

**HOA Board Meeting Nine Mile Ranch
January 27th, 2024 9 am**

Board Members in Attendance: Drew Sawchuk, Cole Markusen, Dan McLelland, Rick Lewis, Sonya Bachmann, Susan Stewart.

Committee Members and Lot Owners in Attendance: Kirk Johnson, Stacey Johnson, Todd Besaw, Brian Rabe, Brian Blackman.

Meeting commenced at 9:07 am.

Motion by Drew to adopt agenda. Seconded by Susan. Motion carries.

Old Business:

1. Minutes from Board Meeting of October 14th were approved on November 1st.
2. **Motion** by Drew to place Cole Markusen on the Board, seconded by Susan, motion carried on December 6th, 2023.
3. **Motion** by Ryan Man to not involve attorneys in the matter of Cattle Fencing, decline to participate in the building of fences in any way, and deny bringing a vote for a special assessment to the membership, seconded by Dan McLelland, motion carried December 7th 2023.
4. **Motion** by Drew to have the treasure issue a special assessment to the current owner of Lot 25 Div 4 for \$623.50 siting the Watershed Rule as follows....Charges for repairs assessed to a Lot Owner(s) shall be an obligation on that Lot Owner(s) the same as obligations under CCRs Article IV, Section 1 and 10 regarding unpaid assessments and including the road manager assessment with the before and after pictures as enclosures, seconded by Cole. Motion carries.
5. **Motion** by Drew to appoint Cole Markusen to the Road Committee, seconded by Dan. Motion carries.
6. Communication to Board by company providing information around senior resources. Questions around posting on the website. Drew will send an email response to politely decline.

New Business:

1/2. Treasury Update and Business/Budget Proposal/Annual Assessment Rate:

Motion by Drew to increase the dues by 10% this year, seconded by Cole. Motion carries.

Motion by Drew to move \$2046 to Capital Reserve Fund to improve unplowable sections on the Ranch, seconded by Cole. Motion carries.

Motion by Drew to move \$1854 from checking to savings account for required Emergency Savings Deposit, seconded by Dan. Motion carries.

3. Ad Hoc Committee Recommendations:

Discussion around CCRs with respect to time limitations in trailers etc. on Lots.

Motion by Drew to put this issue to attorneys with a two hour limit (including asking what would constitute as durable legal proof regarding violations of the six month annual occupancy rule for RVs and trailers), seconded by Susan. Motion carries.

4. Cattle Fencing:

Brian and Felicity Rabe have spent many hours trying to gain clarity around this issue. Board discussion resulted in a finding that the Board is unable to fund any fencing as it is not a 'common space' and the Board would not be upholding its fiduciary duties if it did so. The Rabes would like to have this information posted on the website to inform the community and ask for help in solving the issue.

Motion by Drew to post the information about the issue on the website with the disclaimer that this is from a Member rather than the Board, seconded by Cole. Motion carries.

Request to share emails for members to communicate around fencing issue is in alignment with our governing documents.

Motion to share the current mailing address list to the Rabes so that they may begin community engagement regarding cattle fencing (a note should be added that the list is not for commercial purposes) seconded by Dan. Motion carries.

5. Suspending of plowing on Forest Road:

We need to assess the situation with respect to an historic document that proves we are obligated to plow this road which is referenced on the div 6 plat.

Motion by Dan to stop plowing Forest Road and Drew to inform Lot Owner of this information by email, seconded by Cole. Motion carries.

6. ACC update:

Many requests by Lot Owners for enforcement of CCRs.

Motion by Drew to fine Lot Owner where occupancy regulations were violated (beyond six month occupancy), seconded by Cole. Motion carries.

Motion by Drew to have ACC inform Lot Owner who have constructed a permanent structure over a trailer that they are violating CCRs, seconded by Dan. Motion carries.

Motion by Drew to approach legal counsel (with one hour time limit) to discover the local rules are regarding requirements around a seller disclosing CCR violations, seconded by Dan. Motion carries, Rick abstained.

7. Road Committee update:

No updates.

8. Mailing for Board Vacancies:

Motion by Drew to spend up to \$450 for mailing out the Solicitation for Candidates information, seconded by Susan. Motion carries.

Motion by Drew to spend \$55 to buy a case of paper for the mailings, seconded by Susan. Motion carries.

9. Ballot Items:

Need to consider and discuss what we need to put forward as Ballot Items at our next meeting.

The two that are needed for sure are the following: Ballot for candidates and the potential for audit waive.

10. Annual Membership mailing preparation:

Need to establish place of AMM, counters, etc.

Action: Stacey will look into using same location for counting.

Action: Drew will look into holding meeting at high school.

Action: Road Committee synopsis input.

Action: Drew to provide Presidents Report.

Action: Todd to provide ACC input.

Motion to adjourn meeting by Drew, seconded by Dan. Motion passes.

Meeting adjourned at 11:23 am.

9 Mile Ranch Board Meeting Minutes March 2, 2024 9 am

Board Members in Attendance: Drew Sawchuk, Susan Stewart, Sonya Bachmann, Cole Markusen, Rick Lewis. Absent: Ryan Mann, Dan McLelland.

