

Buckskin Heights Road Association
BOARD MEETING MINUTES • Monday, November 4, 2024
Zoom Meeting • 6:30 pm

ATTENDANCE:

Board Members: Donna Braun, Rich Evans, Allan Heese, Sue Weber, Justin Wilson, Brittany Woods
Community Members: Brian & Jodi Abbott, Mary Arnold, Mike Lowe, Dave Smith, Bill Torrey

CALL TO ORDER, WELCOME/INTRODUCTIONS, QUORUM:

President Justin Wilson called the meeting to order at 6:34pm and declared that a quorum was present.

APPROVAL OF AGENDA:

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

Community Input: None at this time.

Secretary's Report:

1. Secretary Sue Weber made a motion to confirm the email vote to approve the minutes of the September 10, 2024 Board meeting. It was seconded and **approved**.

Treasurer's Report:

2. Treasurer Brittany Woods reviewed the November budget update (attached). Budgeted road expenditures for the rest of the year total \$3,538 plus a possible \$600 or so from the projected ending balance.
3. Real Estate Transactions
 - A. Helen Hunt property (13048 Otter Rd) sold on 10/29/24. Prior to sale, BHRA filed a non-compliant HOA status report which prompted the seller to install a 15" conforming culvert under the new downhill driveway.
 - B. Traci Reynolds property (13221 Otter Rd) – Sale pending, close 12/2/24.
 - C. Hermine & Clinton Culley property (13248 Otter Rd) – Sale pending, no closing date set.
4. Sue Weber made a motion to accept the Treasurer's Report. It was seconded and **approved**.

Road Report:

5. GIS Mapping Report:
 - A. Dave Smith and Allan Heese (At Large) have begun an evaluation of culverts, starting at top of Otter Rd, down to the gate to determine if the culverts are working to preserve the road.
 - B. The goal is to prompt property owners to remediate any issues with BHRA help if needed.
 - There's no one solution that will fit all; advocating for alternative solutions that minimize erosion is not giving preferential treatment. Bylaws and county regulations say culvert needs to be 15", but sometime a culvert would be useless; sometimes a "trench culvert" or other solution would be best.
 - We need to address the actual water flow – which has a direct impact on the road – instead of the diameter of the culvert. We do not have the authority to enforce county requirements, but we do have the leverage of the easement. Diplomacy is the best option, working together with owners to reestablish the ditches. In some areas, we would need to raise the road instead of lowering the ditches to get better water flow management.
 - C. Dave Smith reported that GIS is a great tool for the board to document work on the road and ditches. Behind the public map (<https://buckskinhts.maps.arcgis.com/apps/inline/basic/index.html?appid=e8c4a3aa75884bf4a5122d642bc536c8>), there is more comprehensive information on culverts, material spread, images and commentary for nearly every entry. Rich Evans used the website and some of this detailed information for his verbal report at the annual meeting.

6. Maintenance plan for the rest of the year
 - A. Rich Evans (VP) reported that culvert work was completed near the bottom of Otter Rd (RM3-4). Overall, the work was fantastic. The surface still needs attention. The efforts of Allan Heese and Bill Torrey and others were very helpful. Bill will continue to grade, and Rich has borrowed Max McGowan's scraper to smooth the road as well.
 - B. Last materials delivery for 2024 is scheduled for Friday 11/8/24, 100-150 tons of recycled asphalt (RAP). Rich plans to use a tandem truck 600-625 per load to save trucking costs, but these bigger trucks cannot drop and spread, so more grading to spread is needed. Material will be spread around new culvert area RM3-4, around the mirror corner RM9, near the mini cooper house RM14-15, near the communication tower RM 21; and uphill about ¼ below the gate RM30-32.
7. Road plan for 2025 – Rich is considering the possible use of a vibration tamper at \$275/day to help compact new material. We'd like to figure out how to put a barrier where Donna & Jae's house went off the side of the road RM17-18. Sue Weber wondered if it might be possible to take material from the east side of the curve and put it on the more dangerous west side.
8. Road Assessment at Base of Otter – Justin Wilson reviewed the document (attached). Highlights include:
 - A. On lower Otter Rd RM0-2, the road is actually the ditch since both sides of the road are above the road surface.
 - B. In general, the county's recommendation is don't crown the road, have it slope slightly toward the downhill grade or ditch. We may need to remove side-of-the-road berms in some places.
 - C. Allan Heese raised the possibility of using MgCl as a hardening agent on specific trouble areas. Justin pointed out that the Board has the responsibility to make good decisions to maintain the effectiveness of our historical culverts.
9. **Action Item** from annual meeting: Replace road markers. This is on Rich Evan's to-do list for next year.

Gate Report/Security:

10. **Action Items** from annual meeting:
 - A. Donna Braun (At Large) reported that the Gate Committee has not met again to consider options/costs for future gate replacement. Brian Lodwig plans to meet with the gate fabricator this week.
 - B. "History of the Gate" Summary (in BHRA Reference Manual, pg 17; attached at end of minutes) – Sue Weber reviewed information about the gate gleaned from BHRA minutes going back to the 1970s. Highlights include the data on costs/property of gate maintenance from 2007, after the electronic gate mechanism was installed, to date: Total maintenance cost of \$3,197; \$48/property over this 18-year period or \$2.65/year/property.
 - C. Brittany Woods will purchase and install an easier-to-open electronic lock for emergency egress of the swing gate.
[Update: The \$165 electronic lock was installed on November 25 and stolen less than a week later, on December 1; the old roller combination lock is back on the gate.]

Fire Committee Report:

11. Date of next Fire Committee meeting – No information was available.
12. BHRA Community Meeting on Wildfire Home Safety (attached): Brian Abbott has arranged a meeting on December 2 at 6PM at Loveland Fire Station #7 near the Big Thompson Elementary School. Loveland and county fire officials will discuss resources for wildfire mitigation in Buckskin Heights.

Old Business:

13. BHRA Reference Manual (attached at end of minutes): Sue Weber made a motion to publish this resource on the BHRA website, to include the information on the history of the gate. The motion was seconded and **approved**.

New Business:

14. Beneficial Ownership Information (BOI) Reporting (summary attached): Justin made a motion to require the BHRA President and Treasurer to comply with the federal requirements under this federal law to register as officers who control the organization. This process requires the disclosure of name and ID, the same or less personal information than already submitted by these individuals to become key executives in control of the organization/signatories for BHRA's bank accounts. Both Justin and Brittany agreed to do this. The motion was seconded and **approved**. *[Update: This requirement was challenged in the courts, so the Board voted by email after this meeting to rescind this decision.]*

15. Proposed transaction fee for new property sales (attached): Brian Abbott proposed a new transaction fee of perhaps \$350-\$500 that would be collected from new owners when properties were sold. It would provide new revenue for road maintenance. Denise Jackson, BHRA property owner and lawyer, opposed this idea on legal grounds. After discussion, the Board took no action.

ADJOURNMENT TO EXECUTIVE SESSION: The public meeting was adjourned at 8:30pm.

16. Sue Weber announced that she and Peter plan to sell their 13236 Otter Rd property, so she will resign from the Board sometime in spring 2025. The Board will fill the vacancy at that time according to the *Bylaws*.

ADJOURNMENT: The Executive Session was adjourned at 8:37pm.

