

South T-Bar Ranch  
Board of Directors Minutes  
May 12, 2007

**I. CALL TO ORDER**

The Board meeting was called to order at 9:05 am by President Ann Eulert. Directors present: Lucy Thurston, Betty Sue Cornella, Gary Hawley, Mark Trotta, Jack Davis, and Jan Cressman (via telephone). Absent: Gary Lack. Others attending: Curtis Eulert.

**II. INTRODUCTIONS**

**III. POA MEMBER COMMENTS** – No POA members comments.

**IV. BOARD MINUTES**

April 14th minutes were reviewed. J. Davis motioned to approve the minutes as amended. G. Hawley seconded. Passed without objections.

**V. COMMITTEE REPORTS**

**A. Finance Committee – BS Cornella**

- POA is now using exclusively Legacy Bank for accounts.
- On June 2<sup>nd</sup> one CD will mature.
- There are two properties with outstanding annual dues still owed.
- There are currently 4 utility checks that have not been cashed

**B. Road Committee – M. Trotta, G. Hawley**

- The invoice for April was presented for payment. It was for \$1875.00 with no carry over included. We plan on staying within our contract hours.
- The tap box (damaged this past winter) is still in need of repair. The Committee will check with Sangre de Cristo on their timeline to repair and bill the POA.

**C. Mineral Rights – G. Lack, J. Davis, M. Trotta, A. Eulert, E. Stassert**

- Land Properties had told buyers that the POA owned 51% of the mineral rights on all parcels in filings 4, 5, and 6. This is not the case. The POA owns mineral rights on some parcels in Filings 4, 5 and 6. Some parcels have 100% of mineral rights owned by the government..
- We need to focus on Time Sensitive Issues
- We need a Timeline of Events
- Legal advice is needed immediately in our position
- Important to know what we can do legally to improve our status.
- R. Avera (owner of Parcel 92) has started to mail letters to parcel owners.
- The Board should take a stand to protect all POA landowners rights.
- The impact of this issue goes beyond the scope of the Board of Directors, therefore, the Board will not act on this issue without approval of the POA.
- M. Trotta motioned to retain Chip Delap as our attorney at a cost of \$5,000. Funds for this will come from the Reserve Fund. Board research already completed should be used to assist the attorney in getting up to speed. A. Eulert seconded and the motion passed with no objections.

- Also a discussion to file quit claim deeds distributing the POA's 51% mineral rights to all POA members. A motion by G. Hawley to proceed with the a Quit Claim Deed on each of the properties of South T Bar to subdivide 51% of the POA's mineral rights was made, contingent on concurrence by our attorney, with J. Davis seconding. All were in favor.
- We discussed whether or not to solicit Powers of Attorney from individual owners that would give the POA the authority to negotiate surface access on their behalf.
- Questions for the attorney: (1) we have a limited budget – can we save the POA money on legal fees by doing some of the legwork ourselves?. (2) Advisability of splitting POA's mineral rights among the owners?, and (3) How much authority does the POA have to get involved in the Surface Access negotiations? Do we want to consider trying to get Powers of Attorney and negotiate surface access on their behalf?
- J. Hawley motioned to allow attorney to have full access to the STB web site. L. Thurston seconded and the motion passed without objection.
- Based on advice from the attorneys we have talked to so far, the Board believes that the best thing is for the POA to be proactive with the mining company and to try to control the process, rather than try to stop it.

**D. Annual Meeting-Pre-Meeting**

- Pre-meeting – Friday, June 29<sup>th</sup> from 9:00am to 3:00pm, at the Canyon Inn, to specifically discuss the Mineral Rights issue. There will be a phone line to set up a phone for attorney attendance by phone. Also check into having a PA system and screen.
- Suggestions for the meeting included having an attorney; to have a presentation by Poole highlighting the mining process; present the legal process, the POA rights, and individual rights of landowners.
- Proposed schedule: presentation from 10:00 to noon, break for lunch from noon to 1:00, conference call with attorney from 1:00 to 2:00, open discussion from 2:00 to 3:00.
- The POA will not provide lunch for this meeting.
- M. Trotta will check availability of Mr. Poole to attend.
- Set aside 1 hour of attorney time.

**E. Annual Meeting**

- Revisions were made to the proposed Annual Meeting Announcement letter. Minor changes were made to other items to be included in the Annual Meeting Announcement mailing.
- Given the events of the past few weeks, do we want to reconsider catering? No. The following people have agreed to grill hamburgers and hot dogs for us: Gary Hawley, Butch Thurston, & Curtis Eulert.
- We agreed to have the RSVP, Nomination, and Proxy forms available on the web site. RSVP and Nomination can be fillable on-line, but Proxy form must be signed and then mailed or FAX'd.
- Lucy will set a date to assemble Annual Meeting mailing and get it in the mail – possibly May 19?

**F. Grazing Lease – G. Lack**

- Action: M. Trotta will research how the Grazing Lease should be recorded, with the County Clerk or with the Tax Assessor, or both, and report to the next Board meeting.

**G. Web Site – J. Davis, C. Eulert**

- Currently 54 owners have registered representing 51 parcels; 4 of which are surrounding parcels (i.e. Hall Gulch); and 2 realtors.
- Thirty-two have participated in the forums.
- As of today 73 posts.
- Usage: 

	<u>Hits on Home Page</u>	<u>Total Hits</u>
MAR	587	1163
APR	921	1951
MAY*	601	1509

\*11 days
- Owner’s Handbook is now on the web site.

**H. Security – G. Hawley**

- G. Hawley talked to the Groomes’ and they will allow the instruction manual for the gate opener and keys to be stored in their barn.
- G. Hawley also received the supply of remotes and will bring to the Annual Meeting.
- The Trash Storage lock is damaged from weather and normal use and should be replaced. **ACTION:** C. Eulert will find an acceptable lock.

**I. Secretarial – L. Thurston**

- No report

**J. Newsletter – J. Cressman**

- Action: M. Trotta will write an article on mineral issues on South T-Bar.
- A new ad has been received for the newsletter. This will be a revenue ad for the POA.

**K. Covenants – G. Hawley**

- No report

**L. BLM – A. Eulert**

- Out of 10 Powers-of-Attorney sent out, five have been received.
- BLM has been advised that this has stalled unless STB can be “withdrawn” or “segregated” from any mining activities.

**M. Fire – Gary Lack**

- G. Lack is at a fire in Georgia.
- Erik Johnson, of the Tallahassee Volunteer Fire Department has been meeting with developments, in his territory, to get input regarding their needs. He wants to meet with representatives from STB at our convenience.

**N. Legal/Infrastructure**

- No Report

**VI. OLD BUSINESS**

A. None

**VII. NEW BUSINESS**

A. The next meeting will be June 2<sup>nd</sup>, with M. Trotta bringing the goodies.

**VII. ADJOURNMENT**

A call for adjournment was made by G. Hawley at 12:25pm, seconded by J. Davis and unanimously approved.

**South T-Bar Ranch Board of Directors**

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Ann Eulert, President

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Gary Lack, Vice President

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Betty Sue Cornella, Treasurer

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Lucy Thurston, Secretary

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Jack Davis

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Jan Cressman

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Mark Trotta

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Gary Hawley

These minutes were prepared and submitted to the Board of Directors by Lucy Thurston, STB Secretary, on Saturday, June 2nd, 2007.