Lot Owners / Committee Members in Attendance: Kirk Johnson, Stacey Johnson, Allen Jones, Todd Besaw.

Meeting Called to Order at 9:02 am.

Motion to adopt agenda by Drew, seconded by Susan. Motion carries.

Old Business:

Minutes of the January 27th, 2024 Board Meeting were approved on February 6th, 2024.

New Business:

1. Review of Attorney Feedback of Occupancy Questions:

Motion to request that the ACC acquire information and allocate 2 hours of attorney time to reviewing of this information by Drew, seconded by Rick. Motion carries.

Action: ACC to author this information by the next board meeting.

2. Review of Lot 36, Division 4:

Motion by Drew to approve the inclusion of the fine policy in the violation letter (to be approved by a majority of Board within 5 days of submission), seconded by Rick. Motion carries.

Action: Rick Lewis will send a letter to the owners advising them of their breach of the CCRs and associated fines upon majority of Board member approval.

3. Bylaw Revisions:

Action: Kirk Johnson will go through the HOA attorney archives to seek information regarding information around State Statutes which would override HOA rules unless otherwise stated.

4. Seller's Disclosure Items Review:

Action: Board Members to review the document and provide feedback to Drew by March 17th, 2024.

5. Signs:

The Board has determined based on the governing documents that the HOA is not required to maintain signs as they are the original property of the developer and for other reasons. A Lot Owner has inquired about signage that was damaged in the fire and so far has been advised that another sign has been replaced by Lots Owners in that division at their initiation and cost.

Action: Rick Lewis will contact Lot Owner to inform her of this result.

6. ACC Update:

ACC has been very active in approving a variety of items including structures, enforcement, site proposals, etc.

Motion by Drew to approve Christine Opel as an Assistant to the Chair of the ACC to help with mailings etc, seconded by Susan. Motion carries.

Note: The current Chair has paid for the mailings etc and the Board should recognize that the Assistant may require reimbursement for these costs.

7. Road Report:

Motion to release funds \$6892 for immediate raking and grading (if necessary) by Drew, seconded by Susan. Motion carries.

8. Treasurer Updates:

All statements and budget information have been sent out to the Board as usual.

Motion to have the Secretary Assistant open an account and deposit the money obtained from fines to create another reserve account, seconded by Sonya. Motion carries.

9. Discussion of Ballot Items:

Nothing to add.

10. AMM Mailing:

Road Committee Report, ACC updates, President's Introduction, Reserve Study Report must be provided to Stacey for Board Edit/Approval by the end of March and ultimately the spring mail-out.

Motion by Drew for \$1200 to pay for the mail-out, seconded by Sonya. Motion carries.

Motion by Drew to approve contents of the AMM mailing by the majority of the Board by email, seconded by Sonya. Motion carries.

Motion to provide up to \$300 to cover the costs of acquisition of post office box and to have Tamara Borter act as our independent fiduciary, seconded by Sonya. Motion carries.

The Board has secured counters for the AMM.

Motion by Drew to adjourn the meeting and move into Executive Session, seconded by Cole. Motion carries.

Regular meeting adjourned at 11:16 am.

Executive Session commenced at 11:17 am.

Motion to adjourn the Executive Session by Drew, seconded by Cole. Motion carries.

Regular Board Meeting reconvened at 11:38 am.

Motion from Executive Session:

Motion by Drew to have the ACC draft up a Notice of Violation for Division 4, Lot 31 pertaining to the matter of an unpermitted structure on the property, seconded by Cole. Motion carries.

Motion by Drew to adjourn meeting, seconded by Cole. Motion carries.

Meeting adjourned at 11:41 am.

9 Mile Ranch Board Meeting Minutes April 6th, 2024 9 am

Board Members in Attendance: Drew Sawchuk, Dan McLelland, Sonya Bachmann, Cole Markusen, Rick Lewis. Absent: Ryan Mann, Susan Stewart.

Lot Owners / Committee Members in Attendance: Kirk Johnson, Stacey Johnson, Todd Besaw.

Meeting Called to Order at 9:02 am.

Motion to adopt agenda by Drew, seconded by Cole. Motion carries.

Old Business:

Minutes of the March 2nd, 2024 Board Meeting were approved on March 13th, 2024.

On 11/18/23 recently new Board members Sonya Bachman and Dan McLelland attended a Fiscal Management Policy orientation meeting held by BOD agents Kirk and Stacey Johnson. Per the Fiscal Management Policy, all new fiscal managers and Board members must become familiar with this policy via a formal orientation session lead by a qualified HOA/BOD member.

Motion to adopt and post to the HOA website Version 4 Jan 2024 Review of Annual Assessment Rate Review by Drew, seconded by Dan. Motion carries.

Motion to approve the proposed annual budget for 2024-25 by Drew, seconded by Cole. Motion carries.

New Business:

1. Venue and format for AMM and Ballot Counting:

Motion to allocate \$100 as a contribution to My Place Coffee for allowing us to host the Ballot Counting there by Drew, seconded by Dan. Motion carries.

