

## Nine Mile Homeowner's Association

Board meeting minutes

Oroville, Washington

November 10, 2001

Homeowner's Association (HOA) Board members present: Kirk Johnson, president; Lanitta Delk, secretary; Bev Hunt, treasurer; Bill Hendricks, Nancy Stubbs, Rich Milligan, Steve Johnston, Harry Miracle (ACC)

Meeting was called to order at 9:40am

Kirk presented idea of making a motion defining a consistent practice of recording minutes. Discussion followed.

**Kirk-Motion:** *The minutes record the motion made, who made it, who seconded it, and the vote by individuals. If there is a split in the vote, a minority vote statement can be recorded. Also, anyone can ask to have a comment be made part of the record.*

**Rich-Seconded. Unanimous-Passed**

**Old Business:** Snow removal.

Before a contract for services is in place, we should search for more than 1 resource (bid) for plowing. Suggest several bids, then choose one for contract. Lloyd has done that each year. Kirk is pleased with how the contract looks at this time. We will have a way of shaping a contract by not only considering the lowest bid, but also quality, knowledge of roads/easements, etc. Sounds like we've done that, we will take care of shaping that next year, as a process to follow, ongoing, and whatever might follow. Suggestion for next year's plowing contracts are to arrange support to the Oroville community by hiring local. There's no issue right now, we're talking about setting up for the future, next year, etc. Current costs average about \$2000 now.

**New Business:** Correspondence and request from a homeowner.

In a letter that states, "Please, please, DO NOT plow our driveway this year." Evidently the driveway was destroyed, and concrete has now been poured. This has been easily mistaken as a road. Perhaps driveway should be marked by the owner. Owner should take that responsibility. There is the possibility that the owner can't get up here in time before snow falls, can someone here take that responsibility for them? The development has been driven with the person who will be plowing and Lloyd. This property is in Div 7. Owner will expect reimbursement for replacing the concrete pad if it becomes damaged. It was decided that the driveway needs to be marked. An association member should make a sign. Nita will make it, Richard will post it.

**Development of ACC**

Harry Mericle and Kirk began discussion about the function and guidelines of the ACC.

Only a partial draft came to the board for discussion previously. The HOA Board & ACC tried working together to get some guidelines developed. Problems arose because 2 out of 3 ACC members don't live here locally. Guidelines still have yet to be established by and for the ACC. Discussion followed which included mentioning the Protective Covenants. Should we just get a plat plan from county and throw it in a file? Requirements are simple: 900 sf, no single wides, approval before construction of building, fence, but some appear unspecific. The initial guidelines were as a first draft. It was never finalized... just an attempt to give a process (when planning a home, etc.) with commitment to a specified time frame the ACC will respond within, procedural things to be followed, etc. It is within 30 days from the county, so it should be the same time frame from the ACC. Guidelines must go along with the CC&R. By regulation, you cannot change a state law, or change covenants. Who is on the ACC? Dick Rodbury, president; Gary McNulty, Harry Meracle

The ACC Needs more members, or Dick Rodbury may quit. Karen has tried recruiting more members at Dick's request: Joe Acevedo, Lorz, TLC to appoint a member? Rich is willing to be made a part of this, the exact process, so guidelines can be made and submitted to ACC to get things started. This is the scenario: the real estate agent sells property but doesn't know covenants, so the buyer thinks he can do whatever within county regulations. It is the owner's responsibility to contact the ACC when building. The Title search indicates CC&R. Secretary of the HOA sends a welcome letter.

**Bev-Motion:** *The Secretary will send a welcome letter and include a copy of the covenants/bylaws which will have a pull-off response to send back to the Homeowner's Association. The new property owner will fill out the tear sheet, sign it, have the real estate agent sign it, send to Lynn Barnett/HOA acknowledging they have received the covenants/bylaws.*

**Kirk-Seconded.** Discussion followed. Question: Does the RE company & escrow contact us? Answer: Yes, two do. The Association gets past due fees from either the old owner, or new owner, either way, the Assoc gets paid the fees which are owed. We should include ACC requirements, perhaps a welcome committee as well to talk them through the process. Suggest brochure/check list, include list of RE/contractors available LOCAL, etc. This will help us to look friendly rather than "we're gonna come get ya". Nita volunteered to make a brochure/checklist to help in this process. Let's include a welcome packet from a welcome committee, which will include a list of contact people to talk to as well.



**Nita-amend the Motion:** *The Secretary will send a welcome information packet to all new property owners which will include:*

- a welcome letter (from the Nine Mile Ranch Homeowner's Association)
- a copy of the covenants/bylaws with a pull-off response that the new property owner will fill out and sign then return to the Association acknowledging they have received the information.

- a detailed "welcome" brochure which will list the following:

1. Steps of the building process in checklist format
2. List of resources (board members, committee chairs, county info., local contractors, etc.)
3. Function/involvement of the ACC
4. Welcome committee members (who will contact by phone and be available to offer support)
5. Other helpful information

**Kirk-Seconded.** More discussion. We should let the new homeowner know of all things in the "welcome packet", etc. Building, fences, cattle, & everything.

Unanimous approval-Passed.

**Nita-Motion:** *The HOA establish a Welcome Committee comprised of willing volunteers, not limited to board members, who will be available by phone to answer questions and help with the issues that new owners may come up against.*

**Nancy-Seconded.** Further discussion. Susan Kovalik volunteered to head up the welcome committee. Nancy mentioned that she'll help. Next meeting (Feb.) bring ideas to the HOA board.

Unanimous-Passed.

#### **Cattle issue:**

Is it the board's responsibility? If so, what is the responsibility? There has been an ongoing problem with cattle and cattle drives. There are specific laws which the previous board members dealt with and they have a copy of requirements. It is the cattle owner's responsibility to keep cattle off restricted areas (private, non-range land). Much discussion of damages. In 1988, the laws changed the area to restricted grazing, which gives every cattle owner the responsibility to fence off their cattle. There are 2 problems: #1-Nobody told the cows. They search for water, especially during drought summers, & good feed, naturally. #2- The HOA was only contacted by one home owner. Further discussion revealed that many other property owners have experienced problems, and the previous board was informed of some of these and took action.

