

**Bear Trap Ranch
Annual Membership Meeting
August 10, 2019
Convened at 4-Mile Community Center**

The meeting was called to order by President Charlie Spencer at 1:10 p.m. Four new members of the Association were introduced.

Rick Scheffel was introduced to speak on behalf of the the 4-Mile and Guffey fire departments. The new owner of Tract 132 (formerly owned by Al Gandy), Vicki Powers, said she had talked to the fire chief at 4-Mile and gave him permission to use the road across her property for emergency purposes. She stated that Park County fire and medical also have her permission for emergency use of the road. Rick announced that 4-Mile will hold a sale Labor Day weekend and he encouraged folks to support the department by attending the sale.

Tony Knoerzer gave the Treasurer's Report copies of which were provided to the membership: The balance on 9-1-2018 was \$12,663.59. The balance as of August 1, 2019 was \$17,371.35. Janice Lekan (Tract 49) requested that more detail be provided in the Treasurer's report. No action was taken. Gary Olmsted (Tract 133) asked why the beginning balance less expenditures plus income does not mathematically correspond to the Board's claim that over 80% of the membership has paid their assessment this year. Tony explained that a good portion of the income for the 2018-2019 fiscal year is collected and deposited at the annual meeting and thus is part of the beginning balance quoted on September 1st. Gary Olmsted (Tract 133) moved to accept the Treasurer's Report. The motion was seconded by Robert Noguchi (Tract 116). The motion passed by a show of hands.

Austin Hartman was introduced for the Roads Report. Austin referred the membership to his written report published in the Summer 2019 Newsletter. Austin received and responded to questions and comments from the floor .

President Charlie Spencer announced that sufficient members were present at the meeting to establish a quorum.

The minutes for the 2018 Annual Meeting were published in the Summer 2019 Newsletter. President Spencer requested a motion for approval. Robert Noguchi (Tract 116) moved to approve the minutes. Barbara Andrews (Tract 146) seconded the motion. The motion passed by a show of hands.

The amount of the assessment for the 2019-2020 fical year was presented for consideration. Jane Phillips (Tract 86) moved that we keep the assessment amount at \$200. Lisa Keeter (Tract 164) seconded the motion. The motion passed by a show of hands.

President Spencer presented the controversy regarding the placement of a post in the existing roadway on Pine Road. He stated that the Board operates under two mandates which are at opposition to each other in this issue. The first is to protect the use of finances and the second is to protect the safety of persons using the roads. After lengthy and sometimes heated discussion Jane Phillips (Tract 86) moved to end discussion. Barbara Andrews (Tract 146) seconded. Motion passed by a show of hands.

A motion was made by Daniel Vinton (Tract 78) to allow Mr. Winger to leave his post where he placed it. Seconded by Blake Fraizer (Tract 103). Motion passed by a show of hands.

A motion was made by Barbara Andrews (Tract 146) to instruct the 2019-2020 Board to investigate placing an amendment to the Bylaws before the membership at the next Annual Meeting stating that no landowner may place any post or other obstruction in any existing roadway. Seconded by Richard McVey (Tract 37).

President Spencer presented the slate of officers for election to the 2019-2020 Board of Directors. Those who did not publish a statement in the Summer Newsletter were given an opportunity to address the membership briefly. Nominations were called for from the floor. Austin Hartman (Tract 178) nominated Darryl Hedges (Tract 120), and Lisa Keeter (Tract 164). The membership was instructed to mark their ballots and to present their voting card when presenting their ballots. Those that held proxy ballots were instructed to present a voting card for each proxy ballot submitted. President Spencer called a recess at 3:05 p.m. while ballots were counted.

President Spencer reconvened the meeting at 3:37 p.m. He stated that the Board received an email after the July Board meeting that the author had said he shared with other (unnamed) members of the ranch. Because the Board had no way to respond to this unknown group, the decision was made to address the issues in the email at the Annual Meeting. The points made were the following:

- * the Board gets its authority from the Bylaw which are passed by the membership
 - * the Bylaws can only be changed by the membership but they are a legal document and thus are checked by an attorney to be sure any changes are consistent with Colorado law.
 - * the Bylaws require members to request permission to attend Board meetings. This is not to restrict attendance but to allow adequate provision for space and seating.
 - * the Board is responsible to comply with the Bylaws and state law (the non-profit act)
 - * there is only a small number of things which the entire membership is required to vote on.
- The rest of the business of the Association is left to the management of the elected Board.
- * the name of the attorney the Board uses is not available to the general membership because only the Board has the authority to consult with the attorney regarding legal issues.
 - * any member is entitled at any time to question the Board's actions and opinions.

President Spencer presented the Ammended Articles of Incorporation for approval by the membership. This document was published for review in the Spring 2019 Newsletter. The reason for ammmending the Article of Incorporation is to bring it into compliance with current Colorado law. The format and wording were supplied by the attorney. The motion was made by Jane Phillips (Tract 86) to ammend the Articles of Incorporation as presented. Second by Marvin Cohn (Tract 9). Discussion followed. Of particular interest was Article IV: "(4) To borrow money and to mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;" The suggestion was made to vote it down this year; have the Board consult with the attorney about re-writing this section or amending the Bylaws to prohibit this clause, then present it again at the next Annual Meeting. Jane Phillips (Tract 86) recinded the motion. No vote was taken.

Austin Hartman (Tract 178) made a short presentation about the Western Spruce Budworm which is attacking trees in the area.

- * it attacks mostly trees on north facing slopes
- * it is a tan & white moth
- * it presents a major fire mitigation issue
- * it prefers Douglas Fir and Spruce
- * it usually takes 2-3 years to kill a tree
- * there is a spray available but it is only effective in May and the worm is very difficult to kill
- * you will notice it first at the tips of the branches where there is new growth

* the Forest Service has no helpful recommendations to combat it.

Diana Morgan, chair of the election counting committee announced the results of the election in alphabetical order: Vicki Carnahan (Tract 70), Darryl Hedges (Tract 120), Garrett Iverson (Tract 131), CJ Lekan (Tract 49), Brian Wininger (Tract 68).

Austin Hartman (Tract 178) announced that he was stepping down from the position of Road Chairman.

President Spencer adjourned the meeting at 4:22 p.m.

Respectfully submitted,
Jan Schmidt, Secretary pro-tem