Action: Drew to confirm which school library has been reserved for AMM.

Action: Drew to engage the Zoom committee to get the Zoom meeting set up for the AMM.

2. Ballot Counting for Board Members:

There are seven open board positions and seven candidates have stepped forward. As none of the open slots are in contention, it was determined that a single vote would be sufficient to elect a candidate to the board. Rather than counting all the votes for each candidate, counters will ensure each candidate has at least one vote and will concentrate on tallying the other ballot items. Ballots will be maintained in the HOA archives.

3. Naysnerski lien update:

The board was updated on the progression of the filing in Quay County New Mexico.

4. County Foreclosure Implications:

Motion to have the legal committee compose and send questions to our attorney on this subject, allocating up to two hour of attorney time, to clarify potential options to recover funds or obligations as it pertains to liens by Drew, seconded by Dan. Motion carries.

Motion to form an adhoc Foreclosure Committee with members Rick, Dan, Sonya, Stacey and Todd to compose a policy to present to the board regarding dealing with future decisions on when to impose liens, how to go about collecting in the case of various types of foreclosure and any other related items that may come from the consultation with the attorney by Drew, seconded by Dan. Motion carries.

Motion to appoint Stacey as chair of the Foreclosure Committee by Drew, seconded by Sonya. Motion carries.

5. AMM Mailing:

Motion to include the revised Bylaw Committee Update in the AMM mailing by Drew, seconded by Dan. Motion carries.

Motion to include the President Letter, Reserve Study Statement, Ballot, Ballot Information Report, Email Permissions Document, Notices Letter and Information Letter sent to the board April 3rd, 2024 in the AMM mailing by Drew, seconded by Dan. Motion carries.

Motion to accept that needed amendments to any of the documents for the AMM mailing are assumed approved for inclusion on April 15th, 2024, if the board is emailed the drafts at least five days in advanced of that date, regardless if majority of the board members approve prior to the date or not by Drew, seconded by Cole. Motion carries.

6. Treasurer Updates:

The board was informed of recent activity and progress in setting up the Reserve Fund.

7. ACC Business:

Motion to include the ACC Chairman Report in the AMM mailing by Drew, seconded by Cole. Motion carries.

Action: ACC to compose and send a Letter of Notice to the owner of Lot 31 Div 4 advising them that occupancy of the “tiny home” is not sanctioned and to forward a copy to the real-estate agent, since it is understood that the lot owner has provide instruction to keep the real-estate agent informed.

Motion to release \$100 for the purchase of office supplies for the ACC Committee Chair Assistant by Drew, seconded by Sonya. Motion carries.

8. Road Committee Updates:

The board was updated on maintenance activities

Motion to approve the release of an additional \$600 to be paid to Okanogan Plowing to offset the high cost of minimum insurance premium, as snow plowing requirements were about half of years previous historical average, by Drew, seconded by Dan. Motion carries.

Motion to approve the release of \$1680.20 for spring ditching work established by the road committee as require by Drew, seconded by Cole. Motion carries.

Motion to approve the release of \$13,940.24 to the Road Committee to repair road base and topcoat gravel at .61 Corral Drive with funds to pay for this coming the following budgets and accounts:

- \$2,168.00 from the reserve fund, from the \$3,150.00 of fines recently collected and deposited into the reserve fund.
- \$5,886.12 from the reserve fund from the projected fiscal year 24/25 surplus of \$8,625.00.
- \$5,886.12 from the regular budget for the category of “Road Base Repair”.

by Drew, seconded by Dan. Motion carries.

9. Occupancy Restrictions:

Motion to have the board take the next 5 business days to review the write up on structure occupancy and ability for the board to enforce or not CCR covenants. If no amendments are requested then at the conclusion of the 5 days this can be sent to the attorney for review and recommendations by Drew, seconded by Cole. Motion carries.

Motion by Drew to adjourn the meeting, seconded by Cole. Motion carries.

Meeting adjourned at 11:12 am.

9 Mile Ranch Special Board Meeting Minutes May 27th, 2024 6:00 pm

Board Members in Attendance: Drew Sawchuk, Dan McLelland, Cole Markusen, Rick Lewis.
Absent: Ryan Mann, Susan Stewart, Sonya Bachmann.

Lot Owners / Committee Members in Attendance: Kirk Johnson, Stacey Johnson, Todd Besaw.

Meeting Called to Order at 6:12 pm.

Motion to adopt agenda by Drew, seconded by Dan. Motion carries.

Old Business:

Meeting Minutes of April 6th BoD Meeting were approved April 13, 2024.

Motion by Dan via email for the board to approve the expenditure of \$910.50 to remove the HOA liens on the two lots that were purchased through Okanogan County tax foreclosure as requested by Stacey Johnson, seconded by Drew. Motion carries with one person abstaining due to conflict of interest and the remaining members approving.

Zoom registration link for the Annual Membership Meeting (AMM) now posted to the HOA web site <https://9mileranchhoa.org/>. Members in USA and Canada can register in order to be able to attend the AMM using Zoom instead of attending in person.