Possible solution? Empower individual land owners to respond within the guidelines of the laws. Include information in welcome committee package. Accidents will happen, and cows will break through fencing occasionally. How should we handle this? Sheriff can impound the cattle, property owners can bill the cattle rancher for detaining animals and feed, fencing, etc. Individual owners take pictures of damage, submit a bill to cattle owner for damages, time, care, etc.

**Question:** Do we (board) want to take an active position or a passive approach? **Answer:** That's what needs to be determined.

**Question:** Which divisions are effected? **Answer:** Greatly in divisions 6, 7, and 8. Previously in divisions 1, 2, 3, 4, and 5, but Lynn Barnett participated in installing the fencing along the west side of Div. I and IV and that has been greatly reduced. Still is a problem occasionally in divisions 1, and 5. *It was decided that all homeowners should be protected.*

How about a letter from the HOA to the cattle owner, mentioning complaint from a lot of owners. Notify the cattle owner that we know what the laws are, and are going to empower owners by informing them of what actions they can take. Include a statement that this will no longer be tolerated. What's the bottom line? Get cattle out, we don't want to be bothered any longer. Yes, they can be dangerous. It is totally the cattle owner's responsibility, and cite the RWCs specifically. Karen will write this letter. Lloyd volunteered as the contact person to call regarding cattle issues. (he knows brands, has a good working relationship with ranchers, will represent us as we talk to law enforcement, etc. as an option when the individual homeowner doesn't want to handle it on their own.) Much discussion regarding what is the HOA's responsibility and representation in this matter? If we set something in motion, we have to deal with the consequences of the issue. Comment by Bev: the Association must have copies of all correspondence to keep on file. In conclusion, the HOA can refer homeowners to the cattle owner, or to Lloyd as a contact.

**Nita-Motion:** *We, as the HOA board, will update the letter that lists persons involved on the board and all committees, listing Lloyd Showalter's name as the contact person regarding cattle issues.*

**Nancy-Seconded.** Discussion followed. The options will include: The individual owner may contact the cattle owner, the sheriff, or Lloyd. A letter to cattle rancher will be sent by Karen.

Unanimous-Passed.

#### **Equestrian trail.**

This trail crosses private property and had been a past horse trail. Now people are driving on it with vehicles without permission from the land owner. This is not an easement, and the HOA is not to maintain it at all. Any member has a right to use it as a horse trail only, but not vehicles. They have a right to upgrade their easement because of a private contract with Lynn Barnett. To clarify, there is a sign marking it as an equestrian trail, and the association is NOT to maintain and plow this trail.



### *Property liens.*

Bev (treasurer) reports as of September 26, 2001, 4 liens were placed (due to HOA fees unpaid):

- One in the amount of \$753.40
- One in the amount of \$500.68
- One in the amount of \$580.08
- One in the amount of \$554.34

We received notice, after we filed the lien, that the last property listed was taken back by TLC. There is an additional charge of \$8. We have no way of recuperating these fees. We need to write it off.

*Bev-Motion: Association will write off the amount of \$562.34 so we can clear the books.*

Rich-Seconded

Unanimous-Passed

### *Unpaid fees in the 6 month time frame.*

January will be the 6 month date for outstanding fees, based on the prior decision that states at the end of 6 months to file liens. Bev to send notices at 6 month time frame, at the 7th month the lien is filed, and is shown on statement. The time frame was established as a means to follow. Perhaps only file on \$100 & more to justify the costs incurred of filing the lien.

*Kirk-Motion: Liens to be filed will be placed at \$100 minimum.*

Bill-Seconded

Unanimous-Passed

### *Weed spraying.*

There was discussion and comments regarding letters/responses to this issue. For clarification: controlling and maintaining noxious weed control on easements. For review purposes, this is what was established at the annual meeting in June:

• *The HOA will initiate action for all lots/roadways/easements to be sprayed for control of the weeds. This course of action was accepted by a majority show of hands. Individual lot owners who are in opposition to chemical sprays can request their lot be excluded and state their intent to handle their own lots and where their property adjoins to the roadway. The individual lot owner must also flag their lot, identifying that they want to be excluded from chemical spraying. In the event that the individual property owner fails to control their weeds, the HOA then may notify this individual property owner that spraying will take place as necessary for weed control, and they will be charged the fees for the second trip.*

*Correspondence:* (requesting that it be made part of the record) The letter is summarized as follows—

A letter was submitted to the HOA board from Karen Olsen and Susan Kovalik addressing concerns with several issues:

- President's letter dated 9/25/01
- concerning the decision made at the annual membership meeting with regards to weed spraying. An individual lot owner who does not want chemical sprays fronting their property can enter a contract stating they will take responsibility... not "any given road and easement".
- 77% of lot owners voted in support of the protective covenants not reflected in this letter.
- the statement, "no power to enforce..." gives false impression to the readers.
- premature airing of covenant enforcement policies.
- Minutes from June HOA meeting lacked conveying the seriousness of road conditions...
- Major discrepancy in people's perception of what kind of roads were promised and what has been completed.
- A number of members were very upset about the roads.
- Lynn Barnett's letter (July/2000) was blatant misrepresentation of facts.
- Pending law suit by two homeowners regarding incompleteness of roads was not mentioned.
- Comprehensive road analysis was done by an independent road engineer also was not mentioned and should be made available to members on request.
- Three homeowners attended an all-day, state sponsored workshop on maintaining gravel roads. This information should also be made available to members. -\$100 fee for road maintenance is woefully insufficient.
- Roads currently receive less than 10% of the travel that they will in the future.
- The board's first action (Dec. '99) was to stipulate that although board was willing to take responsibility for collecting fees, but wanted record to read that the roads were considered incomplete and maintenance monies should not be spent on completing the roads. Lynn Barnett has failed to deliver on either the fixes considered necessary by the board or those he promised in his letter of July, 2000.
- Final comments were with regards to the role of current HOA board, etc...
- conduct meetings using Robert's Rules of Order.
- When votes are taken, they must be adhered to.
- Critical importance of our "community" coming to terms with commitment to the covenants.
- Urge board to represent the majority of the membership, even when contrary to personal belief.



