

Minutes for 99V Special Meeting
July 16,2011

Attended by: Tracy and Cathy Cheatham; Rob Duncan, Lynn and Debra French; Mary Hermann, Karl Hipp and Judy Brin; Charlie and Carol Huff; Larry Jensen; Jim Knapp; Eric Maciel; Rod and Nancy Smith; Kent and Gay Taylor; Bob Thompson; Alan and Mary Troxell, and James Wehrmacher. Lynn French held proxies for Charles Clifford, Don and Kathy Geddes, George and Toni Hanna, Ralph Huszagh, Cameron Lewis, Rick Taggard, and Frank Walther. Karl Hipp held proxies for Julie Mikus and Bob Croft. Bob Thompson held a proxy for Larry and Betty Costa. Tracy Cheatham held a proxy for Dave Davis. Kevin Beck did not attend.

President, Kent Taylor opened with a discussion on the use of Roberts Rules of Order being used as a guide to conducting 99V meetings. Kent says that 99V bylaws don't say that Robert's Rules of Order need to be followed in the conduct of meetings. This was in reference to items under note 2 supplied by Tracy Cheatham on the back side of the proxy form. Note three contained section 37 in Robert's Rules of Order which offers guidelines for members of an assembly to revisit and reconsider a vote on an item during a meeting. Note 3 on the back of the agenda contained excerpts from section 3 and 4 of 99V bylaws concerning the calling of special meetings.

Tracy explained that the reference to Roberts Rules of Order was to clarify that the occurrences of the last meeting were contrary to generally accepted rules and that even though 99V is not bound by Roberts Rules, these occurrences caused members to call the present meeting.

Kent explained the high cost of sealing the runway to protect the asphalt 4 years from now at \$35,000, and needing to do an overlay at some time in the next 10 years at \$100,000 to \$200,000 are know and predictable expenses. Members objected to paying large assessments for every other large expense in the past, and opted to get loans to spread payments out. Getting an unsecured bank loan will be difficult or impossible, so it is necessary to build a fund to pay for these repairs rather than assessing members large sums at the time the repairs are needed. He said the fiscally responsible thing to do is leave the assessment at a minimum of \$700.

Karl Hipp objected to the special meeting, then went on to say that Elam Construction gave him a bid of 213,200 dollars (\$8200.00 a member) to apply a 1 1/2" layer of asphalt layer on top of the runway several years in the future and we need to start setting money aside.

Jim Knapp said an alternative to putting a 1 1/2" layer on top of existing runway is to chip seal the current runway at an approximate cost of \$92,000.00 or \$3500.00 per person. He said the money for this should be put into a separate fund dedicated to the runway and not put in the general fund.

Bob Thompson objected to the special meeting, saying that the vote on the annual assessment in April was valid. He also objected to items being on the agenda which had nothing to do with the annual assessment. To which, Mary Troxell responded that in April the vote to make the assessment \$400.00 was not rescinded, so the second vote for \$700.00 annual dues was not valid. There was some disagreement on this.

Bob Thompson objected once again to the necessity for the meeting. Tracy explained that the meeting was not called because Robert's Rules of Order were not followed, but because many members felt that the wrong conclusion had been reached at the previous meeting. Tracy said the meeting was called to straighten out the issue of the amount of the assessment. Tracy asked for a vote of those who were angry about the meeting. Four members were angry, and all the rest desired the meeting.

MEETING CALLED TO ORDER

Jim Knapp asked Kent Taylor to call the meeting to order, which he did. Twenty-six members were represented by their presence at the meeting or by proxy, so a quorum was met. Kevin Beck was not present.

DISCUSSION ON THE AMOUNT OF THE ASSESSMENT

Jim Knapp said that expenses for regular annual maintenance on the runway should be kept in one account and that money for expensive maintenance done at five year intervals should be kept in a separate account that is dedicated to the runway and place liens on property of members who do not pay.