New Business:

1. Occupancy Attorney response:

Motion to have the legal committee chair organize a meeting, preferably in the next 20 days, with our attorney, legal committee members and the advisor to the board, Kirk Johnson, to clarify items in the previous attorney response pertaining to the topic of occupancy as it relates to recreational shelter alternatives available today and what, if any, may be permissible based on the Associations CCRs by Drew, seconded by Rick. Motion carries.

2. Board Member Letter:

Motion to approve and adopt the use of the New Board Member letter presented to the board as is and post the same to the HOA web site by Drew, Seconded by Rick. Motion carries.

3. Forest Rd Inquiries:

Action: Drew to incorporate the guidance from the board and the ACC in responses to the lot owner inquiries. The board members, ACC and the road manager to be copied on the responses.

4. Treasurer Updates:

Invoices for the annual dues will be mailed in the next few days.

5. ACC Business:

Motion to have the ACC notify the owners of div 6 lot 4 that the board has approved the addition of one (1) cow, for sole residential use, to be slaughtered and eaten upon coming of age by Drew, seconded by Dan. Motion carries.

6. Road Committee Updates:

Spring road maintenance activities completed. Spring spraying to be ordered in the next few days. The capital improvement work in div 6 previously approved by the board will start soon.

Action: Dan as current vice president and being he is only one year into his three year term will chair the July 13th, 2024 9am board meeting with support from Drew Sawchuk.

Motion by Drew to adjourn the meeting, seconded by Cole. Motion carries.

Meeting adjourned at 7:18 pm.

9 Mile Ranch Board Meeting Minutes
July 13, 2024 9 am

Board Members in Attendance: Dan McLelland, Sonya Bachmann, Cole Markusen, Stacey Johnson, Andy Hill, Leo Culloo, Akshay Bhat, Noah Brown.

Lot Owners / Committee Members in Attendance: Kirk Johnson, Allen Jones, Todd Besaw, Drew Sawchuk, Brian Rabe, Felicity Rabe.

Meeting Called to Order at 9:03 am.

Motion to adopt an amended agenda adding **Any Other Business** topic by Andy, seconded by Cole. Motion passes unanimously.

Election of the Board Executive:

Motion to appoint Dan McLelland as President by Stacey, seconded by Leo. Motion passes unanimously.

Motion to appoint Sonya Bachmann as Secretary by Stacey, seconded by Leo. Motion passes unanimously.

Motion to appoint Stacey Johnson as Treasurer by Sonya, seconded by Cole. Motion passes unanimously.

Motion to appoint Leo Culloo as Vice President by Stacey, seconded by Cole. Motion passes unanimously.

Review of Committees:

Architectural Control Committee (ACC) – Current members: Todd Besaw (Chair), Rick Lewis, Randolph Marchmont, Ryan Mann.

Motion to appoint Noah Brown to the ACC by Dan, seconded by Akshay. Motion passes unanimously.

Road Committee – Current members: Kirk Johnson (Chair), Bill Burham, Leo Culloo, Don Charnholm, Rick Lewis, Dan McLelland, Cole Markusen.

Reserve Study Committee - Current members: Kirk Johnson (Chair), Stacey Johnson, Ryan Mann, Drew Sawchuk

Motion to appoint Leo Culloo to the Reserve Study Committee by Dan, seconded by Cole. Motion passes unanimously.

Finance Committee – Current members: Stacey Johnson (Chair), Leo Culloo, Sonya Bachman, Rick Lewis. Members Resigning: Don Charnholm, Jeff Click

Motion to appoint Allen Jones and Kirk Johnson to the Finance Committee by Cole, seconded by Noah. Motion passes unanimously.

Legal Committee - Current members: Stacey Johnson (Chair), Ryan Mann, Drew Sawchuk, Todd Besaw, Dan McLelland. Members Resigning: Jeff Click

Motion to appoint Noah Brown to the Legal Committee by Dan, seconded by Cole.
Motion passes unanimously.

Motion to disband the Voting Ballot Committee by Dan, seconded by Noah.
Motion passes unanimously.

Motion to disband the Newsletter and Admin Committee by Stacey, seconded by Noah.
Motion passes unanimously.

Motion to disband Zoom Committee by Cole, seconded by Noah.
Motion passes unanimously.

Bylaw Committee: Current members: Allen Jones (Chair), Rick Lewis, Brian Rabe, Drew Sawchuk, Todd Besaw, Bonnie Terry, Brian Blackman, Gerald Clayburn

Motion to appoint Noah Brown to the Bylaw Committee by Noah, seconded by Cole.
Motion passes unanimously.

Action: Allen to confirm if any members no longer want to be on the Bylaw Committee and to call a committee meeting to review roadblocks so suggestions on potential ways to move forward can be brought to the next board meeting for debate

Motion to disband the Complaint Policy Committee by Stacey, seconded by Cole.
Motion passes unanimously.

Motion to disband the Foreclosure Policy Committee by Stacey, seconded by Cole.
Motion passes unanimously.

Action: Board Chairs to follow up with committee members and notify the Board if any members have resigned.

