	(\$277)	\$100	\$123	(\$177)
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Signs & Accessories	\$0	\$500	\$0	(\$500)	\$500	\$500	\$0
Office Supplies	\$54	\$100	\$23	(\$77)	\$77	\$100	\$0
Technology	\$154	\$350	\$196	(\$154)	\$154	\$350	(\$0)
Transfer to Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Base Homeowner	\$3,000	\$0	\$0	\$0	\$0	\$0	\$0
Road Ditches & Culverts	\$1,705	\$1,500	0	(\$1,500)	\$1,500	\$1,500	\$0
Road Grader Operator	\$18,243	\$16,000	\$0	(\$16,000)	\$16,000	\$16,000	\$0
Road Base	\$14,349	\$20,000	\$0	(\$20,000)	\$20,000	\$20,000	\$0
BHRA Road Expense Subtotal	\$34,296	\$37,500	\$0	(\$37,500)	\$37,500	\$37,500	\$0
Expense Subtotal	\$39,423	\$41,150	\$874	(\$40,276)	\$40,721	\$41,595	\$445
Dues & Late Fees	\$41,890	\$30,150	\$14,800	(\$15,350)	\$15,334	\$30,134	(\$16)
Emergency Donations	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Interest	\$1	\$6	\$1	(\$5)	\$5	\$6	\$0
Grant Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Remote Control Sales	\$112	\$100	\$16	(\$84)	\$100	\$116	\$16
Homeowner Road Reimburse/Donation	\$3,004	\$0	\$250	\$250	\$0	\$250	\$250
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfer from Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Income Subtotal	\$45,007	\$30,256	\$15,067	(\$15,189)	\$15,439	\$30,506	\$250
Checking Cash Flow Balance	\$5,585	(\$10,894)	\$14,193			(\$11,090)	

NOTES

Special meeting mailings/handouts

Zoom meeting equipment; Zoom subscription

2022: 6 15T loads (Raccoon Rd/Ct)

2022: 29 BHRA 15T loads + 6 homeowner loads = 35 loads

2022: Single grading ~\$3K; with 35 loads road base ~\$9K

2023: Assumes 40 15T loads at \$500/load

Budgeted Dues Income...

...assumes all 67 properties (62 of 62 owners) pay \$450 annual dues and includes undesigned donations.

BHRA ASSET SUMMARY

A	B	C	D	E	F	G	H
Category	2022 Actual Ending Balance	2023 Budgeted Ending Balance	2023 Actual Balance to Date			2021 Projected Ending Balance*	
BHRA Checking Balance Available	\$11,561	\$667	\$25,767			\$471	
BHRA Savings Balance	\$5,008	\$5,014	\$5,009			\$5,014	
Total Assets	\$16,569	\$5,681	\$30,776			\$5,485	

*Target is \$500 to avoid bank fee.

March 27, 2023

TO: BHRA Board – Dan McQueen (President), Mary Arnold (Vice President), Cindy Smith (Secretary), Brian Abbott (At Large) and Bill Torrey (At Large)
FROM: Sue Weber (Treasurer, Sept 2021-Present)
RE: My Tenure as a Board and Community Member of the BHRA Road Association in 2020-2021

A non-board member of the Association has publicly accused me of serving an illegal 6-year term on the Board in violation of the BHRA Bylaws. The screen shots below of ALL the minutes of the Association (all online at <http://buckskinheights.org/documents.html>) that mention my actions from August 2020 through September 2021 prove the following:

Weber was ON the board in 2019-20, until the transitional board meeting in Sept 2020.

Weber was OFF the board from Sept 2020 until Sept 2021, a full year in complete compliance with the Bylaws [Article I, Section 2(b)].

- During that year, Weber was appointed as a non-board member bookkeeper from Sept 2020 until Sept 2021, in complete compliance with *Bylaws* [Article II, Section 1(d)], which clearly states that the Board may “...create additional offices deemed necessary, and appoint one or more persons, who need not be members of the Association, to such offices.”
- As bookkeeper, her only job was to keep financial records in order; unlike the treasurer, she had no fiduciary role or control over money. A glance at any dictionary will confirm that the role of bookkeeper is legally and functionally different from that of treasurer:

Treasurer: An **officer** of a government, corporation, association, or the like, in charge of the **receipt, care, and disbursement of money.**

Bookkeeper: A **person** whose job is to **keep records** of the financial affairs of a business.

- During 2020-21, Weber did not pretend to be a board member or an officer of the board, nor did the board allow her voice or vote to act as one; wrongful influence by Weber over any Association business was therefore impossible.

Finally, Weber was re-elected to the Board at the Annual Meeting in Aug 2021. She resumed her service ON the board in Sept 2021, in complete compliance with the Bylaws. She never served an illegal consecutive 6- yr term.

BOTTOM LINE: There is absolutely no evidence in any of BHRA's official records that I have ever been in violation of the BHRA Bylaws. In fact, ALL of the official BHRA records confirm that I have NEVER been in violation of any of the BHRA Bylaws.

HERE IS THE EVIDENCE FROM OFFICIAL COMMUNICATIONS TO SUPPORT ALL THE ABOVE TRUTHFUL ASSERTIONS:

The 2020 BHRA Annual Meeting Notice (below) shows that Sue Weber’s term of office (2019-20) as board member and Treasurer was ending, and that she was ineligible for re-election, in complete compliance with the *Bylaws* [Article I, Section 2(b)]:

**BUCKSKIN HEIGHTS ROAD ASSOCIATION
FRIDAY AUGUST 21, 2020 ANNUAL MEETING BY ZOOM**

CURRENT BHRA BOARD MEMBERS

David Gaudio	President
Allan Heese*	Vice President
Luke McOmie*	Secretary
Sue Weber**	Treasurer
Pam Robinson	At Large
Glenn Heeney	At Large

* 1st term ending, eligible for re-election
** 2nd term ending, ineligible for re-election

CONDUCT OF THE ZOOM ANNUAL MEETING

We ask for your patience, courtesy and good humor as we work through a packed agenda to benefit our neighborhood. We will be muting everyone for most of the meeting. Members who wish to speak must be recognized by the meeting chair – we'll tell you how at the meeting. **If we run out of time at the annual meeting to finish the bylaws actions, we will reconvene the meeting on Friday, August 28 at 6:30pm to finish this work.**

The BHRA 2020 Annual Meeting involved a major revision of the Bylaws (below). It was conducted on three successive dates. On the first date, August 21, 2020, Weber was correctly identified as a current board member; she presented the Treasurer's Report, in complete compliance with the *Bylaws*:

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 Heeny (Ann Dean) and Pam Robinson, Directors at Large

Other Road Association Members Present: Brian Abbott, Jennifer Appelmann, 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 Appelmann)

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 Heeny 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).

Continuing the minutes for the August 21, 2020 annual meeting (below), Weber was NOT illegally re-elected to the new 2020-2021 Board in violation of the *Bylaws*:

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

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 Heeny (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.

The Sept 2020 Transitional Meeting (below) was held between the second and third part of the 2020 Annual meeting. In the minutes, Weber is correctly identified as an outgoing Board member. Pam Robinson was elected Treasurer and became the BHRA bank signatory; Sue Weber was appointed as a non-board member bookkeeper, with view-only access to bank information, in complete compliance with the *Bylaws* [Article II, Section 1(d)]:

Buckskin Heights Road Association
MINUTES for Tuesday, September 15, 2020
Zoom Transitional and Regular Board Meeting • 6:30 pm

ATTENDANCE:

Board Present: David Gaudio, Glenn Heeneey, Allan Heese, Pam Robinson, Sue Weber
Board Absent: Luke McOmie, Dan McQueen
Community Members: Jacob deBes, Andrew Michler, Bill Torrey, Brittany Woods

CALL TO ORDER, WELCOME/INTRODUCTIONS,

QUORUM: The meeting was called to order by outgoing President David Gaudio with quorum present at 6:38pm.

APPROVAL OF AGENDA: Glenn Heeneey made a motion to approve the agenda as distributed. The motion was seconded and **approved**.

TRANSITIONAL MEETING:

Election of Board Officers for 2020-21: The following slate of officers was unanimously elected:

President – Glenn Heeneey
Vice President – Allan Heese
Secretary – Luke McOmie
Treasurer – Pam Robinson
At Large – David Gaudio & Dan McQueen

President Glenn Heeneey and Treasurer Pam Robinson will serve as signatories on the BHRA financial accounts; they will fill out the necessary paperwork at Well Fargo Bank. Glenn and Pam will also take possession of the keys to the post office box. Pam Robinson made a motion to **appoint Sue Weber to serve as bookkeeper for the Board of Directors; Sue will have viewing access only on the online account.** The motion was seconded and **approved**.

REGULAR BOARD MEETING:

Community Input: None

Secretary's Report: Glenn Heeneey made a motion to confirm the email approval of the minutes of the July 16, 2020 board meeting. The motion was seconded and **approved**.

Treasurer's Report: **Outgoing Treasurer Sue Weber** presented the Treasurer's Report (attached). David Gaudio made a motion to approve payment to Parliamentarian Lola Fehr an additional \$125 (for a total of \$525) for her services to the Association during the three continued annual meetings on August 21, 28 and September 18, 2020. The motion was seconded and **approved**. Pam Robinson made a motion to approve the Treasurer's Report. The motion was seconded and **approved**.

Road Report: Vice President Allan Heese gave the following verbal report:

1. There is \$3,750 set aside in the budget for up to 2 fall gradings. Allan does not at present see the need for more than one before the end of the year, but option is available. There is also \$1500 set aside in the budget for work on 3-4 culverts to be done mainly by volunteers. Use of resident backhoe and other equipment will be reimbursed. Jacob deBes pointed out that the gate area was once again potholed; there was general agreement that this could also be addressed by resident volunteers with the additional application of water. Allan and Glenn will coordinate these efforts with the regular grading work by Foster.

- **Dictionary Definition of "Treasurer":** An **officer** of a government, corporation, **association**, or the like, in charge of the receipt, care, and disbursement of money.

In 2020-21, the elected Board treasurer, Pam Robinson, was the Wells Fargo Bank signatory for the BHRA accounts, not me. She wrote all the checks and made all the deposits; implemented the annual budgets; sent out and followed up on dues notices; filed liens on delinquent owners; filed status reports with title companies for property sales; was the registered agent on the Colorado Secretary of State's website; filed all the Colorado Secretary of State's annual reports; filed state and Federal tax forms; was responsible for the relevant satisfactory financial audit reports; provided accurate reports on BHRA's financial status at each meeting; was covered by BHRA liability insurance; and had both voice and vote as an elected board member at each meeting.

- **Dictionary Definition of "Bookkeeper":** A **person** whose job is to keep records of the financial affairs of a business.

As "bookkeeper" in 2015-16 and 2020-21, Weber had no access to any BHRA funds; signed no checks; made no financial decisions; filed no official reports or forms; had view-only access to the BHRA online account; was not covered by BHRA's officer liability insurance; and did not have voice or vote at any board meeting. Her only function was technological record-keeping – to keep BHRA's Quicken/Excel financial software updated and to use those technologies to support the treasurer's responsibility to provide accurate reports on BHRA's financial status at each meeting and other tasks as requested.

By the third part of the 2020 Annual Meeting (below), Sue Weber was OFF the Board. She is correctly identified under the heading "Other Road Association Members Present," in complete compliance with the *Bylaws*:

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, 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)

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

At the next Board meeting in November 2020 (below), Weber is again correctly identified as a community member; she was OFF the board. Her role is correctly identified as Bookkeeper, not Treasurer, in complete compliance with the *Bylaws*:

Buckskin Heights Road Association MINUTES for Tuesday, November 17, 2020

Zoom Meeting • 6:30 pm

ATTENDANCE:

Board Present: David Gaudio, Glenn Heeney, Allan Heese, Luke McOmie, Pam Robinson

Board Absent: Dan McQueen

Community Members: Dick Dixon, Paul Hesson, Peggy & Brett Kinsey, Sue Weber

Treasurer's Report: Treasurer Pam Robinson and **Bookkeeper Sue Weber** reviewed the Treasurer's Report (attached), which lists the 17 homes that were completely destroyed. Glenn Heeney made a motion to accept the Treasurer's Report. It was seconded and **approved**.

Road Report:

- No work has been done on the road since the September 18 meeting. The road has taken a beating, it is in rougher shape than usual following the emergency trucks and clean-up efforts used during the October Cameron Peak fire.

At the next Board meeting in January 2021 (below), Weber is again correctly identified as a community member; she was OFF the board. Her role is correctly identified as Bookkeeper, not Treasurer, in complete compliance with the Bylaws:

**Buckskin Heights Road Association
MINUTES for Thursday, January 28, 2021**

Zoom Meeting • 6:30 pm

ATTENDANCE:

Board Present: David Gaudio, Glenn Heeney, Allan Heese, Luke McOmie, Dan McQueen, Pam Robinson
Community Members: Brian & Jodi Abbott, Jacob DeBes, Paul Hesson, **Sue Weber**

Road Report: Allan Heese discussed his tentative plans for 2021 road maintenance:

- There is a possibility that we could save uphill trucking costs by piggy backing on trucks coming downhill with fire debris. Allan will explore this

Treasurer's Report:

- Treasurer Pam Robinson and **bookkeeper Sue Weber** have sent out the 2021 annual dues invoices. They reviewed the Treasurer's Report (attached). Glenn Heeney made a motion to accept the report. It was seconded and **approved**.
- Treasurer Pam Robinson and bookkeeper Sue Weber reviewed the proposed 2021 budget (attached). Pam made a motion to approve the proposed budget. It was seconded and **approved**.

- agreement that this was necessary this year.
- Pam Robinson recommended that we prepare to pay and deal with mudslides that might be coming this spring due to erosion caused by the fire.
- There was general discussion and agreement about the value of breaking up exposed rocks when we have heavy equipment available due to fire clean-up efforts.
- Pam made a motion to accept the road report. It was seconded and **approved**.

At the next Board meeting in June 2021 (below), Weber continues to be correctly identified as a community member; she was OFF the board, in complete compliance with the Bylaws:

**Buckskin Heights Road Association
MINUTES of Board Meeting on Wednesday, June 9, 2021**

Glenn Heeney' House, 13328 Otter Rd & by Zoom • 6:30 pm

ATTENDANCE:

Board Present: David Gaudio, Glenn Heeney, Allan Heese, Luke McOmie, Dan McQueen, Pam Robinson
Board Absent:
Community Members: Sue Weber

5. Glenn Heeney will investigate the option of filing a delinquent dues report with credit agencies as another method of encouraging payment.

