

Approved

**AGATE CREEK PRESERVE HOMEOWNERS ASSOCIATION
MINUTES OF THE EXECUTIVE BOARD
NOVEMBER 16, 2011**

A meeting of the Executive Board of the Agate Creek Preserve Homeowners Association was duly called and held on Wednesday, November 16, 2011 at the offices of The Commercial Property Group, Steamboat Springs, Colorado.

Present were: Russ Atha, Randy Dean, Rick Dowden, Ted Swain and Cheri Trousil.

Bill Keith present by conference call.

Also present were: Connie Dean, Nancy Jarchow (Secretary) and Joe Robbins (Treasurer).

Rick Dowden as President chaired the meeting and announced that a quorum was present and that the meeting was duly organized.

The first order of business was review of the Minutes of the Board meeting held on October 18, 2011. The Chairman noted that draft minutes has previously been furnished to all members, and on motion duly made and second the Minutes of the meeting of October 18, 2011 were approved as presented.

The next order of business was discussion of retaining local counsel for general and ongoing representation of the Association. After discussion of nominees it was the agreement of the Board to retain John Holloway. Arguments in favor of Mr. Holloway included that:

1. He has a long established practice in Steamboat Springs, and knows and is well known by the community;
2. He has a long history of representing homeowners associations in the region;
3. His firm has depth with four attorneys, a paralegal and secretarial support; and
4. He has a long standing and close working relationship with the Boulder based counsel the Association has retained on its water issues and which the Association would probably wish to retain in future for some more serious matters, especially those involving water, litigation or both.

Rick then listed some of the areas where he suggested counsel be directed to provide services and advise, including:

1. A general understanding of the recently enacted Colorado law on agricultural assessments. Any services to individual lot owners would be charged separately to those owners and not to the homeowners association as there are several members who do not participate in the grazing lease or may elect to not to opt in to additional legal services.
2. To be brought up to speed with water matters.
3. Documentation of the Association's water situation such as its rights to draw water from the Yampa, to maintain a pump station on State land, it's backup agreement with Stagecoach Reservoir and the like.
4. Review of corporate documents in general and assuring compliance with all applicable laws and regulations.

The meeting then received Nancy Jarchow's report as Chair of the Water Committee. Nancy noted that as had been previously announced Humble Ranch had elected to disconnect from the Association's water system. She said that she had spoken with the Association's water manager, Bruce Thompson, about what should in his view be done to assure that the disconnection would not create any problems for either the Association's or the Trousil's water system. She will ask Bruce to contact Ed Trousil to inspect the PRV disconnect site on behalf of the homeowners.

Nancy then reported that the water system tank and vault had been cleaned and that Bruce Thompson's recommendation was that that be done again next year given the amount of buildup found upon cleaning.

Lastly, Nancy reported that the approved installation of the auto-dialer and new chlorine pump were on schedule, but had not as yet been done.

The discussion then turned to identifying areas of continuing concern to the Association. The first one raised was the Architectural Review process, it being noted that although the Architectural Review Committee has not been active recently as there had been no building plans submitted, it should be in a position to move quickly in the even that any were. As a first step, Joe Robbins agreed to review the established Guidelines and report back with comments. The who wish to be on the Architectural Review Committee include Joe Robbins (Chair), Cheri Trousil, Connie Dean, and Jim Daggert (who had previously agreed to serve and was already serving on the Committee).

Other areas which were identified as warranting continued coverage included:

- Water
- Road
- Agricultural status
- Finance
- Grazing

As part of the discussion of finance, it was agreed that Joe Robbins and Rick Dowden would meet with the management company to discuss any necessary changes to the budget and billing matters. It was also suggested and agreed that the management company should be asked to prepare a reserve study to determine what level of reserves the Association should establish and maintain.

The discussion then turned to the meeting schedule. It was the consensus of the Board that the appropriate frequency of scheduled meetings was four times annually, with other meetings, either in person or by telephone, scheduled as necessary. A calendar through the end of 2012 was established as follows, meetings to be scheduled for 3:30-5:00 pm on each day:

- Wednesday, February 15, 2012
- Wednesday, April 18, 2012
- Wednesday, July 18, 2012
- Wednesday, October 17, 2012

There being no further business to come before the meeting, it was duly adjourned.

Respectfully submitted,

Nancy Jarchow
Secretary