

## **Removing the Existing Mileage Reimbursement Cap**

10.30.20

At a Special Board Meeting on October 30, 2020 the Board voted 7-1 in favor of removing the existing mileage reimbursement cap for the Road Manager and Road Committee members; director Pam Lewis was the one dissenting vote.

In summary, the existing policy included an annual cap of \$200 allowed to reimburse individual directors or duly appointed committee members for mileage incurred while performing sanctioned duties on behalf of the Board. The Board has discovered that the cap is too low for the mileage actually needed to be driven in order to accomplish road management, so a motion was made out-of-meeting to raise the cap so that road work could continue. Director Pam Lewis was the sole vote against the motion, so per Bylaws Article VI, Section 4 the unanimously-required vote failed, which caused the Board to bring the motion up in the October 30, 2020 meeting and seek majority approval; as stated above, the vote passed 7-1 with the same votes by directors.

Included below is the complete email chain of the directors, showing the process of motion and deliberation for the vote that ended up passing in the October 30, 2020 Board meeting. For the convenience and clarity of the reader the emails have been 'cut and pasted' in actual chronological order as they happened, as opposed to the reverse and sometimes incomplete printing that email streams can appear in.

This Report is submitted to the membership so that they may have knowledge of the substance of the issue.

## Johnson Reimbursement

Pamela Lewis <pamelalewisnmr@yahoo.com>

Sat 10/17/2020 5:39 PM

To: Bod <bod@9mileranchhoa.org>

This is in regards to the "Bill from Kirk Johnson for 9MR Expenses Reimbursement" dated 10/9/2020.

"9/14/20 7 miles 174,247-254; per ACC; inspect private drive culvert for approval"

① Questions I have regarding this entry:

1. Who inspected this? From the way the entry reads it was inspected by the ACC.
2. If so why then is Kirk asking for reimbursement for something he did not do?
3. Shouldn't the person that did the inspection be asking for reimbursement?

The mileage listed for the 9/14 inspection starts with 174,247 where the previous mileage entry on this reimbursement sheet on 8/25/20 starts with 177,022. You cannot go backwards on your mileage so it is obvious a different vehicle was used for the private drive culvert inspection.

Furthermore, I find that I will have to vote no on the reimbursement as it stand right now.

The previous reimbursement that was requested and later approved dated 5/19/20 has a total mileage reimbursement of 181.14 and on the one in question now the total mileage after the adjustment for the 7/1/20 error is 149.64 for a total of 330.78. According to the "NINE MILE RANCH HOA Board/Committee Reimbursement/Procurement Policy" "Annual mileage reimbursement for any one Board of Director or Committee member may not exceed a total of \$200.00 in a calendar year." As 330.78 exceeds the policy by 130.78 I will have to vote no on this unless it is adjusted to not exceed the 200.00 annual limit.

While reading through the policy I also noticed the following: "The HOA Treasurer shall make available to the BOD a monthly reconciliation of all bank statements by the 15th of each following month. Details of that monthly reconciliation shall include: check number, date check was issued, the name of the payee and the amount of the check. Any purchase/procurement greater than the amount of \$100.00 shall be pre-approved by the Board." Why haven't we seen this? Isn't this something that we should receive via email on a monthly basis?

> ----- Original Message -----

② > From: Susan Stewart Griffin <sustewart@shaw.ca>

> To: Pamela Lewis <pamelalewisnmr@yahoo.com>

> Cc: Bod <bod@9mileranchhoa.org>

> Sent: Sun, 18 Oct 2020 01:49:57 -0600 (MDT)

> Subject: Re: Johnson Reimbursement

>

> Does anyone honestly believe that Kirk is trying to steal a couple of hundred bucks from the ranch?  
Oh my God!

> On Oct 18, 2020, at 12:51 AM, Susan Stewart Griffin <sustewart@shaw.ca> wrote:

③ >

> Kirk I will happily pay whatever you have exceeded in terms of ranch policy. You do so much for 9 mile ranch and I for one am very grateful.