Respectfully submitted,
Sue Weber, Secretary

BHRA EXPENSE & INCOME SUMMARY • October 24, 2024

A	B	C	D	E	F	G	H
Category	2023 Actual	2024 Approved Budget	2024 Actual Expenses & Income to Date	2024 Budget Over (Under) to Date	2024 Expected Remaining Expenses & Income	2024 Projected Total Expense & Income	2024 Projected Over (Under) Budget
Bank Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Emergency Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Gate Maintenance	\$1,005	\$1,000	\$839	(\$161)	\$161	\$1,000	(\$0)
Grant Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Insurance	\$1,535	\$1,650	\$1,736	\$86	\$0	\$1,736	\$86
Legal/Financial/Procedural	\$398	\$350	\$58	(\$292)	\$0	\$58	(\$292)
Mailings	\$206	\$150	\$168	\$18	\$15	\$183	\$33
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Signs & Accessories	\$0	\$500	\$476	(\$24)	\$24	\$500	(\$0)
Office Supplies	\$23	\$100	\$0	(\$100)	\$100	\$100	\$0
Technology	\$196	\$400	\$236	(\$164)	\$72	\$308	(\$92)
Transfer to Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Road Base Homeowner	\$951	\$0	\$0	\$0	\$0	\$0	\$0
Road Ditches & Culverts	\$855	\$1,000	\$3,172	\$2,172	\$0	\$3,172	\$2,172
Road Grader Operator	\$9,100	\$10,000	\$318	(\$9,682)	\$0	\$318	(\$9,682)
Road Base	\$27,438	\$19,000	\$24,124	\$5,124	\$3,518	\$27,641	\$8,641
BHRA Road Expense Subtotal	\$37,393	\$30,000	\$27,614	(\$2,386)	\$3,518	\$31,132	\$1,132
Expense Subtotal	\$41,706	\$34,150	\$31,127	(\$3,023)	\$3,890	\$35,016	\$866
Dues & Late Fees	\$30,095	\$33,000	\$34,341	\$1,341	\$229	\$34,570	\$1,570
Emergency Donations	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Interest	\$8	\$8	\$0	(\$8)	\$1	\$1	(\$7)
Grant Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Remote Control Sales	\$32	\$50	\$38	(\$12)	\$0	\$38	(\$12)
Homeowner Road Reimburse/Donation	\$1,750	\$0	\$0	\$0	\$0	\$0	\$0
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfer from Savings/Emergency Acct	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Income Subtotal	\$31,885	\$33,058	#####	\$1,321	\$230	\$34,609	\$1,551
Checking Cash Flow Balance	(\$9,822)	(\$1,092)	\$3,252.72			(\$407)	

NOTES

\$201 more than last year

Annual/special meeting & miscellaneous mailings/handouts

Zoom, Quicken subscriptions

Down from \$951 last year

Some of the material for the culverts will be used for the road

2022: 15-T load at \$496/load

2024: 15-T loads at \$600-785/load, 21%-58% increase over 2022

Road expense over budget possible due to carryover from last year and higher anticipated income

Dues Income...

...all 67properties (59 owners) have paid all/some \$500 annual dues; \$200 in undesignated donations (down from last year)

We can spend more in 2024 than our budgeted annual income because of \$1,732 carryover from 2023

BHRA ASSET SUMMARY

A	B	C	D	E	F	G	H
Category	2023 Actual Ending Balance	2024 Budgeted Ending Balance	2024 Actual Balance to Date			2024 Projected Ending Balance*	
BHRA Checking Balance Available	\$1,732	\$640	\$4,912			\$1,324	
BHRA Savings Balance	\$5,016	\$5,024	\$5,016			\$5,017	
Total Assets	\$6,748	\$5,664	\$9,928			\$6,341	

*Target is \$500 to avoid bank fee.

Road Base	
Roadbase	\$1,126.24
Roadbase	\$3,615.61
Roadbase invoice #61765	\$6,072.34
Roadbase	\$7,157.57
Roadbase	\$3,950.21
Roadbase	\$2,201.70
	\$24,124

Gate Maintenance	\$180.67
	\$658.00
	\$838.67

Road Ditches & Culverts	
Culvert reimburse 10/2/24	\$925.00
Equip Rental 10/14/2024	\$294.90
Gas Reimburse 10/14/24	\$31.00
Road Base 10/15/24	\$976.26
Road Base 10/15/24	\$945.20

\$3,172.36

Road Assessment – Base of Otter

On Monday, May 6, 2024, Justin Wilson (at large board member) and Rich Evans (board VP) met with Ted Jensen (Road and Bridge Department, Larimer County) at the intersection of Otter & Buckhorn Rd to review the current status of the first few hundred yards of Otter Rd and to discuss project ideas to improve the road condition. Ted's expertise is in drainage so most of this meeting discussed that topic, although some general road maintenance items were also discussed.

Items and areas discussed:

1. Drainage to the Buckhorn.

- a. The county has committed to doing some light work on the ditch on the west side of the Buckhorn to "redefine" the ditch a little (red circle in photo). This is supposed to happen in the summer of 2024. They said they will tie in to the spot where our ditch would/should be as much as possible but cannot work outside of the public right-of-way (purple circle in photo).



2. Road Elevation.

- a. Ted noted how our road elevation at the bottom of Otter is actually lower than the surrounding sides, meaning that the road is our de facto "ditch." A large amount of road base material would be needed to build up the elevation of the road by about a foot, which would help with erosion and maintenance.



3. Ditches & Culverts.

- a. There are numerous examples of areas where property owners are accessing their property directly from Otter Rd and where culverts should exist to maintain the ditch that should exist. In some cases there may be an existing culvert that has filled in. Putting in the culvert ourselves may be more affordable than anticipated legal fees if the property owners push back on paying for these updates.



4. Road Grading.

- a. Ted recommended that we not attempt to maintain a crown on a road as narrow as ours and instead grade the road slightly angled to one side or the other, depending on terrain, in order to move water towards wherever we want it to go in that section. In areas where the drop-off is not very steep, if the road is angled slightly towards the downhill side (red arrows), water can run off the side immediately into the surrounding terrain (purple circle) instead of picking up volume and momentum in a ditch.
- b. He also noted that in many areas we have built up a small berm on the downhill side (red oval in second photo). This prevents water from running over the side and contributes to drainage issues. In many cases we may be able to remove the berm, reuse some of the material on the road, and lessen the need for ditches and water management in those sections. Of course, this should not be done in areas where it could negatively impact property owners (e.g. we would not want to do this just above the house circled in blue in the first photo).



5. Road Material.

- a. In Ted's opinion, the best material to use for roads like ours is road base - but it should be treated at least annually with road hardening substances such as magnesium chloride. The current cost of magnesium chloride is about \$2/gallon, with a gallon covering about 10 square yards or about 3 linear feet of road.
- b. He likes crushed concrete and recycled asphalt as driveway materials but says that the concrete is often too dusty for roads and the asphalt is subject to potholes.

6. Drainage to Neighboring Properties.

- a. Ted suggested referencing our own development and drainage plans to determine if we have legal rights to drain water towards certain properties and/or subdivisions. He is not an expert in this topic but thought it would be in our documentation, not in others.

Fire Resources for Buckskin Heights • Brian Abbott 9/10/24

Emergency Preparedness Guides and Community Wildfire Protection Plans are provided by the County and local fire authorities. These documents contain critical information that can help us better prepare for wildfire risks. LFRA's 2023 Resident Action Plan was eerily accurate in its assessments of areas like Big Thompson Canyon and Cedar Park, both of which faced significant challenges during the Alexander Mountain Fire. Their assessment and recommendations for Buckskin Heights are particularly relevant to us—they're both realistic and eye-opening. ([Buckskin Heights is on page 13](#))

Local Resources: Captain Bryan Clark and the LFRA team (at Station 7 on CR 27) are eager to work with us both as individuals and as a community to leverage their knowledge, resources, and assistance. Station 7 has a dedicated full-time position and several seasonal workers focused solely on wildfire mitigation and preparedness.

One of the resources they can offer us is onsite defensible space assessments to help evaluate and improve the fire resistance of our properties. They can also assist with the actual mitigation labor, making it easier for us to implement necessary changes. During this assessment, they will also make recommendations on home hardening. Additionally, they have an air curtain burner available—a device that efficiently burns wood waste with minimal smoke, offering an environmentally friendly option for disposing of slash and other debris. These services can be scheduled here: <https://lfra.org/our-services/wildfire/>

Colorado Tax Credit "[Income 65: Wildfire Mitigation Measures Subtraction](#)," allows individuals, estates, and trusts to claim a subtraction on their Colorado income tax for wildfire mitigation expenses. Depending on the year, you could deduct either 50% or 100% of the qualifying costs, up to a maximum of \$2,500 per year.

Reflective address signs are available through LFRA. These signs, designed to be highly visible to emergency responders, could be critical in an emergency. They feature a blue background with crisp reflective white numbers and are available for \$14 each. The proceeds support LFRA's public education efforts and their smoke alarm donation program.