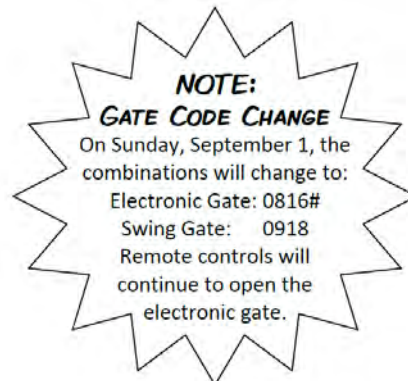
ROAD REPORT: Plan for summer 2021 road

In July 2021, the 2021 BHRA Annual Meeting Notice (below) shows that Pam Robinson was Treasurer during the past year and that her term of office was ending; and that Sue Weber was NOT on the board, in complete compliance with the Bylaws:

**BUCKSKIN HEIGHTS ROAD ASSOCIATION
2021 ANNUAL MEETING**

**CURRENT BHRA
BOARD MEMBERS**

- Glenn Heeney* President
- Allan Heese†† Vice President
- Luke McOmie†† Secretary
- Pam Robinson*** **Treasurer**
- David Gaudio** At Large
- Dan McQueen† At Large
- * 1st 2-year term ending; eligible for re-election to a second 2-year term
- ** 2nd term ending; ineligible for re-election
- † One more year to serve in a 1st term
- †† One more year to serve in a 2nd term



At the beginning of the 2021 Annual Meeting (below), Pam Robinson is correctly identified as Treasurer. Weber is correctly identified as a community member and as the non-board member bookkeeper; she was still OFF the board, in complete compliance with the *Bylaws*.

Buckskin Heights Road Association 2021 Annual Meeting Minutes

Friday, August 20, 2021 at the Arnold/Schneider Property, 12628 Otter Rd and by Zoom

ATTENDANCE: 21 properties represented in person or on Zoom (quorum of 13 satisfied); 2 represented by proxies; 23 total properties eligible to vote

Road Association Board Members Present:

Glenn Heeney, President; Allan Heese, Vice President; Luke McOmie, Secretary; Pam Robinson, Treasurer; and David Gaudio & Dan McQueen, Directors at Large

Other Association Properties Present:

Abbott, Appelmann, Arnold/Schneider, Dolph, Gariglietti/Lawrence, Hartwig, Hesson, Jacobson, Kiessling/Michler, Longo, Lowe, McGowan, Reynolds, Torrey, Weber,

Proxies: Jandrew (Airn Hartwig), Faris/Bilsing (McOmie)

TREASURERS REPORT:

1. Treasurer Pam Robinson and Bookkeeper Sue Weber reviewed the current status of the budget ("BHRA Budget Update 8-20-20" attached).
 - We have only one long-term delinquency; 66 of 67 properties (98%) are paid in full.
 - A motion was made by Glenn Heeney to approve the Treasurer's report as presented. The motion was seconded and approved.
2. The "Buckskin Heights Road Association Treasurer's Report for FY2020" was independently audited by Linda Bilsing and Jodi Abbott and approved by them without qualifications (attached).

ROAD REPORT:

1. VP Allan Heese reviewed the "2021 Annual Meeting Road Report" (attached).
 - A. He thanked those who removed snow in March (Arnold, Dolph, Heeney, Hingtgen, Jacobson, Jandrew, Lazarowicz, McGowan, McQueen, Michler) and worked on culvert/road maintenance (Abbott, Dolph, Heeney, Hintgen, Lowe, McGowan, Thompson).
 - B. He reported on the importance of keeping culverts and ditches clear. He and David Smith are working on a GIS project that will map key features of the 11 miles of our roads – location and maintenance timing for ditches, culverts,
 - Fox Court -- Planned for week of August 23; repair significant washout at culvert
 - Entire Road System – Tentatively scheduled end of September or early October (dependent on contractor schedule); grading and material placement, spreading, compacting at several priority potential locations.

By the end of the 2021 Annual Meeting (below), Weber was re-elected to the Board ("starting new term"), after having been OFF the board for the required 1 year period, in complete compliance with the *Bylaws*:

be more cost effective. Brian Abbott and Sue Weber suggested that the Board form an *ad hoc* committee this year to develop actual cost/benefit analyses of various options. Gianna Gariglietti offered her insurance expertise to this project.

CONSIDERATION OF DUES INCREASE FOR 2022:

After a brief discussion, the proposal to increase dues by \$50 from \$450 to \$500/year was defeated (11 yes, 12 no).

ELECTION OF NEW BHRA BOARD MEMBERS:

The floor was opened to nominations for the three open seats on the BHRA Board. Glenn Heeney, (starting new 2nd term, 2021-23) and Brian Abbot and Sue Weber (both starting new 1st terms, 2021-23) were nominated and unanimously elected to fill these positions. Dan McQueen (second year of a 1st term, 2020-22) and Allan Heese and Luke McOmie (both in the second year of a 2nd term, 2020-22) are the carry-over members of the 2021-22 board.

After the 2021 Annual Meeting, the minutes of the Sept 2021 Transitional Meeting (below) correctly lists Weber as a new board member. She was ON the board again and elected Treasurer for 2021-22, in complete compliance with the Bylaws:

Buckskin Heights Road Association
MINUTES for Thursday, September 16, 2021
Zoom Meeting • 6:30 pm

ATTENDANCE:

Old & New Board: Brian Abbott, David Gaudio, Glenn Heeneey, Allan Heese, Luke McOmie, Dan McQueen, Sue Weber, (Pam Robinson, absent)
Community Members: Paul Rutt, Erin Ross

“Association members may not treat two properties as one to save on road dues and subsequently as two to profit from resale; members must choose one property configuration relative to BHRA and the County, and be consistent to both throughout the period of ownership.”

TRANSITIONAL MEETING:

Election of Board Officers for 2021-22: Allan Heese nominated the following officers for 2021-22. No additional nominations were made; nominations were closed; and the slate was unanimously approved.

President – Glenn Heeneey
Vice President – Allan Heese
Secretary – Luke McOmie
Treasurer – Sue Weber
At Large – Dan McQueen, Brian Abbott

properties for re-sale or any other reason must pay back road dues on the second property from date of purchase.

Road Report:

3. Maintenance plan for the rest of the year
 - A. James Foster, Justin Foster’s dad, graded the road for some time; he recently passed away. Justin will continue to care for the road. Allan Heese will send a sympathy card to the family.

TO REPEAT THE BOTTOM LINE:

Weber was ON the board in 2019-20, until the transitional board meeting in Sept 2020.

Weber was OFF the board from Sept 2020 until Sept 2021, a full year in complete compliance with the Bylaws [Article I, Section 2(b)].

- During that year, Weber was appointed as a non-board member bookkeeper from Sept 2020 until Sept 2021, in complete compliance with Bylaws [Article II, Section 1(d)], which clearly states that the Board may “...create additional offices deemed necessary, and appoint one or more persons, who need not be members of the Association, to such offices.”
- As bookkeeper, her only job was to keep financial records in order; unlike the treasurer, she had no fiduciary role or control over money. A glance at any dictionary will confirm that the role of bookkeeper is legally and functionally different from that of treasurer:

Treasurer: An officer of a government, corporation, association, or the like, in charge of the receipt, care, and disbursement of money.

Bookkeeper: A person whose job is to keep records of the financial affairs of a business.

- During 2020-21, Weber did not pretend to be a board member or an officer of the board, nor did the board allow her voice or vote to act as one; wrongful influence by Weber over any Association business was therefore impossible.

Finally, Weber was re-elected to the Board at the Annual Meeting in Aug 2021. She resumed her service ON the board in Sept 2021, in complete compliance with the Bylaws. She never served an illegal consecutive 6-yr term.

BOTTOM LINE: There is absolutely no evidence in any of BHRA's official records that I have ever been in violation of the BHRA Bylaws. In fact, ALL of the official BHRA records confirm that I have NEVER been in violation of any of the BHRA Bylaws.

Buckskin Heights Road Association

BOARD MINUTES for Thursday, June 15, 2023

Zoom Meeting • 6:30 pm

ATTENDANCE:

Board Members Present: Brian Abbott (At Large), Mary Arnold (Vice President), Dan McQueen (President), Cindy Smith (Secretary), Bill Torrey (At Large), Sue Weber (Treasurer)

Community Members: Jodi Abbott, Jessica Blinkinsop, Rich & Deb Evans, David Gaudio, Allan & Ruth Heese, Michael Lowe, Erin Ross, David Smith, Rick Stahl, Bonnie Torrey, Brittany Woods

CALL TO ORDER, WELCOME/INTRODUCTIONS, QUORUM:

The meeting was called to order by President Dan McQueen with quorum present at 6:35pm.

APPROVAL OF AGENDA:

Cindy Smith made a motion to approve the agenda. It was seconded and **approved**.

AGENDA:

Community Input: Jodi Abbott identified a tree at the corner of Woodchuck and Otter that impairs visibility and could use removal or trimming.

Secretary's Report: Cindy Smith made a motion to approve the Board Meeting minutes of 3/27/2023 as distributed. The motion was seconded and **approved**.

Treasurer's Report: Treasurer Sue Weber reviewed the attached Treasurer's Report:

1. 67 of 67 properties are paid, 35% by Zelle.
2. We have approximately \$2,500 of pending grading expenses. 31% of properties in our community have been sold since the Cameron Peak Fire.
3. Final state and federal forms were filed before the April deadline.
4. Treasurer's Report was **approved**.

Road Report:

1. **Roadwork plan for summer 2023:** VP Mary Arnold reported that:
 - A. The grader re-did work below the gate which was ruined by the unprecedented rains we've had this spring/summer.
 - B. Upper cattle guard is to be removed; lower one will not be removed at this time.
 - C. Rick and Mary have cleared corner of Racoon and Otter of debris.
 - D. Recycled asphalt will be added to road this summer, Mary hopes before August.
 - E. Allan Heese let the Board know that Donna Braun and Jae Shedly will have their home delivered in 2 pieces, which may involve shutting down the road. Concerns were expressed about damage to the road.
 - F. Allan let us know about Aug 5 wedding on Ezell's property, anticipating 80-100 guests.
2. **Road Groom Contract Possibility:** Mary Arnold shared that we have an investor within the community who would like to contract for the operation of the road groom with the Board; the rate put forth is \$6,000/year for a 2-year contract with the owner of the road groom who has formed an LLC. Mary and Rich Evans would be the operators. Brian made a motion to draft a contract for later consideration and approval. It was seconded and **approved**.
3. **Convex Safety Mirror:** Bill Torrey has purchased the mirror and is preparing to install.
4. **News road signage, road marker repair:** This is on the "to do" list.
5. Cindy Smith made a motion to approve the road report as delivered. The motion was seconded and **approved**.

Gate Report/Security:

1. Repair of gate: Bill Torrey temporarily welded the gate. Leroy Lawrence will be involved with permanent welding to repair damage. Ruth Heese has volunteered to research the costs associated with a sliding gate to replace existing electronic gate if needed.
2. Removal of cattle guard: The upper guard can be removed, not the lower one.
3. Painting the gate: Cindy Smith has a couple volunteers. Rick Stahl offered to donate reflective glass beads.
4. Dan McQueen will contact Bob Faris about learning how to program and service the electronic gate.
5. The gate report was accepted by the board.

Fire Committee Report: Report of May 17 Reorganizational Meeting (Michael Lowe, Rick Stahl, Jodi Abbott, John Applemann, Mary Arnold, Sanjeev Karki, Paul Rutt, Sue Weber, John Woods).

1. Michael Lowe shared that he has removed trees from Wolverine to start work.
2. Rick Stahl mentioned that limbs need cutting to avoid power lines – REA will do this.
3. Emergency egress at top of Otter – observations of fallen trees and some intentionally placed trees across the road.
4. Fire committee members are committed to working with property owners and getting permission before doing work on easements.
5. Rick reported that there are grants for fire mitigation that he is investigating.

Old Business: The *Ad Hoc* Bylaws Committee (Arnold, Allan Heese, McQueen, Smith, Torrey, Stahl, Weber) is proposing various changes to the Bylaws. The Board suggested that each author of modifications to bylaws should write pros/cons, and provide original vs proposed language. Sue Weber will collate the amendments for mailing with the annual meeting agenda.

New Business:

1. Brian Abbott offered to research the possibility of charging a transfer fee when property changes hands.
2. Sue Weber made a motion to place a \$50 increase in annual dues, to \$500/year, on the agenda for discussion and a vote at the annual meeting. The motion was seconded and **approved**.
3. The draft annual meeting agenda/notice was reviewed. Brian Abbot made a motion to approve the agenda as edited. It was seconded and approved. The agenda with proposed Bylaws amendment will be finalized on or about 7/24/23 and mailed to the membership no later than 7/28/23.

Executive Session (If Any): None

Adjournment: The meeting was adjourned at 8:58pm by Dan McQueen.

Respectfully submitted,
Cindy Smith, Secretary

Buckskin Heights Road Association Treasurer's Report

Sue Weber – June 15, 2023 (Board Meeting)

1. Checking account balance 6/15/23	=	\$41,872.01
Pending Expenses – MCMS Grading?	=	-\$2,500.00
Pending Deposits	=	\$0.00
Checking available	=	\$39,372.01
Savings account balance 6/15/23	=	\$5,011.05
TOTAL AVAILABLE 6/15/23	=	\$44,383.06

2. Dues:

- 2023 dues for 66 of 67 properties (61 of 62 owners) are paid in full.
- 24 of the 66 properties (35%) paid by Zelle.

