

**Board Meeting Nine Mile Ranch
January 11th, 2025, 9:00am**

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

Absent: Andy Hill

Committee Members in Attendance: Kirk Johnson, Todd Besaw

Meeting Called to Order at 9:07am

Motion by Dan McLelland, to accept the following meeting agenda, Seconded by Cole Markusen, Motion passes unanimously.

1) Old Business - Dan McLelland

Motion by Dan McLelland, to accept the Minutes of the Special Board Meeting from October 24th, 2024, as approved via Email on November 6th, 2024, Seconded by Noah Brown, Motion passes unanimously.

2) Discussion - Approval items for Membership Ballot Vote - Dan McLelland

Stacey Johnson reports that the Board is complete for the 2025-2026 term, with Dan McLelland and Sonya Bachmann's terms set to expire in 2026, the remaining Board is in place for two more years. We will not need to send out a solicitation for Board candidates this year.

Stacey says that we will need to send the option to Waive the Audit Report, which is required by law.

3) Treasury Updates and Business - Stacey Johnson

Update on 24/7 Property Maintenances' billing status, Stacey had a conversation with their billing clerk, and has requested an invoice for the HOA's road plowing expenses. Stacey also clarified that individual owners are responsible for their specific driveway plowing.

The Sanding Facility raised the rates for all their clients, our HOA being one of many, to cover the additional cost of their insurance. Stacey contacted them, and through discussion, we will not be required to pay extra to insure our sand. We are current with our contracted payment schedule.

Stacey Johnson sent a Proposed 2025-2026 Budget, Notes regarding the Proposed Budget, and a Review of Minimum Annual Assessment Rate worksheet via Email on December 18th 2024. She invites the Board to discuss the Budget, Expenses or Income projections.

Stacey reports about the Reserve Fund, and initiated a conversation about what we might be able to accomplish to address the three outstanding road projects. Reference the Prioritized Capital Improvement Items & Pricing- by Kirk Johnson- December 27, 2024 as Emailed by Stacey Johnson January 2nd, 2025 Board discussed different financial options and approaches to complete these three projects.

Project #1 'No Plow' section at the end of Mallard Drive in Division 5, will be accomplished as it was approved for funding July 13th, 2024

Project #2 'No Plow' road section at the end of Blue Grouse Road in Division could be funded by the collected fines, old assessments, and this years' leftover budget proceeds, but still needs another ~\$3000. Concerns about waiting another couple of years and increased cost is a consideration. Leo Culloo suggests increasing the annual membership dues for a one year period, by \$10, about 3% to support Project # 2. This would allow the project to proceed in 2025. This would be a one year only increase to the Membership.

Project #3 'No Plow' road section at the end of Cougar Drive in Division 8 , Kirk Johnson advises that because these properties all have lower access, we should consult with our attorney(s) to determine our responsibility by interpreting our CC&Rs wording on accessibility.

Motion by Leo Culloo, to authorize Stacey Johnson our Legal Chair, and our Road Manager - Advisor Kirk Johnson, to contact our attorney(s) to clarify the HOA's legal opinion about our responsibility to provide access and maintain the end of Cougar Drive, Seconded by Noah Brown, Motion passes unanimously.

Action: Stacey Johnson will write up the appropriate question(s) and send out to the Board for review prior to sending to the Attorney(s).

Conversation about whether to increase the Annual Assessment Rate, the pros and cons, current capital projects, the rate of inflation, and the recent history of our rates increasing. Stacey Johnson has reached out to all our suppliers and vendors to inquire about costs/rates/services increasing to update the proposed budget. Stacey notes that Voting item #3, \$24.71, on the 2021 budget, is on a five year plan, with just one additional year, and then this income will drop off, thus reducing the annual membership dues.

Motion by Leo Culloo, to raise our 2025-2026 ONLY Annual Membership Dues by \$10 to \$345.72 for Capital Road Improvements as approved by the Board, Seconded by Stacey Johnson, Motion passes by Majority. Voted No: Stacey Johnson, Noah Brown

Motion by Stacey Johnson, to move \$10 from each Lot Assessment of the 2025-2026 ONLY Annual Membership Dues to Capital Improvement Reserve Funds, Seconded by Cole Markusen, Motion passes unanimously.

The Corporate Transparency Act, a 2024 Policy from the Department of Treasury, to help prevent and combat illegal activities like money laundering, tax fraud, and terrorist financing. "Owner" requirements include submitting Board Members names, addresses, and identifying details like Passport or Driver's License numbers. Stacey has made several calls in an attempt to gain a clear understanding of our responsibility to file and comply with this Act. She feels like our first step should be a definitive answer from our legal council. Through investigation, Stacey Johnson has contacted a company, CTA Review. We can engage them to manage the filing process, and keep us current in the future. Currently the Act is being challenged in the Court system as unconstitutional. There is an injunction, so a pause in enforcement while this runs its course. Leo Culloo points out that the Act would require all Board Members, current and future, to submit this documentation within 30 days of joining the Board.

