

BLUE MESA RECREATION ASSOCIATION
www.blumesahoa.com
2391 BLUE MESA DRIVE
POWDERHORN, CO 81243

MINUTES OF THE ANNUAL MEETING, JULY 6, 2024

The meeting in the clubhouse was called to order by John Mikkelson, President, at 1:30 p.m.

As proof of notice, Treasurer / Secretary Roy Swainson announced the Annual Meeting Notices were mailed / postmarked to all members on June 1, 2024.

Kate and Russell Michaud tabulated the proxies that were either mailed-in and/or hand delivered. As well as calculating the in-attendance members votes and indicated a quorum was established. For purposes of the minutes Roy Swainson indicated there are currently 255 BMRA property owners. The sign-in sheet reflected 49 property owners in attendance which is 19% of the total number of property owners. An additional 39 proxies were mailed-in or turned-in prior to the Annual Meeting, which when added to the 49 members present, account for 34.5% membership representation. Roy Swainson indicated the total number of lots in BMRA will always remain at 623 lots, however as large lot property owners trim their holdings, the membership figure will continue to rise. Roy Swainson indicated in the 2025 – 2026 election cycle the Treasurer / Secretary, Executive position will be included in the election cycle, as well as 2 director positions currently held by Bonnie Huisjen and Scott Strohl. There were 95 persons in attendance representing 333 total votes (attending members and assigned proxies 53%), exceeding the 249 votes required to conduct an Annual Meeting (40% requirement of 623).

President John Mikkelson requested any new members in attendance introduce themselves to everyone. New members in attendance were Jeff and Danielle Schuster, Paul Jaeger, Driscoll and Laura Jenkins and Jeanette Tuck. Members who were attending their first Annual Meeting but were not actual new members to the community introduced themselves as well; Ginny Robinson, James Jonely and JoAnn Springer.

The officers and directors introduced themselves to the members. John Mikkelson President, Roy Swainson Treasurer / Secretary, Directors Scott Strohl, Herb Grote, John Kraft, V.P. Bob Burke, Bonnie Huisjen and Pete Burke. John Kraft due to a family medical emergency was not in attendance.

The minutes of the July 1, 2023 Annual Meeting were mailed to all members in the Fall of 2023. A motion was made by President John Mikkelson to accept and dispense of the reading of the July 1st, 2023 Annual Minutes. Reagan Jones moved the motion, seconded by Russell Michaud, the motion was carried unanimously by the members in attendance.

All attending members were provided a copy of the 2024 Annual Meeting Agenda, the 2023-2024 Tentative End-of-Year Treasurer's Report at sign-in. Treasurer Roy Swainson briefly explained the monthly BOD meeting Treasurer's Report and Detailed Transaction Report process. Commenting the BOD members receive the respective monthly Treasurer's Report and monthly Detailed Transaction Report days before the regularly scheduled BOD meetings. Members of the BOD are provided an opportunity to review the reports before the actual meeting. A motion was offered by President John Mikkelson to accept the 2023-2024 Tentative, End-of -Year Treasurer's Report. Carrie Stephenson moved the motion while Reagan Jones seconded, motion carried.

Roy Swainson, Treasurer / Secretary, explained the IRS Resolution 70-604. Roy Swainson indicated the IRS Resolution stipulates any of the 2023-2024, "remaining funds" from 2023-2024 Operations Budget will be "rolled over" into the following year's Operation's Budget. A motion to adopt the resolution was carried by Tom Huisjen and seconded by Paul Ferguson, the motion was carried unanimously.