>

> Just like the others who have donated gravel I am happy to contribute to the overall well-being of all members.

> Just like the others who have donated gravel I am happy to contribute to the overall well-being of all members.

>

> Please advise.

>

> Thank you,

>

> Susan

Firefox

<https://outlook.office.com/mail/inbox/id/AAQkADZmMjllMjE4LT...>

## Re: Johnson Reimbursement

Rick Lewis <Roper1628@yahoo.com>

Sun 10/18/2020 8:25 AM

To: Susan Stewart Griffin <sustewart@shaw.ca>

Cc: Pamela Lewis <pamelalewisnmr@yahoo.com>; Bod <bod@9mileranchhoa.org>

④ Furthermore...

I will split the cost with Susan. Remove the request for reimbursement. We will take care of it. Then Pam and Mathis can't complain about it...

Rick

----- Original Message -----

5

From: Stacey Johnson <stacey@wandabean.net>  
To: Rick Lewis <Roper1628@yahoo.com>, Susan Stewart Griffin <sustewart@shaw.ca>  
Cc: Pamela Lewis <pamelalewisnmr@yahoo.com>, Bod <bod@9mileranchhoa.org>  
Sent: Sun, 18 Oct 2020 10:25:06 -0600 (MDT)  
Subject: Re: Johnson Reimbursement

Oh my Pam, you have been busy.

To address some of your points:

"Per" the ACC mean per the request of the ACC. Do you really think that Kirk would lie to be reimbursed \$4.08? You are truly reaching here to find something wrong.

Yes, we have 4 vehicles. Kirk will drive different ones depending on his work for the day. Why are you bring this up?

Kirk and I contribute far more mileage than we ask for. We also contribute personal funds to the day to day running of this place...without reimbursement. For you, or any other Board member, to spend the time to nit-pick about \$4.08, etc., does not help the sustainability of this HOA. Eventually, no one will want to volunteer because of the bullshit. Then, the HOA will have to hire an outside person..... It's too bad you cannot seem to choose to support your fellow Board members. You stated once, in a letter to the membership, that Kirk has made his reimbursement/road manager a second income. It isn't a second income, but a second job. To do the job of road manager requires a tremendous amount of time (making decisions with the committee, sourcing material, sourcing contractors, marking the roads, follow up on work done, communicating/writing reports about everything, managing funds spent, and more). To question a \$4.08 reimbursement, to not seek to support the Road Manager ( you could have made a motion to increase the policy to \$300 a year) does not invite others to volunteer, as well as looks petty and is a waste of time.

Regarding the Treasurer duty stated in the policy. The Policy states "shall make available". It does not say "provide". All records are available upon request. I do send all stated material to a member/cpa and a board member on a monthly basis. This is for internal control, which has never been done in the HOA before. I have asked the Board several times if they want more information. At one point it was discussed that I send quarterly financial statements to the Board, but that did not happen as monthly financial statements are posted to the website for review. ALL fund spent have been approved by the Board either through a motion at a meeting or by Board approved budget.

Firefox

<https://outlook.office.com/mail/inbox/id/AAQkADZmMjllMjE4LT...>

## Re: Johnson Reimbursement

Susan Stewart Griffin <sustewart@shaw.ca>

Sun 10/18/2020 10:51 AM

To: Stacey Johnson <stacey@wandabean.net>

Cc: Rick Lewis <Roper1628@yahoo.com>; Pamela Lewis <pamelalewisnmr@yahoo.com>; Bod <bod@9mileranchhoa.org>

6

I completely agree that it appears petty and ridiculous. Kirk please let me know how much I can donate to cover the costs. And thanks Rick for joining in.

