

**WILLOW CREEK PASS VILLAGE ASSOCIATION**  
**2008 ANNUAL MEETING**  
**AUGUST 2, 2008**

The annual meeting of the Willow Creek Pass Village Association (WCPVA) was called to order by the President, Lanny Mack at 10:15am at the North Routt Fire District Station. Board members present were Susan Marshall, Pat Aiello, Dave Hessel and David Kliewer, as well as Sue and Hans Hochreiter of Double H Management. Meeting proceeded while proxy votes and owners in attendance were tabulated.

**Introduction/Overview-** Lanny reported on status of construction, lot consolidations, and water & sewer extensions that have resulted in lot reclassification. There are currently 151 houses in the subdivision. He reported that the Association is not currently involved in any lawsuits, but the Board anticipates filing lawsuits for foreclosure on some owners in the near future for unpaid accounts.

**North Routt Fire District (NRFD)-**Susan Marshall spoke to the members as a board member for the fire district. She gave an update on NRFD board, volunteers, mill levy increase, and activities the NRFD will be conducting.

**Quorum-** Hans reported that based on the sign-in sheet there was not a quorum, in that only 38 members were in attendance, and by-laws require 50 in attendance. Lanny suggested that they go on with the meeting and board can ask the attorney on Monday for a determination. Roy Powell stated that elections could be done without a quorum because the ballot was mailed to all owners prior to the meeting. Lanny disagreed, but would ask the attorney if proxy mailing effected meeting quorum determination.

*Note: Following the meeting, Association's attorney reviewed the quorum requirements of the controlling documents, as well as members in attendance and proxy ballots. He agreed there was no quorum present at this meeting, and as such no business could be conducted. All votes and decisions are void, and are not included in these minutes.*

**Fire Mitigation-** Susan discussed three resolutions recently adopted by the Board, which provide clarification to existing covenants. As these are board resolutions, no community vote is required, but input is solicited.

Resolution 08-002 addresses the covenant prohibiting the removal of any tree large than 3” in diameter, other than that necessary for construction. The resolution clarifies that this does not apply to trees within defensible space of home, as defined by federal document referenced in the resolution. There was discussion on defensible space size, with John Twitchell explaining that it is dependent on terrain and other factors.

Resolution 08-003 clarifies the covenant requiring removal of all dead trees. Covenant has never been enforced, as well as there are vacant lots with hundreds of trees and this will create a financial burden. This resolution sets a priority on trees in defensible space, and requires all lot owners to clear dead trees that are in any defensible space, including structures on adjacent properties. The Board stressed that all owners should make plans to clear all dead trees from their property.

Resolution 08-001 This resolution allows for the ECC to approve temporary roads to be constructed for the purpose of access for fire mitigation on adjacent land. Purpose of this is to allow the forest service temporary access across an undeveloped residential lot. Resolution stipulates that temporary roads can only be constructed by request of the property owner, and by approval of the ECC.

Susan presented an update on the proposed Forest Service project on lands adjacent to filing 1. Forest Service project will remove infected trees, offering a fire break between forest service and the subdivision. Currently, the Forest Service has no way to access their land for this project, without going over private land. Susan and other lot owner have offered the Forest Service access via their land, and this resolution allows this to occur. Association has sent the Forest Service a letter of intent to work to accommodate this project, as was discussed at the 2007 annual meeting. Project is planned for the summer of 2010. The recent field trip that was offered by the Forest Service had 5 people in attendance, and they walked through the proposed project area and discussed scope of work.

Susan requested email address for all owners in filing #1, or anyone interested in the project, so that status of the project can be communicated. The forest ranger suggested everybody should go to the Hahn's Peak campsite, as this is representative of the type of work proposed, with all of the dead trees having been completely removed. The letter of intent expressed three issues for concern: 1) Roads and effect of logging traffic: Forest Service feels our roads are in such good shape that they do not feel they will be damaged at all. 2) Families, dogs and kids on roads, walking and biking: The contractor must be a good neighbor and not put anybody in jeopardy. 3) Smoke: There's a very short window for burn-6" to12" of snow on the ground before they burn. John Twitchell stated the burn for slash piles would be a couple of days. It was suggested to make a huge fuel pit and put all wood in this. John says it would go on for months to make a big fuel burn. Lyn McDowell does not approve of any fire burns. Bob Hulton suggested there be hours of operation, with set hours, days and times for operation and hauling. Susan will ask about this.

There was a motion to direct the board continue with facilitating this project, and do what it can to accommodate the Forest Service. There was unanimous approval, and no voiced opposition.

**Financials-** Lanny reported on current balance sheet and P&L statement. Lanny reported on cash position, expected income and expenses, and reviewed A/R balances and discussed collection actions. He stated overall financials are in good position, and that board continues to work on collections, with number of people in arrears continuing to decline.

**Budget 2008-** Board discussed revisions of the 2008 budget. There was \$28,000 income increase from the greenbelt agreement. An additional expense is proposed for conducting a clean-up day by placing 3 dumpsters at different sites in the subdivision for the purpose of allowing owners to clean up around their properties and remove debris to these dumpsters. Another expense is having an audit, and this will cost \$7,000. The audit will be the previous two years, 2006 & 2007. The board has agreed to have audit done.

There was discussion of road projects and expenses. Lanny explained that the roads where there is water & sewer have cost approximately five times more than other roads with less traffic. This is due to annual dust control, damage from water & sewer projects and taps,

and high traffic. Most of these roads have three applications of road base in past 8 years. Lanny explained that in 2002 dues were doubled for all lots in the subdivision, including those that do not have any road or access. The purpose of the dues increase was for application of road base, dust control, and road maintenance, with the representation that as roads were constructed, road base would be applied. Roads that serve houses have priority in determining schedule of work, but all roads are to be improved. Snow removal is only done on roads serving houses. Lyn McDowell stated that all roads should be plowed, or they will fail. Lanny said the experience of the Association is just the opposite, that roads that are not plowed in winter have required no further maintenance, where plowed roads, with heavier traffic, are requiring annual maintenance and extra material.

There was unanimous approval of the 2008 revised Budget.

**Budget 2009-** Board presented the proposed 2009 budget, and discussed changes in income and expenses to 2008. Lanny explained that there was two options, one to leave dues the same, the other to reduce dues perhaps 20%. he explained, that as the roads have been improved, the outstanding liability for this expense is reduced. Board recommended that dues remain the same. There was approval from the membership, with no one voicing opposition to the 2009 budget.

**Open Forum-**Paul Ackerman told the members he had started a Yahoo account, and it's free and is just a way for the community to communicate amongst themselves. If anybody was interested in signing up with him to please sign the paper he was passing around. Lyn McDowell reported that she is working with the sheriff's department with neighborhood watch. She's quite concerned about the recent robberies in the area. She's also working with Red Creek on an evacuation plan for all of North Routt to leave in the event of a catastrophic fire. Hollis Hansen reported she had had a bear at her property and that if they attack you you are allowed to shoot them. Lanny reiterated that all owners must take care of their dogs and keep on their property or under control. The board had a report of a dog attack.

Floyd Patterson moved to adjourn the meeting. Dave Kliewer, 2nd. All in favor.

Meeting adjourned at 12:50pm

Respectfull submitted,

Sue Hochreiter  
Business Mgr.