President John Mikkelson invited the Chairperson's of each committee to update the membership. Mikkelson furthermore provided the gate code for the Back-40, which is scheduled to be locked later that week and through the hunting seasons. The code for all 3 locks will be 4-2-7-0. Roy Swainson commented that Mikkelson and himself attended the Gunnison Ranch (Back-40) Annual Meeting recently and they expressed great concern regarding our members sharing the combo to acquaintances and friends who don't actually possess any right to travel through the Back-40 community. The management of Gunnison Ranches asked that we respect the gate combos and refrain from sharing it with unauthorized persons. Roy Swainson asked members from the Back 40 in attendance to communicate to their leadership and membership that we spoke of their concerns at this meeting. John Mikkelson, Road Committee chair, presented a brief list of improvements completed in the subdivision, he emphasized how essential the roads are to all our members. John Mikkelson indicated Mag Chloride was applied at various areas where it would be most beneficial to those home owners directly affected by

vehicle road dust. Residual amounts of the application from previous years should be imbedded in the roadways not treated this year. Bob Burke emphasized the need for members to clear out debris and dirt from the culverts adjacent to their property. A reminder was made that the culverts are the responsibility of the individual property owner. Bob Burke asked that if a culvert is replaced to please use steel culverts as the fiber types can spread a wildfire from place to place. Bonnie Huisjen, chairperson of the clubhouse committee asked the members in attendance for their opinion of the catered food this year provided by "Southern Vittles" in Lake City. The response was very positive. Bonnie also thanked the volunteers for their efforts. Bonnie reminded the members that the monthly BOD meetings are held in this building on the 3rd Saturday of each month through September. Bonnie indicated a community Pot Luck is usually held later that same day at 6pm. Bonnie Huisjen reminded the membership that the Clubhouse can be reserved for members in the event a special event is planned. Bonnie Huisjen asked that all members and guests leaving the clubhouse lock the doors when they depart. Herb Grote indicated members can view the current weather, web cam and obtain valuable community information from the BlueMesaHOA.com website. Herb Grote indicated the security camera system will be upgraded this spring. A member asked if the DSL Wi-Fi could be used by members while in the clubhouse? Herb Grote indicated the CenturyLink DSL signal did not provide sufficient bandwidth to make it available to all. However, the cell phone signal booster installed in the clubhouse in July 2020 could possibly enhance a member's data via cellphone internet. Scott Strohl chairperson of roadside weeds, volunteers his personal time and equipment to spray the roadside weeds as well as the common areas where needed. \$2000 is assigned each year in-order to purchase various chemicals to treat the roadsides during the active growth season. John Kraft, chair of the lake committee was absent. Ed Lingenfelter was asked to inform the membership about a "Dry Hydrant" project under consideration. The purpose of the "Dry Hydrant" is to improve Gunnison County Fire Protection District or any other fire-fighting organization the ability to quickly draft water from the lake in the event of a fire. Lingenfelter indicated the GCFPD Fire Chief visited our lake in order to determine the best practical location for the hydrant. "Aquacide" pellets are released annually in the lake in-order to control the invasive water borne weed and invasive plant life. Steve Coleman informed the membership 250, 12"-16" Rainbow Trout at approximately \$2500 were stocked in late June for recreational purposes. Pete Burke addressed the equipment topic and indicated he and Greg Stoneburner performed numerous preventive maintenance tasks on the motor grader over a 6-week period last fall. Seven hoses were replaced, 5 hydraulic seals were replaced as well as all engine oils and filters. Roy Swainson asked member Wayne Bordner to describe his mechanical background and willingness to assist if needed on the heavy equipment. Steve Coleman indicated a group of volunteers, including himself, John Kraft, Tim Irons removed assorted hazmat material from the garage, cleaned it out, rearranged cabinets, built a work desk and supplied essential baseline tools to the garage. Treasurer Roy Swainson briefly went over the highlights of the Treasurer's Report. Salary was under budget due to the light winter, road budget was underspent due to the numerous Gunnison County road projects and the lack of aggregate transport trucks available. These savings were off-set by inflated prices with regard to insurance policies, electric bills, CPA tax, payroll, quarterly report preparation rates, attorney rates and rising fuel costs. Roy Swainson indicated services may be impacted in the short run due to the fact the board worked to keep the dues at its current level. Ed Lingenfelter addressed the members to inform them that the community signs were refurbished as he and John Kraft removed the signs to be taken to the original artist in Lake City. Lingenfelter credited Roy Swainson with staining the posts.