3. Recent Completed Property Sales

2021=8 sales; 2022=9 sales; 2023 YTD=4 sales; Total 2021-YTD = 21 sales, 31% since Cameron Peak Fire

- 1/7/22 – Jeremiah & Sandra May (8857 Otter Ct) to Luke & Melanie McOmie & Jonathan Dilley
- 1/7/22 – Heather Speicher (13728 Raccoon Dr) to Justin Wilson
- 2/8/22 – Pamela Robinson (8315 Gray Squirrel Ct) to Cameron & Alice Louie
- 4/8/22 – Gregory Nelson Estate (13451 Raccoon Dr) to Justin Wilson
- 4/15/22 – Stanley Long Estate (13888 Otter Rd) to Sarah Simpkins, James Leslie & Robert Leslie
- 4/26/22 – Joshua Embrey (8220 Raccoon Ct) to Jeffrey Moe
- 7/15/22 – Glenn Heeney & Ann Dean (13328 Otter Rd) to Bethany & Allison Seymour
- 8/30/22 – Airn & Matthew Hartwig (13001 Otter Rd) to Rich & Debbie Evans
- 9/30/22 – Jacob Jandrew & Samantha Walker (13428 Otter Rd) to Hermine & Clinton Culley
- ~~12/20/22 – Rudy Hansch Trust (12721 Woodchuck Dr) to Darin & Erin Glenn~~

- 1/27/23 – Keifer Jacobson (13382 Otter) to Melissa St Clair & Benjamin Hodgin
- 2/8/23 – Edwin Standard (13960 Otter Rd) to Ian Morello, John & Jennifer Appelman
- 5/1/23 – Scott & Sharon Lazarowicz (8025 Wolverine Ct) to John Ferrier
- 5/16/23 – Darin & Erin Glenn (12721 Woodchuck Dr) to Landon & Anna Bruggeman

4. Current Properties for Sale/Pending Closings – NA

5. June 15, 2023 Budget (attached)

BHRA EXPENSE & INCOME SUMMARY • June 15, 2023

A	B	C	D	E	F	G	H
Category	2022 Actual	2023 Approved Budget	2023 Actual Expenses & Income to Date	2023 Budget Over (Under) to Date	2023 Expected Remaining Expenses & Income	2023 Projected Total Expense & Income	2023 Projected Over (Under) Budget
Bank Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Emergency Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Gate Maintenance	\$0	\$500	\$622	\$122	\$500	\$1,122	\$622
Grant Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Insurance	\$1,337	\$1,400	\$0	(\$1,400)	\$1,400	\$1,400	\$0
Legal/Financial/Procedural	\$383	\$500	\$10	(\$490)	\$490	\$500	\$0
Mailings	\$198	\$300	\$99	(\$201)	\$201	\$300	(\$0)
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Signs & Accessories	\$0	\$500	\$0	(\$500)	\$500	\$500	\$0
Office Supplies	\$54	\$100	\$23	(\$77)	\$77	\$100	\$0
Technology	\$154	\$350	\$196	(\$154)	\$154	\$350	(\$0)
Transfer to Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Base Homeowner	\$3,000	\$0	\$0	\$0	\$0	\$0	\$0
Road Ditches & Culverts	\$1,705	\$1,500	0	(\$1,500)	\$1,500	\$1,500	\$0
Road Grader Operator	\$18,243	\$16,000	\$0	(\$16,000)	\$17,000	\$17,000	\$1,000
Road Base	\$14,349	\$20,000	\$0	(\$20,000)	\$20,000	\$20,000	\$0
BHRA Road Expense Subtotal	\$34,296	\$37,500	\$0	(\$37,500)	\$38,500	\$38,500	\$1,000
Expense Subtotal	\$39,423	\$41,150	\$950	(\$40,200)	\$41,822	\$42,772	\$1,622
Dues & Late Fees	\$41,890	\$30,150	\$29,495	(\$655)	\$450	\$29,945	(\$205)
Emergency Donations	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Interest	\$1	\$6	\$3	(\$3)	\$3	\$6	\$0
Grant Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Remote Control Sales	\$112	\$100	\$16	(\$84)	\$84	\$100	\$0
Homeowner Road Reimburse/Donation	\$3,004	\$0	\$1,750	\$1,750	\$0	\$1,750	\$1,750
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfer from Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Income Subtotal	\$45,007	\$30,256	\$31,264	\$1,008	\$537	\$31,801	\$1,545
Checking Cash Flow Balance	\$5,585	(\$10,894)	\$30,314			(\$10,974)	

NOTES

Anticipated gate repair

Special meeting mailings/handouts

Zoom meeting equipment: Zoom subscription

Does not include spring MCMS grading (~\$2,500)

2022: 29 BHRA 15T loads + 6 homeowner loads = 35 loads

2022: Single grading ~\$3K; with 35 loads road base ~\$9K

2023: Assumes 40 loads (15T) at \$500/load (~\$20K)

Budgeted Dues Income...

...assumes all 67 properties (62 of 62 owners) pay \$450 annual dues and includes undesignated donations.

\$1500 for Raccoon Ct/Dr?, \$250 undesignated

BHRA ASSET SUMMARY

A	B	C	D	E	F	G	H
Category	2022 Actual Ending Balance	2023 Budgeted Ending Balance	2023 Actual Balance to Date			2021 Projected Ending Balance*	
BHRA Checking Balance Available	\$11,561	\$667	\$41,872			\$587	
BHRA Savings Balance	\$5,008	\$5,014	\$5,011			\$5,014	
Total Assets	\$16,569	\$5,681	\$46,883			\$5,601	

*Target is \$500 to avoid bank fee.

Buckskin Heights Road Association

BOARD MINUTES for Thursday, July 27, 2023

Zoom Meeting • 6:30pm & 7:00pm

EXECUTIVE SESSION:

ATTENDANCE:

Board Members: Brian Abbott (At Large), Mary Arnold (Vice President), Dan McQueen (President), Cindy Smith (Secretary), Bill Torrey (At Large), Sue Weber (Treasurer)

Community Members: Traci Reynolds, Michael Lowe

EXECUTIVE SESSION CALL TO ORDER, WELCOME/INTRODUCTIONS, QUORUM, PURPOSE, ADJOURNMENT:

The meeting was called to order by President Dan McQueen with board quorum present at 6:35pm. The purpose of the meeting was to discuss details regarding the proposed Road Groom contract with owner Traci Reynolds and her guest, Mike Lowe. The executive session was adjourned at 7:02pm.

PUBLIC MEETING

ATTENDANCE:

Board Members: Brian Abbott (At Large), Mary Arnold (Vice President), Dan McQueen (President), Cindy Smith (Secretary), Bill Torrey (At Large), Sue Weber (Treasurer)

Community Members: Rich Evans, Allan Heese, Kathy & Jim Hingtgen, Sanjeev Karki, Michael Lowe, Luke McOmie, Erin Ross & Paul Rutt, Alison Seymour, Brittany Woods

PUBLIC MEETING CALL TO ORDER, WELCOME/INTRODUCTIONS, QUORUM:

Dan McQueen called the public meeting to order at 7:03pm. Sue Weber made a motion to approve the agenda. It was seconded **and approved**.

PUBLIC MEETING AGENDA:

Secretary's Report: Cindy Smith made a motion to approve the previously distributed minutes of the Board Meeting on June 15, 2023. It was seconded **and approved**.

Treasurer's Report: Sue Weber reviewed the Treasurer's Report with budget update (attached). Dan McQueen made a motion to approve the Treasurer's Report. It was seconded **and approved**.

Road & Gate Reports:

1. Road Update:
 - A. Mary Arnold reported that grading and spreading materials will occur next week at the locations previously identified. Work on Woodchuck will also be done.
 - B. Mary Arnold will keep trying to get a response from the Greeley transport company that caused the damage on Lower Otter Rd above the Jackson/Bane property during the Braun/Sheddy house transport. Damage will be repaired next week, but Sue Weber mentioned the possibility of using small claims court action to recoup loss if necessary from unresponsive company.
 - C. Dan McQueen will contact the construction company at new mobile home park in Horsetooth Heights to see if we can obtain scrap concrete to stabilize the house transport damage.
2. Gate Repair Update:
 - A. Bill Torrey worked with Leroy Lawrence, with the help of Bethany Seymour, to weld and otherwise repair the east post of the electronic gate. We are so lucky to have the time, talent and initiative from these neighbors!
 - B. Paul Rutt is willing to fund a small project to add a counter to the gate if having usage data would be helpful. Bill pointed out that the main source of wear on the gate is collision, not normal open/shut; he will check with Bob Faris to see if gate already has a counter, although such data may not be particularly relevant.
3. Sue Weber made a motion to accept the road and gate reports. It was seconded **and approved**.

Old Business:

1. Road Groom Contract
 - A. Dan McQueen made a motion on behalf of the Board to approve the 2-year contract with Association member Traci Reynolds for the use of the road groom as modified in executive session (hourly rate of \$105; limited to road groom equipment; general work location specified on invoices). The motion was seconded.

- B. Mike Lowe spoke in favor of the contract. The road groom is available on demand in optimal weather.
- C. Cindy Smith felt the contract cost was too high; we should be careful not to divert money from materials purchase and reserve money for a possible new electronic gate; and that the professional motor grader was more efficient than the road groom.
- D. Erin Rutt expressed concern that too much road base ends up in the ditch.
- E. Brian Abbott pointed out that recycled asphalt often does not erode and that the road groom actually can bring loose road base back onto the road, unlike the usual effect of the professional motor grader.
- F. Kathy and Jim Hingtgen expressed concern about the cost and effectiveness of the road groom, given the limited parts of the road that could benefit.
- G. Sue Weber pointed out that the road groom proved beneficial in the summer of 2022 on significant parts of Lower Otter and the interior roads; that the cost and timeframe of the contract reflects the commitment of the membership to a neighbor who will perform valuable services for the community (purchase/maintenance of equipment, insurance, coordination of operators); and that we will only pay for actual billed services.
- H. After discussion, the Board voted to **approve** the contract as modified in executive session by roll call vote: Yes – Arnold, Abbott, McQueen, Smith, Weber; No – None; Abstain – Torrey.

- 2. Mailing of 2023 Annual Meeting Agenda – Sue Weber reviewed the previously-approved agenda; it will be mailed 30-days in advance of the meeting as required by our *Bylaws*.

New Business: Katy Conrad at the end of upper Otter Rd is having a survey done to determine the location of the BHRA easement relative to her property. Dan McQueen will work with others to determine if we can install a BHRA lock on the gate(s) across our north emergency exit.

Executive Session (If Any): None

Adjournment of Public Meeting: Dan McQueen made a motion to adjourn the public meeting at 7:55pm. It was seconded and **approved**.

Respectfully submitted,
Sue Weber, Acting Secretary

NOTE: After the meeting, the Board was notified that Traci Reynolds declined to accept the contract as modified by the Board.

Buckskin Heights Road Association Treasurer's Report

Sue Weber – July 27, 2023 (Board Meeting)

1. Checking account balance 7/27/23	=	\$41,949.55
Pending Expenses – MCMS Grading?	=	-\$2,500.00
Pending Deposits	=	\$0.00
Checking available	=	\$39,449.55
Savings account balance 7/27/23	=	\$5,011.67
TOTAL AVAILABLE 7/27/23	=	\$44,461.22

- 2. Dues:** 2023 dues for 66 of 67 properties (61 of 62 owners) are paid in full. Delinquent property owner has received warning letter that lien will be filed the week of August 1 if balance due or installment payment not made.
- 3. July 27, 2023 Budget Update** (attached): The only significant things that have changed since the June 15 Board meeting are a result of the \$450 reduction in anticipated dues income, given the non-response of the delinquent property owner. In this case, we do have the additional option of taking small claims action since the membership is currently employed and wage garnishment is possible.
- 4. Recent Completed Property Sales**

2021=8 sales; 2022=9 sales; 2023 YTD=4 sales; Total 2021-YTD = 21 sales, 31% since Cameron Peak Fire

 - 1/27/23 – Keifer Jacobson (13382 Otter) to Melissa St Clair & Benjamin Hodgin
 - 2/8/23 – Edwin Standard (13960 Otter Rd) to Ian Morello, John & Jennifer Appelman
 - 5/1/23 – Scott & Sharon Lazarowicz (8025 Wolverine Ct) to John Ferrier
 - 5/16/23 – Darin & Erin Glenn (12721 Woodchuck Dr) to Landon & Anna Bruggeman
- 5. Current Properties for Sale/Pending Closings – NA**

 - Kenneth Hersh (2 properties on Lower Otter)
- 6. Other Actions:** A lien release was filed to acknowledge payment in full of delinquent dues back in 2004 as a result of a small claims judgment in favor of BHRA. Digging back into old financial files and minutes demonstrated that the BHRA Board of the time did not follow through with the required lien release. The situation is now resolved to all parties' satisfaction.

BHRA EXPENSE & INCOME SUMMARY • July 27, 2023

A	B	C	D	E	F	G	H
Category	2022 Actual	2023 Approved Budget	2023 Actual Expenses & Income to Date	2023 Budget Over (Under) to Date	2023 Expected Remaining Expenses & Income	2023 Projected Total Expense & Income	2023 Projected Over (Under) Budget
Bank Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Emergency Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Gate Maintenance	\$0	\$500	\$622	\$122	\$500	\$1,122	\$622
Grant Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Insurance	\$1,337	\$1,400	\$0	(\$1,400)	\$1,400	\$1,400	\$0
Legal/Financial/Procedural	\$383	\$500	\$23	(\$477)	\$490	\$513	\$13
Mailings	\$198	\$300	\$99	(\$201)	\$201	\$300	(\$0)
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Signs & Accessories	\$0	\$500	\$0	(\$500)	\$500	\$500	\$0
Office Supplies	\$54	\$100	\$23	(\$77)	\$77	\$100	\$0
Technology	\$154	\$350	\$196	(\$154)	\$154	\$350	(\$0)
Transfer to Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Base Homeowner	\$3,000	\$0	\$0	\$0	\$0	\$0	\$0
Road Ditches & Culverts	\$1,705	\$1,500	\$0	(\$1,500)	\$1,500	\$1,500	\$0
Road Grader Operator	\$18,243	\$16,000	\$0	(\$16,000)	\$16,000	\$16,000	\$0
Road Base	\$14,349	\$20,000	\$0	(\$20,000)	\$20,500	\$20,500	\$500
<i>BHRA Road Expense Subtotal</i>	<i>\$34,296</i>	<i>\$37,500</i>	<i>\$0</i>	<i>(\$37,500)</i>	<i>\$38,000</i>	<i>\$38,000</i>	<i>\$500</i>
Expense Subtotal	\$39,423	\$41,150	\$963	(\$40,187)	\$41,322	\$42,285	\$1,135
Dues & Late Fees	\$41,890	\$30,150	\$29,570	(\$580)	\$0	\$29,570	(\$580)
Emergency Donations	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Interest	\$1	\$6	\$4	(\$2)	\$3	\$7	\$1
Grant Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Remote Control Sales	\$112	\$100	\$32	(\$68)	\$84	\$116	\$16
Homeowner Road Reimburse/Donation	\$3,004	\$0	\$1,750	\$1,750	\$0	\$1,750	\$1,750
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfer from Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Income Subtotal	\$45,007	\$30,256	\$31,356	\$1,100	\$87	\$31,443	\$1,187
Checking Cash Flow Balance	\$5,585	(\$10,894)	\$30,392			(\$10,846)	

NOTES

Anticipated gate repair

Special meeting mailings/handouts

Zoom meeting equipment: Zoom subscription

Does not include spring MCMS grading (~\$2,500); also slightly reduced due to one delinquent property owner**
 2022: 29 BHRA 15T loads + 6 homeowner loads = 35 loads
 2022: Single grading ~\$3K; with 35 loads road base ~\$9K
 2023: Assumes 41 loads (15T) at \$500/load (~\$20K)

Budgeted Dues Income...
 ...assumes 66** of 67** properties (61** of 62 owners) pay \$450 annual dues and includes undesignted donations

\$1500 for Raccoon Ct/Dr?, \$250 undesignted

BHRA ASSET SUMMARY

A	B	C	D	E	F	G	H
Category	2022 Actual Ending Balance	2023 Budgeted Ending Balance	2023 Actual Balance to Date			2021 Projected Ending Balance*	
BHRA Checking Balance Available	\$11,561	\$667	\$41,950			\$715	
BHRA Savings Balance	\$5,008	\$5,014	\$5,012			\$5,015	
Total Assets	\$16,569	\$5,681	\$46,961			\$5,729	

*Target is \$500 to avoid bank fee.

