

Buckskin Heights Road Association

INFORMATIONAL MEETING on Thursday, February 17, 2022

Zoom Meeting • 7:00 pm

ATTENDANCE:

Board Members: Brian Abbott, Glenn Heene, Allan Heese, Dan McQueen, Sue Weber
(Luke McOmie, excused)

Community Members: Eric Dolph, Paul Rutt/Erin Ross

CALL TO ORDER, WELCOME/INTRODUCTIONS, QUORUM:

The meeting was called to order by BHRA President Glenn Heene at 7:05pm. This was not a board or special meeting, so no quorum was required.

APPROVAL OF AGENDA:

Brian Abbott made a motion to approve the agenda. It was seconded and **approved**.

Consideration of Tentative Amendment to BHRA Bylaws

Background: After discussion at BHRA Board executive sessions on January 17 & 26, 2022, Allan Heese made a motion to hold a public informational Zoom meeting to discuss a possible *Bylaws* amendment to address overnight parking on Association roads – see below, Article VIII, Section 3, proposed part (d). The motion was seconded and **approved**.

Article VIII. Miscellaneous

Section 3. Road Definition.

- a. The width of the defined roadway is legally described ...
- b. As a practical matter, the width of the road ...
- c. No encroachment into the defined roadway ...
- d. *Overnight parking of any motor vehicle/trailer (or succession of motor vehicles/trailers) is prohibited within the easement of any of the Association's roads, in order to preserve the essential functions of the road to (i) provide unimpeded safe access to and from Association properties and (ii) protect the life and property of members of the Association. Any Director may authorize temporary exceptions in an emergency or with advance notice. The Board may work with the property owner adjacent to the easement and/or law enforcement to tow violators at the motor vehicle/trailer owner's expense, in accordance with the Code of Colorado Regulations 4 CCR 723-6-6508 (Authorization for Towing of Motor Vehicles) and CRS 42-4 Part 21 (Vehicles Abandoned on Private Property).*

Discussion Points:

- There have been recent example(s) of vehicles parked continuously within BHRA road easements for days/weeks. Property owners own the property that the road occupies, but BHRA is responsible for maintaining the roads to provide safe owner and emergency access to Buckskin Heights properties.
- State laws about who can park on private property are complex and not widely known. BHRA does not have the power to tow vehicles; only property owners and law enforcement have this power.
- About 2/3 of our 67 are occupied at least part of the year by residents. The rest are owned by non-residents.
- PROS: Member awareness; clear roads are safer; law enforcement will be more willing to assist.
- CONS: More bureaucracy.
- After discussion, this wording for the possible amendment was generally accepted by the group:

Article VIII. Miscellaneous

Section 3. Road Definition.

- a. The width of the defined roadway is legally described ...
- b. As a practical matter, the width of the road ...
- c. No encroachment *by structures, vehicles, or other obstructions* into the defined roadway that poses a safety hazard, or impedes *traffic*, emergency access or road maintenance, shall be permitted. Existing structures as of August 21, 2020 shall be exempt from this provision. Larimer County ordinances shall be followed.
- d. *Overnight parking of any motor vehicle/trailer (or succession of motor vehicles/trailers) is prohibited within the easement of any of the Association's roads, in order to maintain traffic safety and unimpeded emergency access and road maintenance.*
 - i. *Any Director may authorize temporary exceptions in case of emergency or with advance notice.*
 - ii. *The Board may work with the property owner adjacent to the easement and/or law enforcement to tow violators at the motor vehicle/trailer owner's expense, in accordance with Colorado state laws regarding motor vehicles.*

ADJOURNMENT at 8:50pm.

Respectfully Submitted,
Sue Weber, Acting Secretary