NEW BUSINESS:

John Mikkelson presented outgoing Vice President Bob Burke with a plaque for his 30 years of service to BMRA in the role as a Director, Vice President as well as a President of the Association at one time. The members in attendance recognized Bob Burke for his dedication with a standing ovation.

Roy Swainson explained the Election Policy, adopted by the board several years ago in order to provide a consistent election procedure each year. First on the election agenda was the vacant Vice President position. Nominations from the floor were John Kraft, a sitting Director made by Ed Lingenfelter and seconded by Roy Swainson. Nominations from the floor were asked 3 times and no other nominations were made. John Kraft was affirmed by the membership as Vice President for a 3 year term. Herb Grote was nominated by Roy Swainson for director position # 5, seconded by Steve Coleman. Floor nominations were asked from the floor. Wayne Bordner nominated Bob Vahger, a second was not required as Bob Vahger declined the nomination. No other nominations were made from the floor and therefore, Herb Grote retained his director position and was affirmed by the membership. Next was director position # 6 currently held by Steve Coleman. Hugh Barry made the nomination for Steve Coleman and Roy Swainson seconded the motion. The floor made no additional nominations and therefore, Steve Coleman retained his director position, affirmed by the membership. The move by John Kraft to VP opened a 3rd unanticipated director position not previously scheduled. Director position #4 previously held by John Kraft was open for nominations. Roy Swainson asked for nominations and Carrie Stephenson nominated Colleen Aller, seconded by Pete Burke. Reagan Jones nominated Mike Testani, seconded by Steve Coleman. No other nomination were made from the floor. Both Colleen Aller and Mike Testani were asked to introduce themselves to the membership and explain a bit of themselves for the purposes of the election. The election results were tabulated by Monica Irons as well as Kate and Russ Michaud. The results for director position #4 were as follows; Mike Testani 106 votes to Colleen Aller's 221. Ballots casted during the July 6th, 2024 Annual Meeting as well as the Proxies will be maintained by this office.