Link to lots more resources and services:

Community Wildfire Preparedness - <https://lfra.org/our-services/wildfire/>

Beneficial Ownership Information Reporting

This new federal law is meant to combat money laundering but ropes in a large swath of corporations.

BHRA is a Colorado nonprofit corporation, but not a Federal tax exempt 501(c) entity. As such, we do not fall under the tax exempt reporting exception.

BHRA is not technically an HOA, but is a related type entity. In the FAQs on that website, says HOAs are subject to the reporting requirement.

The law requires relevant governing board members to disclose personal identification information through an online reporting process.

Failure to comply has civil & criminal penalties.

Deadline for compliance is 12/31/2024.

For more information, see:

<https://www.fincen.gov/boi/beneficial-ownership-information-frequently-asked-questions>

Page 1 of this document is on the next page.



Financial Crimes Enforcement Network
U.S. Department of the Treasury
Washington, D.C. 20220



Beneficial Ownership Information Frequently Asked Questions

These Frequently Asked Questions are explanatory only and do not supplement or modify any obligations imposed by statute or regulation. Please refer to the Beneficial Ownership Information Reporting Rule and Beneficial Ownership Information Access and Safeguards Rule, available at www.fincen.gov/boi, for details on specific provisions. FinCEN expects to publish further guidance in the future. Questions on any of this content can be directed to <https://www.fincen.gov/contact>.

A. General Questions

A.1. What is beneficial ownership information?

Beneficial ownership information refers to identifying information about the individuals who directly or indirectly own or control a company.

[Issued March 24, 2023]

A.2. Why do companies have to report beneficial ownership information to the U.S. Department of the Treasury?

In 2021, Congress passed the Corporate Transparency Act on a bipartisan basis. This law creates a new beneficial ownership information reporting requirement as part of the U.S. government's efforts to make it harder for bad actors to hide or benefit from their ill-gotten gains through shell companies or other opaque ownership structures.

[Issued September 18, 2023]

A.3. Under the Corporate Transparency Act, who can access beneficial ownership information?

In accordance with the Corporate Transparency Act, FinCEN may permit access to beneficial ownership information to:

- Federal agencies engaged in national security, intelligence, or law enforcement activity;
- State, local, and Tribal law enforcement agencies with court authorization;
- Officials at the Department of the Treasury;
- Foreign law enforcement agencies, judges, prosecutors, and other authorities that submit a request through a U.S. Federal agency to obtain beneficial ownership information for authorized activities related to national security, intelligence, and law enforcement;

Proposed Implementation of a Transfer Fee to Supplement BHRA Revenue • Brian Abbott 9/10/24

In recent years, the Buckskin Heights Road Association (BHRA) has seen an increase in property sales, offering an opportunity to introduce a transfer fee to supplement and diversify our revenue. As the costs of maintaining and improving our community roads continue to rise, relying solely on membership dues has become challenging.

A transfer fee—collected when properties are sold or transferred—would provide an additional revenue stream without placing the full burden on existing members. This fee would help meet the association's financial needs and ensure the long-term sustainability of our shared infrastructure while reducing the need to raise dues. With transparent communication and careful planning, we believe this approach would benefit the entire community.

Overview of Transfer Fees

Transfer fees are one-time charges imposed when a property within an association's jurisdiction is sold or transferred to a new owner. These fees are separate from regular dues and are typically included in the closing costs, often paid by the buyer, depending on the structure of the transaction.

Purpose and Typical Coverage

Transfer fees serve two main purposes:

1. To cover administrative costs associated with ownership transfers.
2. To provide additional revenue for the association.

These fees typically cover expenses such as updating association records, providing documents to new owners, and processing transfer-related paperwork. Some associations also use transfer fees to support reserve funds or capital improvements.

Legal Context in Colorado

Colorado Senate Bill 11-234, enacted in 2011, significantly impacted transfer fees:

- It prohibited new residential transfer fee covenants recorded after May 23, 2011, with some exceptions.
- Pre-existing covenants had to meet specific notice requirements by October 1, 2011, to remain enforceable.
- HOAs are exempt from these restrictions, allowing them to implement transfer fees if properly authorized.

Colorado Law and Road Associations

While Colorado law specifically exempts fees payable to homeowners associations (HOAs), it remains less clear if community-based organizations managing shared resources, like road associations are similarly exempt. It is recommended that BHRA seek legal counsel to clarify whether the association, structured as a nonprofit, has the same rights as HOAs to implement a transfer fee. The Colorado Revised Nonprofit Corporation Act may authorize this, but it's important to ensure compliance.

Potential Benefits and Drawbacks

Benefits

- **Additional revenue source:** Transfer fees provide an extra source of income for the association beyond regular dues, which can help fund maintenance, improvements, or reserves.
- **Community improvements:** The fee can be used for improvements that benefit the entire community.
- **One-time Payment:** The fee is a one-time charge, not an ongoing burden on existing members.

Drawbacks

- **Potential deterrent for buyers:** While some buyers may view transfer fees as an additional cost, when set at a reasonable level and clearly communicated, the fee's impact on the overall transaction is likely to be minimal compared to other closing costs.
- **Implementation challenges:** Introducing and gaining approval for the fee will require clear communication and legal oversight.
- **Possible complications in property sales:** Some buyers or sellers may object to additional fees during transactions, so transparency and education are key.
- **Perception issues among members:** Some members may feel that the fee is unnecessary or unfair, so it's important to clearly explain the benefits.
- **Limited application as a one-time fee:** Since the fee is only collected upon property sales, it won't provide continuous revenue.

Key Considerations

- **Fee amount:** Carefully consider the fee amount to balance revenue needs with fairness. Setting the fee at an appropriate level will ensure it doesn't become a deterrent while still providing significant revenue.
- **Transparency and communication:** Clearly communicate the purpose and use of the fee to members and ensure transparency throughout the implementation process and in the usage of the funds. Open communication and a documented process will help gain support and build trust among members.
- **Legal guidance:** Seek proper legal advice to ensure compliance with Colorado laws and BHRA's governing documents.
- **Community benefits:** Develop a clear plan for how the funds will be used to directly benefit the community, whether for road maintenance, improvements, or reserve funds.

Board of Directors Reference Manual

November 2024

BACKGROUND

- The Board over the years has established guidelines for action that have been approved at a board meeting, but not collected in one place. Doing so would make these established Board guidelines transparent to the community.
- It is important to understand that these are Board guidelines, not bylaws; however, they are consistent with current BHRA *Bylaws*. Any of these guidelines can be changed by majority vote by any Board at any time for any reason, given new situations and new information.
- A few highlighted suggestions for obvious updates on some of the older guidelines are just that: suggestions. These suggestions have not been reviewed or adopted to date by any Board.

TABLE OF CONTENTS

Job Description: Buckskin Heights Road Association Secretary
 [Board Minutes, January 30, 2013; September 10, 2024] 2

Job Description: Buckskin Heights Road Association Treasurer
 [Board Minutes, January 30, 2013; September 10, 2024] 3

BHRA Proxy Form [*Bylaws*, August 28, 2020] 5

GroupsIO Administrative Guidelines [Board Minutes, March 25, 2024] 6

Reckless Driving Notice/Guidelines [Board Minutes, September 12, 2017] 8

Overnight Parking Guidelines [Informational Meeting, February 17, 2022] 9

Driveway, Culvert & Ditch Maintenance Guidelines
 [2023 Annual Meeting Minutes] 10

Road Base Purchase Guidelines [Board Minutes, May 2, 2013] 10

BHRA Long Term Road Plan [2019 Annual Meeting Minutes] 11

Gate Guidelines [Board Minutes, September 10, 2024] 15

History of the Gate 1970s-2024 17

Combined Properties Guidelines [Board Minutes, September 16, 2021] 18

BHRA Delinquent Dues Notices [Treasurer, September 2024] 19

Job Description: Buckskin Heights Road Association Secretary

Board Minutes January 30, 2012; September 10, 2024

Buckskin Heights Road Association Bylaws

Article III, Section 4. Duties of the Secretary.