⑦

From: "Kirk Johnson" <kirk@constructforyou.com>  
To: "Stacey Johnson" <stacey@wandabean.net>, "Susan Stewart Griffin" <sustewart@shaw.ca>  
Cc: "Rick Lewis" <Roper1628@yahoo.com>, "pamelalewisnmr" <pamelalewisnmr@yahoo.com>, "bod" <bod@9mileranchhoa.org>  
Sent: Sunday, October 18, 2020 1:17:46 PM  
Subject: Re: Johnson Reimbursement

Hello all, regarding the motion to reimburse, here are several thoughts I have:

Pam, you are welcome to request the email streams between the Road Committee and the ACC showing the ACC requests that the RC inspect (several) driveways and make recommendations to the ACC (who has jurisdiction over the matters, per CCRs) so they could in turn approve driveway/watershed specs for applying Lot Owners.

\* I am absolutely unwilling to pay to perform Ranch road management, or pay for any other Ranch expense unless I personally chose to pay for it. So that means that if I am not reimbursed for my requested reimbursements, including all mileage, I will not perform the manager duties from this moment forward. So if the BOD chooses now to not reimburse my mileage then please be aware you need to immediately deal with substituting my place with another person who will pay for 'excess' mileage and do the work; I completely understand this is you choose it. Continuing tomorrow there is a list of existing coordination, gravel marking, contractor overseeing/delegating that needs to continue, so the BOD should immediately resolve to deal with this so contractors will not be left hanging.

\* I appreciate and am thankful that Rick and Susan are willing to donate that HOA cost. Maybe that is what it will come down to.

\* One option: someone amend Brian's motion to include language like, "In the best interests of the HOA accomplishing necessary road work and management, I Move to exceed the existing HOA mileage reimbursement cap of \$200 per year...". The BOD makes policies so the BOD can amend or exceed a policy as long as it is carried in a motion and the directors believe it is in the best interests of the HOA.

\* Another option: as has been suggested/discussed, someone make a motion to amend the policy to either up the cap or get rid of it altogether. I have always thought that any cap at all is a disservice to the HOA accomplishing realistic business.

\* Another option: I am willing to continue fronting HOA mileage expenses right now if a majority of directors affirm in email here right now that they will bring and support a motion in the next BOD meeting to have my expenses paid somehow, be that through a motion to exceed the cap or a motion to amend the policy.

8

From: Susan Stewart Griffin <<mailto:sustewart@shaw.ca>>  
Sent: Sunday, October 18, 2020 2:57 PM  
To: Kirk Johnson <<mailto:kirk@constructforyou.com>>  
Cc: Stacey Johnson <<mailto:stacey@wandabean.net>>; Rick Lewis <<mailto:Roper1628@yahoo.com>>;  
pamelalewisnmr <<mailto:pamelalewisnmr@yahoo.com>>; bod <<mailto:bod@9mileranchhoa.org>>  
Subject: Re: Johnson Reimbursement

Thanks for the information Kirk.

I am affirming that I will assist you in supporting a motion as per your fifth bullet.

I genuinely appreciate the amount of time you devote to making 9 Mile Ranch a great place, and fixing a lot of what needs fixing with the amount of money that collect. I think you do a great job of prioritizing the work so that the best possible outcome occurs. This does mean a lot of driving and meeting with people and as you say, marking etc.

Thanks,

Susan

5 of 9

11/1/2020, 7:58 AM

----- Original Message -----

9

From: brian rabe <[brianjrabe@hotmail.com](mailto:brianjrabe@hotmail.com)>  
To: Susan Stewart Griffin <[sustewart@shaw.ca](mailto:sustewart@shaw.ca)>, Kirk Johnson <[kirk@constructforyou.com](mailto:kirk@constructforyou.com)>  
Cc: Stacey Johnson <[stacey@wandabean.net](mailto:stacey@wandabean.net)>, Rick Lewis <[Roper1628@yahoo.com](mailto:Roper1628@yahoo.com)>, pamelalewisnmr <[pamelalewisnmr@yahoo.com](mailto:pamelalewisnmr@yahoo.com)>, bod <[bod@9mileranchhoa.org](mailto:bod@9mileranchhoa.org)>  
Sent: Sun, 18 Oct 2020 20:19:06 -0600 (MDT)  
Subject: RE: Johnson Reimbursement

I move to amend my motion that is currently under discussion to state:

"In the best interests of the HOA accomplishing necessary road work and management, I Move to remove the existing HOA mileage reimbursement cap of \$200 per year for mileage reimbursement for the road manager and any other road committee member for miles driven in the course of their volunteer service."