COVENANTS AND POLICIES: President John Mikkelson opened the Covenant & Policy discussion by recognizing many of the members in attendance were present to offer their opinion of the May 2024 Camping Policy approved by the board to regulate the number of days between camping periods. The Protective Covenants found on our website, reflect a maximum of 28 days in any camping period. The Policy addressed the period in between camping periods. Mikkelson and Bob Burke asked that the members who wanted to speak to keep it to 2-3 minutes, please no redundant comments in-order to move the Annual Meeting along. Carrie Stephenson was first to address the board and the membership. Stephenson possessed a prepared statement. Treasurer Secretary Roy Swainson asked later in the discussion if he could be provided a copy of her prepared statement to record it in the Minutes. Stephenson's statement read to the membership follows: My name is Carrie Stephenson. I have been enjoying this area for 53 years. I have slept under the stars on this land, I have slept in a tent on this land, in a camper and am now fortunate to sleep in a cabin on this land. I appreciate receiving, per my request, all of the email conversations between board members on the topic of the new camping policy. I have read them, re-read the protective covenants as well as the declarative covenants, read the board minutes and conducted HOA research. With that, I make the following observations: 1. I am deeply concerned by the lack of representation from the members most affected by this policy, the absence of transparent and open communication by the board, and the reactionary nature of this policy to an issue limited in scope. 2. This policy appears to be a reaction to a few members' constant complaints about perceived camping violations. These members are being obstinate to the point of harassment. In response, the board feels attacked and believes it must react with a new policy. 3. This new policy and topic is indeed creating more divisiveness between members than ever in history. 4. The reality is that since 2021, there have been only eight recorded camping violations representing fewer than 3% of members. Of these eight violations, six were resolved with one reminder letter, two required a second letter, and only one required a letter from an attorney. There is no documentation of fees or liens being filed, actions that are within the board's right to enforce. Yet, we are creating a policy for this less than 3%. 5. some justification for this new policy cites Gunnison County's long-term camping restriction. It is clear the board has not fully read the Gunnison County Land Use Regulations, which provide an exception on page 180: "LONG-TERM CAMPING IN A RECREATIONAL VEHICLE OR OTHER CAMPING SHELTER REQUIRES PERMIT. Use of a recreational vehicle or other camping shelter for longer than a total of 14 days during any consecutive three months on the same parcel shall require a Long-term Camping Permit, which may be obtained from the Community Development Department. EXCEPTIONS. Long-term camping in approved campgrounds on federal or state lands, or on lots or parcels that are located in subdivisions that have been approved as platted subdivisions by the County, with protective covenants approved by the County, and in which camping is allowed by those protective covenants, shall not be required to obtain either a Land Use Change Permit or a Long-Term Camping Permit." Therefore, and because I believe that this board's approach mirrors big government overreach, imposing unnecessary regulations on our community without proper justification or the input of all members, I would like to make a motion to rescind the recently adopted camping policy, urge the board members to use all legal tools within their rights to enforce the existing covenants as written and create a committee representative of all members to determine a reasonable proposal. Many of the members in attendance supported the rescind request. Mikkelson responded the purpose of the policy was due to the continual annual issue of addressing the excessive camping in the community and expressed a desire to create a standard. Bonnie Huisjen stated the board has discussed this issue for hundreds of hours and she would like to see a standard in-order to minimize the annual and monthly replicated discussions. Bob Burke indicated he hoped the membership could come up with a palatable solution. Bob Burke orchestrated the floor membership comments; The following are some paraphrased comments. Wayne Bordner indicated Carrie Stephenson's comments replicated his concerns. Robert Newman indicated the Covenants precise language indicates the lots in Blue Mesa are to be used as "Building sites", the board with the absence of precise language has been placed in a position to "Interpret" the existing language. Newman commented the board has done their job and the courts could subsequently interpret their actions. Newman reminded the membership that the Protective Covenants are a contract between the HOA and it's members. Newman also mentioned that the Declaration of the Protective Covenants provide the ability of any member to enforce the Covenants. Mike Testani wasn't comfortable with the idea that a member could camp for 28 days, leave for a day and return for another 28 days. Carrie Stephenson responded she believed the Covenant's provide equal weight to recreational purposes as it does to building. JoAnn Springer commented she thought the 28 days on and 28 off could create a perception of the a HOA board out of control. A member shouted "we don't want excessive campers". Bob Vahger expressed his point of view by indicating he felt there is a member who is a "nuisance" and Protective Covenant #3 addresses "annoyance and we need to get rid of the annoyance". James Jonely commented that he believed the new policy creates a "hardship" on campers, furthermore, Mr. Jonely felt he should be able to move from one of his 5 lots to another. Mr. Curran asked what is the "downside to excessive camping? Driscoll Jenkins's view was those members with full hook-ups on their property should be provided more consideration. Tanya Koop asked a rhetorical question to all in attendance, "Did you read the Covenants"? Bill Roberts pointed out the importance of having enforceable Covenants and as an example pointed out that he owns property in both BMRA as well as the Back-40. Roberts indicated there is a disabled piece of heavy equipment sitting on the side of the road in his subdivision and other issues that go unanswered because his community does not enjoy Protective Covenants to protect the community. Greg Stoneburner indicated he supported the idea of but felt 28 days in between camping periods was unfair. Ginny Robinson said, Carrie Stephenson has a motion to rescind the policy until a committee can explore an amicable solution. Linda Barry asked the membership to remember that we are neighbors and friends and expressed a desire to work together. Tedd Manassa followed up the Linda Barry theme and in his own words expressed a hope that the membership could come together, respect other's opinions resolve