The Secretary shall send out the notices of the meetings of the Association and of the Board; keep the minutes, maintain the corporate records and attend to the correspondence pertaining to the office as may be required by the Board. In the absence or disability of both the President and Vice-President, the Secretary shall perform the minimal necessary functions of those offices for the continuing operation of the Association.

Guidelines for Implementation:

- 1. New Officers.** Communicate new Board positions after the transition meeting and as needed by posting notices on the BHRA internet communication platform and on the BHRA website buckskinheights.org.
 - 2. Records.**
 - a. Take minutes at Board meetings and distribute to Board members for approval after the meeting. Print the approved minutes and file them in the Secretary's files. Arrange to post a copyrighted PDF of Board meeting minutes on the BHRA website buckskinheights.org.
 - b. Take minutes at the annual meeting and any special meetings of the Association. The *Bylaws* Article II(1)(j) state that the Board shall approve and publish the annual meeting minutes in a timely manner; this requirement should also apply to minutes of special meetings as per *Robert's Rules of Order* (Article X, Section 60). Print approved minutes and file them in the Secretary's files. Arrange to post a copyrighted PDF on the BHRA website buckskinheights.org.
 - c. Print significant public and non-public board communications to and from the membership (US Mail, email, website, internet communication platform, etc); and file in the appropriate location in the Secretary's files.
 - d. The Secretary shall make public records of the Association available to any membership within seven (7) days of receiving the request, in accordance with *Bylaws* Article II(1)(j).
 - e. At the end of the term of office, transfer the Secretary's printed and appropriate digital files to the new Secretary.
- 3. Property Owner Information.** With the Treasurer, keep a file of current contact information for each property owner to be used for official mailings. Distribute a roster of current property owners to Board members as needed. Property owner information not listed in the Larimer County Property Records is subject to State of Colorado privacy laws, and shall not be shared beyond the Board.
 - 4. Official Mailings.**
 - a. With the Treasurer, monitor the BHRA post office box and email account at bhra80541@gmail.com.
 - b. Print and mail notices for the annual meeting and any special meetings in accordance with the *Bylaws*, which require a minimum 30-day notice.
 - c. Organize mailing polls in accordance with the *Bylaws* for bylaws amendments or membership decisions on other issues on behalf of the Association, implementing appropriate controls to ensure a fair vote. Retrieve and count the ballots with one other member in good standing; report the results to the Board for inclusion in the minutes of the next Board or Association meeting; and file the completed ballots in the Secretary's files.
 - 6. Bylaws.** When the *Bylaws* are amended, file an updated copy with the Larimer County Clerk & Recorder's Office. File the original recorded *Bylaws* in the Secretary's files. Arrange to post a copyrighted PDF on BHRA website buckskinheights.org.

Job Description: Buckskin Heights Road Association Treasurer

Board Meeting January 30, 2012; September 10, 2024

Buckskin Heights Road Association Bylaws

Article III, Section 5. *Duties of the Treasurer.* The Treasurer shall by January 31st of each year issue notices of dues and be responsible for the collection thereof; maintain the books of account of the Association; deposit funds of the Association received by her/him in the name of the Association and disburse said funds at the direction of the Board of Directors; and shall report on the financial condition of the Association at the regular meeting of the Board of Directors and at the annual meeting and special meetings of the Association; and shall perform other duties as may be requested by the Board of Directors.

Article II, Section 1(h). Ensure that all mandatory local, state and federal documents are filed, including, but not limited to, taxes, and other such requirements related to the legal status of the Association. {Annual Meeting 8/18/13}

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. {Change approved 8/18/02}

Article V, Section 2(c). Collection action for delinquent dues shall commence not later than 45 days after such dues or assessments become delinquent. Collection of delinquent dues shall be substantially completed within 180 days of delinquent date unless circumstances exist beyond the control of the Board of Directors. The responsibility to administer this action shall reside with the Treasurer or with a member of the Association appointed by the President. {Change approved 8/29/04}

Guidelines for Implementation:

1. Meetings & Mailings

- a. Attend all board meetings and the annual BHRA meeting.
- b. With the Secretary, monitor and maintain the BHRA PO Box 352 and check it at least once per week. Distribute the mail to the appropriate board member within a week of receipt. Treasurer and Secretary each have a key to the post office box.
- c. With the Secretary, monitor the email account at bhra80541@gmail.com. Distribute email to the appropriate board member(s) ASAP.
- d. Purchase stamps and other office supplies as needed.

2. Budget and Expenditures

- a. Maintain the budget book in Quicken or other common financial software. This includes tracking monies spent and received in each budget category.
- b. Communicate with board members about where the budget stands and any potential overages.
- c. By January 15th of each year, create a budget proposal for the new fiscal (calendar) year for the board's consideration.
- d. Work with a committee selected by the board to complete the annual audit of the books of the association by April 15th of each year.
- e. Create a budget update for board approval before the annual meeting.
- f. Maintain the BHRA checking and savings accounts. Balance the accounts when the statements arrive. Transfer and deposit monies when appropriate. Note: Must maintain \$500 in the checking account to avoid a monthly service fee.
- g. Pay and record BHRA bills and requests for reimbursements as they arrive. Maintain a file of invoices paid. Reimbursement checks to the Treasurer must be issued by the President.

3. **Property Owner Information.** With the Secretary, keep a file of current contact information for each property owner to be used for official mailings. Distribute a roster of current property owners to Board members as needed. Property owner information not listed in the Larimer County Property Records is subject to State of Colorado privacy laws, and shall not be shared beyond the Board.
4. **Dues Collection, Processing and Legal Actions**
 - a. Send dues notices by January 31th of each new year.
 - b. Send dues reminder notices by April 15th of each year.
 - c. If possible, call or otherwise contact by May 15th any property owners who have not paid their dues to remind them of the \$20/month interest/late fee policy; arrange payment if possible; and inform them of the timing of probable legal action.
 - d. By July 1st, send notice describing impending legal action to property owners with delinquent dues, including statement of all dues/late fees owed. By August 1st, commence legal action (liens/small claims court) to collect unpaid dues/late fees. When unpaid dues/late fees are paid in full, file a lien release within 30 days.
 - e. Deposit dues collected at least once per month. Keep paper record of each check with evidence of bank deposit for audit purposes.
 - f. Maintain records regarding dues paid, dues deposited, and dues owed; communications with property owners regarding unpaid dues; and legal actions taken. For each property with delinquent dues, maintain a longitudinal record of invoices sent and payments made until all dues/late fees are paid in full; and send an annual statement of total dues/late fees owed to property owner(s)
5. **Other Legal and Financial Responsibilities**
 - a. Complete IRS Form 1099-Misc with Form 1096 (transmittal cover sheet) for any individual or LLC vender paid more than \$600/year by BHRA as follows:
 - i. Order scannable 1099-Misc and 1096 forms by mail from www.irs.gov/formspubs/ by November 1st of each year.
 - ii. Mail completed 1099-Misc to vender(s) by January 31st of each year.
 - iii. Mail completed 1099-Misc forms with Form 1096 to IRS by February 28th of each year.
 - iv. Maintain a record of each filing and supporting documentation.
 - b. Maintain BHRA's status as a Colorado non-profit corporation (#19871289658) in good standing by serving as BHRA's registered agent; and filing online the required annual report by February 28th each year with the Colorado Secretary of State. Maintain a record of each filing and supporting documentation. When a new treasurer is elected, transfer this responsibility on the www.sos.state.co.us website.
 - c. Complete and mail IRS Form 1120H, and complete Colorado Form 112 online as required at www.colorado.gov/revenueonline, by April 15th of each year. Maintain a record of each filing and supporting documentation.
 - d. Work with realtors and financial institutions as needed to provide the financial status reports on properties and Buckskin Heights Road Association documents that are required for the sale of real estate in Buckskin Heights. Maintain a record of each interaction and supporting documentation.
 - e. Maintain stock of electronic gate remote controls, and record sales of each unit by number to individual property owners.