•it was discussed that communication, conflicts and disagreements are best handled in person, working together as a community, and personal issues should be discussed between the parties involved whenever possible, and not be made board issues. Communication is an issue for all, and writing a letter is a form of communication, especially when addressing concerns.

Kirk provided a draft of weed spraying road easement/maintenance agreement which is to be viewed and corrected, etc. As we establish procedures, perhaps we can provide standard forms for other issues which arise. Make suggestions, proof copies and return with recommendations.

#### ***Documentation of communications with Lynn Barnett.***

Kirk distributed copies to board members of all documentation which has taken place regarding Lynn Barnett's agreement to make road repairs as he sees his responsibilities. This is proof that Lynn is aware of what conditions are being discussed and some of the disagreements. This may be helpful in the future if circumstances change. There is also a note made that this is not a formal acceptance of the condition of the Nine Mile Ranch roads by the HOA.

#### ***Issue that needs to be addressed.***

Stacey Johnson brought up the "What if I use a single wide" hypothesis story which had been discussed at a previous meeting, and relayed that some rumors/perceptions were being misconstrued, and there has been miscommunication. This is not a real situation, and seems to have gotten out of hand from discussions regarding RV/travel trailers vs. Mobile/manufactured home single/double wides.

**Bev-Motion:** *This becomes an official statement in the minutes from the HOA that neither the board of directors nor the ACC has ever approved any single wide trailer as a permanent dwelling.*

**Kirk-Seconded**

**Unanimous-Passed.**

#### ***Regarding the September 25, 2001 letter sent out by Kirk Johnson to all members.***

What right, if any, should be preserved as the HOA's right to bring suit for damages in breaking covenants which stated, "we don't have any power of enforcement of covenants." Could we use meeting minutes as a way to establish those rights, and that activity is going on that the board does not approve of, etc. We are still under process for the variance issue. Hopefully this puts peer pressure on people breaking the regulations, and sets a paper trail for procedure. The court won't listen if we show we've taken no action. Some take exception to saying we have "no power of enforcement", including the letter aforementioned, and believe it is not true and not representative of the board. Several believe that the HOA does have the power to enforce after creating rules and regulations as necessary. The bylaws, article VII, section 1 entitled "Power" and section 2 entitled "Duties" were read as well as reference to the protective covenants and discussion followed. The letter which went out to membership after the last board meeting as a first step establishing policy has been viewed with different interpretations.

The original proposal made in by Nita at July's meeting was revisited, and the apparent difference in action taken as stated in the letter generated by the Johnsons from the September meeting. The real discrepancy appears to be in the request for 10 letters which was added. The intent is to initiate communication between individuals first. The ten letters was added to validate the issue before suit would be taken. The comment was made that it is the ACC that will handle covenant violation issues and suit action. Perhaps a vote from the membership would be necessary to take any action to suit (because HOA monies, time, effort, etc. would be spent in the process.) *The original proposal from July's meeting will be submitted by Nita, and a vote taken whether to accept this as a standard of grievance procedure.*

#### ***Some closing discussion.***

Regarding certain roads where there are gates at an entrance to properties, replacing stolen or vandalized gates and possible reimbursement (of \$75) to replace the gate. The bill has never been submitted. In the future when there may be vandalism or theft of these gates, does the HOA want to bear the cost of these issues? Discussion followed.

**Bev-Motion:** *The HOA will provide reimbursement to Dave Lorz for half of the original cost of the gate to Division 7.*

**Nancy-Seconded**

**Unanimous-Passed.**

Meeting adjourned.

Minutes respectfully submitted by Nita Delk.



DRAFT

NINE-MILE RANCH HOMEOWNERS' ASSOCIATION  
BOARD OF DIRECTORS MEETING - September 8, 2001

9:30 AM - Meeting called to order.

Board Members present were: Kirk Johnson, Steve Johnston, Bill Baker, Bev Hunt, and Roy Breedlove.

Old minutes - July 28, 2001, change paragraph 7 to include the name Rick Engles. Minutes approved.

Kirk Johnson sent a letter to Lynn Barnett identifying the areas of repair Lynn has agreed are his responsibility. In the spring Kirk will work with Lynn and Tolefson to schedule road repairs. It is agreed Tolefson Construction will do all major maintenance on the roads in the future. Other contractors can do minor repairs of 1 day or less.

Kirk Johnson presented a newsletter to be sent to the homeowners. Approval to send was granted.

Enforcements of Covenants - Previously a letter was received from the attorney Peter Fraley in which he stated the Covenants did not outline any penalties for violations other than for non-payment of association fees. As a result of this information it is clear the only way to enforce covenants is through the court by bringing a civil suit against the violator. The Board has adopted a guideline in dealing with violations. We have requested Lynn Barnett use his attorney to research the issues of enforcement.

Variance - General discussion. It is agreed the Board and the Architectural Control Committee will exercise good judgment in issuing variances. A variance issued for any reason will take on the look of a contract - commitment dates, terms and consequences of the variance will be noted. Should an owner not fulfill his end of the agreement the variance will be revoked. If a request for a variance is iffy information will be sent out to homeowners asking for their opinion and direction. Future meeting minutes will reflect the reason for a variance request and the approval or non-approval status.

Bill Hendricks requested Bonnie Terry be reimbursed for the road repairs done to West Corral Drive (Division 7). Reimbursement in the amount of \$100.00 is granted.