the issue while keeping in mind the spirit of the Protective Covenants. Tedd Manassa indicated he didn't believe folks want to see excessive camping in the community. Tedd recalled the lengthy and expensive process of building his home in the 90's and wished to remind the members that it's just a small number of people not doing the right thing, emphasizing that we all need to recall we are all neighbors, stay cool. Roy Swainson addressed the comment made by Carrie Stephenson with regard to the "Long Term Camping" regulations in Gunnison County which specify that a permit is required if camping more than 14 days in a 90-day period. Carrie Stephenson's point was Gunnison County's "Land Use" document reflects the measure is not in effect in communities which have Covenants reflecting otherwise. Roy Swainson addressed that thesis by reminding the members a well-liked member was served with a Gunnison County "Cease and Desist Order". The order signed by several County Commissioners as well as the Public Works Director specified that this member was in violation of the Gunnison County 14-day "Long Term Camping Regulations". The member was served by the Gunnison County SO and received a summons to appear at a hearing in Gunnison County. The rebuttal expressed reflected the camping regulation did indeed effect our members, regardless of the 28-day BMRA Protective Covenant language.

Members in attendance, which was 19% of the 255-community membership, were provided an opportunity to cast a vote regarding the "member's motion" recorded in the body of these Annual Meeting Minutes. The results were read by outgoing director, Bob Burke which he stated the measure passed.

EDUCATION PORTION: The board agreed the mandatory "education" portion of the HOA meeting would be the Election Policy overview and the Roadside Culvert Member Responsibility.

ANNOUNCEMENTS:

Ed Lingenfelter acknowledged to the membership Mike McDonald, a community member, and military veteran provided a new USA flag for the clubhouse, again this year!

There being no further business, a motion was made by Bill Aller, seconded by Bob Vahger to adjourn the meeting. Motion carried and the meeting was adjourned at 4:02 p.m.

The drawing was held for two \$50.00 gift cards once the meeting had ended. Ruth Capen was the "meeting attendee" winner and the winner of the gift card for members submitting their proxies (not present) was Scott McDaniel.

John Mikkelson, President

Roy Swainson, Treasurer/Secretary

OFFICERS:

John Kraft

John Mikkelson, President, term expires 2026
6005 Topaz Vista Pl., Castle Rock, CO 80108
(303) 910-6143 & (970) 641-7405

John Kraft, Vice President, term expires 2027
346 Kebler Tr., Powderhorn, CO. 81243
(316) 393-9248 (970) 641-0334

Roy Swainson, Treasurer/Secretary, term expires 2025
2391 Blue Mesa Dr.
Powderhorn, CO 81243
(281) 610-1521

DIRECTORS:

Herb Grote, term expires 2027
628 Jameston, Boulder, Co 80301-4221
154 Slumgullion Tr., Powderhorn, Co 81243
(303) 530-4387 & (970) 641-3864

Bonnie Huisjen, term expires 2025
2716½ Rincon Dr
Grand Junction CO 81503-3030
(970) 314-9248

Pete Burke, term expires 2026
105 Schofield, Powderhorn CO 81243
(214)-709-6752

Colleen Aller, term expires 2026
67092 Miami Rd., Montrose Co 81401
cburkealler@gmail.com

Scott Strohl, term expires 2025
1010 Slumgullion Tr., Powderhorn, CO 81243
(970) 596-7368

Steve Coleman, term expires 2027
435 Slumgullion Tr., Powderhorn CO 81243
(970) 901-2079 (970) 901-2079

As required by Senate bill 05-100:

Blue Mesa Recreation Association, 2391 Blue Mesa Drive, Powderhorn, CO 81243-9723

Date of Declaration Recordings: June 6, 1972, Reception No. 289149, and June 27, 1974, Reception No. 300818

A binder will be maintained in the clubhouse, available to all unit owners, containing the following information: date the fiscal year begins; operating budget for current fiscal year; list of assessments; annual financial statement; results of any audit; list of insurance policies by company name, policy limits, policy deductibles, additional named insureds and expiration dates; all bylaws, articles and rules and regulations; minutes of the board and member meetings for the preceding year; and the association's responsible governance policies. This same information is also available on the Association's website: bluemesahoa.com.