BUCKSKIN HEIGHTS ROAD ASSOCIATION
PROXY VOTING

BYLAWS REGARDING PROXY VOTING [August 28, 2020]

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:

BUCKSKIN HEIGHTS GROUPSIO ADMINISTRATION GUIDELINES

Board Minutes, March 25, 2024

(buckskinheights@groups.io)

1. Bylaws Framework.

Article VIII. Miscellaneous, Section 4. Internet Communications

a. . . .

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.*

2. Purpose.

- a. The Buckskin Heights Group provides an emergency communication system for the Buckskin Heights neighborhood near Masonville, Colorado. It is an integral component of our Community Wildfire Protection Plan (CWPP).
- b. It can also be used for less dire general interest neighborhood events – my dog is lost, there's a truck stuck on the road, and so on.
- c. In addition, the Buckskin Heights Road Association (BHRA) Board of Directors posts information of general interest to the community, like notices of board meetings and upcoming road work.

3. Levels of Participation.

- a. "Basic member" status allows an account-holder to receive all messages posted on the site, but not to send any messages.
- b. "Full member" status allows an account-holder to send and receive messages on the site, but does not allow sending "special notices" to all account-holders in an emergency.
- c. "Basic moderator" status permits an account-holder to send and receive messages on the site, plus send "special notices" to all account-holders in an emergency.

4. Participation Eligibility.

- a. All current property owners (and others they designate) can participate after joining and signing into this site. (Email buckskinheights@gmail.com to join.)
 - i. Accounts held by current property owners are assigned "basic moderator" status by default.
 - ii. Accounts held by close family members, significant others and tenants who are designated by current property owners for membership are also assigned "basic moderator" status by default unless otherwise specified by the property owner.
 - iii. Accounts held by any others who are designated by current property owners for membership are assigned "basic member" status by default unless (1) the property owner requests and justifies in writing an upgraded status, and (2) the BHRA Board of Directors, representing the interests and values of the members of the Association, approves the request.
- b. When a property is sold, the account(s) of the former property owner(s) and their designees shall be assigned "full member" status for three (3) months, followed by three (3) months of "basic member" status. After six (6) months, all account(s) of the former property owner(s) and their designees shall be deleted.

5. Administration.

- a. The site is maintained for the Buckskin Heights neighborhood by *two administrators to promote civility and fairness, and to provide technical support and continuity.*
- b. The site *excludes religious, political and commercial content* so as to remain welcome by all.

- c. Any account holder who significantly and/or persistently violates community civility, fairness or content standards shall be assigned “basic member” status by action of the BHRA Board of Directors, representing the interests and values of the members of the Association.
- d. The site owner is email account buckskinheights@gmail.com; the site email archive is buckskinheights1@gmail.com. Password(s) for both accounts shall be changed and provided to current Board members by the current co-administrators within seven (7) days after the transitional Board meeting (*Bylaws* Article III, Section 1a).

THE GROUPIO HOMEPAGE (<https://groups.io/g/buckskinheights/>):

The Buckskin Heights Group provides an emergency communication system for the Buckskin Heights neighborhood near Masonville, Colorado. It is an integral component of our Community Wildfire Protection Plan (CWPP). It can also be used for less dire general interest neighborhood events – my dog is lost, there’s a truck stuck on the road, and so on. In addition, the Buckskin Heights Road Association posts information of general interest to the community, like notices of board meetings and upcoming road work.

Property owners (and others they designate) can participate after joining and signing into this site. (Email buckskinheights@gmail.com to join.) Once a member, you can send an email to other members in two ways -- by (1) emailing buckskinheights@groups.io from your personal email account or (2) logging into the BH GroupsIO website and starting a new topic. You can control the frequency of non-emergency emails you receive from the site as well. More information about how to use GroupsIO is linked from the BHRA website at <https://buckskinheights.org/communityresources.html>.

The site is maintained for the Buckskin Heights neighborhood by at least two administrators to provide continuity, fairness and technical support; it excludes religious, political and commercial content so as to remain welcome by all. We encourage all Buckskin Heights residents to participate in this neighborhood effort to keep us connected and safe!

Buckskin Heights Road Association Reckless Driving Notice

Board Minutes September 18, 2017; *Suggested Update September 2024*

The Board of Directors of the Buckskin Heights Road Association has contacted the Larimer County Sheriff's Office (LCSO) regarding recent repeated incidents of unsafe, reckless and careless driving on the roads in our community.

The Board is reminding everyone who drives on our roads to:

- Obey the speed limit of 20 MPH;
- Be courteous to other drivers;
- Not exhibit dangerous behavior to pedestrians or animals; and
- Avoid behavior than can be damaging to the road or personal property.

All members of the Buckskin Heights Road Association must adhere to the *Bylaws* of the Association, which include the following:

Article VIII Miscellaneous, Section 6. Rules of the Road

{Annual Meeting 8/18/2013; change approved 8/21/20}

- a. The rules of the road shall apply to all persons residing at, or visiting, a member's property:
 - i. Vehicles ascending grades of six percent or more shall have the right-of-way.
 - ii. The speed limit on all roads is 20 MPH. The speed limit shall apply to all motorized vehicles, including ATVs, motorcycles, and snowmobiles.
- b. Reckless or careless driving that endangers persons or property shall be reported to the Larimer County Sheriff's Office

At the urging of the Larimer County Sheriff's Office, the Board encourages residents to report any incidents of reckless/careless driving to the LCSO's Traffic Enforcement Unit for unincorporated Larimer County. ~~Our contact at the Unit is Deputy Martin; he can be reached via voicemail~~ at 970-498-5357. Leave a message with the details requested, and ~~he~~ LCSO will log the incident and return your call.

Thank you for your attention to this important safety concern.

Buckskin Heights Road Association
Overnight Parking Guidelines

Informational Meeting Minutes • February 17, 2022

(Suggested Update September 2024)

Bylaws Article VIII. Miscellaneous

Section 3. Road Definition.

- a. . . .
- b. . . .
- c. No encroachment into the defined roadway that poses a safety hazard, or impedes emergency access or road maintenance, shall be permitted. Existing structures as of August 21, 2020 shall be exempt from this provision. Larimer County ordinances shall be followed. {Annual Meeting 9/18/20}

OVERNIGHT PARKING

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 as required by the *Bylaws*.

1. Any Director may authorize temporary exceptions in case of emergency or with advance notice.
2. The Board may work with the property owner adjacent to the easement and/or law enforcement to tow **persistent** violators at the motor vehicle/trailer owner's expense, in accordance with Colorado state laws regarding motor vehicles.

Buckskin Heights Road Association
Driveway, Culvert & Ditch Guidelines
Annual Meeting Minutes • August 2023

Bylaws Article VIII. Miscellaneous.

Section 1. Culverts. 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}

DRIVEWAYS, CULVERTS AND DITCHES

Minimizing erosion on our shared roads requires a partnership between individual memberships and the Association in general that benefits both.

1. **Driveways** to membership properties shall be constructed and maintained in order to minimize water flowing down the driveway entering into the roadway.
 - A. Membership responsibility begins at the edge of the adjacent road into their property.
 - B. 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.
2. **Culverts** shall be checked and cleared periodically to ensure no blockage to water passage exists from rocks, silt, vegetation, or other debris.
 - A. Culverts which pass under Association roads are the responsibility of the Association for inspection and maintenance.
 - B. Culverts which pass under any membership's driveway(s) are the responsibility of the membership for inspection and maintenance.
3. **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.

Buckskin Heights Road Association
Membership Road Base Purchase Guidelines

Board Meeting Minutes • May 2, 2013

(Suggested Update September 2024)

In consultation with the Vice President, a membership may purchase load(s) of road base to be spread, at BHRA expense during scheduled gradings, on road location(s) designated by the membership.

Buckskin Heights Road Association Long Range Plan

August 2019 (Sections Needing Update)

Mission: The mission of the Buckskin Heights Road Association is to maintain and improve the mountain roads of Buckskin Heights for the use of the members, their families and other invitees. The mission shall be executed by an unpaid Board of Directors elected by the membership of the organization. The Board shall execute their duties in a transparent manner to promote the health, civic and general welfare of its members. The Board of Directors shall be responsible for the stewardship of the funds of the organization.