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BUCKSKIN HEIGHTS ROAD ASSOCIATION
SUNDAY AUGUST 27, 2023 ANNUAL MEETING

When: Sunday, August 27, 2023, **2pm Mountain Time** – Please plan to arrive/logon 30 min early to socialize

Attached meeting materials also available at buckskinheights.org/

Where: **In-Person at:** Rick & Chris Stahl's Property (13914 Otter Rd)

By Zoom: Meeting information below will also be sent to member email addresses.

BHRA members in good standing must register once in advance to attend the Zoom meetings at:
<https://us02web.zoom.us/meeting/register/tZAlcuqvrDksHNAaJD4DCurJE2eXNcyFDol2>

After registering, you will receive a confirmation email containing information about joining all the meeting(s).

MEETING AGENDA

1. Call to order; attendance; review agenda
2. Review of the Board-approved 2022 Annual Meeting Minutes
3. Date for next year's meeting: Sunday, Aug 25, 2024 at 2pm.
4. Treasurer's Report (Attached)
5. Road Report – Work done to date, recommended future work to be done
6. Gate Report
7. Fire Committee Report
8. Nomination and election of BHRA Board members for 2023-24
9. Discussion/vote on holding mail ballot to increase dues from \$450/year to \$500/year
10. Open floor for additional BHRA-related items
11. Discussion/action on proposed *Bylaws* amendments
12. Adjourn

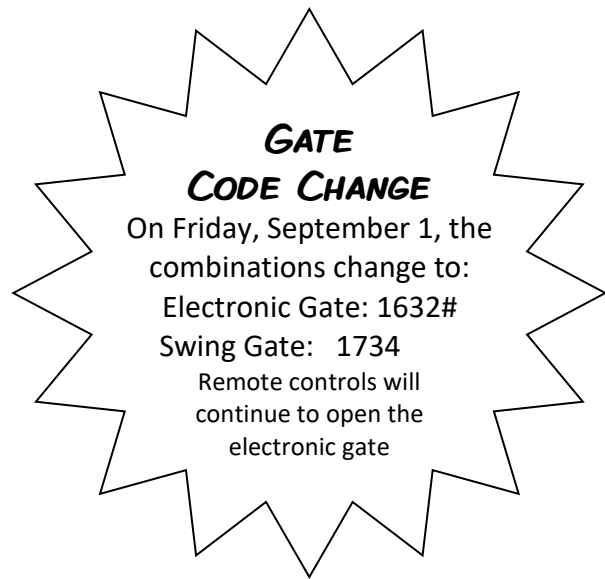
CURRENT BHRA BOARD MEMBERS

Dan McQueen President
Mary Arnold* Vice President
Cindy Smith Secretary
Sue Weber* Treasurer
Brian Abbott* At Large
Bill Torrey At Large

* 1st term ending, eligible for re-election to 2-yr term

CONDUCT OF THE HYBRID INPERSON/ZOOM ANNUAL MEETING:

We ask for your patience, courtesy and good humor as we work through the agenda. Members who wish to speak must be recognized by the meeting chair – we'll tell you how at the meeting. **We will adjourn no later than 5pm; if we need more time to finish bylaws actions, we will reconvene the meeting on Sunday, Sept 10 2pm at the same location and logon to finish this work.**



THINGS TO DO BEFORE THE MEETING

On August 27, we will be voting on new officers and proposed bylaws amendments by roll call vote. To save time during the meeting, the Board (bhra80541@gmail.com or Cindy Smith 970-612-6102) would like to have as much information from you as possible in advance:

- **Please submit nominations for election to the Board by Wednesday, August 23.** Make sure the person you are nominating is willing to serve.
- **Please submit any proxy voting documentation to the Board by Wednesday, August 23.** You may follow the instructions on attached form to submit your proxy by email or USPS. No membership may vote more than 2 proxies.
- **Please review the proposed bylaws amendment documents.**
- **Please register for the Zoom meeting(s) in advance at the logon URL above.**
- **Please attend one or both of the Bylaws Informational Zoom meetings (Mon Aug 7 and Thu Aug 17 – more information on the back).** Time at the annual meeting will be limited; these preliminary meetings will give you an opportunity to informally discuss the proposed amendments.

PROPOSED AMENDMENTS TO BHRA BYLAWS

The Ad Hoc Bylaws Committee – Mary Arnold, Allan Heese, Dan McQueen, Rick Stahl, Bill Torrey and Sue Weber, with Parliamentarian Lola Fehr – has identified several areas in our current Bylaws that need attention.

The attached proposed amendments are grouped as follows:

1. Terms of Board Directors
2. Quorum requirements
3. Electronic voting at meetings
4. Electronic mail ballots
5. Simple versus 2/3 majority for dues increases
6. BHRA internet administration
7. Driveway, culvert & ditches

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

- **Monday August 7 at 6:30pm**
- **Thursday August 17 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 HYBRID INPERSON/ZOOM ANNUAL MEETING

We will be using roll call voting to elect Board members and vote on proposed bylaws amendments. Here's how:

- The enclosed document describes 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.
- Zoom 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 name, phone number, 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 three currently scheduled 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 about Zoom? Contact Sue Weber (970-225-1830, suweber47@gmail.com)

PROXY VOTING AT THE ANNUAL MEETING

Proxy voting is allowed by our *Bylaws*. If you wish to have someone vote your proxy, please follow the attached directions to send or deliver the completed signed form to Secretary Cindy Smith (bhra80541@gmail.com, PO Box 352, Masonville CO 80541), preferably by Wed Aug 23. An email containing the information on the form sent from an email address we have on file for you is also acceptable.

You are responsible for getting your proxy to the Secretary as soon as possible BEFORE the annual meeting begins.

BUCKSKIN HEIGHTS ROAD ASSOCIATION
PROXY VOTING

BYLAWS REGARDING PROXY VOTING

BHRA Bylaws, Article VI, Section 5(c):

- i. At annual and special meetings of the Association, a member entitled to vote may vote in person or by proxy.
- ii. The proxy must be executed in writing and include:
 - 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.
- 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.
- 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.
- v. The Secretary shall determine the validity of all proxies.
- vi. No membership may vote more than two (2) proxies at any meeting.

INSTRUCTIONS

You may execute a proxy in one of three ways:

1. **EMAIL:** Copy the PROXY FORM below into an email, and send the completed information to bhra80541@gmail.com from the email address we have on file for you, preferably by 9am of the morning of the scheduled meeting.
2. **USPS:** Copy, print and complete the PROXY FORM below and mail it to BHRA, PO Box 194, Masonville CO 80541. Your hard copy proxy should reach the Masonville post office at least 24 hours before the scheduled meeting to be sure it is in the hands of the Secretary when the meeting is called to order.
3. **HAND DELIVER:** Copy, print and complete the PROXY FORM below and hand deliver your hard copy in person (or otherwise verify your identity) to the BHRA Secretary preferably by the day before the meeting is called to order.

PROXY FORM

I am a Member in good standing of the Buckskin Heights Road Association. I will not attend the annual/special meeting of the Association designated below and wish to appoint a proxy as follows:

Address of Property Owned in Buckskin Heights:

Name of Person Designated as Proxy:

Physical Address of Person Designated as Proxy:

Email Address of Person Designated as Proxy:

Association Meeting Date:

Scope of Proxy: By this designation of proxy, the Proxy may attend and represent the Member with the full power to vote and act for the Member in the same manner, to the extent and with the same effect as if the Member were personally present. The Proxy shall have the authority to vote entirely at the discretion of the Proxy.

Your Name (Member):

Date Signed:

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Buckskin Heights Road Association

2023 Annual Meeting Minutes

Sunday, August 27 and September 10, 2023 at 2:00pm • Stahl Residence In-Person and by Zoom

ATTENDANCE: 17 memberships represented in person, 10 memberships on Zoom; 18 represented by proxies; 45 total memberships eligible to vote. The quorum of 14 memberships was satisfied at the beginning of meeting.

Road Association Board Members (Spouse) Present: Dan McQueen, President; Cindy Smith, Secretary (Zoom); Sue Weber, Brian Abbott (Zoom) and Bill (Bonnie) Torrey, Directors at Large

Other Memberships Present:

In-Person (17 with Board): John & Jennifer Appelman (2 properties), Rich & Deb Evans, Linda Bilsing/Faris, David Gaudio, Allan Heese, Sanjeev Karki, Jess Blinkensop/Longo, Michael Lowe, Lynette McGowan, Traci Reynolds, Paul & Erin Rutt, Rick & Chris Stahl, Brittany & John Woods

By Zoom (10 with Board): Donna Braun & Jae Sheddy, Jacob DeBes, Peggy & Brett Kinsey, Audrey Lodwig, Luke & Melanie McOmie (2 properties), Mark Mettler, Alison Seymour

Proxies (18): Arnold (Michael Lowe), Conrad (McGowan), Culley (Heese), Ezzell (Abbott), Fallon (Weber, 2 properties), Ferrier (Gaudio), Gariglietti/Lawrence (Heese), Hingtgen (Smith), Jackson/Bane (Bilsing), Jandrew/Walker (Stahl), St Clair/Hodgin (Stahl), Stewart (Smith), Thompson (Lowe), Warrington (Bilsing), Wilson (Torrey, 2 properties), Wilson (Braun)

Guest: Lola Fehr (Parliamentarian)

CALL TO ORDER & WELCOME: The meeting was called to order at 2:07pm by Parliamentarian Lola Fehr in President Dan McQueen's temporary absence. Secretary Cindy Smith called the membership roll, which was recorded and verified by Bonnie Torrey and Allan Heese. Owners of 25 properties were present in person or by Zoom at the beginning of the meeting, exceeding the minimum of 14 properties necessary for a quorum. Fehr welcomed all in attendance.

AGENDA: The agenda was approved as distributed 30 days prior to the annual meeting. Lola Fehr reminded participants that the meeting will be limited to 3 hours as stated in the meeting notice. If we run out of time to complete the bylaws actions at 5pm, we will reconvene the meeting on Sunday, September 10 at 2pm (same location and URL) to finish this work.

REMINDER: Gate codes will change on September 1; new codes are on the annual meeting agenda that was sent to all members and distributed at this meeting.

REVIEW OF MINUTES: The Association members were asked if there were any questions or concerns with the Board-approved 2022 Annual Meeting Minutes posted online. None were noted.

DATE FOR NEXT YEAR'S MEETING: The 2024 annual meeting will be held on Sunday afternoon, August 25 at a specific time and location to be determined.

TREASURERS REPORT: Treasurer Sue Weber reviewed the current status of the budget ("BHRA Treasurers Report 8-27-23," attached):

1. We have ~\$15K total checking and savings available in budget at this time, ~\$11K of which was from long-term delinquency resolution in 2022. We have \$500 allocated for gate maintenance, and \$7,400 remaining for fall road maintenance.
2. One hundred percent of members have paid dues; this is the 2nd year in a row, good job!
3. Approximately one third of our properties have turned over since the fire (see attached Treasurer's Report).
4. The "Buckskin Heights Road Association Treasurer's Report for FY2022" was independently audited by Jodi Abbott and Bonnie Torrey and approved without qualifications (attached).
5. Sue collated (and posted on Groups IO prior to the meeting) the attached historical "Grading/Road Base Expenditures Overview, 2011-Present" for discussion later in the meeting.

ROAD REPORT:

6. Vice President Mary Arnold was able to attend the meeting only intermittently by Zoom. She sent her Road Report (attached) electronically; paper copies were distributed at the meeting and screen-shared on Zoom; Sue Weber read it aloud to the group.

ACTION ITEMS:

- A. Proactive Maintenance: Establish regular maintenance schedules for ditches and culverts to prevent debris buildup and ensure efficient drainage during heavy rain.
- B. Surface Resilience: Explore sustainable road surface solutions that withstand heavy rainfall, such as improved asphalt mixes or other materials designed for greater durability.

- C. Community Engagement: Educate residents about the importance of avoiding unnecessary strain on ditches and culverts, such as allowing debris to accumulate that could obstruct water flow.
 - D. Climate-Adaptive Design: Consider redesigning culverts and ditches to accommodate more significant water volumes and prevent erosion under extreme weather conditions.
7. Linda Bilsing asked for additional information on quantity and cost of road base spread above and below the gate. Allan Heese requested data regarding locations, quantity and type of material applied to the road this year. Sue Weber pointed out that David Smith has mapped this information previously as part of our GIS project. **ACTION ITEM:** Dan McQueen indicated that the next board will provide this additional information to the membership.
 8. David Gaudio requested status information about using the Road Groom. Dan McQueen reported that the Board and owner/member Traci Reynolds have agreed on a plan to rent the equipment from Traci on an as-needed per hour basis, when conditions are favorable on appropriate sections of the road, both below and above the gate.
 9. Linda Bilsing brought up the need to more fully repair the damage done to the road between road markers 17 and 18 by the trailer delivering Donna Braun/Jae Shedly's home (see photos below). Although everyone travels the road at their own risk, this exacerbates an already dangerous situation, because the road angles down to the in-curving damaged area on a steep slope; we have had accidents there in the past. Mike Lowe reported that Mary Arnold has contacted the trucking company that caused the damage but gotten no response. **ACTION ITEM:** Dan McQueen indicated that the new board will follow up on various suggestions to implement and pay for required repairs.



10. Allan Heese brought up the culvert/ditch situation at the intersection of Otter Rd and the Buckhorn Rd. There is an ongoing disagreement with the neighbor on the NW corner who keeps filling in the drainage ditch at two driveways; a neighbor on the east side a bit farther up has installed large rocks which prevent re-establishment of a ditch on that side of the road. **ACTION ITEM:** It was suggested that we offer some assistance to re-dig ditches and place culverts to keep water off Otter Rd. Legal action is another possibility. **(See also #21 below.)**
11. Luke McOmie pointed out that Otter Ct has degraded to the point of requiring a 4X4 to drive this road. Donna Braun reported that many contractors she has contacted refuse to drive the road, or over-charge to deliver due to the conditions on the road. **ACTION ITEM:** Cindy Smith and Bill Torrey suggested that the new board support the new VP in doing a survey of all the roads to determine priority remediation actions.