Sent from Mail <<https://go.microsoft.com/fwlink/?LinkId=550986>> for Windows 10

----- Original Message -----

10

From: Brett Coffman <[brettamonre@gmail.com](mailto:brettamonre@gmail.com)>  
To: Susan Stewart Griffin <[sustewart@shaw.ca](mailto:sustewart@shaw.ca)>  
Cc: Pamela Lewis <[pamelalewisnmr@yahoo.com](mailto:pamelalewisnmr@yahoo.com)>, Bod <[bod@9mileranchhoa.org](mailto:bod@9mileranchhoa.org)>  
Sent: Mon, 19 Oct 2020 08:35:53 -0600 (MDT)  
Subject: Re: Johnson Reimbursement

Lets just offset with me Not turning mine in ay all for 3 years and pay it! move on...

## Re: Johnson Reimbursement

Susan Stewart Griffin <sustewart@shaw.ca>

Mon 10/19/2020 8:45 AM

To: Brett Coffman <brettamonre@gmail.com>

Cc: Pamela Lewis <pamelalewisnmr@yahoo.com>; Bod <bod@9mileranchhoa.org>

Thank you for your contribution Brett.

11

## RE: Johnson Reimbursement

Susan Stewart Griffin <sustewart@shaw.ca>

Mon 10/19/2020 9:05 AM

To: brian rabe <brianjrabe@hotmail.com>

Cc: Kirk Johnson <kirk@constructforyou.com>; Stacey Johnson <stacey@wandabean.net>; Rick Lewis <Roper1628@yahoo.com>; pamelalewisnmr <pamelalewisnmr@yahoo.com>; bod <bod@9mileranchhoa.org>

I second.

12

## Re: Johnson Reimbursement

Kirk Johnson <kirk@constructforyou.com>

Wed 10/21/2020 6:01 AM

To: brian rabe <brianjrabe@hotmail.com>; Susan Stewart Griffin <sustewart@shaw.ca>

Cc: Stacey Johnson <stacey@wandabean.net>; Rick Lewis <Roper1628@yahoo.com>; pamelalewisnmr <pamelalewisnmr@yahoo.com>; Bod <bod@9mileranchhoa.org>

THIS MATTER NEEDS ATTENTION NOW, **please vote**: There are roads that need marking for special assessment gravel to be placed tomorrow, and today or tomorrow Tim Mason starts needing guidance on all other road repairs. I will not finance HOA expenses as volunteer without a guarantee of payment, so unless the BOD finds someone else to do it for free right now then road work will stop right now.

Please vote on Brian's amended motion: "In the best interests of the HOA accomplishing necessary road work and management, I Move to remove the existing HOA mileage reimbursement cap of \$200 per year for mileage reimbursement for the road manager and any other road committee member for miles driven in the course of their volunteer service."

13

14  
**From:** Rick Lewis <[Roper1628@yahoo.com](mailto:Roper1628@yahoo.com)>

**Sent:** Wednesday, October 21, 2020 7:25:41 AM

**To:** Kirk Johnson <[kirk@constructforyou.com](mailto:kirk@constructforyou.com)>

**Cc:** brian rabe <[brianjrabe@hotmail.com](mailto:brianjrabe@hotmail.com)>; Susan Stewart Griffin <[sustewart@shaw.ca](mailto:sustewart@shaw.ca)>; Stacey Johnson <[stacey@wandabean.net](mailto:stacey@wandabean.net)>; pamelalewisnmr <[pamelalewisnmr@yahoo.com](mailto:pamelalewisnmr@yahoo.com)>; Bod <[bod@9mileranchhoa.org](mailto:bod@9mileranchhoa.org)>

**Subject:** Re: Johnson Reimbursement

I vote in favor of removing the ceiling on reimbursement.