Vision: The residents of Buckskin Heights share the beautiful scenery, magnificent vistas, and serenity of our neighborhood. The beauty of Buckskin Heights is enhanced by the abundant wildlife, deer, turkeys, bobcats, bears, cougars, fox, and coyotes, as well as numerous small game and birds. The residents enjoy freedom from excessive restrictive regulation that is all too often found in home owners' associations. Our shared values give the residents of Buckskin Heights a strong sense of community, cooperation and respect for our neighbors' quiet enjoyment of the environment. The residents of Buckskin Heights recognize mountain living means sacrificing the comforts of the roads found in city living. Smiles and hand waves are typical as we travel washboard roads that many would find as a serious inconvenience. Recognizing these tradeoffs, our mountain roads will be maintained to standards appropriate to our environment, our values, and consistent with the funding of membership dues.

About Us:

The Buckskin Heights property owners met at the Klies cabin in the summer of 1973 to discuss the formation of the Buckskin Heights Road Association (BHRA). This effort was successful, and the Association was formed. The Bylaws were constructed to guide the actions of the newly formed organization.

In 1976 the Association filed Bylaws with the Colorado Secretary of State to acquire a nonprofit corporation status with the designation of Buckskin Heights Road Association Inc.

Prior to the formation of the organization each property owner had an agreement with the developer, John Anderson, to maintain the road. These agreements required each property owner to pay seventy-five dollars per year for road maintenance. Some of these agreements were recorded on the property titles, but most were not. The seventy-five-dollar dues were also the dues recorded in the initial Bylaws. It is interesting to note that the \$75 compounded by the labor department cost of living data since 1973 would equal dues of \$443 in 2019 dollars. Currently Association dues are \$400 for each property.

The current governing documents of the Association – Grant of Easement, Dedicated Access, Constitution & Bylaws – may be viewed on www.buckskinheights.org

Environment: Annual Budget of \$27,000 with approximately \$25,000 for road maintenance and improvement

Total of 9.4 Miles of Road to Maintain, Serving 52 Houses and 15 Vacant Properties:

- Otter Road to the gate
Mileage 3.3 2 houses, 6 vacant properties
- Otter Road gate to the end
Mileage 2.2 23 houses, 3 vacant properties
- Otter Ct
Mileage 0.1 1 house, 0 vacant properties
- Woodchuck Dr
Mileage 1.3 8 houses, 3 vacant properties
- Fox Ct
Mileage 0.1 1 house, 0 vacant properties
- Raccoon Dr
Mileage 0.8 5 houses, 2 vacant properties
- Raccoon Ct
Mileage 0.4 2 houses, 1 vacant properties
- Wolverine Ct
Mileage 0.3 5 houses, 0 vacant properties
- Grey Squirrel Ct
Mileage 0.9 5 houses, 0 vacant properties

Road Maintenance Costs in 2019:

- Recycled Asphalt \$13/ton; crushed concrete \$13/ton
- Trucking cost for 15-ton load averaged \$156, which varies with distance traveled
- In 2019, recycled asphalt cost an average of \$335/load delivered to Lower Otter Rd, \$405/load delivered to Woodchuck; crushed concrete cost \$375/load delivered to Raccoon Rd; overall average \$353/load of either material.
- Cost to grade the roads is \$135 per hour

Pros and Cons of Different Materials: It should be noted that all material types are adversely affected by excessive speed and this is the most important factor leading to deterioration of the road surface.

Packed Recycled Asphalt Paving

Pros: Few if any washboards, good melting qualities, no dust, pleasant driving surface, resists erosion caused by wind and water, durable if applied properly (adequate thickness), grading is not required and more funds can be spent on materials.

Cons: Potholes become a problem and are difficult to repair with grading, repair may require another application of material.

Loose Recycled Asphalt Paving

Pros: Easily reworked with grading to repair washboard, good melting qualities, minimum dust.

Cons: Susceptible to washboarding, susceptible to water and wind erosion.

Road Base

Pros: Similar to loose recycled, but more dust and less melting properties.

Cons: Susceptible to washboarding, susceptible to water and wind erosion, increased dust over other products, reduced melting properties.

Crushed Concrete

Pros: Good compaction for a good driving surface, less washboarding than loose recycled or road base, easily reworked with grading.

Cons: Dust is a problem, quality may be an issue as material can be contaminated with porcelain and granite, subject to wind and water erosion, but less than road base.

Assessment of the Roads in 2019:

Otter Road to the Intersection of Woodchuck Drive: This is the road that everyone uses and has been the priority for maintenance and historically this section has consumed the majority of the budget. This section is in good condition, but the high usage creates potholes and washboard that must be addressed frequently. Drainage is generally good, but some erosion /washouts of the edges has occurred. wind erosion is a problem. A variety of materials have been used to varying degrees of success.

Otter Road from the Woodchuck Intersection to the End: This section is a real mixed bag, with the first third being in relatively good condition and has been improved by property owners in 2014 and 2016 with over 10 loads of recycled asphalt. This section of road has also received four loads of crushed concrete in 2017 and four more in 2018. The middle third has numerous drainage problems and is in need of removing the berm build up on the outside edge of the road as well as needed additional material. The final stretch of this section is in very poor condition and will require reconstruction in the future.

Woodchuck Dr: Property owners on this road provided funding for five loads of recycled asphalt in 2018 and ten loads in 2019; BHRA applied 7 loads of recycled asphalt in 2018. Ditch improvement and grading were also undertaken by BHRA to support this homeowner-funded work. The road is now mostly in acceptable condition.

Raccoon Dr: Two loads of crushed concrete were laid down at the end of Raccoon in 2018. Ditch work and crowning were done in 2018 which resulted in a relative improvement in drainage. However, mud on the road surface is now a serious problem and appears to be the result of well-intentioned work done in 2018. This problem was partially addressed with the application of crushed concrete in 2019 and will be continued in the future.

Wolverine Ct: Work was performed in 2017 to correct a ditch problem that had caused a deep rut on the road surface. In addition to correcting the ditch drainage, a load of crushed concrete was spread on the problem area. Future maintenance work will be on an as-needed basis.

Raccoon Ct: This road is in very poor condition and will require work over multiple years to bring the road to acceptable standards. This road currently provides access to two home owners and is relatively long making significant resource allocation a challenge.

Grey Squirrel Ct: In many sections the road is lower than the side of the road causing drainage problems. Severe rock outcrops will need to be addressed, in particular on the very tight s-curve. Grading this road is difficult and the rocks turned up as a result is a serious problem.

Fox Ct: To be determined.

Otter Ct: To be determined.

Goals:

- It shall be the five-year goal of the Association to have all of the major roads (Otter, Woodchuck, Raccoon) assessed as acceptable. Priority will be given to the portion of Otter Road that all residents use. Tributary roads will require additional time to become acceptable (see criteria below).
- Conduct open and transparent Board meetings at least every two months and encourage the participation of the membership.
- Maintain the roads with recycled asphalt according to recommended practices (Appendix A). Develop recommended practices for use of crushed concrete as we gain more experience with this material.
- Implement road improvements that provide for the safety and welfare of the membership.
- Provide the membership with up to date plans and status via the web site and Groups IO.
- Assist property owners who voluntarily fund the improvement of interior roads.

Criteria for Assessing the Roads: The assessment of the roads is subjective and seldom will all of the factors be positive for an acceptable rating. Mountain roads by their very nature will not be the same quality as those that are constructed in the flat lands. Multiple factors determine if the road is assessed as acceptable:

1. Shape of the road: Road surface is crowned or slanted to drain to a ditch; ditches are adequate to drain the expected volume of water.
2. Surface of the road free of rock outcrops.

3. Surface of the road free of washboard and potholes.
4. Road material adequate to prevent muddy condition.
5. Driving surface not lower than the side of the road.
6. No washouts.

Annual Planning Process:

Each year at the first Board meeting of the calendar year and in conjunction with establishing the annual budget a road maintenance plan will be developed in accordance with established policies and objectives. Membership input will be an important component of this process. Typically, resources will not provide for all of the identified needs and prioritization will be required. The Association Vice President will report at the annual meeting of the membership the progress in executing the plan.