Treasurer Report	\$41,577.93 - Checking account balance
	\$ 8,533.18 - Reserve Fund account balance
	\$ 7,182.48 - Association fees owed by homeowners
	\$ 6,400.00 - Association fees promised by Lynn Barnett
	\$ 2,000.00 - Past Due accounts requiring lien placement

Bev Hunt requested permission to go forward with the lien process. Permission was granted.

The lien process will be as follows: 1) Invoice sent 2) A letter warning of lien placement will be sent after 3 months of no payment 3) A lien will be placed on the property after 6 months of no payment. The Board has approved this process.

Bev Hunt requested permission to move \$15,000.00 from the checking account to the reserve fund account. The Board approves this action. The funds will be moved on September 28, 2001.

It was reported a gate has been placed on the equestrian trail. Kirk Johnson will research the legality of placing a gate on a public equestrienne trail (trail is noted on public maps). Kirk will report at the next meeting.

Richard Milligan sent a letter to the Rabe's requesting they remove the lock from the gate on their road.

Meeting adjourned.

Minutes respectively submitted by Bev Hunt, secretary.

NINE-MILE RANCH HOMEOWNER'S ASSOCIATION  
BOARD OF DIRECTORS MEETING  
July 28, 2001

9:00 AM – Meeting called to order.

Board members present – Lanitta Delk, Bill Hendricks, Roy Breedlove, Steve Johnston, Nancy Stubbs, Richard Milligan, Kirk Johnson and Bev Hunt. Audience count was 7.

Minutes from past meetings;

May 19, 2001, No changes, Minutes are approved.

April 21, 2001, No changes, Minutes are approved

June 23, 2001, Change paragraph 8 to read \$100.00 not \$1,000.00. Minutes are approved with changes

May 5, 2001, Change paragraph 5 to show Bill Hendricks, Minutes are approved with changes.

Year 2001-2002 Snow Contract – Presentation by Lloyd Showalter. Lloyd proposed we use Ted Hilstad as the contracted snowplower. Ted has previous experience and equipment. The contract standard will be the same as last year. The terms are \$774.00 when the entire ranch is plowed. Piecework will be at the rate of \$21.50 per linear mile (price covers in and out). Sanding will be done at the same rate. The HOA is responsible for providing the sand. Kirk Johnson called for vote of approval to accept the contract. All Board Members agree to accept the contract.

Lloyd Showalter has contacted the Sheriff regarding his neighbor Mike Emel shooting his gun late at night. The Board needs to set a policy for dealing with problems like this. Lanitta Delk will draft the suggestions and bring to the next meeting.

Jean Daniels letter to the Board needs a response. Kirk Johnson will draft a letter to Jean.

Weeds – We need to adopt a standard for owners to notify the Board and Craig Tomlinson regarding the spraying of the roads fronting their property.

Nancy Stubbs gave a verbal report on the conditions found during the recent drive of the ranch roads. The team (Nancy Stubbs, Kirk Johnson, Lynn Barnett, Rick Engle and Bob Tolefson) used the road report and maps for a starting point. Several areas of concern were found. A tentative plan for action is to start maintenance work on the roads next spring. After maintenance is complete spraying will be done to the roads and ditches. Kirk Johnson will draft a letter to Lynn Barnett outlining the responsibilities and promises made by Mr. Barnett during the drive through. We will ask the attorney to review this letter prior to sending it to Mr. Barnett.

New Board Member – Mike Delk has resigned and his replacement is Lanitta Delk. Lynn Barnett has approved the change.

A report of cattle being driven on ranch property in Division 7. Karen Olsen will draft a letter to Mr. Dagnon (owner of cattle).

Richard Milligan will send a letter to Brain and Felicity Rabe regarding the locked gate on the ranch road.

Bev Hunt will send written approval to Bonnie Terry regarding her building plans.

Karen Olsen attended the Washington State Department of Transportation conference on the basics of a good gravel road. Karen said the key points of any gravel road are: base, width, crown and ditching.

Future meetings will be held every other month. The next meeting is scheduled for September 8, 2001 at 9:30 am.

Meeting adjourned.

Minutes respectively submitted by Bev Hunt secretary.



Nine Mile Ranch Home Owners Association

July 28, 2001

notes from meeting

Meeting called to order around 9:40am

Lloyd Showalter spoke regarding several issues:

I. Snow Plowing

Several people have been unhappy with the person (Bob Reese) who had been plowing the roads. Another person was found who is a Nine Mile owner, has plowed for the county and is familiar with the roads (Ted).

There are 36 miles of road - It costs \$774 each time the road is plowed (all divisions)

If the plowing was done in pieces, it would cost \$21.50 per linear mile. This is the standard snow plow or sanding rate.

II. Lloyd just wanted to inform the board that he is meeting with the Sheriff today regarding a Nine Mile neighbor (Mike Emers) who has been shooting with "Jack Daniels": just having fun. This has been a reoccurring situation, and Lloyd has had stray bullets come onto his property (side of his barn) because of this. He had addressed the issue with the neighbor, but it doesn't seem to stop the discharge of firearms as is prohibited in the protective covenants. Much discussion followed. Suggestions were made to establish a grievance procedure as follows:

Set of standards to follow:

1. Individual communication, one-on-one, between the parties involved in the complaint. The first course of action should be to resolve the matter between themselves. In the event the issue/matter is not resolved between the two parties, proceed to steps 2 and 3.
2. Send a written letter of complaint/grievance to the "violator" and a copy to the board.
3. Individual and another land owner approaches the party in said violation, two-on-one. At this point the local Law enforcement/Sheriff may be involved as deemed necessary. This action is to help resolve the issue and maintain good standing between all land owners. If the issue still persists, proceed to step 4.
4. Notify the board of the current situation and request a letter from the board to all parties involved. This letter from the board would be a predrafted form letter which would contain:
  - A. Acknowledgement of initial complaint
  - B. Individual lot owner and division/lot number
  - C. Covenant/Bylaws section in violation
  - D. Request to conform to the protective covenants/bylaws
  - E. Referral to the ACC, who has authority to take action as appropriate
  - F. Warning of legal civil action that may follow



G. Request for (written) response within a specified period of time, informing of intentions.

III. Spraying... Lloyd wanted to know if letters were sent, as it is necessary to clarify "weed spraying" in these letters to all members. Discussion followed and included a review:

- Established at the annual meeting by a show of hands (majority). Homeowner's association will initiate action for all lots/roadways/easements to be sprayed for control of the weeds. This course of action was accepted. Individual lot owners who are in opposition to chemical sprays could take it upon themselves by submitting a letter of exclusion to the board, notifying of their intent to handle their own lots and where their property adjoins to the roadway. The individual lot owner must also flag their lot, identifying that they want to be excluded from the chemical spraying. In the event that the individual property owner fails to control their weeds, the Homeowner's Association then may notify this individual property owner that spraying will take place as necessary for weed control.

