

**Indian Mountain Recreation and Park District
Regular Board Meeting Minutes
Sunday May 18, 2008, 10am
Office and Board Meeting Facility**

Note for the record: The IMRPD Board is in the unusual and extraordinary circumstance of witnessing a 100% turn-over in members serving on the Board as well as the IMRPD office manager and budget officer. In order to initiate the effective functioning of the IMRPD Board, Glenn Haas, in his role as pending Board secretary, developed this agenda and will host this meeting until such time as the President of the Board is elected.

Call to Order (10:05 am) —Welcome and Introductions

Additions to the Agenda: None

Board Attendance:

- IMRPD Board Members Present: Burdick, Stoval and Haas
- IMRPD Board Members Absent/Excused: None

Public in Attendance (17):

Jackie Siler	Nelson Siler	Robert Blake
Cynthia Burdick	Jane Wunder	Darin Stalker
Liana Mattulich	Ursula Getrost	John Getrost
Ron Doucette	Tim Higgins	Bill Schneifeld
Olivia Marouka	Tom Dorsey	Junko Dorsey
David Rusch	Judy Wells	

Agenda

Officer’s Resolution: **(APPROVED)** Whereas the governance of the IMRPD rests with its Board of Directors; Thus, be it resolved that Fred Burdick will serve as the President, Susan Stoval as 1st Vice President, and Glenn Haas as Secretary on the Board.

Acting Treasurer’s Resolution: **(APPROVED)** Whereas a treasurer is necessary to properly and efficiently exercise the financial dealings of the IMRPD; thus, be it resolved to appoint Fred Burdick as acting treasurer until such time as this responsibility is transferred to a yet to be identified Board member.

April 19, 2008 Board Minutes Resolution. **(APPROVED)** Whereas no members of the current Board were on the Board at the time of the previous Board meeting on April 19, 2008; thus, be it resolved to accept the minutes of that meeting based on the good-faith assumption that the financials and minutes accurately and fully reflect the business of that Board meeting.

Treasurer’s Report Resolution: **(APPROVED)** Whereas no members of the current Board were serving on the Board at the time of the previous meeting on April 19, 2008; whereas the past budget officer submitted the financials to the current Board within the last week; thus, be it resolved to accept the financials in good faith as being full and accurate to this date.

Board and Staff Updates:

- Board recruitment, nomination, and timetable discussed—recruitment underway
- Office manager and budget officer recruitment, nomination, and timetable discussed—recruitment underway
- Auxiliary Committee status—will continue to serve IM; June 28 picnic will be moved to IM picnic pavillion
- Newsletter editor status---need to find replacement

Old Business: Whereas this meeting is the first of the newly elected Board, there is no old business.

New Business:

Website Resolution: **(APPROVED)** Be it resolved that the IMRPD wishes to establish and maintain its own District website and that within 60 days the current www.indianmountain.info site will be vacated as the official IMRPD website, unless within this time the rights to this site are transferred to the District.

Newsletter Resolution: **(APPROVED)** In the spirit of cooperation, practicality, enhanced tax payer communications, and good business sense, IMRPD will enter into discussions with the Indian Mountain Property Owner's Association (IMPOA) regarding a joint newsletter.

Legal Counsel Resolution: **(APPROVED)** Be it resolved that the IMRPD Board will continue to retain the services of Toussaint, Nemer, & Coaty, P.C. as the legal counsel for the District.

Bylaw Change Resolution: **(APPROVED)** Whereas the governance of the IMRPD rests with its Board of Directors; whereas the Special District Association Manual places a duty upon directors to exercise utmost good faith and astuteness on behalf of the District; whereas a quorum (more than one half of the directors serving on the Board) is necessary to take any official action; whereas as the current Board constitutes the entire membership of the Board; thus, be it resolved that the following two items be deleted from the current Bylaws which were revised and approved March 21, 2008:

Section 3: Policies of the Board.

(Delete the last sentence) *These policies may be altered, amended or repealed only upon resolution duly adopted by a four-fifths vote of the entire membership of the Board.*

Section 15: Modification of the Bylaws

(Delete the last phrase) . . . , *except for a vote to alter, amend or repeal the Section 3 Policies of the Board, which requires a four-fifths vote of the entire membership of the Board.*

Protective Covenants Change Resolution: **(APPROVED)** Whereas the IMRPD Board of Directors were democratically elected to represent the interest of the District (i.e., all tax-paying property owners); whereas the governance of the District rests with the elected Board; whereas as the first and only set of Protective Covenants for the IMRPD since its creation in 1975 were approved on March 21, 2008, without due consultation and due deliberation of the tax-paying property owners of the District; whereas these Protective Covenants arbitrarily and without support of the District property owners change the governance for a portion of the IMRPD (i.e., Indian Mountain Park) from (a) a Board decision to (b) a 67% of the property owners decision; whereas these Protective Covenants constitute a significant change to the original 1975 court-approved IMMRPD Service Plan;

thus, be it resolved that these Protective Covenants filed with the Park County Clerk on March 31, 2008, are viewed as unfair to the current and future property owners in Indian Mountain and impose an inconsistent and unrealistic obligation on the District by requiring that any future change to these covenants require the written consent of 67% of the property owners in the District. Be it further resolved that the Board does not accept or approve the imposition of these covenants on the welfare of the District and will pursue remedies to repeal the March 31, 2008, Protective Covenants.

Signature Authority Resolution: **(APPROVED)** Be it resolved that Fred Burdick and Glenn Haas will have signature authority to access all bank assets on behalf of the District and all previous signature authorizations will be deleted.

Golf Course Resolution: **(APPROVED)** Be it resolved that the maintenance proposal for the pasture golf course be accepted and work may begin.

Additional Announcements/Discussion Items:

- Special Update Newsletter to all IM property owners-will be mailed shortly
- Check on insurance and bonds---Fred will confirm
- Conflict of Interest—Haas asked IMPOA to consider what role he should have on the IMPOA Board
- Newsletter editor---need to find replacement
- Future meeting schedule---will be posted and provided to attendees at the next regular Board meeting
- IMPOA meeting June 27th; Dumpster & Swap Days on June 28-29th—move to later in the summer in 09
- Other future topics identified: pond/dam maintenance and role of USACE, recreation hall, signs to be ordered, tent with sides, hot water tank in IM Office, how can conservation funds be used

End of Meeting:

All business activities were concluded at 12.37 pm. Minutes prepared by Glenn Haas, District Secretary

Minutes were approved by the Board on June 21, 2008