Rob Duncan read 1987 Crawford Airpark P.U.D. Covenants which say that the annual assessment for maintenance of the runway and Stearman Ln. is \$400.00 per year and it can be adjusted per 1986 Consumer Price Index (CPI). If we adjust by the CPI our assessment today would be \$823.00. Rob feels that the \$700.00 annual assessment voted for in April is sufficient. Rob reminded everyone that the \$400.00 original annual assessment in the Crawford Airpark P.U.D. Covenants was voted in when the runway was gravel and maintenance was a lot cheaper.

Bob T. read the minutes from the April 16, 2011 minutes and said that it did not matter if the vote for a \$400.00 annual assessment was not rescinded because discussion was held before the vote for the higher \$700.00 assessment motion was made. Bob also reminded the members of the importance of keeping the runway maintenance.

Jim Knapp says there are two issues: The amount of the assessment and the cost of the runway maintenance. Jim says that we need facts and figures as to what the major maintenance expenses on the runway will be and make sure this amount of money is placed in an account separate from annual maintenance costs, so it's not spent on anything but the runway.

Lynn French brought up discussion of the treasurer's report which shows that \$8,000 is needed to maintain the runway environment each year. Treasurer, Cathy Cheatham says there is \$5,000.00 in the checking account now.

Eric Maciel agrees with Jim Knapp on the need for separate accounts, but Rob Duncan says that all money brought in goes to maintain the runway, so why have two accounts.

Karl Hipp says we need \$45,000.00 accrued per year to do a \$225,000 runway pavement overlay in five years and calls for a vote to raise the assessment to \$1700 a year, which he says is necessary to cover this expense. Eight voted in favor and eighteen voted against it.

DISCUSSION OF THE STRUCTURE OF 99V

Kent Taylor brought up the organizational structure of 99V, Inc. Rob Duncan says the management of the organization is by a board of directors.

Lynn French says that the primary purpose of 99V, Inc was to maintain the runway and taxi way loop. The cost of maintenance for Stearman Ln should now be borne by the residents of CAHOA and the four west lots of Stearman Subdivision and the ranch house and other people using the road. Lynn says that there were originally seventeen easements in the CAHOA subdivision to take care of Stearman Ln. There have been ongoing efforts since 2009 to get Delta County to take over maintenance of lower Stearman Ln. Stearman Ln was originally to be maintained for the convenience

of residents of the airpark and others who use the road. Hopefully the county will take it over and solve the problem.

Larry Jensen says we all moved here because it's an airpark and knew about the responsibility to maintain the runway and road and we all need to live up to that responsibility.

Karl Hipp reported that Delta County is getting close to accepting lower Stearman Ln and maintaining it.

Bob Thompson reminded everyone that nine years ago the runway was paved at a cost of \$102,000.00 and that it took several members of 99V putting money up front to come up with the down payment on the loan.

Karl Hipp said it would be better to elect a committee of three people to research changes to 99V and resolve the issue of 99V's structure at the annual meeting in 2012.

Tracy Cheatham says we need to review the scope and issues of 99V organizational structure, so there is no confusion over what we are responsible for. He also said he doesn't feel that the people on the east end of the airport should have to pay for the maintenance of Stearman Ln. Lynn French added that part of 99V responsibility is to maintain the taxiway loop, which is part of upper Stearman Ln, as well as the runway, but that the residents using lower Stearman Ln to access their property, pay for the maintenance of lower Stearman Ln.

Eric Maciel asked who was to pay to repair the dirt taxiway he uses. Lynn French responded that the taxiway Eric, Cameron, Rick and Frank use was not needed by the airport until daily movements increase significantly. When traffic increases, then 99V should pay for it.

Rob Duncan feels that every member should pay for all of the airport maintenance.

Motions

Lynn French made a motion to put together a small team of people to study the structure of 99V and what it is responsible for. Seconded by Charlie Huff. Motion carried without objection.

Lynn French made a motion that the purpose of 99V, Inc is, to determine the annual operating cost of the runway and loop taxiway and determine the assessment for each member to fund the maintenance on a yearly basis and provide the necessary maintenance. Charlie Huff seconded.