APPENDIX A

Recommended Practices for BHRA Road Maintenance with Recycled Asphalt (Bob Faris, VP 2006-10, 2014-16)

1. The Vice President is the project manager for road maintenance. The Vice President needs to coordinate the timing of the grader, trucking, and material selection; decide which sections of the road should be graded; mark the road where material application should be done; be on site for material application; and be able to direct and supervise grader operation.
2. Use of recycled asphalt (RAP) when applied properly and in the correct season will give a stable, low dust and long-lasting road requiring much less ongoing maintenance than using road base.
3. Use of road base on our road has been ineffective primarily due to wind/water erosion combined with the steep grade resulting in high dust, rough rocks and loss of traction. There is almost no consolidation of this material to create a stable road.

4. Apply the RAP in a single lane, rather than across the entire road, and contour the application so there is more depth in the center. This will keep more of the material on the road where it can consolidate and reduce the inevitable migration of material over the side of the road.
5. Apply RAP when temperatures will be hot, preferably in the 90s, to hasten the consolidation of the material before it is lost over the side of the road. This is especially important where there is a steep grade.
6. RAP density is around 3,000 pounds per cubic yard and has about 15% compaction. With a spread load of around 10' width, this will give ~80-100 linear feet of application with a typical depth of 3" on a tandem truck load. Using the cross-gate belly dump will give ~130-170 linear feet.
7. The best longevity of the RAP on our road has been when it was applied over bare rock surfaces and not over gravel. The original road was very solid with large and stable rocks. These provide good adhesion for the RAP and give a very stable final result. The biggest problem areas of the application of the RAP has been in places that were previously treated with road base. These areas cause more contamination of the RAP and do not allow as favorable adhesion to the road, resulting in a much looser final road surface.
8. The cost of hauling material above the gate is significantly higher, due to the additional distance.
9. The quality of RAP is highly variable. Choosing the source of the material is vital for a successful project. The material should be personally inspected before it is purchased.
10. We have always used a motor grader with angled moldboards to maintain the road, with the exception of the period between 2000, when our grader was sold, and spring of 2015. During those years a box grader was used and there was a significant loss of road material because the material is flat graded and not returned to the middle of the road during grading.
11. A grader operator with a large amount of experience in maintaining steep mountain roads is the best resource in keeping our road in good shape.
12. Grading should be done in a manner to pull the material from the side of the road and back to the center. This is not done to crown the road, but rather to minimize loss of material into the ditches.
13. Trying to pull material out of the ditch back onto the road will only result in contamination of the RAP along with a large amount of rocks.
14. Grading the road when the soil moisture is low will give poor results and pull up many rocks. Spring rains in May and monsoonal flow in August are ideal.
15. Trying to remove all the washboards, especially when the temperature is not very high, will often cause damage to the RAP and can pull up sections of the road, along with rocks.
16. Never grade the road when it is frozen, because it will cause road damage.
17. When planning which sections of the road to address, prioritize road condition as well as number of residents affected.

Gate Guidelines

Board Meeting Minutes • September 10, 2024

Bylaws Article III. Officers. Section 3. *Duties of the Vice President.* The Vice President shall monitor the condition of the roads, ditches, culverts, **gates**, etc. of the Association; . . . {Change approved 8/23/19}

Bylaws Article IV. Membership. Section 3. *Use of the Facilities of the Association.*

- a. . . .
- b. The **gates** on the access road to Buckskin Heights, established by the Grant of Easement indenture between Arnold E. and Joyce A. Friend and John O. Anderson, dated April 17, 1969, shall be closed and locked each time passed through.
- c. Association property, including **gates**, are to be used at the property owner's complete responsibility and liability for damage caused by themselves and others coming to or from the property owner's lot. Property owners are responsible for family members, guests, visitors, contractors, workmen, delivery persons, renters, or others passing through the **gate** for their benefit. Access to the sub-division is by invitation only. {Change approved 8/26/00}

Gate Use Guidelines:

1. The electronic gate shall be used only by cars and standard-wide pickups not towing trailers. Larger vehicles and all vehicles towing trailers shall use the swing gate only.
2. Gate Codes
 - a. Association members shall inform guests and commercial vendors that codes must remain confidential.
 - b. Codes for both swing and electronic gates are changed on September 1 of each year or more often if security concerns arise. Updated codes are communicated to the membership on the annual meeting agenda each year. If you need a reminder of the gate codes, email BHRA80541@gmail.com or contact a board member listed on the BHRA website (<https://buckskinheights.org/contact-us>).
 - c. Commercial vendors should be given the swing gate code only, not the electronic gate code. Association members are encouraged to meet vendors at the gate if possible to avoid giving out the gate code(s).
3. Swing Gate
 - a. Personal locks may not be added to the closure chain on the swing gate. Personal locks will be removed and destroyed by the Board.
 - b. The only four authorized locks on the swing gate as of June 2024 are shown below:



Larimer County Sheriff
Fire-Rescue Keyed Lock



Poudre Valley Rural Electric
Association PVREA Keyed Lock



Loveland Fire-Rescue
Keyed Lock



BHRA Combination Lock

c. Authorized locks on the swing gate chain closure:



d. Swing gate configuration as of June 2024:



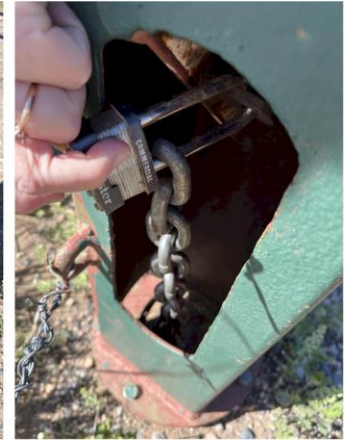
Chain closure on west face of post with authorized locks



North and east face of post



East face of post



East face of post – closeup

e. In consultation with the Vice President, the removal of the four bolts at the base of the east post of the swing gate will allow the post to be laid down to allow passage of extra wide vehicles or trailers.

f. The key to the BHRA combination lock (necessary to change roller combination) – and the keys to various locks on the north and east face of the swing gate post – are held by the Vice-President.

Buckskin Heights Road Association

HISTORY OF THE GATE

November 2024

1970-2006

(Page #s from BHRA Minute Books 1970-2004)

- 1970s: The original gate was apparently located where the current sign/water tank is now, between RM 7-8.
- Feb 1980 (pg 21): Early “green” gate moved up to 2nd cattle guard, its current location at RM 33. See Sep 1994 note on pg 85 for reasons -- persistent difficulty in keeping gate locked, vandalism and unwanted visitors.
- Jun 1985 (pg 47): New gate installed at current location RM 33.
- Early 1993 (pg 81): A proposal to move the gate back to the water tank location RM 7-8 was not implemented.
- Nov 1996 (pg 104): Special meeting about purchase of current gate, which was fabricated by member Jim Burry and paid for by credits for his annual dues (\$100/yr for 12 years). (None of our current below-the-gate property owners were involved in paying for the initial construction of the current gate.)
- Jul 1997 (pg 114): Purchase/installation agreement between BHRA and Jim Burry for current gate.
- 1997-2006: Persistent acrimonious problems with residents not manually locking the gate (the “Gate Wars”).

2006

INITIAL GATE AUTOMATION COSTS

The initial automation of the gate happened in 2006 by special assessment of property owners above the gate, at a total cost of \$7,865 - \$2,000 for initial stock of reimbursed remote controls = \$5,865.

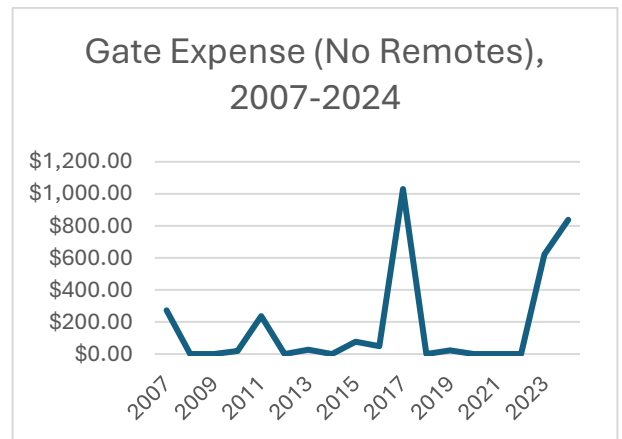
NB: None of the below-the-gate property owners were assessed for the initial gate automation expenditure in 2006, based on the total special assessment collected (\$9,440 at \$160/property for 59, not 67, properties).

