

BANNOCKBURN HOMEOWNERS ASSOCIATION

P.O. BOX 211 FRANKTOWN, CO 80116 – 0211

August Meeting Minutes

Date: 13 August 2025

Location: Franktown Fire Station

Board Attendees: John Edwards, Dave Delgado, Nathan Toland, Vickie Heydman, Steve Shkilevich, Michelle Rozeboom

Other Attendees: Diana Love (President of Franktown Citizens Coalition 2), Debbie and John Bowman (also FCC2), Malcom Bedell, John Eddie, Mike Lilestead, Jim Rogers, Tammy Denhardt (Burning Tree Ranch HOA)

A Board Quorum was present.

The meeting was called to order at 7:00 PM.

Sundown Oaks Risk Presentation

Diana Love, Debbie Bowman and Malcom Bedell gave a presentation regarding the Sundown Oaks development and proposed "Metropolitan District." The 17 lots will be 2-2.5 acres. The remaining 20 will be ~5 acre lots. The developer acquired water rights back in 1995 of the Upper Dawson aquifer, with augmentation from Laramie Fox Hills. The second being reported as toxic. Because they cannot meet the water standards, FCC2 is fighting to deny approval for the water approvals.

Metro Districts (MD) have recently been banned in Pagosa Springs due to the abuse of Metro Districts. The proposed MD has a 'ton of issues' for organized service to residents. One argument against is that the new development doesn't need a Metro District to service 37 homes (Franktown is full of residential areas, much much bigger with no MD's). The Meadows has a MD and is \$400,000,000 in debt, Two Bridges MD and Fox Hill as well are having substantial problems with MD's. FCC2 is forecasting substantial financial and tax burden to those that fall under the MD. Arrowpoint development recently went in very successfully with no Metro District.

The Upper Dawson was drilled for the Arrowpoint Development, however some properties had to be drilled to the Lower Dawson.

SaveFranktown.com has an article "Do you want imminent domain to control Franktown"
(<https://savefranktown.com/>)

Risk to Bannockburn:

- Imminent Domain (Dominant Imminent Domain) - with resolution from the county, the MD can go Imminent Domain property for road, trails, etc. as long as they claim that it is for public benefit. One key impact would be a public road put in at the end of Bibles Hill or Meadow Green Circle, or a ballpark, drawing off the aquifer.

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- Economic downside – if the MD fails or goes bankrupt, those impacted but have no path to remediation. Risk of significant taxes to the individual residents that fall under the MD.
- To the homeowners of the development, the MD have a \$10 M debt limit, getting paid back on bonds at 6% interest, but the developer wants back 8% on investment. This cost goes to the 37 resident homeowners and can pull down local real estate costs.
- Malcom discussed the risk to the water table and the toxic risks to existing water tables Bannockburn residents draw from.
- There is no Water Treatment requirement for MD's augmentation water.
- If the MD fails or needs more money, there is a tax increase risk.
- There is no State Agency oversight to MDs.
- The Meadows is reportedly a great example of the consequences of MDs.

Action Items for the Board:

- Encourage attendance to the 9 Sep Commissioners meeting.
- Email out bullet point from FCC2 to Bannockburn Residents (motion to approve an email to residents carried unanimously)

Secretary's Report

- Meeting Minutes from previous month's meeting – minutes approved as amended.

Treasurer's Report – John delivered the Treasurer's Report

- Treasurer's Report Delivered and Approved
- Any expenses presented were approved by vote within the Boards authority
 - o Treasurer's Printer has not yet been purchased – not to exceed approval stands at \$1,000
 - o \$758.92 expenses from Vicky for annual picnic
 - o \$163.08 expenses from Steve for meat
 - o \$40 expenses from Dave for Ice
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Social Committee – Vickie Delivered an update via text

- 55 people attended the annual picnic. It was a very successful event. The Tent rental company failed to deliver a tent.
- The tent for the picnic was a fiasco and the company failed to deliver. We won't be paying for the tent.
- The HOA bought two Easy Up canopies for future event use.
- Next event is Halloween (25 October)
- 8 November is the Adult Chili Cookoff

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Environmental Report – Jack hosted the report, for review and approvals

- Mike Lilstat (1669 Columbine Dr.) – request to build a 10 x 12 shed on his property. This would be a 3rd building. He owns two lots. It would be painted the same as the barn. Mike Birtch, former board member, is a direct neighbor and the only neighbor that would have a good view of it. Mike has met with other Mike and they agree. All of the buildings are on one lot of the two. His plan B is to build the shed attached to the barn, which would keep building count within covenants.