Action: Drew to follow through and forward the revised Committee Guideline Policy to the Board prior to the next Board meeting so it can be reviewed, approved, posted to the website, and brought to the membership's attention in the fall newsletter.

Old Business:

Minutes of the Special Board meeting held May 27, 2024 were approved May 31st 2024 via E-Mail.

Treasure Updates & Business:

Motion to approve spending up to \$325.00 to have Newman & Associates file the annual tax return by Stacey, seconded by Cole.
Motion passes unanimously.

Motion to approve retain Stacey Johnson and Sonya Bachmann as the signing authorities for the HOA by Stacey, seconded by Cole.
Motion passes unanimously.

Action: Stacey to follow up with Mr. Turntoes regarding options to update an incorrectly addressed money order.

Road Report Review & Road Business:

Motion to publish the Road Report to the HOA website by Cole, seconded by Andy.
Motion passes unanimously.

Motion to release the budget of \$26,666.00 to carry out the placement of the gravel as outlined in the road report by Leo, seconded by Cole.
Motion passes unanimously.

Motion to move forward with the contract provided to secure Okanogan Plowing for winter maintenance by Andy, seconded by Akshay.
Motion passes unanimously.

Motion to approve releasing \$9026.00 worth of Capital Improvement Reserve Funds to repair the 2200' long 'no-plow' road section at the end of Mallard Drive in Division 5 such that the road can thereafter be snow plowed just like other Ranch roads by Andy, seconded by Cole.
Motion passes unanimously.

Motion to reimburse Kirk Johnson \$264.84 for HOA related expenses incurred by Andy, seconded by Cole.
Motion passes unanimously. Stacey Johnson abstained from the vote.

ACC Business:

ACC Chair informed the Board that the ongoing consultation with legal counsel and subsequent direction from the Board, pertaining to allowed structures and occupancy, will greatly impact ACC approvals and enforcement.

Legal Committee:

Motion to publish the Naysnerski New Mexico Court Filing documents to the HOA website by Andy, seconded by Leo.
Motion passes unanimously.

Any Other Business:

Action: Sonya will compose a draft response to address the recent inquiry from an individual who is not a lot owner currently though is inquiring about a potential variance being granted related to a number of service dogs.

Action: Kirk & Stacey to set up a Zoom meeting within the next 30 days to brief new Board members on HOA Fiscal Management Policy.

Motion by Dan to adjourn the meeting and move into Executive Session, seconded by Cole.
Motion passes unanimously.

Regular meeting adjourned at 11:10 am.

Executive Session commenced at 11:10 am.

Motion to adjourn the Executive Session by Dan, seconded by Cole.
Motion passes unanimously.

Action: Dan to schedule another date/time for continuation of the Executive Session

Meeting adjourned at 11:50 am.

HOA Board Meeting Nine Mile Ranch

Continuation of Executive Session of July 13th, 2024

July 27th, 2024 9:00am

Board Members in Attendance: Dan McLelland, Cole Markusen, Rick Lewis, Andy Hill, Noah Brown, Leo Culloo, Akshay Bhat, Stacey Johnson, Sonya Bachmann. Absent:

Committee Members in Attendance: Todd Besaw, Kirk Johnson

Meeting Called to Order at 9:13am

#1. Old Business:

Minutes of the July 13th, 2024, Board Meeting were approved July 26th, 2024.

Stacey Johnson suggests adding #1 Payment Information to the bottom of the Home Page of the website.

#2 Add "No Current" at the Litigation Header in the CCRs & Legal Tab on the website.

Action: Cole Markusen to update website with Payment Information and Litigation Status.

Andy Hill asks about old Litigation URLs on the website, which track back to an old hosting platform, that no longer link. Kirk Johnson says the records are intact and says the URL links need updating.

Action: Cole Markusen to update the website with correct URL links at the current hosting platform.

Kirk Johnson presents a Road Summary Report, and requests two Motions for Road Expenses.

Motion for Funds to repair Point Drive (north) dust spot: ...to release \$2294.83 funds to the Road Committee to repair several worn base gravel spots at about .1 miles down the north entrance of Point Drive from Nine Mile Road by Leo Culloo, seconded by Noah Brown. Motion carries.

Andy Hill comments that perhaps the Road Committee has a discretionary fund to spend on Emergencies. Kirk Johnson says that something similar was proposed, and passed, in approximately 2017, and should be recorded in the Minutes.

Action: Cole Markusen will review the Minutes and report back about the past proposal and determination.

Motion for Funds for sand delivered to sanding site: ... for \$807.58 to have two truckloads of sand delivered to the HOA sanding site in Oroville, coordinated and tractor-loaded in by Okanogan Plowing, by Leo Culloo, seconded by Cole Markusen. Motion carries.

Breakdown of funds as follows: \$50.00 for tractor use fee, \$160.00 for Okanogan Plowing's time to coordinate the deliveries and load in the sand, \$535.00 for (2) loads of course sand delivered from Osoyoos Redi Mix, \$62.58 for 8.4% sales tax.

#2 Motion to move to executive Session by Dan McLelland, Seconded by Noah Brown. Motion carries.

Discussion and answers about policies and obligations regarding transparency and recording responsibilities of documenting the Executive Session.