Discussion was held as to what 99V should cover; putting 99V's purpose in the bylaws and making sure there is an entity responsible for managing the maintenance.

Tracy says that maintenance on lower Stearman Ln over the last three years has totaled \$9000.00. He made a motion that the maintenance of lower Stearman Ln be taken over by the residents who use the road and the road be removed from 99V's responsibility.

Vote: Sixteen vote in favor. Motion passed. (Highlighted portion was left off copies of minutes sent out in July. The error was discovered at a board meeting on January 6, 2012 and corrected.)

Lynn French Made a motion to set the amount of the annual assessment to maintain the runway and taxiway loop on upper Stearman Ln at \$400.00. James Wehrmacher seconded.

Discussion was held as to whether members could pay amounts above the \$400.00 assessment To prepare for major expenses and have it placed in a separate fund. Tracy said, "Yes."

Jim Knapp made a motion to table Lynn's motion until further discussion on how to fund long term runway improvements. Motion carries without objection.

Jim Knapp made a motion to discuss how to come up with funds to finance long term improvements. James Wehrmacher seconded.

Tracy Cheatham compared Chip sealing to adding 1½" asphalt overlay to the runway, saying that chip sealing is cheaper and better. Discussion held as to the responsibility of each member to pay what they owe over and above the \$400.00 annual assessment, which would be used for periodic major improvements or maintenance. Lynn French proposed that if a member doesn't pay what they owe above the \$400.00 annual assessment within 60 days, a lien should be placed on their property.

Jim Knapp chose to abandon this motion and discussion ended.

Tracy Cheatham made the motion: Concerning all major non-annual surface treatments of the runway, when this maintenance is necessary, a majority vote of the members will establish the assessment which will be leinable on easement properties if not paid in 90 days. James Wehrmacher seconded. Vote Called—motion carries.

Lynn's motion to set the annual assessment at \$400.00 is revisited. A Discussion was held as to the improbability of meeting annual repair expenses with a \$400.00 assessment. Further discussion was held as to the last three year's expenses and Tracy pointed out that \$400.00 per member per year is twice what we need to cover annual maintenance. The need to keep the assessment at \$700.00 was also discussed.

Roll call Vote: 14 in favor of the motion, 10 against and 2 abstained. Motion passed. This was a roll call vote: Yes votes; Tracy Cheatham (2 easements=2 votes); Charles Clifford; Dave Davis; Lynn French; Don Geddes; George Hanna; Mary Hermann; Charlie Huff; Ralph Huszagh; Cameron Lewis; Rick Taggard; Alan Troxell; and Frank Walther. No Votes: Larry Costa; Bob Croft; Rob Duncan; Karl Hipp; Eric Maciel; Julie Mikus; Rod Smith; James Wehrmacher; Kent Taylor; and Bob Thompson. Those Abstaining: Larry Jensen and Jim Knapp.

Karl Hipp made a motion that we adjourn the meeting.

Vote: 11 opposed; 6 in favor. Motion failed

Lynn French made a motion that the 99V board oversee maintenance work costing over \$500.00 and that the opportunity to bid on these projects should be offered to all 99V easement holders as well as to all other contractors. Jim Knapp seconds. Lynn addressed the issue of members, Cameron Lewis and Chuck Clifford, not being given the opportunity to bid on the grading and graveling of lower Stearman Ln this year. Vote: 20 in favor. Motion carries.

Item 8 on the agenda concerning current and repository for official documents, bylaws, minutes, inventory, titles etc. was addressed. Rob Duncan moved that these documents be put in an area of the 99V website that can be accessed by the public and the originals be stored with the 99V Secretary. Tracy Cheatham seconded the motion. Motion passed unopposed

Lynn French made a motion that 99V president, Kent Taylor, appoint a committee to examine the issues presented in items ten and eleven of the agenda. Carol Huff seconded.

Discussion was held to clarify the issues. Vote: Motion passes without objection. Rob Duncan, Charlie Huff, Karl Hipp, Mary Hermann, Tracy Cheatham and Lynn French volunteered to be on the committee.

Meeting adjourned at 11:30 A.M.