Rick

15  
On Wed, Oct 21, 2020, 7:31 AM brian rabe <[brianjrabe@hotmail.com](mailto:brianjrabe@hotmail.com)> wrote:

I vote in favor also.

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<https://outlook.office.com/mail/inbox/id/AAQkADZmMjllMjE4LT...>

### Re: Johnson Reimbursement

brian rabe <[brianjrabe@hotmail.com](mailto:brianjrabe@hotmail.com)>

Wed 10/21/2020 7:34 AM

16  
**To:** Kirk Johnson <[kirk@constructforyou.com](mailto:kirk@constructforyou.com)>

Kirk,

I personally guarantee reimbursement for your expenses for the next few weeks if this motion fails.

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<https://outlook.office.com/mail/inbox/id/AAQkADZmMjllMjE4LT...>

### Re: Johnson Reimbursement

17  
Brett Coffman <[brettamonre@gmail.com](mailto:brettamonre@gmail.com)>

Wed 10/21/2020 8:02 AM

**To:** brian rabe <[brianjrabe@hotmail.com](mailto:brianjrabe@hotmail.com)>

**Cc:** Kirk Johnson <[kirk@constructforyou.com](mailto:kirk@constructforyou.com)>; Rick Lewis <[roper1628@yahoo.com](mailto:roper1628@yahoo.com)>; Susan Stewart Griffin <[sustewart@shaw.ca](mailto:sustewart@shaw.ca)>; Stacey Johnson <[stacey@wandabean.net](mailto:stacey@wandabean.net)>; pamelalewisnmr <[pamelalewisnmr@yahoo.com](mailto:pamelalewisnmr@yahoo.com)>; Bod <[bod@9mileranchhoa.org](mailto:bod@9mileranchhoa.org)>

Go i vote in favor



**Re: Johnson Reimbursement**

Don Charnholm &lt;donm9001@gmail.com&gt;

Wed 10/21/2020 8:18 AM

(18) To: Brett Coffman <brettamonre@gmail.com>  
Cc: brian rabe <brianjrabe@hotmail.com>; Kirk Johnson <kirk@constructforyou.com>; Rick Lewis <roper1628@yahoo.com>; Susan Stewart Griffin <sustewart@shaw.ca>; Stacey Johnson <stacey@wandabean.net>; pamelalewisnmr <pamelalewisnmr@yahoo.com>; Bod <bod@9mileranchhoa.org>

I vote yes

Sent from my iPhone

**From:** Susan Stewart Griffin <sustewart@shaw.ca>**Sent:** Wednesday, October 21, 2020 3:49 PM**To:** Rick Lewis <Roper1628@yahoo.com>

(19) **Cc:** kirk@constructforyou.com <kirk@constructforyou.com>; brian rabe <brianjrabe@hotmail.com>; Stacey Johnson <stacey@wandabean.net>; pamelalewisnmr <pamelalewisnmr@yahoo.com>; bod <bod@9mileranchhoa.org>

**Subject:** Re: Johnson Reimbursement

I agree as well.

**Re: Johnson Reimbursement**

Stacey Johnson &lt;stacey@wandabean.net&gt;

Wed 10/21/2020 6:34 PM

(20) To: Rick Lewis <Roper1628@yahoo.com>; Susan Stewart Griffin <sustewart@shaw.ca>  
Cc: Kirk Johnson <kirk@constructforyou.com>; brian rabe <brianjrabe@hotmail.com>; pamelalewisnmr <pamelalewisnmr@yahoo.com>; Bod <bod@9mileranchhoa.org>

I also vote yes for the adjustment of the reimbursement policy.