#3 Legal Committee: Discussion about Property Occupancy, and the history of owner actions, and opinions, about what owners interpret they can do with their property(ies). Review and consideration of recent HOA legal counsel received by the Board.

Board discussion regarding occupancy, legal interpretation, our legal representations' recommendations, while staying in compliance, and supporting the CCRs, within the State and County legal perimeters.

Consideration given that the Board update the ACC Application Documents to review intended use from Applicant. Perhaps emulating the County Planning Departments' Application to determine Usage and Limitations.

Motion proposed and carried for The Board of Directors to formally interpret that less-than-900 square foot cabins/structures are prohibited for dwelling use beyond a total (3) months lifetime use, as per CCRs Article IX/ Sections 1-3.

Motion proposed and carried for the Legal Committee, ad-hoc Occupancy Committee, and the ACC collaborate to draft a proposed Policy for Board review that addresses all the legal clarifications that have been arrived at by those committees and legal counsel.

Motion proposed and carried that The Collaboration of Committees will make recommendations to the Board regarding potential changes to the existing Commercial Enterprises Rule/Policy which address adding clarifying language regarding Air B&Bs and traditional bed and breakfasts.

#4 ACC Business:

ACC presentation regarding ACC Application regarding Division 7/Lot 1 developing his property, including a Cul-de-sac, and Fencing at the end of West Corral Drive on public access. Discussion about Plat maps and actual roads may differ, topography and cliff side proximity are considerations. ACC Committee will clarify some additional questions and considerations with the owner.

#5 Motion to move to Open Session, by Dan McLelland, seconded by Andy Hill. Motion carries.

Executive Session Meeting adjourned at 11:15am

Motion to adjourn by Stacey Johnson, seconded by Leo Culloo. Motion carries.

Meeting adjourned at 11:20am.

HOA Board Meeting Nine Mile Ranch

September 7th, 2024, 9:00am

Board Members in Attendance: Dan McLelland, Rick Lewis, Leo Culloo, Akshay Bhat, Stacey Johnson, Sonya Bachmann. Absent: Cole Markusen, Andy Hill, Noah Brown

Committee Members in Attendance: Todd Besaw, Kirk Johnson

Lot Owners in Attendance: Will and Amanda Neptune 7/14

Meeting Called to Order at 9:07am

#1 Old Business - Dan McLelland

The Fiscal Policy Management Meeting for new Board Members, was held August 24th, 2024, Hosted by Kirk and Stacey Johnson, attended by Cole Markusen, Andy Hill, Noah Brown, Leo Culloo, Akshay Bhat, Dan McLelland.

Motion by Dan McLelland, to approve the draft minutes of the July 27th, 2024, Board of Directors meeting, including the suggested changes shared via email since the meeting, seconded by Rick Lewis, motion passes unanimously.

#2 Treasury Updates & Business - Stacey Johnson

Checking, Savings, CD, and Reserve fund listed balances, as reported to the Board on September 1st, 2024, via Email.

Motion by Stacey Johnson, to transfer budgeted amount of \$4,323 from Checking to Reserve for the emergency/savings deposit. This amount was approved by the Board in this year's budget to bring our CCR required reserve fund up to today's dollar value accounting for inflation, seconded by Akshay Bhat, motion passed unanimously.

Collections, currently there are four lots that have filed liens. (1) We've lost communication with the owner. (1) in Foreclosure, and the process will recover \$1879, (1) in Escrow, and will recover \$ 2939, and (1) about \$2900 we are going to continue to attempt collection, before pursuing Small Claim filing. Releasing the Liens will cost \$ 303.50 each but is covered by the Foreclosure or Escrow process. Stacey reports that the recovered funds are mostly old dues, not included in the operating budget, and will suggest allocating the funds to the RCW required Reserve Fund after collection.

#3 ACC Business - Todd Besaw

Seven ACC Approval Letters have been sent via USPS Mail in the last week. These follow up on verbal or email communications between the ACC and Owners.

Discussion about Old Tressle Lot Owner utilizing their lot recreationally, using travel trailers, within, or adjacent to, the Easement Road. ACC has communicated with owners to verify seasonal usage. Kirk Johnson notes that when winter snow plowing commences, the vehicles/personal items will need to be removed. Further review of what is, and is not allowed in the HOA Easements, per the CCR's.

Motion by Leo Culloo, to have ACC notify the owner that the car(s), trailer(s), and personal property be removed from the right of way, [easement] no later than October 15th, 2024, any necessary towing by the HOA to be covered by the owner. ACC will consult the Fine Policy, and coordinate with the Legal Committee. Rick Lewis will assist Todd Besaw as needed. Seconded by Rick Lewis, motion passes unanimously.

Action: Todd Besaw to provide lot owners email address to Stacey Johnson for records.

Action: Todd Besaw to generate notification to Lot owner and Legal Committee.

Action: Leo Culloo will get Todd Besaw an address from the owner's mailbox.