GATE REPORT:

12. Director At Large Bill Torrey reported that the west electronic gate has been damaged several times this year. We are grateful to Leroy Lawrence for rewelding the east post. **ACTION ITEMS:** There are gate mechanism areas that still need attention the next time other repairs are required. The gate is in better shape now than this spring, but long-term, we need to remove infrastructure inside and beef up collision barriers.
13. Linda Bilsing pointed out that the 1969 "Grant of Easement" (<http://buckskinheights.org/BHRA-Grant-Easement-1969-Copyright.pdf>) states that road users must close the gate every time. The swing gate was left open when the electronic gate was unusable this summer. Sue Weber pointed out that it was dangerous in a medical or other emergency to block the only egress to the neighborhood. **ACTION ITEM:** Investigate installing a push button or electronic lock on the swing gate to make it easier to open in an emergency.
14. **ACTION ITEM:** Bill Torrey pointed out that the board is already investigating the possible \$10-20K cost of options to replace the gate if it becomes necessary in the future.

FIRE COMMITTEE REPORT:

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15. Mike Lowe reported that the water reserve at the gate is full. He and Dan McQueen recommended that property owners evaluate trees along their section(s) of road; trim as necessary; and contact him if assistance on wildfire mitigation is needed.
16. Mike also reported that he was blocked from investigating a possible lightning strike fire due to deliberately-downed trees across our easement on upper Otter Rd. **ACTION ITEM:** Continued efforts to resolve this issue are needed.

NOMINATION AND ELECTION OF BHRA BOARD MEMBERS FOR 2023-24:

17. The floor was opened to nominations for the BHRA Board for 2020-21. Four members were nominated for three open seats: Rich Evans, Sue Weber, Justin Wilson, and Brittany Woods. In the first round of secret balloting, Rich Evans and Justin Wilson were elected, both starting new 1st 2-year terms (2023-25). Sue Weber was elected in the second round, starting a 2nd two-year term (2023-25).
18. Dan McQueen (second year of a 2nd term, 2022-24), Cindy Smith and Bill Torrey (both in second years of 1st terms, 2022-24) are the carry-over members for the 2023-24 board.

DISCUSSION/VOTE ON HOLDING MAIL BALLOT TO INCREASE DUES

19. Board included a discussion/vote on a possible \$50 dues increase, from \$450 to \$500, while taking no position for or against the proposal. During the discussion,
 - The main reason cited to vote against the dues increase was that there is always a carryover balance from year to year – if we don't spend all the money we have each year, why should we pay more now?
 - The main reason given to vote for the proposal was that constant inflation impacts the cost of maintenance, especially resulting in a significant decrease in road base application in the last few years. Allan Heese also pointed out that we always spend any carryover the following year, so it actually does not accumulate.
20. The memberships represented at the meeting voted to approve the mail ballot on the proposed dues increase to the entire membership (30 yes, 14 no, 1 abstention). **ACTION ITEM:** The Board will mail the ballots within 30 days.

OPEN FLOOR FOR ADDITIONAL BHRA-RELATED ITEMS:

21. **(See also #10 above.)** Allan Heese stated that the problems at bottom of Otter Road have been ongoing since he was VP. Luke McOmie noted that the bottom of Otter Rd was completely flooded when he and Melanie were returning home during our meeting today. Donna Braun reminded us that emergency vehicles may have difficulty ascending Otter due to the lack of proper water flow/flooding. Linda Bilsing has consulted legal counsel who believes that culverts may in fact not be required of property owners. Dan McQueen volunteered his machinery to dig ditch after ditch to keep water flowing. Another suggestion was to assist these owners with labor/costs of installing culverts. Finally, Allan Heese urged the board to send a stern letter to the NW owner requesting cooperation to re-establish reliable appropriate drainage in the easements to our road. **ACTION ITEM:** Add all these suggestions to those listed in #10 (above).
22. **ACTION ITEM:** There was general agreement with Dan McQueen's proposal that we put the cattle guard that was removed near the gate up for public auction.

DISCUSSION/ACTION ON PROPOSED BYLAWS

AMENDMENTS: The remaining time during the meeting was devoted to starting consideration of the proposed bylaws changes with the assistance of Lola Fehr, parliamentarian. Dan McQueen as presiding officer and Secretary Cindy Smith presented proposed amendments #1A, 1B and 2 as described in the "BHRA Proposed Bylaws Amendments 8-27-23 & 9-10-23" document (attached) and sent to the membership before the annual meeting. Voting was by show of hands for in-person and Zoom participants and proxies; in the case of amendment #2, results were assured with the in-person and Zoom counts without proxies. The results for amendments #1A, 1B and 2 are listed below and detailed in the attached table.

#1A Article I Government – Limit term of service of directors: **Fail**

#1B Article II Board – If 1A passes, limit board appointment action: **NA** since #1A Failed

2# Article VI Meetings – Confirm past practice of counting electronic participants in quorum: **Pass**

ADJOURNMENT: As this August 27 meeting was limited to 3 hours as previously stated, a motion to continue the meeting as planned on Sunday, September 10 at 2pm at the same location and Zoom URL was approved at 5:05pm.

Respectfully submitted,
Cindy Smith, Secretary

ATTENDANCE: 10 memberships represented in person, 5 memberships on Zoom; 22 represented by proxies; 37 total memberships eligible to vote. The quorum of 14 memberships (in-person and electronic) was satisfied at the beginning of meeting.

2022-23 Road Association Board Members (Spouse)

Present: Dan McQueen, President; Mary Arnold, Vice-President; Cindy Smith, Secretary (Zoom); Sue Weber, Brian Abbott (Zoom) and Bill (Bonnie) Torrey, Directors at Large

2023-24 Road Association Board Member-Elect (Spouse)

Present: Rich (Deb) Evans

Other Memberships Present:

In-Person (10 with Board & Board-Elect): Sanjeev Karki, Michael Lowe, Max McGowan, Rick & Chris Stahl, Brittany Woods

By Zoom (5 with Board): Anna Bruggemann, Erin Rutt, Alison Seymour

Proxies (22): Appellmann (Woods, 2 properties), Conrad (McGowan), Culley (Rutt), Ezzell (Abbott), Fallon (Weber, 2 properties), Ferrier (Arnold), Gariglietti/Lawrence (McQueen), Gaudio (Abbott), Heese (Rutt), Hingtgen (Smith), Jackson/Bane (BHRA), Jandrew/Walker (Stahl), Longo (Arnold), McBride (BHRA), Reynolds (Lowe), St Clair/Hodgin (Stahl), Stewart (Smith), Thompson (Lowe), Wilson (Torrey, 2 properties)

Guest: Lola Fehr (Parliamentarian)

CALL TO ORDER & WELCOME: The meeting was called to order at 2:04pm by President Dan McQueen. Bonnie Torrey called the membership roll, which was recorded and verified by Bonnie Torrey and Deb Evans. Owners of 15 properties were present in person or by Zoom at the beginning of the meeting, exceeding the minimum of 14 properties necessary for a quorum. McQueen welcomed all in attendance and stated that the only items on the agenda were the 8 proposed Bylaws amendments remaining on the August 27 annual meeting agenda.

DISCUSSION/ACTION ON PROPOSED BYLAWS

AMENDMENTS:

President Dan McQueen as presiding officer and Secretary Cindy Smith presented the remaining proposed amendments – #3A through #7 – described in the “BHRA Proposed Bylaws Amendments 8-27-23 & 9-10-23” document (attached), as sent to the community prior to the meeting and amended at the September 10 continuation meeting. Voting was by show of hands for in-person and Zoom participants, followed by a count of in-person and Zoom proxy votes when necessary. The results for Amendments #3A through #7, with any amendments, are listed below and detailed in the attached table.

Amendment #3A Article VI Meetings – Confirm past practice of permitting electronic voting at meetings: **Pass**

Amendment #3B Article I Government – If 3A passes, remove conflicting in-person voting requirement: **Pass**

Amendment #4A Article VI Meetings – Add combination USPS/electronic voting option to USPS only option to conduct of mail votes: **Pass**

Amendment #4B Article V Dues – If 4A passes, delete conflicting description of mail vote procedure: **Pass**
Part (b) was amended prior to vote by common consent as described in the attachment below.

Amendment #5 Article V Dues – Change dues change requirement from simple majority to 2/3rds majority in a mail vote of the entire membership: **Fail**

Amendment #6A Article VIII Miscellaneous – Increase number and set term duration of webmaster(s): **Fail**
Part (a) was amended prior to vote by common consent as described in the attachment below.

Amendment #6B Article VIII Miscellaneous – Designate appointment of communication system co-administrators to board and non-board members; set term duration: **Fail**
Part (b) was amended by common consent before the vote as described in the attachment below.

Amendment #7 Article VIII Miscellaneous – Define roles of the Association and individual memberships for driveway, culvert and ditch maintenance: **Fail**

The *Bylaws*, as amended, will be filed with the Larimer County Clerk & Recorder as soon as possible.

ADJOURNMENT: A motion to adjourn the meeting was approved at 3:37pm.

Respectfully submitted,
Cindy Smith, Secretary & Sue Weber, Recording Secretary

Buckskin Heights Road Association
Bylaws Actions at Annual Meeting, Sunday, August 27, 2020
Article VIII of our *Bylaws* requires a 2/3rds majority vote to pass amendments to the *Bylaws*.

#	ARTICLE	ACTION	FINAL RESULT	FINAL VOTE	In-Person	Zoom	Proxy
1A	Article I Government	Limit term of service of directors	FAIL	Y: 14 N: 27	Y: 7 N: 8	Y: 1 N: 7	Y: 6 N: 12
1B	Article II Board	If 1A passes, limit board appointment action	NA				
2	Article VI Meetings	Confirm past practice of counting electronic participants in quorum	PASS	Y: 23 N: 2	Y: 14 N: 2	Y: 9 N: 0	Y: NA* N: NA*

* Voting was terminated without counting proxies when outcome was assured by in-person and Zoom participants.

Buckskin Heights Road Association
Bylaws Actions at Annual Meeting, Sunday, September 10, 2020
Article VIII of our *Bylaws* requires a 2/3rds majority vote to pass amendments to the *Bylaws*.

#	ARTICLE	ACTION	FINAL RESULT	FINAL VOTE	In-Person	Zoom	Proxy
3A	Article VI Meetings	Confirm past practice of permitting electronic voting at meetings	PASS	Unanimous			
3B	Article I Government	If 3A passes, remove conflicting in-person voting requirement	PASS	Unanimous			
4A	Article VI Meetings	Add combination USPS/electronic voting option to USPS only option to conduct of mail votes	PASS	Unanimous			
4B	Article V Dues	If 4A passes, delete conflicting description of mail vote procedure	PASS	Unanimous			
5	Article V Dues	Change dues change requirement from simple majority to 2/3rds majority in a mail vote of the entire membership	FAIL	Y: 14 N: 23	Y: 6 N: 4	Y: 0 N: 5	Y: 8 N: 14
6A	Article VIII Miscellaneous	Increase number and set term duration of webmaster(s)	FAIL	Y: 18 N: 19	Y: 7 N: 3	Y: 2 N: 3	Y: 9** N: 13**
6B	Article VIII Miscellaneous	Designate appointment of communication system co-administrators to board and non-board members; set term duration	FAIL	Y: 16 N: 19	Y: 7 N: 3	Y: 0 N: 3	Y: 9** N: 13**
7	Article VIII Miscellaneous	Define roles of the Association and individual memberships for driveway, culvert and ditch maintenance	FAIL	Y: 7 N: 28	Y: 2 N: 8	Y: 0 N: 3	Y: 5 N: 17

**2 designated proxy "no" votes were mistakenly added to the "yes" tally at the meeting; correct tally reported here.

Buckskin Heights Road Association Treasurer's Report

Sue Weber, Treasurer – August 27, 2023 (2023 Annual Meeting)

1. Checking account balance 8/27/23	=	\$9,992.43
Pending Expenses	=	\$0.00
Pending Deposits	=	\$0.00
Checking available	=	\$9,992.43
Savings account balance 8/27/23	=	\$5,012.31
TOTAL AVAILABLE 8/27/23	=	\$15,004.74

2. Dues: 2023 dues for all 67 properties (61 owners) are paid in full (or nearly so).

3. August 27, 2023 Budget Update (attached):

- We've budgeted for more possible gate repair (green highlight).
- Road base cost increased 40% this year (yellow highlight), but cost of spreading it was less.
- We can spend more in 2023 on the road (blue highlight) than our income because of the \$11.6K carryover from 2022 due to resolution of decade-long delinquency.
- Congratulations to all for zero delinquencies in 2023!

4. Approved 2022 BHRA Audit Report (attached):

5. Recent Completed Property Sales

2021=8 sales; 2022=9 sales; 2023 YTD=5 sales; Total 2021-YTD = 22 sales, 31% since Cameron Peak Fire

- 1/27/23 – Keifer Jacobson (13382 Otter) to Melissa St Clair & Benjamin Hodgin
- 2/8/23 – Edwin Standard (13960 Otter Rd) to Ian Morello, John & Jennifer Appelmann
- 5/1/23 – Scott & Sharon Lazarowicz (8025 Wolverine Ct) to John Ferrier
- 5/16/23 – Darin & Erin Glenn (12721 Woodchuck Dr) to Landon & Anna Bruggeman
- 8/23/23 – Kenneth Hersh (2 properties, Lower Otter Rd) to Lacy & Keith Haugan

6. Current Properties for Sale/Pending Closings – None

7. Grading/Road Base Expenditure Overview, 2011-Present – Defer until dues discussion

BHRA EXPENSE & INCOME SUMMARY • Annual Meeting, August 27, 2023

A	B	C	D	E	F	G	H
Category	2022 Actual	2023 Approved Budget	2023 Actual Expenses & Income to Date	2023 Budget Over (Under) to Date	2023 Expected Remaining Expenses & Income	2023 Projected Total Expense & Income	2023 Projected Over (Under) Budget
Bank Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Emergency Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Gate Maintenance	\$0	\$500	\$622	\$122	\$500	\$1,122	\$622
Grant Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Insurance	\$1,337	\$1,400	\$0	(\$1,400)	\$1,400	\$1,400	\$0
Legal/Financial/Procedural	\$383	\$500	\$23	(\$477)	\$490	\$513	\$13
Mailings	\$198	\$300	\$138	(\$162)	\$201	\$339	\$39
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Signs & Accessories	\$0	\$500	\$0	(\$500)	\$500	\$500	\$0
Office Supplies	\$54	\$100	\$23	(\$77)	\$77	\$100	\$0
Technology	\$154	\$350	\$196	(\$154)	\$154	\$350	(\$0)
Transfer to Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Base Homeowner	\$3,000	\$0	\$0	\$0	\$0	\$0	\$0
Road Ditches & Culverts	\$1,705	\$1,500	\$855	(\$645)	\$200	\$1,055	(\$445)
Road Grader Operator	\$18,243	\$16,000	\$6,295	(\$9,706)	\$6,000	\$12,295	(\$3,706)
Road Base	\$14,349	\$20,000	\$24,343	\$4,343	\$1,200	\$25,543	\$5,543
<i>BHRA Road Expense Subtotal</i>	<i>\$34,296</i>	<i>\$37,500</i>	<i>\$37,492</i>	<i>(\$6,008)</i>	<i>\$7,400</i>	<i>\$38,892</i>	<i>\$1,392</i>
Expense Subtotal	\$39,423	\$41,150	\$32,494	(\$8,656)	\$10,722	\$43,216	\$2,066
Dues & Late Fees	\$41,890	\$30,150	\$30,095	(\$55)	\$225	\$30,320	\$170
Emergency Donations	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Interest	\$1	\$6	\$4	(\$2)	\$3	\$7	\$1
Grant Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Remote Control Sales	\$112	\$100	\$32	(\$68)	\$84	\$116	\$16
Homeowner Road Reimburse/Donation	\$3,004	\$0	\$1,750	\$1,750	\$0	\$1,750	\$1,750
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfer from Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Income Subtotal	\$45,007	\$30,256	\$31,881	\$1,625	\$312	\$32,193	\$1,937
Checking Cash Flow Balance	\$5,585	(\$10,894)	(\$613)			(\$11,027)	