Kirk Johnson shared about several issues:

I. The Weed spraying letter will be drafted and sent.

II. A drive was taken as an evaluation of the road condition/construction issues over 68 miles of Nine Mile Ranch roads. This drive included the following people: Lynn Barnett, Rick Ingle, a Tollefson representative, Nancy Stubbs, and Kirk Johnson.

Association maintenance issues were discussed which included: road construction, absence of crushed rock, etc. These comments were made regarding Lynn Barnett's involvement:

- "no standard applies to the construction of the roads"
- "roads were built as he sees fit"

Much discussion followed, among which were concerns and questions.

Q: Were the roads assessed during this drive?

A: Yes

Comment: The roads are in their prime condition this time of year and doesn't seem like an evaluation/assessment could possibly be seen as accurate. This doesn't take into account the spring thaw, drainage, slope, etc.

Much discussion followed and included a specific request as follows:

- Don't close the door on the road construction issue as far as the association is concerned.

Kirk agreed to this suggestion and further mentioned he may consult a lawyer regarding roads/legal representation. Discussion that followed included:

- Maintenance
- Regrading
- Reditching
- Rebuilding

Should be Lynn Barnett's responsibility to pay for reditching because of the

power/phonelines being installed.

Kirk Johnson, Steve Johnston, and Rich Milligan agreed to be involved by drafting letters, meeting with lawyer/consulting, etc.

Karen Olsen provided a multi-page handout from an intensive "road Workshop" to the board.

Next meeting set for the second Saturday August at 9:30am

Adjourned.



*Approved*

NINE MILE RANCH HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
May 19, 2001

1:00 PM - Meeting called to order.

Members present - Kirk Johnson, Mike Delk, Bev Hunt, Bill Hendricks, Steve Johnston, Bill Baker, and Carroll Wright.

Karen Olsen and Brian Rabe has resigned from the Board. Their resignation has been accepted. Kirk Johnson volunteered to be the new President.

The approval for the minutes from April and May are tabled until the next meeting.

We need to make wise decision regarding roads and assessments.

Discussion of where to hold the Annual Meeting. Chuck and Maria Thompson have donated the use of their property. Decision to hold the meeting at the Thompson's is unanimous.

Suggestion of having an auction or a fund raiser at the Annual Meeting. General discussion. Decision to hold a raffle. Tickets will be \$1.00 each. Ana Baker will purchase prizes. All proceeds from the sale of tickets will go in the general fund.

Carroll Wright presented his letter for approval. Motion to accept letter with Kirk Johnson's suggested changes. Motion passed.

Need cover page inviting owners to the annual meeting. Kirk will draft something.

Discussion of what food to serve at the Annual Meeting. Bev Hunt will purchase hamburgers, hot dogs, condiments, soda and paper supplies. Bev Hunt will obtain permission to use the picnic tables and benches from Ron Powers. Kirk will organize volunteers for work on the day of the Annual Meeting.

Meeting adjourned.

Minutes respectively submitted by Bev Hunt, secretary.

11/1  
Approved

NINE MILE RANCH HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
May 5, 2001

10:00 AM - Meeting called to order.

Members present - Karen Olsen, Mike Delk, Bev Hunt, Bill Hendricks, Steve Johnston, Bill Baker, and Carroll Wright.

Roads - Tolefson has finished work on the roads until spring.

Karen Olsen and Carroll Wright will be attending a "road seminar". They will report back at the next meeting.

Assignments to drive the Ranch roads and analyze what condition they are in are as follows:

Div 7 & 8	Steve Johnston and Bill Hendricks
Div 6 & 1	Karen Olsen and Mike Delk
Div 3 & 2	Bev Hunt and Carroll Wright
Div 4 & 5	Karen Olsen and Carroll Wright

The deadline for completing this task is May 19, 2001. The next meeting will be held at Karen's house on May 19<sup>th</sup> at 1:00 pm.

We need to document on the maps the following: 1) history of promise, 2) date it was promised, 3) what work was done 3) outline cost of needed repairs if we accept roads as they are now.

Options would be: 1) leave roads as they are 2) raise fees, 3) split road responsibilities to each division, and 4) convince Lynn Barnett it is in his best interest.

Suggestion for displays at the Annual Meeting are as follows: 1) large map, 2) letters from the attorney, 3) transparencies of expected repairs, 4) Lynn Barnett's letter, 5) road map, and 6) cost per mile of repair.

Karen Olsen has talked to Janet from the Okanagon Weed Board to determine what can be done for control of weeds. Janet suggested using bugs and natural grasses as a low maintenance cost plan.

Motion by Karen Olsen to invest the cost of purchasing shorter grass seeds available from the County Weed Board. Seconded by Bill Hendricks. Motion passed.

Motion by Karen Olsen to have mowing done after getting costs on bids. Mike Delk seconded. Motion passed.

Fire - Mike Delk will get some information and try to have a speaker talk to us. Goal is to obtain "fire guidelines for Okanagon County. Is there anyone that would like to volunteer to investigate the writing of a grant to obtain fire equipment?