Division 6, FS3525, USA Easement filed in 1971, regarding original Eight lots, South East of Division 6, that are not on plat map. Adjoining lots in Division 6 show Easement to USA for the road. Todd Besaw has confirmed the document number and needs to obtain a copy to evaluate HOAs' responsibilities and obligations.

Action: Kirk Johnson will review records and see if he has a copy of the document.

Motion by Stacey Johnson, to reimburse for costs associated with securing the recorded easement of FS3525 through Nine Mile Ranch document, seconded by Leo Culloo, motion passes unanimously.

Division 6, FS3525, Deeds on the Eight Lots indicate that they are subject to Nine Mile Ranch's Declaration and CCR's, and are Liable to, but not limited to the assessments of the Association. They're subject to, and have legal access to, all other plat easements in the general area of Division 6 which gets them to the main road. Further research has located the 30' Easement for private ingress/egress and Power Utilities distribution pathway. We have not been accessing funds from these lots. Need review to determine whether we are obligated to provide services. Kirk Johnson clarifies that the HOA is listed on the owners' Deeds, but they are not on our CCR Plat Maps.

Motion by Stacey Johnson, to secure Legal Counsel to clarify the position of the HOA, discover next appropriate steps, and loop in the Legal Committee, to allot a couple of hours, approximately \$ 600.00 for Attorney Review, seconded by Rick Lewis, motion passes unanimously.

#4 Road Committee Updates - Kirk Johnson

Per previously submitted Road Report of September 3rd, 2024, outlining General Comments/Observations, New Repairs/Maintenance, and Culvert Clearing.

Motion for Funds by Dan McLelland, of \$11,135.93 be released to Road Committee, to perform repairs as outlined in Road Report, specifically Sections II and III, seconded by Rick Lewis, motion passes unanimously.

Motion by Rick Lewis, for September 1st, 2024 Road Report be published to the website, seconded by Leo Culloo, motion passes unanimously.

Action: Stacey Johnson will follow through with Cole Markusen to get posted to the website.

Contract executed with Roger of Okanogan Plowing as our sole snow plowing provider. Kirk Johnson contacted Frank of 24/7 Property Maintenance letting them know we appreciated their service, but we were using Okanogan Plowing exclusively. Frank offered us assistance if we needed additional coverage in the future.

#5 Collection Policy - Leo Culloo

A review of the Collection Policy brings to light some vaguaries and absences. These items could be clarified if our goal is to be as consistent and equitable as possible in our enforcement of collections.

Stacey Johnson and Leo Culloo will continue to review the Collection Policy and bring back suggestions to present to the Board for consideration.

#6 By-Laws Committee - Allen Jones

Not present to report.

#7 Committee Guidelines Policy - Dan McLelland

Discussion regarding Committees current required email communications to Board.

Motion by Stacey Johnson, made to have the Committee Policy amended to strike the mandatory cc'ing of email communications to the Board, seconded by Dan McLelland, motion passes unanimously.

Action: Kirk and Stacey Johnson will update the policy and send it to the Board.

#8 Fall Newsletter - Dan McLelland

Topics to include: Board Member Announcement, Policy Amendments, Litigation Update(s), provide the membership information about Snow Plowing, review 2023 Fall Newsletter for Policy announcements that were not actually updated on the website to view.

Action: Todd Besaw to send affected policies to Stacey to make a review for accuracy. Coordinate with Cole Markusen as appropriate to update the website.

Motion by Dan McLelland, to form an ad hoc Committee to generate the 2024 Fall Newsletter. All Directors can submit contributions by October 1st, 2024, final approval of content by majority consent via email. Nominated Stacey Johnson to Chair Committee. Seconded by Leo Culloo, motion passes unanimously.

Committee: Stacey Johnson (Chair), Dan McLelland, Kirk Johnson, to form Committee.

Target Date for publication: October 15th, 2024

Motion to adjourn by Leo Culloo seconded by Dan McLelland, motion passes unanimously.

Meeting adjourned at 10:31am

Next Meeting October 5th, 2024, Zoom Invitation and Agenda to follow.

**HOA Board Meeting Nine Mile Ranch
October 5th, 2024, 9:00am**

Board Members in Attendance: Dan McLelland, Rick Lewis, Leo Culloo, Akshay Bhat, Stacey Johnson, Cole Markusen, Andy Hill, Noah Brown. Absent: Sonya Bachmann
Committee Members in Attendance: Kirk Johnson, Allen Jones, Brian Rabe

Meeting Called to Order at 9:00am

1) Old Business - Dan McLelland

Minutes of the September 7th 2024 Board Meeting were approved on September 24th, 2024.

The July 27th, 2024 Board Meeting, which was a continuation of the July 13th, 2024 Board Meeting, were approved September 7th, 2024

2) Treasury Updates & Business - Stacey Johnson

Checking, Savings, CD, and Reserve fund listed balances, as reported to the Board on October 12th, 2024, via Email.

Stacey discusses financial responsibilities, and appropriate notification to the Board regarding payments made for budgeted items. Board is informed when payments are outside expectations, unusual, or not part of our projected budget. The Board is comfortable with the current level of communication. Stacey reminds the Board that all payments and copies of all cleared checks and corresponding invoices are included in the monthly reconciliation packet that she submits.