A motion to approve seeking a variance for neighborhood vote was approved unanimously. Variance requires plat plan with lot lines. Mike wrote a check for the \$250 variance fee.

- John Eddie (2266 Frontier Ln.) - Change the siding of the house from Vynl to James Hardie. Color and material are within the covenants. Approval carried unanimously.
- Jim Rogers (Medon Green Circle) - Wants to build a carport of materials, color and setback within the covenants. Reportedly no known impediment of view to any other properties. Structure approved by vote.

Secondly, Mr. Rogers would like to side this carport structure with a metal siding, 16 Gage, of complimentary color. Hardie siding would be within covenants, metal siding is not and requires a variance to approve. A motion to approve the variance carried by vote. Jim will provide a plat plan/diagram to send out with the variance.

- Open space sign has been replaced by the county – however the sign is far more recessed into the open space.
- Jack mowed the open space for the barbeque.
- Jack called the road department requesting that the North Holden Circle be dust suppression sprayed. Jack will call and request the south side be sprayed too.
- Jack sent some information from Orten about a seminar for pre-CCIOA HOA's. 29 AUG at 13:00

Documents Review Report – Continue work-in-progress; John Edwards asked for vote of confidence from the board for the efforts pouring into the new covenants. A consensus was reached that so much work has gone into this project and there is a greater than half support for modernizing our covenants from our residents last vote that we should proceed for another vote once finalized.

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Old Business

- Corporate Transparency Act update – On hold due to Court's nationwide preliminary injunction.

New Business

- Matt Jakubowski from Douglas County sent out a proposed amendment to county zoning that is suspiciously related to Sundown Oaks. Jack is seeking clarification from Matt on what this is about.
- Annual Meeting Prep
 - o Meeting Date is 18 OCT, Jack has sent email and left voicemail to book the room
 - o 10 SEP, Nominating Committee appointed for board positions
 - o 10 SEP, 2025 Budget to be presented to the board
 - o 10 SEP, Approve notice to residents for Annual Meeting
 - o 27 SEP – 11 OCT, send the notice of annual meeting
 - o 4 OCT, Nominating Committee deadline for candidates to Secretary
 - o Boiler plate documents have been created and loaded to SharePoint under Documents\Annual Meeting Documents\2025\
 - 2025 Annual Meeting Agenda
 - 2025 Annual Meeting Notification
 - 2025-10 Annual Meeting Minutes template
 - Annual Meeting Ballot 2025
 - Annual Meeting Roster 2025
 - o A speech should be prepared to discuss the new covenants at the Annual Meeting (John is working on an outline of that)
 - o A nominating committee needs to be appointed
 - o Per our legal counsel, the budget will be voted on during the annual meeting, regardless of quorum. Whomever in that room as a resident in good standing gets to vote in person or by proxy, with or without a quorum.
 - o We have 4 terms expiring. Michelle, John, Nathan and Jack are expiring. Jack intends to continue.
- Should we, as the board, ask property owners who rent out their property to provide the Board with tenant contact information. Jack will review the covenants to explore this as an option. The opposing opinion was to hold the owner accountable for any covenant violation and the tenants are moot.

Ball In Court Items

- Nathan to get with Michelle to help get historical documents onto SharePoint
- Nathan to get minutes up to date on the website

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- Everyone to review and comment on new covenants
- Rental or Storage Locker – Jack is going to investigate storage options or potentially solicit neighbors for a volunteer with space to host the equipment

9:50 Meeting adjourned