Suggestion for the Annual Meeting to cover topic of "Open Space" and what it means to the owner.

Karen Olsen would like to re-visit changing some of the covenants. General discussion. Majority of board are against making changes. Instead would like to see a letter sent to owners asking, "what they want us to do regarding issues of importance".

Do we want an information meeting on the west side? General discussion. If we have action items that require a vote it would be beneficial. If no action items we do not need a meeting there. Motion by Carroll Wright - as there is no issue it is not necessary to have a meeting on the west side. Seconded by Bev Hunt. Motion carried.



It is our job as a Board of Directors to know enough about what is of value to the owners. To let them know, fix issues, inform them of bad news and prioritize the issues. We are responsible to know more than the owners know.

Karen Olsen suggested we keep costs down for the annual meeting and not spend money on food. General discussion. Motion by Mike Delk to serve 6 deli plates and soda pop at the annual meeting. Seconded by Bill Hendricks. Motion passed.

Motion by Steve Johnston to adjourn. Seconded by Bill Hendricks. Motion passed.

Minutes respectively submitted by Bev Hunt, secretary.

*approved*

Nine-Mile Ranch Homeowners' Association  
Board of Directors Meeting  
April 21, 2001  
Minutes  
1:00 PM - 4:00 PM

1:00 AM called to order by Karen Olsen, President. Board Members present Carroll Wright, Bev Hunt, Karen Olsen, Steve Johnston and Mike Delk. 4 Homeowners present.

OLD BUSINESS

Changes to the March 17, 2001 minutes are as follows: Paragraph 1, Floyd Fulmer attended the meeting as a potential member, Paragraph 5, The attorney advised that language can be written that will continue to accrue interest. Paragraph 6, Add Division 4 – Usual trouble spots and Division 8 – Road is in bad condition.. Paragraph 8, change “unable” to able. Add “Other options will be explored

Paragraph 1 – Remove Floyd Fulmer as “Board Member.” Add “Floyd Fulmer attended the meeting as a potential Board Member.

Paragraph 2 – Remove “Floyd Fulmer.”

Paragraph 5 – Change first sentence to read “The attorney advised that language can be written to state that interest will continue to accrue.”

Paragraph 6 – Add Division 4 – usual trouble spots, Add Division 8 – bad conditions

Paragraph 8 – Change “Unable” to “able”. Pre-meeting – Add sentence – “Other meeting place options will be explored.

Motion by Carroll Wright to approve minutes with above corrections. Seconded by Steve Johnston. Motion passed.

Treasurer report –Current balance in the checking account is \$27,396.80. The certificate account balance is \$8,462.26. Assessments still owing from previous year is \$7,619.28. Bev Hunt will find the \$525.03 error that misdirected the funds to an incorrect account. There are no outstanding debts owed by the Association. The 2001 annual assessment will be sent out June 1, 2001. (220 total lots)

Karen Olsen reported the Okanogan Weed Board would like to update their list of owners. Bev Hunt will provide a current name and address of owners.

Past due assessments

- \$2,551.41 – Liens to be placed (Requested parcel numbers from Okanogan County)
- \$1,175.01 - using a payment plan
- \$ 158.26 - small balances continue to bill
- \$1,088.21 – Written off (repossessions by Barnett and Litchfield)

Thank you to Bev for her collection efforts.

Welcome letters are being sent to new owners. The letter contains general information such as Board Member contact list and a copy of the last published newsletter.

Budget – In February a budget was approved. However, no one seems to have a copy of it. Bev Hunt gathered all the various data and would like the Board to address approval at the next meeting. We need to secure a place for money by processing foreclosures on owners that have not paid.



Discussion of road maintenance. To reconstruct roads would be very expensive. Repairing roads is less expensive. When Lynn Barnett has finished the work promised we will look at what is left and then we will assess what needs to be done.

Motion by Carroll Wright to approve \$16.00 invoice from Ogden Murphy Wallace, attorney. Seconded by Karen Olsen. Motion passed

Motion by Steve Johnston to approve financial statement. Carroll Wright seconded. Motion passed.

Brian Rabe will reschedule the speaker from DNR.

Each Board member should look at the roads to see if acceptable.

Would like to see a dialogue in the next newsletter of what Lynn Barnett has promised and what he has delivered. Include information how much can be accomplished if the dues are at \$100, \$200, \$300 a year for each lot.

Weed spraying. General discussion. Kirk Johnson presented an extensive document on weed spraying and road maintenance programs.

Question was raised "who owns the easements". Owners own the easements, the Association has the responsibility of maintaining those easements.

Thanks to Kirk Johnson for his research and presentation on roads and spraying.

Lynn Barnett wants to see a cap on the assessment fee. This would require a Covenant change. General discussion regarding if we want to make changes to the Covenants. Motion by Carroll Wright we take our time to reassess the need for changes to the Covenants. Motion by Steve Johnston to table "cap issue". Seconded by Karen Olsen. Motion passed.

A special meeting is called for May 5, 10:00 AM. The topic will be: spray, annual meeting, road issue, west side meeting, and communications.

Respectively submitted by Bev Hunt, Secretary.

*approved*

Nine-Mile Ranch Homeowners' Association  
Board of Directors Meeting  
March 17, 2001  
Minutes  
10:00 AM - 1:00 PM

10:00 AM called to order by Karen Olsen, President. Board Members present Brian Rabe, Carroll Wright, Bev Hunt, Karen Olsen, Bill Hendricks, and Steve Johnston.

Introduction of new Board Members – Bill Hendricks, and Steve Johnston.

Floyd Fulmer attended the meeting as a potential member.

Old Business

Treasurer report by Bev Hunt – Checking Account balance is \$25,128.94. Certificate Account balance is \$8,377.81. Annual association statements will be mailed out by June 1, 2001. Owners have until July 31, 2001 to pay. Interest will be charged at the rate of 1% per month starting August 1, 2001.

Gates – Pine Bluff gate will be moved out of the easement. The gate for Division 7 was removed because of vandalism. It is scheduled for reinstallation this spring.

