

THOUSAND PEAKS RANCH ASSOCIATION BOARD OF DIRECTORS MEETING

October 26, 2008

Rusty Evans Residence

Present: President Dennis Kist, Vice President Tom Mulder, Treasurer Lynn Lafluer-Dragonfly, Member At Large Rusty Evans; Also Present: Robert Dragonfly, Joe Austin, Ray & Becky Lyons

Absent: Secretary Jory Rayton

Meeting Opened at 4:10 p.m.

Minutes of July 25, 2008 Board of Directors meeting were read; Motion and second to approve minutes as corrected. Motion carried.

Minutes of TPRA 2008 Annual Meeting were read. Motion and second to approve minutes as corrected. Motion carried.

Motion, second, and carried to approve expenses of coping and mailing of the minutes for the annual meeting and the snow policy.

IREA: A request has been received from IREA, the local electrical cooperative to obtain an easement from TPRA to run electrical poles along Fourmile Creek Rd from Highway 9 to Lot 86. Dennis Kist reported that the issue arose when he received a call from a party representing Lot 50 who was concerned with the possible devaluation of land values if above ground poles were permitted on the Ranch. Dennis Kist reported to the Board that he contacted IREA regarding the issue and IREA agreed that there are no electrical easements on the TPRA plat map wherein IREA would have the right to place electrical utilities. Therefore IREA would need the permission of TPRA to place poles along any road, or obtain a private easement across the required lots. Dennis Kist reported that it was his recollection that the members of TPRA had voted at an annual meeting some years ago that all future utilities should be underground. It was noted that this was merely a motion at an annual meeting, not an amendment to the By-laws of the Association. The Board should therefore discuss the binding effect of this motion. Rusty Evans stated it was his recollection when he was building his house, that he had checked with the County Building Department regarding utility easements, and that the County Building Department had a map showing utility easements along the roadways on the Ranch. Dennis Kist stated that unless the map referred to by Rusty Evans was recorded with the Recorder's office as plat map, it would be of no effect. However, if such a map was recorded as part of a plat amendment then IREA would have the right to put up utility poles along the roadway and the Board would have no decision to make. On the other hand, if a private easement was obtained by the Lyon's, the only decision for the Board to make would be whether to allow IREA to run the electrical lines over the road. Therefore there was no action for the Board to take at this time until the issue of the map referred to by Rusty Evans was resolved.

Dennis Kist asked Ray Lyons if he would volunteer to go to the County and determine if a map with utility easements existed, and to report back to the Board. Mr. Lyons agreed.

TREASURER'S REPORT:

Lynn Lafluer-Dragonfly reported that TPRA has approximately \$23,000.00 in checking and approximately \$82.00 in savings.

Delinquencies: 36 owners did not pay their assessments in 2008.

12 owners did not pay their assessments for 2007 or 2008.

It appears that approximately 20 owners are chronic in their non-payment of assessments, but Lynn is still reviewing the records.

Lynn will draft and send out delinquency letters. Motion, second, and carried to approve the expense of a receipt ledger.

Motion, second, and carried to send the following delinquencies to the attorney for collection:

- Suljak-Kirkpatrick
- Mike Clifford

The issue of past assessment being waived by prior officers without approval by the Board. It was stated that if an owner is asked to perform services by the Board, then the owner should be paid by TPRA instead of receiving a waiver of assessments. Motion, second, and carried that no assessments will be waived without formal approval of the Board of Directors.

Motion, second, and carried to approve payment (which have been previously approved by the Board via email):

- Mailbox annual fee: \$42.00
- Website annual fee: \$103.35

Motion, second, and carried to pay attorney Ed Hartshorn \$239.00 for work on lots 92 and 83.

Motion, second, and carried to return to Bennett, Lot #76, \$100.00 for overpayment of assessments.

CATTLE LEASE: Dennis Kist reported that Vern Wagner paid \$2,000.00 in cash for the October payment under the cattle lease. Dennis Kist reported that he immediately called Lynn Lafleur-Dragonfly to report the payment and that it was immediately deposited at the bank in Fairplay the next day.

Motion, second, and carried not to allow winter grazing this year.

EQUIP: The letter received from NRCS regarding TPRA's obligations for Ranch improvement under the agreement signed in 2006 was discussed. Dennis Kist reported that he had spoken with Leon Kott and advised him that due to the extreme expenses of snow removal during the past 2 winters that TPRA was not in a financial position to move forward on Ranch improvements.

Motion, second, and carried to authorized Dennis Kist to send letter to NRCS advising them of TPRA's financial inability to fulfill obligations under agreement and to seek an extension of the agreement, dependent upon TPRA's financial status which will be reviewed next year.

WEBSITE: It was noted that the website has not been updated since the 2008 annual meeting. Dennis Kist will discuss the issue with Jory Rayton.

OLD BUSINESS: Rusty Evans brought up the issue of obtaining bonding or liability insurance for TPRA and the Board members. Lynn Lafleur-Dragonfly will call the insurance company and report back.

NEW BUSINESS: Lynn Lafleur-Dragonfly reported that the lot owned by TPRA is exempt from County property tax.

It was also reported that the parking pads have been installed and the bill paid as previously approved by the Board via email.

Rusty Evans brought up the issue of TPRA buying a snow thrower that he has located for \$53,000.00. Rusty thought that this would be a good idea for future winters so that the snow can be thrown out into the fields, and not piled up along the roadways where it collects snow. TPRA would need to look into the possibility of obtaining a loan to pay for such a piece of equipment. The issue of who would operate and maintain the equipment was also discussed. Lynn Lafleur-Dragonfly raised the issue of the size of annual payments and impact upon the TPRA finances. The Board agreed that it would continue to look into the feasibility of obtaining this kind of equipment.

Tom Mulder asked what was the status of the financial dispute with Marvin Mundt. Dennis Kist reviewed the issue wherein Mundt had overcharged TPRA for snow removal in 2008. Then Treasurer Beth Brubaker caught the overcharge in the subsequent months and adjusted the last payment to Mundt by reducing the last payment by the amount overcharged. The amount overcharged was approximately \$800.00. The prior Board had decided that this action was appropriate. Dennis Kist reported that Mundt had called Kist around May and asked if TPRA was going to pay the amount in dispute. Kist advised Mundt that TPRA had paid him the amount that had been agreed upon and that TPRA was not going to pay Mundt that amount in dispute. Kist advised Mundt that TPRA would be happy to present the issue to a judge. A few months ago, TPRA received a hand written letter from Mundt that demand the amount in dispute and that he would turn the issue over to his attorney if TPRA did not pay. To date nothing has been heard from Mundt.

Meeting adjourned at 6:30 p.m.

Respectfully, submitted,
Dennis Kist
President