

Nine Mile Ranch Homeowners Association
August 3, 2018
Board of Directors Meeting

Meeting held at Oroville Senior Center.

Board members physically present: Kirk Johnson, Leo Culloo, Rick Lewis, Susan Stewart, Kate Naysnerski and Wanye Naysnerski. Present through teleconference: Brian Rabe and Brett Coffman. Acting Treasurer Stacey Johnson and ACC Chair Kim Culloo was present. There were no audience members present.

Meeting called to order at 3:06 pm.

Discussion about producing minutes. Directions given to Kate, Secretary, on producing minutes:

- Include into record naming Directors opposing votes.
- Show who seconded.
- Add “action” of who, what and when will be done.
- Summarize discussions and use preambles to motions.

Unanimous consent to approve July 13th meeting minutes via email.

Board meeting minutes of June 23, 2018 were approved via email and posted to website.

Unanimous consent to add five items to today’s agenda.

Road Report: Report read by Kirk Johnson. (Report posted on Website)

Motion made by Kirk Johnson to secure local contractor, Davidson Construction, to perform up to \$900 worth of tree trimming needed before winter sets in. Second by Susan Stewart. Motion passed unanimously. Work will be done after chainsaw/fire bans has been lifted.

Treasurer report:

- Leo Culloo and Kirk Johnson are the present signers on the HOA Wells Fargo Checking Account.
- Board requested to have Treasurer: provide to the Board a Balance Sheet and Profit & Loss on a quarterly basis, and to report any unusual or large expenditures as they happen.
- Changes to letters for collection were discussed. Further discussion and input on collections will continue as this unfolds. Discussion on back charging interest (CC&R – required interest has not been charged since 2012), discussion regarding negotiating with a member to pay, and also regarding charging a late fee that is not specifically stated in the CC&Rs.
- **Motion made** by Kirk Johnson: BE IT RESOLVED that the Nine Mile Ranch Board of Directors approve a budget up to \$1000.00 to have HOA law firm Foster Pepper answer

legal questions regarding interest charges and collection on past-due accounts. Questions will be created and assembled by Stacey Johnson, with BOD approval, and Stacey Johnson will be the sole person interacting with Foster Pepper in answering these question.

- WHEREAS the act of encumbering Lot owners for financial charges because of past-due assessment and fees potentially involves legal risk and liability for the Association, and
- WHEREAS CCR-required interest charges on past-due accounts has not been followed through with for a number of years by the BOD and now therefore involves the potential risk of back-charging past-due owners for such interest.
- Estimate will be asked for before hiring Foster Pepper to answer questions.

Seconded by Rick Lewis. Motion passed unanimously. Letter to attorney will be approved by Board members, prior to sending, via email.

Old Business:

- Bulk mailing follow up. We do not qualify for a Non-Profit Bulk mailing permit. There is a “standard bulk mailing” permit; costs would be a \$225.00 one time application fee, plus \$225.00 yearly permit. When calculated out we would have to send many mailings a year and have more members to mail to for this to be cost effective.
- Brett Coffman is still in the process of creating a report regarding Lynn Barnett having to pay dues on Lots owned. Will discuss issue at next meeting.
- Current secretary, Kate, will be picking up prior secretary records from Karen Durell this coming Sunday.

New Business

A first draft cash flow report was sent out via email last week: This report is to start creating awareness and dialog of cash flow issues. We have some tough decisions coming up. Reserve study consultant dollar figure came from a recommendation through Foster Pepper to Dan Vanover. Will continue to update report and discuss further at next meeting.

Motion made by Leo Culloo for Stacey Johnson to fill vacancy of Board member and Treasurer, Carol Sanderson. Seconded by Susan Stewart. Seven vote yes, Kirk Johnson abstained. Motion passed.

Internal controls are being developed. Stacey Johnson will be supplying Brett Coffman and Scott Griffin (Canadian CPA who is Susan Stewart’s husband) monthly bank reconciliation report on Wells Fargo bank accounts and will also provide copies of all checks written and invoices for said month.

Members are giving us required permission to use their email address for notifications/mailings instead of using US mail. This list needs to be set up in a group email system for use, as well as a file kept with permission statements. Stacey is keeping file on all permission slips. Someone will need to set this system up soon. Discussion tabled.

ACC Report

- Kim Culloo reported desire to create a master map of all existing structures on Ranch. Ways to create this map might include sending out letters to members to voluntarily report their structures, use county records, driving the Ranch or google mapping. Also, develop system by which we “grandfather” structures; basically creating a way to bring approval of all structures that meet requirements up to date. Lack of historical records has put ACC in the position of communicating with members for approval; Kim will be creating a draft letter to members requesting information and location on structures. The completed map would be shared with local fire departments to assist them with structural fire protection.
- Kate reported being contacted by members that are scared of Board and ACC enforcement. ACC wants to help members comply with CC&Rs. Great importance discussed regarding compliance when safety issues and upholding property values are involved.

Due to time limitation it was agreed to table rest of agenda and go into executive session. Executive session is regarding on-going issue with non compliant member.

Motions made during executive session:

Motion made by Kirk Johnson to share HOA investigation records requested by involved Association member with regard to on-going non-compliant member issue. Discussion was that this is an ongoing investigation and we are not in the position to share that information at this time. Motion seconded by Leo Culloo. Vote: 7 against, Kirk Johnson for. Motion failed. Approved letter from the Board to non-compliant members will be shared with said Association member.

Motion made by Kirk Johnson to extend meeting ½ hour beyond the 2 hour agreed limit. Seconded by Susan Stewart. Motion passed 8 yes, Wayne Naysnerski no. Wayne left the meeting at that point.

Motion made by Leo Culloo to send written letter to said non-compliant member. Seconded by Kirk Johnson. Leo Culloo and Kirk Johnson will readdress and complete letter to be approved by the Board via email. Vote: 7 yes, Stacey Johnson and Kate Naysnerski abstained. Motion passed.

Meeting adjourned at 5:35 pm.