2007-2024 (18-Year Period)

TOTAL GATE MAINTENANCE COSTS SINCE AUTOMATION

Here’s a graph and supporting data of the annual gate maintenance expenses since automation, starting in 2007. The graph does not include reimbursable remote control expense during this period (\$1,663 or \$92/yr).

- We had 67 properties in Buckskin Heights during this 18-year period.
- Total maintenance cost was \$3,197.
- The average annual maintenance cost was \$178/year.
- The cost/property was \$48/property over this 18-year period, or \$2.65/year/property.



Date	Amount
Initial Installation	(No Remotes)
1/1/2006 - 12/31/2006	\$5,864.91
Maintenance	
1/1/2007 - 12/31/2007	2007 \$272.55
1/1/2008 - 12/31/2008	2008 \$0.00
1/1/2009 - 12/31/2009	2009 \$0.00
1/1/2010 - 12/31/2010	2010 \$18.61
1/1/2011 - 12/31/2011	2011 \$235.99
1/1/2012 - 12/31/2012	2012 \$0.00
1/1/2013 - 12/31/2013	2013 \$27.88
1/1/2014 - 12/31/2014	2014 \$0.00
1/1/2015 - 12/31/2015	2015 \$77.00
1/1/2016 - 12/31/2016	2016 \$49.78
1/1/2017 - 12/31/2017	2017 \$1,030.30
1/1/2018 - 12/31/2018	2018 \$0.00
1/1/2019 - 12/31/2019	2019 \$24.00
1/1/2020 - 12/31/2020	2020 \$0.00
1/1/2021 - 12/31/2021	2021 \$0.00
1/1/2022 - 12/31/2022	2022 \$0.00
1/1/2023 - 12/31/2023	2023 \$622.15
1/1/2024 - 9/9/2024	2024 \$838.67
MAINTENANCE TOTAL	\$3,196.93

Buckskin Heights Road Association

Combined Properties Guidelines

Board Meeting Minutes, September 2021; **Suggested Update September 2024**

Bylaws Article IV. Membership

Section 1. Membership Defined.

- a. Membership shall be defined as the owners of lots as described below:
 - i. All lots of the Buckskin Heights first sub-division as detailed on the approved plat and accepted by the Larimer County Planning Commission on October 14, 1970.
 - ii. All lots of the Buckskin Heights second sub-division as detailed on the approved plat and accepted by the Larimer County Planning Commission on February 10, 1971.
 - iii. All tracts adjacent to the access road to the Buckskin Heights first sub-division. Description of access road is recorded in Book 1444 at page 325 of the Larimer County Clerk and Records Office.
- b. In the event that a lot shall be owned by more than one person, as undivided owners, said undivided group shall be considered to be one (1) membership. Each membership shall be considered to be a single entity, entitled to a single vote and obligated to a single fee, assessment or obligation. Subsequent division of recorded lots will constitute an additional membership. In all cases, a single lot will constitute one membership.

Section 2. Requirements of Membership. In order to become and maintain a membership in good standing of the Association, a member representing said membership shall own land or interest in land as above described; and shall pay all annual dues and assessments.

Combined Properties Guidelines: 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 both BHRA and the County, and be consistent to both throughout the period of ownership.

Explanation: As a practical matter, owner(s) of two properties pay road dues on both properties; they have two votes at any Association meeting. Owner(s) of a combined property (two properties joined by the County) pay road dues as if it is one property; they have one vote at any Association meeting. Owner(s) of a combined property who subsequently petition the County to separate the properties for re-sale or any other reason must pay back road dues on the second property from date of purchase **or combination**.

Delinquent Dues Notices

Board Meeting, April 19, 2012 • Updated September 2024 for Consistency with Treasurer Job Description (Pg 3)

1ST NOTICE* around April 15, for properties who have not paid, sent with generic January invoice sent to all.

A GENTLE REMINDER: Unpaid BHRA 20?? Dues

As of today, BHRA has not received your 20?? road dues payment of \$??\$/property. You owe \$?? plus \$20 in late fees/interest = \$?? if paid before June 1. Below is a generic copy of the specific invoice that was emailed to you back on January ?. It explains how to pay, including options if you need extra time.

Our Bylaws say that late fees/interest of \$20/month on the outstanding balance must be imposed starting May 1. No one wants that to start!

If you have any questions – or need to arrange extra time to pay – please contact Treasurer ??? ??? at bhra80541@gmail.com or phone/text ???-??-???

2ND NOTICE* around May 15 for properties who have not paid by May 1, sent with generic January invoice sent to all.

RESENDING: A GENTLE REMINDER: Unpaid BHRA 20?? Dues

As of today, BHRA has not received your 20?? road dues payment of \$??\$/property. You owe \$?? plus \$20 in late fees/interest = \$?? if paid before June 1. Below is a generic copy of the specific invoice that was emailed to you back on January ?, with a reminder on April ?. It explains how to pay, including options if you need extra time.

Our Bylaws say that late fees/interest of \$20/month on the outstanding balance must be imposed starting May 1. No one wants that to start!

If you have any questions – or need to arrange extra time to pay – please contact Treasurer ??? ??? at bhra80541@gmail.com or phone/text ???-??-???

3RD NOTICE* around June 15 for properties with no delinquent dues from previous years, sent with invoice showing \$60 May – June late fees:

JUNE ??, 20??

Property Owner

Address

Dear Mr/Ms Property Owner,

As you know, we rely on everyone in the neighborhood to pay their annual dues to keep the road open and maintained for safety. You are 3 months late in paying your fair share and we need to hear from you soon.

According to our *Bylaws*, we must collect the dues every year in a timely fashion. We try to be flexible with property owners who might be struggling to pay dues, but we must be fair to the other property owners on the mountain. We can make arrangements for you to pay in installments. **But if we do not receive payment by July 31, our *Bylaws* obligate me as Treasurer to place a lien on your property** with the Larimer County Clerk & Recorder until the dues are brought up to date.

A lien can affect your credit score and will certainly affect your ability to sell your property until the debt is paid in full.

You currently owe BHRA \$?? to avoid lien action – \$?? plus \$40 in late fees/interest at \$20/month, already assessed on May 1 and June 1. You may send a check to the address above or pay by Zelle through your bank portal.

In addition, non-payment of dues means that you are no longer a member in good standing in the Association – you lose your right to speak and vote at any of our meetings and you may lose your road use privileges. We may also take you to small claims court or refer your debt to a collection agency. **We do not want any of these things to happen!** Please contact me to arrange payment of the \$?? that you currently owe as soon as possible.

Sincerely,

???, Treasurer, Buckskin Heights Road Association

Phone #

BHRA80541@gmail.com

4TH NOTICE* around July 15 for properties with no delinquent dues from previous years, sent with invoice showing \$60 May-July late fees:

JULY ??, 20??

Property Owner

Address

Dear Mr/Ms Property Owner,

In accordance with the BHRA Bylaws, collection action beginning with a lien filed against your property will be filed with the Larimer County Clerk & Recorder's Office for delinquent road association dues and late fees. **The lien against your property is scheduled to be filed on August 1, 20??.**

Please immediately pay your BHRA road association dues of \$??? (\$??? plus late fees of \$20/month for each of May – July) to avoid lien action.

If a lien is filed against your property due to non-payment of road association dues, you are responsible for all associated legal and filing fees as well (currently estimated at **\$30**).

To avoid a lien on your property, send a check to the address above or pay by Zelle through your bank portal. If you have any questions about this matter, please do not hesitate to contact me.

Sincerely,

???, Treasurer, Buckskin Heights Road Association

Phone #

BHRA80541@gmail.com