NOTES

Anticipated gate repair

Special meeting mailings/handouts

Zoom meeting equipment: Zoom subscription

Fall motorgrading ~\$3K?; Road Groom ~\$3K?
2022: 35 loads (15T) at \$496/load
2023: 35 loads (15T) at \$695/load (40% increase over 2022)

Dues Income...
...all 67 properties/61 owners have paid or are in the process of paying \$450 annual dues; includes undesignated donations

\$1500 for Raccoon Ct/Dr, \$250 undesignated

We can spend more in 2023 than our annual income because of \$11.6K carryover from 2022 (long-term delinquency resolution)

BHRA ASSET SUMMARY

A	B	C	D	E	F	G	H
Category	2022 Actual Ending Balance	2023 Budgeted Ending Balance	2023 Actual Balance to Date			2021 Projected Ending Balance*	
BHRA Checking Balance Available	\$11,561	\$667	\$9,992			\$533	
BHRA Savings Balance	\$5,008	\$5,014	\$5,012			\$5,015	
Total Assets	\$16,569	\$5,681	\$15,005			\$5,549	

*Target is \$500 to avoid bank fee.

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Buckskin Heights Road Association Treasurer's Report for FY2022
 With **APPROVED** 2023 Budget • January 26, 2023

EXPENSE/INCOME SUMMARY

A	B	C	D	E	F
Category	2021 Actual	2022 Approved Budget	2022 Actual	2022 Difference Over (Under)	2023 APPROVED Budget
Bank Fees	\$0	\$0	\$0	\$0	\$0
Emergency Expense	\$2,025	\$0	\$0	\$0	\$0
Gate Maintenance	\$0	\$200	\$0	(\$200)	\$500
Grant Expense	\$0	\$0	\$0	\$0	\$0
Insurance	\$1,235	\$1,300	\$1,337	\$37	\$1,400
Legal/Financial/Procedural	\$61	\$100	\$383	\$283	\$500
Mailings	\$104	\$100	\$198	\$98	\$300
Miscellaneous	\$0	\$0	\$0	\$0	\$0
Road Signs & Accessories	\$0	\$200	\$0	(\$200)	\$500
Office Supplies	\$99	\$100	\$54	(\$46)	\$100
Technology	\$0	\$0	\$154	\$154	\$350
Road Base Homeowner	\$3,950	\$0	\$3,000	\$3,000	\$0
Road Culverts & Ditchwork	\$1,372	\$4,000	\$1,705	(\$2,295)	\$1,500
Road Grader Operator	\$14,006	\$14,700	\$18,243	\$3,543	\$16,000
Road Base	\$12,933	\$14,000	\$14,349	\$349	\$20,000
BHRA Road Expense Subtotal	\$28,311	\$32,700	\$34,296	\$1,596	\$37,500
Expense Subtotal	\$35,784	\$34,700	\$39,423	\$4,723	\$41,150
Dues & Late Fees	\$30,410	\$29,700	\$41,890	\$12,190	\$30,150
Emergency Donations	\$2,175	\$0	\$0	\$0	\$0
Interest	\$1	\$1	\$1	\$0	\$6
Grant Income	\$0	\$0	\$0	\$0	\$0
Remote Control Sales	\$16	\$0	\$112	\$112	\$100
Road Base Homeowner Reimburse	\$3,950	\$0	\$3,004	\$3,004	\$0
Miscellaneous	\$0	\$0	\$0	\$0	\$0
Income Subtotal	\$36,552	\$29,701	\$45,007	\$15,306	\$30,256
Cash Flow Balance	\$767	(\$4,999)	\$5,585		(\$10,894)

NOTES

2022: 6 15T loads (Raccoon Rd/Ct); (BHRA: 29 15T loads total)
 2022: Single grading ~\$3K; with 35 loads road base ~\$9K
 40 15T loads
 2022: 35 loads of delivered road base \$17.3K, ~\$500/15T-load
Budgeted Dues Income...
 ...assumes all 67 properties (65 of 65 owners) pay \$450 annual dues and includes undesignated donations.

ASSET SUMMARY

A	B	C	D	E	F
Category	2021 Actual Ending Balance	2022 Budgeted Ending Balance	2022 Actual Ending Balance	2022 Difference Over (Under)	2023 #1 Budget Ending Balance
Checking Balance	\$5,978	\$979	\$11,561	\$10,582	\$667
Savings Balance	\$5,007	\$5,008	\$5,008	\$0	\$5,014
Total Assets	\$10,984	\$5,986	\$16,569		\$5,681

Budgeted Checking Ending Balance...
 ...for 2023 is the 2022 actual ending balance plus the net budgeted 2023 cash flow balance. The target of >\$500 allows for minimum bank balance.

Fiscal Year 2022 Data Respectfully Submitted for Audit by:
Suzanne Weber 1/31/23
 Suzanne Weber, Treasurer, October 2021-Present Date

Fiscal Year 2022 Data Audited and Approved by:
Jodi Abbott 3/8/2023
 Jodi Abbott, BHRA Member Date
Bonnie Torrey 3/8/2023
 Bonnie Torrey, BHRA Member Date

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; expense invoices and authorizations; income receipts; and bank statements and check register of Buckskin Heights Road Association as of December 31, 2022.

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 Membership Roster, comparing the three for consistency; 3) reviewing expenses for reasonableness as to their use; 4) confirming all 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, 2022, in conformity with generally accepted accounting principles in the United States of America.

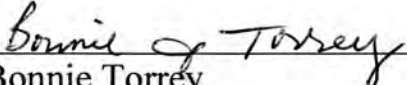
Both Bonnie Torrey and Jodi Abbott are residents and members of the Buckskin Heights Road Association and have performed this audit free of charge.



Jodi Abbott

3/8/2023

Date



Bonnie Torrey

3/8/2023

Date

Buckskin Heights Road Association Annual Report – August 27, 2023

Dear BHRA members,

This 2023 BHRA report outlines the impact of unexpected torrential rain on the condition and maintenance of our road network. The unanticipated weather patterns tested the durability of our roads and posed significant challenges testing the resilience of our roads. Consequently, necessitating action to address disruptions that probably would not have been addressed otherwise. This report also provides an overview of the situation, the steps taken in response, and recommendations to enhance the durability of our roads in the face of such extreme weather circumstances in the future.

Overview of Conditions: This year has seen an exceptional amount of rainfall, exceeding historical averages, resulting in substantial wear and tear on our roads leading to significant surfacing of potholes, erosion, and drainage issues.

1. **Road Surface Erosion:** The unanticipated weather conditions has led to erosion along most stretches of the road causing uneven patches, deterioration of the older recycled asphalt, uncovered numerous potholes within the older recycled asphalt, and exposed bedrock of parts of the roadway.
2. **Drainage:** The intense rainfall also highlighted vulnerabilities in our ditches and culverts resulting in an overwhelming accumulation of material which impaired effective drainage.
3. **Culvert Strain:** The high volume of water has magnified the strain on the culverts, some of which have experienced partial to complete blockages. Some inspections have helped us identify and address these issues, but future vigilance remains crucial.

Maintenance and Mitigation:

1. **Road Surface (Grading and Recycled Asphalt):** The grader has been addressing erosion-prone areas and reinforcing drainage systems in the Spring and Summer to mitigate further damage; however, that work has been thwarted by continuous wet weather immediately after roadwork has been done. Specifically, Otter, Squirrel, Raccoon, and Wolverine have been graded in the Spring to maximize smoothness and minimize erosion; however, unexpected persistent rain has hampered the grading and drainage efforts to achieve lasting results.

This Summer, grading occurred along Otter, and additional recycled asphalt has been added to several sections to shore up the previous recycled asphalt along the S-curves. It was also applied to improve traction on wash-boarded sections between the meadow and the gate. I'm afraid that the continued use of 2wd vehicles is thwarting those efforts.

Woodchuck received recycled asphalt to prevent further erosion in several areas and the cattle guard was removed and replaced with recycled asphalt, as well.

2. **Drainage and Culvert Upgrades:** In an effort to mitigate complete blockage and surface deterioration, at the intersection of Otter and Raccoon, an additional culvert has been added to mitigate the extraordinary volume of debris and water coming from the top of Otter and a portion of Raccoon. In response to the strain on culverts, an additional culvert has been added to handle those higher debris and water volumes. This will enhance our drainage capacity during heavy rains and snowmelt.

Lessons Learned and Recommendations:

1. **Proactive Maintenance:** Establish regular maintenance schedules for ditches and culverts to prevent debris buildup and ensure efficient drainage during heavy rain.
2. **Surface Resilience:** Explore sustainable road surface solutions that withstand heavy rainfall, such as improved asphalt mixes or other materials designed for greater durability.
3. **Community Engagement:** Educate residents about the importance of avoiding unnecessary strain on ditches and culverts, such as allowing debris to accumulate that could obstruct water flow.
4. **Climate-Adaptive Design:** Consider redesigning culverts and ditches to accommodate more significant water volumes and prevent erosion under extreme weather conditions.

Conclusion:

The challenges brought by torrential rain this year underlines the necessity of maintaining road surfaces, ditches, and culverts in our road network. By embracing the lessons learned and recommendations detailed in this report, we can reinforce the resilience of these road elements against future extreme weather events, securing reliable access and enhanced safety for our community.

Mary Arnold, BHRA VP

Buckskin Heights Road Association Grading/Roadbase Expenditure Overview, 2011-Present

	2011†	2012	2013	2014†	2015†‡	2016	2017	2018†	2019†	2020	2021	2022†‡	YTD 2023	Notes
Annual Dues Per Property	\$300	\$350	\$350	\$350	\$350	\$350	\$400	\$400	\$400	\$450	\$450	\$450	\$450	29% increase since 2015
Total Dues Income	\$20,032	\$23,952	\$22,010	\$24,670	\$24,925	\$22,900	\$23,665	\$27,200	\$26,925	\$30,940	\$30,410	\$41,890	\$30,095	21% increase since 2015
Homeowner Donations for Road Base	\$1,680	\$0	\$0	\$2,200	\$0	\$2,095	\$0	\$2,431	\$4,534	\$0	\$3,950	\$3,004	\$1,750	
Checking Carryover from Preceding Year	\$4,224	\$5,635	\$3,633	\$1,598	\$952	\$5,370	\$3,914	\$7,349	\$10,260	\$3,807	\$5,211	\$5,978	\$11,561	
TOTAL AVAILABLE	\$25,936	\$29,587	\$25,643	\$28,468	\$25,877	\$30,365	\$27,579	\$36,980	\$41,719	\$34,747	\$39,571	\$50,872	\$43,406	
Budgeted for Road Base	\$10,220	\$14,000	\$13,430	\$11,275	\$11,440	\$20,000	\$15,000	\$17,150	\$19,400	\$19,000	\$21,000	\$18,700	\$20,000	2015-23 income increase: \$100 dues increase plus 0% delinquency 2022-23 plus homeowner donations
Budgeted for Grading/Ditchwork	\$9,664	\$9,200	\$9,300	\$9,325	\$9,325	\$5,334	\$10,000	\$12,000	\$14,000	\$10,800	\$11,500	\$14,000	\$17,500	
TOTAL BUDGETED FOR ROADWORK	\$19,884	\$23,200	\$22,730	\$20,600	\$20,765	\$25,334	\$25,000	\$29,150	\$33,400	\$29,800	\$32,500	\$32,700	\$37,500	
Expenditures for Road Base	\$7,258	\$14,025	\$13,200	\$16,217	\$13,065	\$17,743	\$8,185	\$10,049	\$24,833	\$18,538	\$16,883	\$17,349	\$24,343	61% increase since 2015
Expenditures for Grading/Ditchwork	\$11,559	\$10,165	\$9,450	\$9,950	\$5,933	\$7,860	\$9,028	\$13,900	\$10,340	\$9,318	\$15,378	\$19,948	\$6,295	
TOTAL SPENT ON ROADWORK	\$18,817	\$24,190	\$22,650	\$26,167	\$18,998	\$25,603	\$17,213	\$23,949	\$35,173	\$27,856	\$32,261	\$37,297	\$30,638	
Approximate Cost of One Load of Road Base*	\$220	\$275	\$235	\$255	\$300	\$335	\$372	\$325	\$353	\$342	\$457	\$496	\$695	132% increase since 2015
Approximate Number of Loads of Road Base Applied	33	51	56	64	43	53	15	31	63	43	38	35	35	-19% decrease since 2015 (avg=40 loads/yr since 2015)
Motorgrader Cost/Hour	NA	NA	NA	NA	\$130	\$130	\$130	\$130	\$140	\$145	\$145	\$160	\$165	27% increase since 2015
Approximate Cost for One Grade with No Road Base	\$750	\$750	\$750	\$750	\$1,470	\$1,600	\$1,190	\$1,560	\$1,760	\$1,575	\$2,225	\$2,825	\$2,890	97% increase since 2015
Cost for Summer Grading/Spreading Road Base	\$750	\$750	\$750	\$750	\$3,055	\$5,850	\$2,210	\$2,925	\$5,850	\$4,820	\$3,840	\$9,773	\$3,407	12% increase since 2015 (Increased ditchwork)
Snow Removal Expenditure (Donation Only)	\$0	\$155	\$250	\$0	\$0	\$1,200	\$300	\$0	\$1,485	\$24	\$2,025	\$0	\$0	

†2014-15, 2018-19, 2022 dues income increased from delinquency resolution; 2019 also from added property

‡Bucknum with box grader 12/yr until early 2015; Foster motorgrader ~3/yr 2015-2022; MCMS motorgrader ~3/yr 2022-present.