On Thu, Oct 22, 2020 at 4:17 AM, Kirk Johnson <kirk@constructforyou.com> wrote:

(21) I also vote yes for the adjusted policy. To be clear, this is not a vote to directly approve Kirk's reimbursement request recently submitted; that would have to come in a separate motion, and I will recuse myself from that vote.

Pam, you are the only person who has not yet voted; will you please vote? Thank you.

On Mon, Oct 26, 2020, 12:45 PM Pamela Lewis <[pamelalewisnmr@yahoo.com](mailto:pamelalewisnmr@yahoo.com)> wrote:

I vote no. The cap was put in place for the reason of stopping potential abuse. The members want a cap on it. I don't see what good having a cap does if when you get close to going over it or like in this case do go over it and then just turn around and raise the cap to meet your needs.

[Sent from Yahoo Mail on Android](#)

Firefox

<https://outlook.office.com/mail/inbox/id/AAQkADZmMjllMje4LT...>

## Re: Johnson Reimbursement

Brett Coffman <[brettamonre@gmail.com](mailto:brettamonre@gmail.com)>

Mon 10/26/2020 12:49 PM

To: Pamela Lewis <[pamelalewisnmr@yahoo.com](mailto:pamelalewisnmr@yahoo.com)>

Cc: Kirk Johnson <[kirk@constructforyou.com](mailto:kirk@constructforyou.com)>; Stacey Johnson <[stacey@wandabean.net](mailto:stacey@wandabean.net)>; Rick Lewis <[Roper1628@yahoo.com](mailto:Roper1628@yahoo.com)>; Susan Stewart Griffin <[sustewart@shaw.ca](mailto:sustewart@shaw.ca)>; brian rabe <[brianjrabe@hotmail.com](mailto:brianjrabe@hotmail.com)>; Bod <[bod@9mileranchhoa.org](mailto:bod@9mileranchhoa.org)>

I will turn in my reimbursement records for the year Pam. Come on really . Seriously. I way over compensate for rhe few dollars he is askinf for. What about Bill B.

Next time we have a drive ,Pam is picking us up and driving all day on her dime right?

Firefox

<https://outlook.office.com/mail/inbox/id/AAQkADZmMjllMje4LT...>

## Re: Johnson Reimbursement

Pamela Lewis <[pamelalewisnmr@yahoo.com](mailto:pamelalewisnmr@yahoo.com)>

Mon 10/26/2020 1:03 PM

To: [brettamonre@gmail.com](mailto:brettamonre@gmail.com) <[brettamonre@gmail.com](mailto:brettamonre@gmail.com)>; Brett Coffman <[brettamonre@gmail.com](mailto:brettamonre@gmail.com)>

Cc: Kirk Johnson <[kirk@constructforyou.com](mailto:kirk@constructforyou.com)>; Stacey Johnson <[stacey@wandabean.net](mailto:stacey@wandabean.net)>; Rick Lewis <[Roper1628@yahoo.com](mailto:Roper1628@yahoo.com)>; Susan Stewart Griffin <[sustewart@shaw.ca](mailto:sustewart@shaw.ca)>; brian rabe <[brianjrabe@hotmail.com](mailto:brianjrabe@hotmail.com)>; Bod <[bod@9mileranchhoa.org](mailto:bod@9mileranchhoa.org)>

Wrong. Because I will not spend a entire day with you all stuffed into my Jeep or truck.

**Re: Johnson Reimbursement**

Rick Lewis &lt;Roper1628@yahoo.com&gt;

Mon 10/26/2020 1:11 PM

To: Brett Coffman &lt;brettamonre@gmail.com&gt;

Cc: Pamela Lewis &lt;pamelalewisnmr@yahoo.com&gt;; Kirk Johnson &lt;kirk@constructforyou.com&gt;; Stacey Johnson &lt;stacey@wandabean.net&gt;; Susan Stewart Griffin &lt;sustewart@shaw.ca&gt;; brian rabe &lt;brianjrabe@hotmail.com&gt;; Bod &lt;bod@9mileranchhoa.org&gt;

Furthermore...