Motion by Stacey Johnson, to have our Attorney review the BOI Enforcement Guide filing requirements and determine whether we are exempt from filing the Corporate transparency Act. Seconded by Leo Culloo, Motion passes unanimously.

4) ACC Business - Todd Besaw

ACC Committee Member Ralph Marchmont resigned, currently has four members. CC&Rs allow up to seven members. Todd expresses an interest in adding additional Lot Owner members; we have enough Board member participants.

Division I: Dog complaint, owner has four dogs, which exceeds CC&Rs limit of two. Complaint is all four dogs are running free, off property, and chasing cars. Lot owner responded to the ACC letter saying that two of the dogs are Service Animals, and two are pets. Todd expresses concerns of overstepping the Federal ADA protections and privacy afforded both dog and handler.

Motion by Stacey Johnson, to have our Attorney review the circumstances and form an appropriate response. Seconded by Rick Lewis, Motion passes unanimously.

ACC granted approval for Site Plan and Structure in Division VIII.

Leo Culloo questions vehicle removal from Old Trestle Road, which was required for the 2024-2025 winter snow plowing. Todd Besaw affirms that the road was cleared per request. Kirk Johnson reminds us that future considerations for accommodation of Lot Owners parking their RV's and vehicles in the Road Easement should include summer raking and maintenance access.

5) Occupancy Committee – Kirk Johnson

Committee has been tasked with researching and making suggestions regarding short term nightly rentals. Definitions of Short Term Nightly Rentals, Airbnb, Bed and Breakfast, Commercial Enterprises, CC&Rs and State Law have been reviewed for compliance in making their recommendations for the Occupancy Policy.

Noah Brown asks why we have an Occupancy Committee. Kirk Johnson says that the Committee was tasked by the Board to resolve, address, and clarify the Policy, and to be able to reference it when responding to application requests to the ACC, or Complaints to the ACC. Kirk points out that we have had ongoing situations including everything from Tiny Homes and small cabins to Campgrounds.

Todd Besaw points out that in researching Bed and Breakfasts and nightly rentals, that there are additional State and County Code restrictions/requirements, there are a lot of steps in Business Licence Applications, and Insurance. The Okanogan Building Department and Department of Health also have restrictions. Todd states that the County approvals have a yearly renewal, and suggests that the Board might also be able to model "trial" situations, and may choose not to renew if there were issues. Kirk Johnson says that if we choose to approve and regulate some of these potentially yearly "renewable" applications we will need to establish some way to track them.

Todd Besaw says that the Board could allow nightly rentals, but stipulate that the owner(s) would be required to be present. Askshay Bhat mentions that the Board spends a lot of time and effort trying to clarify and apply the rules we have.

Cole Markusen points out that enforcement is an issue. Kirk Johnson reminds us of the IX:22 Rule for enforcement allows for fining. The Fine Policy is a compelling tool to use for enforcement actions. Points out that advertisements on the Internet indicate that some sort of commerce is occurring.

Stacey Johnson reiterates that we all choose to sign the contract of 9 Mile Ranch being a recreational and residential community for the Member Owners, and this is clear in the CC&Rs explicitly excluding Commercial Enterprises as a general rule..

Leo Culloo asks where this Policy could be found in our Ranch paperwork. Kirk and Stacey Johnson respond that it would be documented in our posted Minutes, listed in Occupancy Policy on our website, and communicated to the members in our Annual Newsletter mailing.

Kirk Johnson brings a strong emphasis to an appreciation of the members' desire to have an opportunity to be able to make some money, but members need to also recognize that they chose to have purchased property in the Nine Mile Ranch with the established CC&R's, with the restrictions that exist, regarding Commercial Enterprises, Wildlife, and Density restrictions.

Motion by Leo Culloo, WHEREAS the Board understands that a traditional "Bed and Breakfast" use of a residence includes that the Lot Owner occupies the residence at the same time as their guests, and that this differs from the use of a residence for short-term nightly rentals (e.g. Airbnb) where the Lot Owner is not present while their guests rent the residence, and that this difference renders a Lot, or residence, being wholly for commercial purposes at that point and therefore not being used as a "recreational residential" property as is expressly required in the CC&Rs, and;

WHEREAS per CC&Rs IX/12 and HOA legal counsel, all renters on 9 Mile Ranch must sign a copy of the CC&Rs in agreement to comply with the CC&Rs and that the Board of Directors finds it unlikely, and implausible, to expect that short-term nightly renters (like with Airbnb's) will entirely read and comply with the terms of the CC&Rs, especially given that Lot Owners would not be present during the renters' stay to observe and ensure that renters act in compliance with the CC&Rs, and;

WHEREAS CC&Rs IX/11 expresses that the 'rule' is that commercial enterprises are not allowed on 9 Mile Ranch and that the 'exception' would be commercial activity approved by the Board if it were commensurate with the terms and purposes set forth in the CC&Rs, such expressions which compel the Board to have a narrow and careful view in approving commercial enterprises, so;

THEREFOR MAY IT BE RESOLVED that the Board will not approve Lots, or residences, to be used for commercial short-term nightly rentals and that this motion does not include traditional Bed & Breakfast residences. Seconded by Cole Markusen, Motion passes unanimously.