*Dirt/gravel road base used up to 2011; recycled asphalt 2012-16; both concrete & asphalt in 2017-19; mostly asphalt 2020-23

**Buckskin Heights Road Association • Proposed Bylaws Amendments
August 27 & September 10, 2023**

CURRENT	PROPOSED	PROS & CONS AND/OR EXPLANATION
<p>Proposed Amendment #1A Article. I Government <i>Section 2. Terms of Directors.</i> a. The members shall elect from themselves for a term of two (2) years, the directors whose terms of office have expired. Said directors shall hold office until their successors are elected and qualified. b. Directors may not be elected to more than two (2) consecutive terms, not to exceed four (4) years. Directors may be reelected after one (1) year absence from the Board. {Annual Meeting 8/18/13}</p>	<p>Article. I Government <i>Section 2. Terms of Directors.</i> b. Directors may not be elected to more than two (2) consecutive terms, not to exceed four (4) years. Directors may be reelected after one (1) a two (2) year absence from the Board, during which time the director(s) may hold no position on or within the Board. {Annual Meeting 8/18/13 ??/??/23}</p>	<p>Pro: Term limits offer a healthy way for the organization to help prevent stagnation, opening the community to new ideas, technologies and demographics of the ever-changing membership. Con: The Board and the entire Association benefit from opportunities for both new and experienced property owners to share valuable knowledge, services and new ideas with the neighborhood.</p>
<p>Amendment #1B Article II. Board of Directors <i>Section 1. Duties.</i> Consistent with these <i>Bylaws</i>, the Board of Directors shall: ... d. If necessary, create additional offices deemed necessary, and appoint one or more persons, who need not be members of the Association, to such offices.</p>	<p>(Only necessary if Proposed Amendment #1A is approved) d. If necessary, create additional offices deemed necessary, and appoint one or more persons, who need not be members of the Association, to such offices, except as limited by these <i>Bylaws</i>.</p>	<p>Clarifies that if proposed Amendment #1 is approved, any former director serving for four (4) consecutive years would be barred from providing necessary services and sharing experience/ideas on or within the Board or the Association for a period of two (2) years.</p>
<p>Amendment #2 Article VI. Meeting <i>Section 6. Quorum.</i> Twenty percent (20%) of the entire membership, present in person, shall constitute a quorum at all Association meetings. {Change approved 8/28/20}</p>	<p>Article VI. Meetings <i>Section 6. Quorum.</i> Twenty percent (20%) of the entire membership, present in person or electronically, shall constitute a quorum at all Association membership meetings. {Change approved 8/28/20 ??/??/23}</p>	<p>Clarifies that memberships attending a meeting electronically have the same right to be counted toward the quorum as those physically attending the meeting.</p>

CURRENT	PROPOSED	PROS & CONS AND/OR EXPLANATION
<p>Amendment #3A</p> <p>Article VI. Meetings <i>Section 5. Voting at Meetings or by Mail.</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>c. Proxy voting. {Annual Meeting 8/28/20}</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>	<p>Article VI. Meetings <i>Section 5. Voting at Meetings or by Mail.</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. At annual and special meetings of the Association, a membership entitled to vote may vote in person, electronically, or by proxy. {Change approved ??/??/23}</p> <p>c. b. Voting at meetings may be by voice, but five (5) memberships shall have the right to demand a roll call vote.</p> <p>d. e. Proxy voting. {Annual Meeting 8/28/20}</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>i. ii. The proxy must be executed in writing and include: ...</p> <p><i>(Renumber the remainder of this section)</i></p>	<p>Clarifies that memberships attending a meeting electronically have the same right to vote as those physically attending in person.</p> <p>Statement (i) applies generally, not just to proxy voting, so move it up under the general <i>Section 5</i> heading; then renumber the rest of the section.</p>
<p>Amendment #3B</p> <p>Article. I Government <i>Section 4. Removal or Resignation of Directors.</i></p> <p>a. After the annual meeting in 1975, any member of the Board of Directors may be removed from the Board by a three-fourths (3/4) majority vote of the membership present in person either at an annual meeting or a special meeting called in accordance with these <i>Bylaws</i>.</p>	<p>Change consistent with approval of #3A</p> <p>Article. I Government <i>Section 4. Removal or Resignation of Directors.</i></p> <p>a. After the annual meeting in 1975, any member of the Board of Directors may be removed from the Board by a three-fourths (3/4) majority vote of the membership present in person either at an annual meeting or a special meeting called in accordance with these <i>Bylaws</i>. {Change approved ??/??/23}</p>	<p>Eliminates conflict with the general description of the right of memberships to vote in multiple ways (in-person, by proxy or electronically) in accordance with Article VI, <i>Section 5</i> (above).</p>

CURRENT

PROPOSED

PROS & CONS AND/OR EXPLANATION

Amendment #4A

Article VI. Meetings

Section 5. Voting at Meetings or by Mail.

...

- 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 meeting, in-person or electronically, to discuss the proposal before conducting the mail vote as follows: {Change approved 9/18/20}
- 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;
- ii. All ballots must be returned to the Association's USPS mailing address before the published deadline to be counted. The Secretary shall keep paper ballots on file in the records of the Association.

Article VI. Meetings

Section 5. Voting at Meetings or by Mail.

...

- 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 meeting, in-person or electronically, to discuss the proposal before conducting the mail vote as follows: {Change approved ??/??/23}
- i. Send ~~by USPS~~ to each membership in good standing, ~~either by USPS alone, or by USPS or email as specified by each membership in accordance with these Bylaws, at least thirty (30) days before the published return deadline;~~ (1) an exact description of the proposal; (2) a brief summary of reasons for and against the proposal; and (3) ~~either~~ a self-addressed, postage-paid, ~~postmarked uniquely-identified signature-ready paper~~ ballot ~~or a secure electronic ballot~~;
- ii. ~~All ballots must be returned to the Association's USPS mailing address before the published deadline to be counted.~~ Each membership in good standing choosing to vote shall return on or before the published deadline either (1) a signed paper ballot to the Association's USPS mailing address or (2) a secure electronic ballot to the Association's email address from the membership's email address contained in the records of the Association.
- iii. The Secretary shall keep paper ballots ~~and paper copies of electronic ballots~~ on file in the records of the Association.

This change lifts the restriction that a "mail vote" can only occur by USPS paper ballot. It also clarifies that the two definitions of "notice" in Article VI, *Section 4* – one of which allows memberships to opt either for official USPS or electronic communications – applies to mail ballots as well.

PRO: Sending and receiving electronic ballots takes much less time than paper ballots alone; is more efficient for many memberships; and significantly reduces USPS mailing costs for the Association.

CON: Allowing a combination of paper and electronic ballots requires that each ballot be identified with a property by the Secretary and the second vote-counter; results will, of course, continue to be reported anonymously.

Note that the amendment preserves the option for a purely anonymous vote by paper ballot alone if that is deemed desirable in the future.

CURRENT	PROPOSED	PROS & CONS AND/OR EXPLANATION
<p>Amendment #4B</p> <p>Article V. Dues <i>Section 1. Dues.</i></p> <p>...</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: {Change approved 4/30/18}</p> <p>i. Conduct a mail vote in accordance with these <i>Bylaws</i> 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.</p> <p>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>(Appropriate whether or not Proposed Amendment #5A is approved)</p> <p>Article V. Dues <i>Section 1. Dues.</i></p> <p>...</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, discusses and recommends a vote to change the annual dues, the Board shall: {Change approved ??/??/23}</p> <p>i. Conduct a mail vote in accordance with these <i>Bylaws</i> 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.</p> <p>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>“In accordance with these <i>Bylaws</i>” refers to Article VI, Section 5(d) <i>Mail Votes</i> above.</p> <p>There is no reason to have a duplicate explanation of how to conduct a mail vote when there is already one in Article VI, Section 5(d) <i>Mail Votes</i>.</p>

CURRENT	PROPOSED	PROS & CONS AND/OR EXPLANATION
<p>Amendment #5</p> <p>Article V. Dues <i>Section 1. Dues.</i></p> <p>...</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: {Change approved 4/30/18}</p> <p>i. Conduct a mail vote in accordance with these <i>Bylaws</i> 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.</p> <p>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>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>Article V. Dues <i>Section 1. Dues.</i></p> <p>...</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: {Change approved 4/30/18}</p> <p>i. Conduct a mail vote in accordance with these <i>Bylaws</i> 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.</p> <p>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>iii. If a two-thirds (2/3rds) 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>PRO: Until 2018, dues increases had to be passed by at least 2/3 of the voters. This was changed to a simple majority vote (more than ½ of votes counted) which effectively allows a smaller group to affect the membership to pass dues increases.</p> <p>Example: BHRA has +/- 65 memberships (properties) each property is allowed one vote.</p> <ul style="list-style-type: none"> • Simple majority vote: IF you have 51 memberships (properties) voting and 25 vote no increase and 26 vote to increase the dues, the “simple majority” would then pass the increase by one vote, 25 to 26. • 2/3rds vote: IF you have 51 memberships (properties) voting and 25 vote no increase and 26 vote to increase the dues, the vote would NOT pass because to get 2/3rds of the votes you would need 34 votes. Representing a larger percentage of those voting. <p>CON:</p> <ul style="list-style-type: none"> • This amendment is not a reversion to a “traditional BHRA way” of handling dues increases. We have tried at least four different ways in our 50-year history; the 4-year period from 1992-1996 was the only time in which dues increases required only a 2/3 majority of a mail vote. No dues increases were passed during that period. • A 2/3 mail vote puts veto power in the hands of a 1/3 minority, many of whom do not live here. 23 out of 67 current BHRA property owners (34%) are not residents of Buckskin Heights; understandably, they often vote more heavily against proposed dues increases than residents. • In contrast, our current Bylaws guarantee majority rule at both an in-person meeting and in a subsequent mail vote. This is the definition of a fair, democratic process. • The practical effect of the proposed amendment is that it would make it harder to fund road maintenance, which benefits all homeowners. Underfunding could hurt property values.

CURRENT	PROPOSED	PROS & CONS AND/OR EXPLANATION
<p>Amendment #6A</p> <p>Article VIII. Miscellaneous <i>Section 4. Internet Communications</i> {Annual Meeting 8/18/13; change approved 9/18/20}</p> <p>a. The Association website shall be known as www.buckskinheights.org. 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.</p>	<p>Article VIII. Miscellaneous <i>Section 4. Internet Communications</i> {Annual Meeting 8/18/13; change approved ??/??/23}</p> <p>a. The Association website shall be known as www.buckskinheights.org. It shall be maintained by a two (2) webmasters (co-administrators) appointed by the Board of Directors, for a staggered terms of two (2) years. 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.</p>	<p>PRO: Appointing and staggering two co-administrators and setting term limits of two years allows a set rotation so that others in the community can learn the administration of the website in the event one administrator is unable to fulfill their obligation. Staggering the terms will assure that one experienced co-administer will instruct the newer co-administer in the functionality of the site.</p> <p>CON: This amendment is unnecessary. The Board can now replace the administrator at will, and also appoint a second co-administrator if necessary, without this amendment. The website is essentially static; information changes so infrequently that two administrators are unnecessary.</p>
<p>Amendment #6B</p> <p>Article VIII. Miscellaneous <i>Section 4. Internet Communications</i> {Annual Meeting 8/18/13; change approved 9/18/20} ...</p> <p>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 to provide technical support and continuity</p>	<p>Article VIII. Miscellaneous <i>Section 4. Internet Communications</i> {Annual Meeting 8/18/13; change approved ??/??/23}</p> <p>...</p> <p>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 (2) co-administrators, one sitting board member and one (1) non-board member of the Association fire committee, for a staggered terms of two (2) staggered years, to promote civility and fairness, and to provide technical support and continuity.</p>	<p>PRO: Appointing and staggering two co-administrators and setting term limits of two years allows a set rotation so that others in the community can learn the administration of GroupsIO in the event one administrator is unable to fulfill their obligation. Staggering the terms will assure that one experienced co-administer will instruct the newer co-administer in the functionality of the site.</p> <p>CON: This amendment is unnecessary. The Board can already do what this amendment requires at any time. There is no reason to restrict the Board's ability to appoint qualified individuals to administer GroupsIO in accordance with Article II Board of Directors, Section 1(d), especially since there may be no one on the Board or the newly-restarted Fire Committee who has the technical skill, interest or time to perform these tasks. Finally, all memberships are granted moderator status on GroupsIO, so emergency system functions (including those relative to fire) do not change depending on who administers the site.</p>

CURRENT	PROPOSED	PROS & CONS AND/OR EXPLANATION
<p>Amendment #7</p> <p>Article VIII. Miscellaneous. <i>Section 1. Culverts.</i> Culverts for driveways to private property shall be a minimum of fifteen (15) inches in diameter, conforming to Larimer County standards. {Annual Meeting 8/14/76}</p>	<p>Article VIII. Miscellaneous. <i>Section 1. Culverts.</i> Culverts for driveways to private property shall be a minimum of fifteen (15) inches in diameter, conforming to Larimer County standards. {Annual Meeting 8/14/76}</p> <p><i>Section 1. Culverts.</i> Minimizing erosion on our shared roads requires a partnership between individual memberships and the Association in general that benefits both. {Annual Meeting 8/14/76; change approved ???/23}</p> <p>a. Driveways to membership properties shall be constructed and maintained in order to minimize water flowing down the driveway entering into the roadway.</p> <p>i. Membership responsibility begins at the edge of the adjacent road into their property.</p> <p>ii. Driveways shall be constructed in such a way to allow, where possible, a culvert under the driveway a minimum of fifteen (15) inches in diameter, conforming to Larimer County standards.</p> <p>b. Culverts shall be checked and cleared periodically to ensure no blockage to water passage exists from rocks, silt, vegetation, or other debris.</p> <p>i. Culverts which pass under Association roads are the responsibility of the Association for inspection and maintenance.</p> <p>ii. Culverts which pass under any membership's driveway(s) are the responsibility of the membership for inspection and maintenance.</p> <p>c. Ditch maintenance is generally the responsibility of the Association, except the membership is responsible for maintaining/cleaning the ditch ten (10) feet on either side of a culvert under any driveway to make sure that the culvert functions as designed.</p>	<p>Pro: Water runoff from melting snow and/or moderate to heavy rains is a major contributor to road deterioration and erosion. This problem is especially significant due to non-existent or poorly maintained ditches, non-existent or poorly maintained culverts, and where driveways intersect association roads because water is channeled down the driveway onto the road.</p> <p>As the amendment states, minimizing erosion on our shared roads requires a partnership that benefits both individual memberships and the Association in general. This amendment clarifies who, within that partnership, is responsible for maintaining the various kinds of culverts and ditches associated with membership driveways and Association roads.</p> <p>Con:</p>

Buckskin Heights Road Association

MINUTES for Board Meeting on Monday, September 18, 2023

In-Person & Zoom Meeting • 6:30 pm

ATTENDANCE:

Board Members:

2023-24 – Rich Evans, Dan McQueen, Cindy Smith,
Bill Torrey, Sue Weber, Justin Wilson

2022-23 – Brian Abbott, Mary Arnold

Community Members: David Smith

CALL TO ORDER, WELCOME/INTRODUCTIONS, QUORUM:

Cindy Smith called the meeting to order with a quorum present at 6:30pm.