Attorney report by Carroll Wright – The attorney advised that language can be written that will continue to accrue interest. This also applies when a lot owner refuses to pay the year after a lien is placed. The cost of removing a lien is minimal – no actual quote was given.

Current road conditions.

Division 1 – is in better shape than most – ditching problems, big rocks

Division 2 – fairly good, easement needs to be build up to Nine Mile road level, phone lines are shallow, cul-de-sac has very deep rock and weed growth

Division 3 – easement problem

Division 4 – usual trouble spots

Division 5 – cul-de-sac problems – weed problems -

Division 6

Division 7 – incomplete cul-de-sac

Division 8 – road is in bad condition

Discussion about the problem created when weeds grow in the road. Karen Olsen will get a quote from Craig Tomlinson for spraying 12 feet from the center of the roads.

ARC Guidelines – Tabled

Annual Meeting – Date is June 23, 2001. Oroville high school has been reserved from 10 AM to 4 PM at no charge. Discussion – we may not be able to conduct any business unless we have a majority of homeowners present or their proxies. Other options will be explored. If a pre-meeting is held on the west side the Embassy Suite quoted \$375.00 just for a room.

Homework Assignment. Read through the By Laws to determine what business can be conducted at the annual meeting and what percent of owners need to be present to approve motions or make changes. Remember we can accept votes by email. What business do we want on the agenda for the members to vote on (60% versus 20%)?

Future direction of the Board. Discussion only. Should we create an informal committee of people that only use their property for recreational so we can get their views – how do the guideline fit, don't fit or are



applied to their usage. Another idea – Have someone in each division visit and chat with campers to advise them of fire dangers.

Fire – General discussion. Brian Rabe will set up a speaker for the next board meeting to discuss fire and what we can do to protect the owner's property. A short-term solution is to put an article in the next newsletter.

Motion by Brian Rabe to approve and use correct wording in the February 17, 2001 minutes. Change name from Lloyd to Floyd. Seconded by Bill Hendricks. Motion passed.

New Business –

Tacoma Land Company reported they lost a sale because there was no dollar lid on the special or emergency assessments. Lynn Barnett wants our help in getting this changed. There is a possibility that Lynn can vote on issues. Ron Powers will check with their attorney.

Homework Assignment. Look thru Covenants & By Laws for items that need to be changed. Some ideas are excessive powers, no time limit for Lynn Barnett appointing Board Members, no annual fees for property that has been reposed by TLC, and no time limit for "Options."

Roadwork by Tolefson has been scheduled to start March 19<sup>th</sup> or 20<sup>th</sup>.

Motion by Carroll Wright to approve \$173.83 reimbursement to Bev Hunt. Items being reimbursed are postage, paper and office supplies. Also, approve \$2.34 reimbursement to Sigrid Esfeld for postage. Seconded by Bill Hendricks. Motion passed.

Motion by Brian Rabe to adjourn. Seconded by Carroll Wright. Motion passed.

Next meeting date is April 21, 2001 at 10:00 P.M. to be held at Karen's house.

Respectively submitted by Bev Hunt, Secretary.

03/15/01

NineMile Ranch Homeowners Association  
**Trial Balance**  
As of March 15, 2001

	Mar 15, '01	
	Debit	Credit
Interwest Certificate Account	8,377.81	
Interwest Checking Account	25,128.94	
Accounts Receivable		503.17
Undeposited Funds	0.00	
Accounts Payable	0.00	
Opening Bal Equity		11,427.66
Retained Earnings		20,435.67
Annual Assessments		5,295.02
Miscellaneous Income		340.00
Uncategorized Income	33.33	
Bank Service Charges	4.00	
Contributions	340.00	
Federal Income Tax	150.00	
Office Supplies	20.00	
Postage and Delivery	352.75	
Printing and Reproduction	257.43	
Professional Fees:Legal Fees	394.91	
Road Maintenance:Gates	665.69	
Road Maintenance:Snow Removal	2,532.00	
Interest Income		255.34
<b>TOTAL</b>	<b><u>38,256.86</u></b>	<b><u>38,256.86</u></b>



03/15/01

NineMile Ranch Homeowners Association  
**Profit & Loss**  
January 1 through March 15, 2001

Jan 1 - Mar 15, '01

<b>Ordinary Income/Expense</b>	
<b>Income</b>	
Annual Assessments	5,295.02
Miscellaneous Income	340.00
Uncategorized Income	-33.33
<b>Total Income</b>	<u>5,601.69</u>
<b>Expense</b>	
Bank Service Charges	4.00
Contributions	340.00
Federal Income Tax	150.00
Office Supplies	20.00
Postage and Delivery	352.75
Printing and Reproduction	257.43
Professional Fees	
Legal Fees	394.91
<b>Total Professional Fees</b>	<u>394.91</u>
<b>Road Maintenance</b>	
Gates	665.69
Snow Removal	2,532.00
<b>Total Road Maintenance</b>	<u>3,197.69</u>
<b>Total Expense</b>	<u>4,716.78</u>
<b>Net Ordinary Income</b>	884.91
<b>Other Income/Expense</b>	
<b>Other Income</b>	
Interest Income	255.34
<b>Total Other Income</b>	<u>255.34</u>
<b>Net Other Income</b>	<u>255.34</u>
<b>Net Income</b>	<u><u>1,140.25</u></u>