(25)

The biggest shock for most members is because no previous road manager ever did enough to warrant reimbursement.

I can't wait to see how the next one performs

Rick

**Re: Johnson Reimbursement**

Stacey Johnson &lt;stacey@wandabean.net&gt;

Mon 10/26/2020 1:26 PM

To: Brett Coffman &lt;brettamonre@gmail.com&gt;; Pamela Lewis &lt;pamelalewisnmr@yahoo.com&gt;

Cc: Kirk Johnson &lt;kirk@constructforyou.com&gt;; Rick Lewis &lt;Roper1628@yahoo.com&gt;; Susan Stewart Griffin &lt;sustewart@shaw.ca&gt;; brian rabe &lt;brianjrabe@hotmail.com&gt;; Bod &lt;bod@9mileranchhoa.org&gt;

It continues to amaze me that some members believe that the volunteers should have to personally pay costs out of their own pocket to keep this HOA business running; pay to be a volunteer.

(26)

Reimbursing a road manager for mileage is legally the only thing the HOA can do financially for our road manager, which is so small compared to the amount of time (life) that position requires. Maybe these members would rather pay an outside contractor to be our road manager?

I will say again that this household gives far more mileage for this HOA than is reported; Kirk doesn't ask for reimbursement of all his mileage and I consistently drive to town just to conduct HOA business. We give in other ways as well.

Pam, your attitude does not invite qualified volunteers to perform work for us. But I think we all know that you don't want Kirk as the road manager either. The HOA should be so thankful that we have you on the Board to stop the spending of \$130.00 for the most important job that is being done for their benefit.

**From:** Susan Stewart Griffin <sustewart@shaw.ca>

**Sent:** Monday, October 26, 2020 2:20 PM

**To:** Stacey Johnson <stacey@wandabean.net>

**Cc:** Brett Coffman <brettamonre@gmail.com>; pamelalewisnmr <pamelalewisnmr@yahoo.com>; Kirk Johnson <kirk@constructforyou.com>; Rick Lewis <Roper1628@yahoo.com>; brian rabe <brianjrabe@hotmail.com>; bod <bod@9mileranchhoa.org>

**Subject:** Re: Johnson Reimbursement

11

I agree that it is very unfortunate that people don't value the hard work that many of us do for the board. I can assure you, I would not want my vehicle used constantly for driving over those roads. Gravel roads are hard on a vehicle. I am grateful that you spend so much of your time, Kirk and Stacey (and the others as we do a lot of reading etc) and that you choose to volunteer for a place you love.

It is a thankless job sometimes but there are many many who really appreciate the effort and they are also reaching out offering their words of support which is great! I too have received emails stating such (and I hardly know anyone at 9 Mile!).

Cheers,

Susan

## Re: Johnson Reimbursement

Kirk Johnson <kirk@constructforyou.com>

Fri 10/30/2020 5:30 AM

To: Stacey Johnson <stacey@wandabean.net>; Susan Stewart Griffin <sustewart@shaw.ca>

Cc: Brett Coffman <brettamonre@gmail.com>; pamelalewisnmr <pamelalewisnmr@yahoo.com>; Rick Lewis <Roper1628@yahoo.com>; brian rabe <brianjrabe@hotmail.com>; Bod <bod@9mileranchhoa.org>

Pam, I am asking you to consider changing your position on this subject and voting for Brian's motion. I appreciate your expressed concern for preventing abuse, which I will address also. Please consider these reasons:

- The current reimbursement cap was set mostly arbitrarily, without studied calculation of actual realistic expected mileage needed to be performed for Ranch HOA duties.
- The cap was set when the mileage reimbursement rate was \$.34 per mile, and now the rate is \$.58 per mile, so the cap is now even more unrealistic.
- There is no practical (non-arbitrary) cap figure that I can personally imagine setting that does not harm the ability of the HOA to conduct legitimate business. Each year there are different degrees and numbers of business events that cause the need to incur mileage expenses, such as these examples:
  - varying numbers of times directors or committee members may need to meet with attorney counsel. At the current \$.58 mileage rate one trip to Omak costs \$69.60.
  - unique weed conditions each year cause different amounts and total miles of road inspections to be done.
  - differing numbers of emergency weather events - like heavy seasonal rains - cause greater or fewer road inspections to be done.
  - differing numbers of road work orders, and their particular complexities, cause differing amounts of work inspections and contractor meetings on-site to take place.
  - differing numbers of lot owner road issues and ACC approvals for driveway tie-ins that require incurring mileage.
  - differing numbers of roadside easement issues - like tree maintenance - that can cause mileage incurrence.
  - variables like the 2019 special assessment cause extra mileage to be incurred (marking gravel placements on roads, meeting contractors when necessary).
- Abuse cannot be prevented or controlled by setting an arbitrary cap limit; it is the duty of directors to review expense reimbursement requests to see that requests are duly justified. For example, you discovered an accounting error of approximately \$5.00 in my last reimbursement request. Any due review of a request shows abuse, and also keeps directors informed about what's going on... which is a director's management duty.
- This issue of 'arbitrary' is of core importance. Wa. state case law (see *Riss v. Angel, 131 Wn.2d 612, 1997*) shows that the state statute which governs directors' decision-making process is upheld, requiring that decision not be unreasonable or arbitrary, not made without adequate investigation, and not made based on inaccurate information. You may recall in your own 'animal densities' issue that the BOD stayed an initial determination in light of you bringing forward additional helpful information out of respect for the state law just mentioned, and in the end the BOD modified its decision for you and also included citing the state law in the final Domestic and Farm Animal Densities Rule.
- The HOA duties that are performed under the reimbursements are among the most

28

fundamental and critical duties of the HOA. They represent discovering and overseeing and inspecting road work, attending to member road and easement issues, controlling weeds, ACC inspections, and administration of enforcement and legal liability issues. To arbitrarily cut off the Board's ability to carry forward those duties because of a mileage reimbursement cap is absurd or bad business management, period, especially for the very small amount of money that we're talking about here. It can actually cause harm to the HOA or place critical work in jeopardy, or unduly increase HOA liability.

- In the meeting tonight I will bring an amendment to Brian's motion stating to include this email stream as a report for the website that will inform the membership about our deliberation on this subject.

### Re: Johnson Reimbursement

Pamela Lewis <pamelalewisnmr@yahoo.com>

Fri 10/30/2020 6:45 AM

To: Kirk Johnson <kirk@constructforyou.com>; Kirk Johnson <kirk@constructforyou.com>; Stacey Johnson <stacey@wandabean.net>; Susan Stewart Griffin <sustewart@shaw.ca>

Cc: Brett Coffman <brettamonre@gmail.com>; pamelalewisnmr <pamelalewisnmr@yahoo.com>; Rick Lewis <Roper1628@yahoo.com>; brian rabe <brianjrabe@hotmail.com>; Bod <bod@9mileranchhoa.org>

 Kirk,

You make some good points. I will consider this with the agreement that the .58/Mile rate is not increased and that it is written into the policy that the mileage rate never exceeds the the federal rate. I would even consider a new cap of double what it is now.


### Re: Johnson Reimbursement

Susan Stewart Griffin <sustewart@shaw.ca>

Fri 10/30/2020 10:53 AM

To: Pamela Lewis <pamelalewisnmr@yahoo.com>

Cc: Kirk Johnson <kirk@constructforyou.com>; Stacey Johnson <stacey@wandabean.net>; Brett Coffman <brettamonre@gmail.com>; Rick Lewis <Roper1628@yahoo.com>; brian rabe <brianjrabe@hotmail.com>; Bod <bod@9mileranchhoa.org>

 I would like to bring to the table that this is obviously a necessary component of maintaining the roads. If we are moving in a direction of not reimbursing someone doing this task, I suggest that we hire someone and pay them directly.

Thanks,  
Susan