AGENDA:

Sue Weber made a motion to approve the agenda as distributed. It was seconded and **approved**.

TRANSITIONAL MEETING:

Election of Board Officers for 2023-24: Sue Weber made a motion to approve the following slate of officers for 2023-24. The motion was seconded and **approved**.

- * President – Dan McQueen
- Vice President – Rich Evans
- Secretary – Cindy Smith
- * Treasurer – Sue Weber
- At Large – Bill Torrey & Justin Wilson
- * Key officers with financial control of entity.
President Dan McQueen and Treasurer Sue Weber shall remain as an authorized signatories on our Wells Fargo bank accounts.

Adjournment & Call to Order: The transitional meeting was adjourned. Dan McQueen called the meeting to order with a quorum present at 6:37pm.

REGULAR BOARD MEETING:

Community Input: None

Secretary's Report:

1. Cindy Smith made a motion to approve the Annual Meeting Minutes of August 21, 2022 as distributed. The motion was seconded and **approved**.
2. The Board confirmed the email vote to approve the Minutes of the July 7, 2022 Board meeting.

3. The Board confirmed the email vote on August 3, 2023 to “hire Echo Enterprises to smooth Otter Rd using a Road Groom from the pavement to the gate, and interior roads as mutually agreed upon- at a rate of \$110/hour; and to authorize the BHRA Vice President to schedule such work as needed with Echo Enterprises, subject to the following conditions: that (1) Echo Enterprises and their assigns carry adequate liability and damage insurance (\$500K) on the Road Groom and each tow vehicle; and (2) that Echo Enterprises executes a ‘Hold Harmless’ agreement with BHRA.”
 - A. We are waiting for Traci Reynolds to sign this agreement; Dan McQueen is working on this.
 - B. Rich Evans asked about expectations for his position, and road plan left by outgoing VP. Board assured Rich that we will work as a team with the community to provide input, direction, labor, machinery, etc. to maintain and improve road conditions.
4. Justin Wilson moved that we approve the updated record of “Board of Directors Membership, 2000-Present.” The motion was seconded and **approved**.
5. Action item from annual meeting: Board confirmed email vote on 9/12/23 to approve dues increase mail ballot mailing using new combined USPS/electronic procedure. The motion was seconded and **approved**.
 - A. Sue Weber reviewed the voting process required by the newly-amended *Bylaws*, and she shared the documents to be mailed and sent electronically.
 - B. Bill Torrey suggested we should notify voters of electronic votes received. Sue and Cindy agreed.

Treasurer's Report: Treasurer Sue Weber reviewed the Treasurer's Report (attached).

6. We have ~\$7,000 to be spent by Vice President on road maintenance by December 2023. This may include a final grading in October or November. We have used MCMS/Brad Moore to grade this year instead of Justin Foster.
7. The updated membership roster was distributed to Board members.
8. Cindy Smith made a motion to approve the Treasurer's report. The motion was seconded and **approved**.

Road Report:

9. Maintenance plan for remainder of 2023:
 - A. In general, we have 3 motor gradings/yr, in spring (~\$3,000); summer, when material is added (~\$6,000+); and fall (~\$3,000).
 - B. At this time, the Board agreed that VP Rich Evans should schedule a fall grading and purchase material. It was suggested that 1 load be placed below the McBride property.
 - C. Rubble from recent intense rain event at intersection of Woodchuck on Otter be addressed. Perhaps the Road Groom would be useful here.
 - D. Bill Torrey pointed out that there is a safety issue at the end of Gray Squirrel Ct. Sue Weber noted that more than \$8,000 was spent on this section of road in the past 2 years, but Bill observed that the material has basically eroded away.
10. GIS Mapping Project – Rich Evans reported that several community members have concerns that they have no idea when and where material has been placed and when, so he suggests we notify community via GroupsIO what work was done. The Board agreed that this would be a good idea.
 - A. David Smith joined the conversation and presented the GIS mapping done over the past 2 years, with Allan Heese and Bill Torrey.
 - B. This map work which is on-line, and shows material applied. Every location has a clickable box containing photos, description and details of work done and needs.
 - C. Also included is information on status of culverts and ditches.
 - D. It was suggested that a non-editable web map be published on GroupsIO after work is done. Cindy volunteered to work with David to update names of property owners.
 - E. David said the map shows change over time, which can assist with decision-making regarding road improvement. He also pointed out that there is a way for members to flag areas of need on an interactive map.
11. Rich suggested we have a pile of recycled asphalt on hand to fill in pot holes as needed. Bob Faris has mentioned in the past that the quality of asphalt should be inspected prior to application.
12. Experiment on-going this year: Brad Moore suggested we try applying road base 3" thick and applying it wider across the road to see if it lasts longer. Historically, road base has been applied 6" thick; when this material erodes, it leaves behind "islands" which are then difficult to repair.
13. David suggested that the road report at meetings, especially annual meetings, include the use of on-line mapping to show visually where trouble spots are and where road maintenance has been done.
14. **Action Item:** David suggested that we complete the culvert/ditch inspection that was started a month ago, and that we add in the new culvert Mary Arnold, Mike Lowe and others installed at intersection of Racoon and Otter. Bill thought the new culvert, which is dual-layer with plastic outside and smooth surface inside, may collect less debris and may hold up better than galvanized. Allan Heese purchased this culvert during his tenure asVP.
15. **Action Items from annual meeting:**
 - A. **Data on above/below gate road base application:** Linda Bilsing would like to see data on location of new road base, amount, and type of material applied. See #10 above on the GIS mapping project. We have no data this year on where material was applied, Sue Weber has invoices paid and Allan and David have mapped locations. David suggested that a GIS web map be embedded into the Buckskin Heights website.
 - B. **Repair of road edge damage on fatal drop-off section (road marker 17-18):** Dan McQueen has a contact for large aggregate that he is pursuing, intending to add material over the edge of this gully. Bill Torrey suggested that retaining posts would be challenging to install; we would need professional work, going over the edge and stacking boulders, very risky indeed. Dan has some large boulders he may be able to use. It was pointed out that this section of road has been a problem for years, and members should drive to the inside of the road in this section.
 - C. **Drainage at bottom of road:** Dan is polishing up the draft letter to the owner; Cindy Smith and Dan will hand-deliver to the resident. The culverts should be installed prior to freezing temperatures. We hope that the owner will purchase the culverts and we will supply volunteer labor to install, which will save the owner a significant amount of money.
 - D. **Road survey to determine priority remediation:** David Smith, Bill Torrey, and Rich Evans will continue to survey all the roads, adding to the GIS mapping project to drive decisions on road work needed.

Gate Report/Security:

16. A big thank you to Bill and Bonnie Torrey for the purchase and installation of the convex mirror on blind corner below the McBride windmill house.
17. Justin Wilson and Dan McQueen suggested having 2 gate codes, one for residents, a second code for guests, contractors, etc. They will ask Bob Faris to share information with Bill regarding programming of gate.

18. Action Items from annual meeting:

- A. Priority preventative maintenance: Bill reports that the inner post of gate is strong.
 - B. Easier-to-open BHRA lock for emergency egress of swing gate in case electronic gate is inoperable: We could change the by-laws at 2024 annual meeting to allow a close and fasten arrangement when the electronic gate is broken. A solar powered light was suggested for safety.
19. Options for future gate replacement: Bill suggested that, if in the future the gate was replaced, one option to consider would be a standard cattle gate which, when damaged, could be replaced for as low as \$150. He also suggested we explore a latch mechanism for the swing gate which could be operated by remote control or keypad to improve ease of access when the automatic gate is out of order.

Fire Committee Report:

20. We need to keep upper Otter free of downed trees and open for emergency egress. Cindy and David Smith will walk up and report on current situation.
21. Dan McQueen will check on the status of the committee.

New Business:

22. Appointment of BHRA webmasters and GroupsIO administrators:
 - A. The Board appointed Rick Stahl and Sue Weber as co-webmasters of the BHRA website.
 - The Board must approve all materials prior to public posting on the website, as has been the practice in the past.
 - Sue will continue to take responsibility for maintaining the current website. Rick will design a new WordPress version with similar content for Board approval, which both Sue and Rick will co-administer going forward.
 - B. Justin Wilson and Sue Weber were appointed co-administrators of GroupsIO.
23. Disposal of old cattle guard: If Michael Fallon does not want it, Dan will post a community auction of the cattle guard on GroupsIO. Estimated value of scrap metal is \$50-100.
24. The possibility of creating a "BHRA Policies and Procedures Handbook" to supplement the *Bylaws* was discussed. Sue Weber volunteered to coordinate this project. The handbook could be made available to new owners, published on the website and include such items as Allan Heese's description of responsibility for culverts and ditches by the Association and property owners.

Executive Session: None

Adjournment: The meeting was adjourned 8:37pm.

Respectfully submitted,
Cindy Smith, Secretary

Buckskin Heights Road Association Treasurer's Report

Sue Weber, Treasurer (2022-23) – September 18, 2023 (Transitional Board Meeting)

1. Checking account balance 9/18/23	=	\$9,948.33
Pending Expenses	=	\$0.00
Pending Deposits	=	\$0.00
Checking available	=	\$9,948.33
Savings account balance 9/18/23	=	\$5,012.95
TOTAL AVAILABLE 9/18/23	=	\$14,961.28

- Dues:** 2023 dues for 67 of 67 properties (61 of 61 owners) are paid in part or in full.
- September 18, 2023 Budget Update** (attached): The only significant thing that has changed since the annual meeting is the unexpectedly large \$200 increase in our insurance coverage over last year, to \$1,535.
- Recent Completed Property Sales**

2021=8 sales; 2022=9 sales; 2023 YTD=5 sales; Total 2021-YTD = 22 sales, 33% since Cameron Peak Fire

 - 1/27/23 – Keifer Jacobson (13382 Otter) to Melissa St Clair & Benjamin Hodgin
 - 2/8/23 – Edwin Standard (13960 Otter Rd) to Ian Morello, John & Jennifer Appelman
 - 5/1/23 – Scott & Sharon Lazarowicz (8025 Wolverine Ct) to John Ferrier
 - 5/16/23 – Darin & Erin Glenn (12721 Woodchuck Dr) to Landon & Anna Bruggeman
 - 8/23/23 – Kenneth Hersh (2 properties on Lower Otter) to Boondocks Land LLC/Lacy & Kieth Haugan
- Current Properties for Sale/Pending Closings**
 - Boondocks Land LLC/Lacy & Kieth Haugan (2 properties on Lower Otter)
- Updated Membership Roster** – Sent to new board members and uploaded to BHRA Google Drive
- 2023-24 Bank Signatories** – Schedule trip to Wells Fargo if necessary.

BHRA EXPENSE & INCOME SUMMARY • Transitional Meeting, September 18, 2023

A	B	C	D	E	F	G	H
Category	2022 Actual	2023 Approved Budget	2023 Actual Expenses & Income to Date	2023 Budget Over (Under) to Date	2023 Expected Remaining Expenses & Income	2023 Projected Total Expense & Income	2023 Projected Over (Under) Budget
Bank Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Emergency Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Gate Maintenance	\$0	\$500	\$622	\$122	\$500	\$1,122	\$622
Grant Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Insurance	\$1,337	\$1,400	\$0	(\$1,400)	\$1,535	\$1,535	\$135
Legal/Financial/Procedural	\$383	\$500	\$23	(\$477)	\$490	\$513	\$13
Mailings	\$198	\$300	\$182	(\$118)	\$50	\$232	(\$68)
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Signs & Accessories	\$0	\$500	\$0	(\$500)	\$500	\$500	\$0
Office Supplies	\$54	\$100	\$23	(\$77)	\$77	\$100	\$0
Technology	\$154	\$350	\$196	(\$154)	\$154	\$350	(\$0)
Transfer to Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Base Homeowner	\$3,000	\$0	\$0	\$0	\$0	\$0	\$0
Road Ditches & Culverts	\$1,705	\$1,500	\$855	(\$645)	\$300	\$1,155	(\$345)
Road Grader Operator	\$18,243	\$16,000	\$6,295	(\$9,706)	\$5,000	\$11,295	(\$4,706)
Road Base	\$14,349	\$20,000	\$25,294	\$5,294	\$1,200	\$26,494	\$6,494
BHRA Road Expense Subtotal	\$34,296	\$37,500	\$32,443	(\$5,057)	\$6,500	\$38,943	\$1,443
Expense Subtotal	\$39,423	\$41,150	\$33,490	(\$7,660)	\$9,806	\$43,296	\$2,146
Dues & Late Fees	\$41,890	\$30,150	\$30,095	(\$55)	\$225	\$30,320	\$170
Emergency Donations	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Interest	\$1	\$6	\$5	(\$1)	\$2	\$7	\$1
Grant Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Remote Control Sales	\$112	\$100	\$32	(\$68)	\$16	\$48	(\$52)
Homeowner Road Reimburse/Donation	\$3,004	\$0	\$1,750	\$1,750	\$200	\$1,950	\$1,950
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfer from Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Income Subtotal	\$45,007	\$30,256	\$31,882	\$1,626	\$443	\$32,325	\$2,069
Checking Cash Flow Balance	\$5,585	(\$10,894)	(\$1,608)			(\$10,976)	

NOTES

Anticipated gate repair

\$200 more than last year

Special meeting mailings/handouts; dues ballots

Zoom meeting equipment; Zoom subscription

Fall motorgrading ~\$3K?; Road Groom ~\$2K?
2022: 35 loads (15T) at \$496/load
2023: 35 loads (15T) at \$695/load (40% increase over 2022)

Dues Income...
...all 67 properties/61 owners have paid or are in the process of paying \$450 annual dues; includes undesignated donations

\$1500 for Raccoon Ct/Dr, \$250 undesignated

We can spend more in 2023 than our annual income because of \$11.6K carryover from 2022 (long-term delinquency resolution)

BHRA ASSET SUMMARY

A	B	C	D	E	F	G	H
Category	2022 Actual Ending Balance	2023 Budgeted Ending Balance	2023 Actual Balance to Date			2021 Projected Ending Balance*	
BHRA Checking Balance Available	\$11,561	\$667	\$9,948			\$585	
BHRA Savings Balance	\$5,008	\$5,014	\$5,013			\$5,014	
Total Assets	\$16,569	\$5,681	\$14,961			\$5,599	

*Target is \$500 to avoid bank fee.