03/15/01

**NineMile Ranch Homeowners Association**  
**Profit & Loss by Class**  
 January 1 through March 15, 2001

	<u>Unclassified</u>	<u>TOTAL</u>
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
Annual Assessments	5,295.02	5,295.02
Miscellaneous Income	340.00	340.00
Uncategorized Income	-33.33	-33.33
<b>Total Income</b>	5,601.69	5,601.69
<b>Expense</b>		
Bank Service Charges	4.00	4.00
Contributions	340.00	340.00
Federal Income Tax	150.00	150.00
Office Supplies	20.00	20.00
Postage and Delivery	352.75	352.75
Printing and Reproduction	257.43	257.43
Professional Fees		
Legal Fees	394.91	394.91
<b>Total Professional Fees</b>	394.91	394.91
<b>Road Maintenance</b>		
Gates	665.69	665.69
Snow Removal	2,532.00	2,532.00
<b>Total Road Maintenance</b>	3,197.69	3,197.69
<b>Total Expense</b>	4,716.78	4,716.78
<b>Net Ordinary Income</b>	884.91	884.91
<b>Other Income/Expense</b>		
<b>Other Income</b>		
Interest Income	255.34	255.34
<b>Total Other Income</b>	255.34	255.34
<b>Net Other Income</b>	255.34	255.34
<b>Net Income</b>	<u>1,140.25</u>	<u>1,140.25</u>



3/15/01

# NineMile Ranch Homeowners Association Expenses by Vendor Summary December 1, 1999 through March 15, 2001

Dec 1, '99 - Mar 15, '01

Berkman, Burgher and Purdy	100.00
Daniels, Jean	868.56
Internal Revenue Service	193.00
Karen Olsen	1,886.61
Lloyd X. Showalter	855.00
Loomis Ag Service	312.04
Office Depot	326.56
Ogden Murphy Wallace, P.L.L.C.	394.91
PEMCO	1,297.41
Robert Reese	2,532.00
Secretary of State	10.00
Sigrid Esfeld	320.54
Steve Stubbs	42.00
The Sitzmark	50.00
Tim's Enterprises	1,245.00
<b>TOTAL</b>	<b><u>10,433.63</u></b>

*approved*

NINE MILE RANCH HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
February 17, 2001

1:15 PM Meeting called to order

Members present - Karen Olsen, Brian Rabe, and Carroll Wright.

Reviewed minutes from previous meeting held 21 October 2000. Karen Olsen suggested a correction to the correction of the September 23, 2000 minutes: "Motion by Karen Olsen as a compromise about cost of gates: The association will pay half of the costs to purchase gates and related material for those Divisions that believe a gate installed at their entrance(s) will significantly reduce the amount of outside traffic on our roads." Also, regarding the Wildfire Protection Committee, the first sentence is changed to read: "Lloyd Fulmer has expressed interest in serving on a fire protection committee in the past." Motion by Brian Rabe to approve the minutes. Seconded by Carroll Wright. Motion passed.

Treasurer's report. Due to a snow storm in the mountains, Bev Hunt, treasurer, has not able to attend. Because email files did come through, only a brief overview of financial issues could be reported. Phone notes from Karen Olsen were as follows: Of the 218 lots sold, 58 lots are consistently in arrears. If everyone paid up, we would have an income of \$21,800 during 2001. Anticipated income is \$16,000. Amount paid out in 2000 totaled \$4,913.06. YTD expenses for 2001 are \$1,694.

Motion by Karen Olsen to place liens on individual properties after one more warning letter to all owners who are delinquent on their association dues. Liens will not be placed on properties whose owners are involved in civil cases with TLC until after court settlement. Seconded by Brian Rabe. Motion passed.

Motion by Karen Olsen to designate Carroll Wright as the Board's single point of contact for all business with attorney, Peter Fraley. Seconded by Brian Rabe. Motion passed. From ensuing discussion Carroll will contact Peter Fraley to see if interest can be added to lien values (during the time association dues are not being paid) and how much it will cost to release a lien upon payment.

Motion by Karen Olsen to approve 2001 budget for NMR HOA (see attached) Seconded by Carroll Wright. Motion passed.

Motion by Karen Olsen to reimburse Steve Stubbs for snow plowing in Division 3 on the same terms and conditions that Bob Reese is reimbursed on for the other divisions. He will be paid \$20.00 flat rate each time Lloyd Showalter authorizes Bob Reese to plow Division I and IV. Seconded by Carroll Wright. Motion passed.

Motion by Karen Olsen to get estimates for weed control for portion of NMR roads covered by easements and for pre emergent weeds for all roads, road banks, and ditches. Carroll Wright seconded. Motion passed.

Motion by Karen Olsen to make the following reimbursements;  
Steve Stubbs for plowing services for 2000=2001 winter per above motion  
Bev Hunt for \$34.00 postage stamps  
Attorney Peter Fraley \$391.00 for services rendered (his advice on placing liens on property for which association dues are delinquent)  
Karen Olsen for \$665.69 for purchase and installation of NMR road gates  
Karen Olsen for \$832.00 for NMR HOA business expenses for the past several months  
Seconded by Carroll Wright. Motion passed

Discussion on future direction of the board. More board membership is needed. The following lot owners are recommended to Lynn Barnett as potential board members:

- |    |                   |
|----|-------------------|
| I  | Kathy Ozmimek     |
| IV | Kathy Fulmer      |
| V  | Richard Lindstrom |



VI Gary McNulty  
VII Bill Hendricks  
VII Nancy Gilbertson

-----We may need or want to form a recreation committee.

-----We need to build and post a HOA website where all owners could read board meeting minutes, get current info on NMR, read the newsletter, and have e-mail links to board members. Brian Rabe will try to find someone willing to maintain the website.

-----Discussion on agenda for annual meeting Regarding location: We will try to get Oroville HS for the meeting site (Confirmed). Also discussed the advantages of having an "information" meeting on the west side prior to the June annual HOA in Oroville. Also, we need to develop proxy language so that we have sufficient votes in advance to be able to conduct business.

-----Discussion for a newsletter for April. Newsletter to include info on weather, roads, wildlife, weeds, announcement of annual meeting, and information on the meanings of "open space" land classification and the tax ramifications of changing property classification.

3:55 Motion by Karen Olsen to close the meeting. Seconded by Carroll Wright. Motion passed. Minutes of Nine Mile Ranch Homeowners' Association Board of Director's Meeting.

Minutes submitted by Brian Rabe and Karen Olsen.