Motion by Stacey Johnson, for \$100.00 to cover printer ink used for printing owner monthly statements and other communications for the HOA. Last requested funds for similar in December 2022, Seconded by Rick Lewis, Motion passes unanimously.

Stacey notes that current Washington law requires the Board to post the coinciding Agenda with the Meeting Date(s) on our website. It also requires "meeting agendas must be posted on most agency websites no later than 24 hours in advance of all regular and special meetings".

Action: Dan McLelland and Cole Markusen to coordinate adding the Agenda to every Board Meeting listed on our website at least 24 hours before the start of each meeting.

The Next Board Meeting is on January 11th, 2025. Stacey will be working on the 2025-2026 Budget, and will send appropriate paperwork for review in December. Please review and bring your thoughts to the January meeting for discussion.

Collections are going well, (1) owner has relinquished ownership, and the new owner intends to pay the \$1879. (1) Lot in Foreclosure, Stacey has spoken with the escrow company and expects to recover \$2939, which she suggests putting into the Reserve fund.

Per the Collection Policy, five owners were sent a Certified Letter on October 1st, 2024. These owners are two years in arrears for their annual dues. The one Canadian owner was mailed a regular stamped letter with the same notification. Per policy, they have until October 20th, 2024 to contact us to make payment arrangements.

3) ACC Business - Rick Lewis

ACC has recently sent out letters to several owners approving their applications.

The Old Tressle owner(s) of the vehicle(s) parked on the easement have been sent a letter directing them to have all vehicles removed off the easement by October 15th, 2024.

4) Road Committee Updates - Kirk Johnson

Okanogan Plowing has chosen to address other pressing needs, and are no longer able to fulfill their bid for our HOA's necessary plowing. Kirk has coordinated with 24/7 Plowing, and secured a contract for this season. The contract was sent to the Board for review on October 4th, 2024

Motion by Dan McLelland, to approve the 24/7 Plowing Contract, seconded by Rick Lewis, motion passes unanimously.

Action: Kirk Johnson and Dan McLelland will meet to get the contract signed.

5) Collection Policy - Leo Culloo

The Committee hasn't had a chance to meet and have nothing to submit at this time.

6) Fall Newsletter - Dan McLelland

310 owners; 111 currently have signed up for electronic communications, the New Owner Welcome Packet has garnered some, and the Annual Membership Letter has captured many. Suggest including a small blurb to solicit more Electronic communications.

Action: Stacey Johnson will handle the printing of the newsletters to be mailed. Akshay Bhat will assist in coordinating the newsletters to the 111 owners who receive electronic communications.

Motion by Stacey Johnson, to approve the 2024 Fall Newsletter, seconded by Rick Lewis, motion passes unanimously.

Motion by Stacey Johnson, to spend \$350.00; covers Postage for \$150.00, #9 Envelopes for \$30.00, and Printing for \$160.00, seconded by Cole Markusen, motion passes unanimously.

Motion by Stacey Johnson, to add a blurb in the Fall Newsletter mailing about owners signing up for Electronic communications, seconded by Leo Culloo, motion passes unanimously.

Action: Stacey Johnson to include a solicitation/information for owners to receive Electronic Communications with the Fall Newsletter.

7) Bylaws Update Committee – Allen Jones

Dan McLelland shares some communication he had directly with Allen Jones setting expectations about the presentation by the Bylaws Committee.

Leo Culloo asks what specific Directive(s) or Motion(s) did the Board give to the Bylaws Committee? He questions whether the Directive was to focus on a process to amend and ratify the Bylaws, or just present suggested Bylaw changes. He says the paperwork he has received seems to be outlining the change process, but not actually identifying the changes to be made.

Action: Allen Jones will resend copies of the Initial Recommendations and Draft Bylaws Update Recommendations that the committee developed.

Stacey Johnson believes that the Board requested the Bylaw Committee to start addressing any potential suggested amendments, and then report back to the Board. With the report the Bylaws Committee provided, the Board put out an Advisory vote to the owners, which failed.

Allen Jones was asked to outline his experience and qualifications to undertake this project. Allen has had a long career with Non-Profits, Lobbying, School Administrations in various capacities. He also clarifies that he is not a lawyer.

A lengthy discussion about whether Bylaw update is a critical pursuit, as we adhere to RCW's in our compliance and application of the Bylaws. The drive for Bylaw updates was reviewed historically. A deliberation of the merits, interpretations, member support and/or resistance was deliberated. Different approaches and opinions of such were evaluated.

Stacey Johnson suggests that this topic is included in the Annual Members Meeting newsletter/ballot letter.

The Board recognizes and appreciates the time and effort that the Bylaws Committee has dedicated to this effort.

Motion by Leo Culloo, to have a Board meeting to discuss recommendations, and to suspend the duties of the Bylaws Committee, seconded by Cole Markusen, motion passes unanimously.

Motion to adjourn by Dan McLelland, seconded by Cole Markusen, motion passes unanimously.

Meeting adjourned at 10:43am

Next Meeting January 11th, 2025, Zoom Invitation and Agenda to follow.