Todd Besaw clarifies that the Board just eliminated the approval of short term rentals of 1-29 nights. Further, that 30 days or longer to a maximum of six months can be allowable as a

rental. Kirk Johnson says these are covered in IX:12 Reiterates that Bed and Breakfasts may be approvable by the Board. The HOA has a Rental Form and Policy on the Website. Our Attorney discussed and reinforced that the Board and ACC can expect owners to inform the Board of rental scenarios. Todd says that the Policy will need to update the Rental form to be able to enforce compliance. Kirk says that the Occupancy Committee is tracking known situations.

Action: Kirk Johnson - Occupancy Committee Chair and Todd Besaw - ACC Chair will review forms and make recommendations on updates to the Board.

6) Road Committee Updates - Kirk Johnson

Kirk Johnson says we're up to date on snow-plowing, and needed to purchase two additional loads of sand as our last sanding was widespread and used two thirds of stock.

7) Annual Meeting - Mailout to Membership - Stacey Johnson

Stacey Johnson reports that the Board is complete for the 2025-2026 term, with Dan McLelland and Sonya Bachmann's terms set to expire in 2026, the remaining Board is in place for two more years. We will not need to send out a solicitation for Board candidates this year.

Stacey says that we will need to send the option to Waive the Audit Report, which is required by law.

Expect to have the first draft of the newsletter for the March 8th, 2025 Board Meeting for discussion. The next month will include contacting the meeting location, the Zoom details, the ballot counting arrangements, ect. The Annual Meeting mailing aims to mail to the Membership on May 1st, 2025 Dan McLelland offers assistance.

Meeting adjourned by Dan McLelland at 11:35am

Next Meeting March 8th, 2025, Zoom Invitation and Agenda to follow.

**Board Meeting Nine Mile Ranch
March 8th, 2025, 9:00am**

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

Absent: Noah Brown

Committee Members in Attendance: Kirk Johnson, Todd Besaw

Owners: Brian and Felicity Rabe at 9:32am

Meeting Called to Order at 9:06am

Motion by Dan McLelland, to accept the following amended meeting agenda, adding the Lot Occupancy Update Committee report by Kirk Johnson, updating Presenters and order numbers, and moving President's Letter into the Annual Meeting. An Executive Session is also being added onto the end of the meeting. Seconded by Cole Markusen, Motion passes unanimously.

1) Old Business - Dan McLelland

Motion by Dan McLelland, to accept the Minutes of the Board Meeting from January 11th, 2025, as approved via Email on February 10th, 2025, Seconded by Cole Markusen, Motion passes unanimously.

2) President's Letter - Dan McLelland

Letter is ready to go, and we need to determine and discuss meeting logistics during the Annual Meeting discussion.

3) Treasury Updates and Business - Stacey Johnson

February 2025 Reconciliation to be completed and sent to the Board soon.

Motion by Stacey Johnson to approve the 2025-2026 proposed Annual Budget. Seconded by Andy Hill, Motion passes unanimously.

Stacey reminds us that Voting Item #3 in the budget runs from 2021 to 2026, was a voter approved annual assessment to specifically address gravel replenishment.

Motion by Stacey Johnson to spend \$42.00 on invoice envelopes and file folders. Seconded by Leo Culloo, Motion passes unanimously.

Stacey reports that the Federal Treasury Department has suspended the Corporate Transparency Act, or CTA. We will continue to watch for pending legal changes requiring compliance.

Stacey says that 1099's were sent out for all our vendors that were paid more than \$ 400.00 last year. (A 1099 is used to report income from freelance or self-employment work, or other non-employee sources.)

Stacey reports that we received payments from two lots that have been in arrears for a few years. We recovered \$ 850.00 after deducting the cost of filing and removing liens.

Motion by Stacey Johnson to transfer \$ 850.00 from our HOA Checking account to our HOA Reserve Fund account. Seconded by Andy Hill, Motion passes unanimously.

4) ACC Business - Todd Besaw

Todd Besaw reports all Approval letters are current, and copies filed in records folders.

Todd Besaw, our ACC Chair of five years, tenders his official resignation as Chair, and states that he would like to continue to support the Committee as much as he is able.

Motion by Stacey Johnson to appoint Rick Lewis as ACC Chair. Seconded by Leo Culloo, Motion passes unanimously.

Motion by Rick Lewis to remove Ryan Mann, who has been inactive for the last year. Seconded by Stacey Johnson, Motion passes unanimously.

Motion by Rick Lewis to remove Christine Opel as Assistant to the Chair, resignation. Seconded by Stacey Johnson, Motion passes unanimously.

Motion by Rick Lewis to appoint Terry Bachmann and Roshni Bhat as new members of the ACC. Seconded by Stacey Johnson, Motion passes unanimously.

Motion by Rick Lewis to name Roshni Bhat as Technical Administrator and Assistant to the ACC Committee and Chair. Seconded by Stacey Johnson, Motion passes unanimously.

Rick Lewis informs us that Christine Opel will pass all mailing supplies and ACC records to Stacey Johnson, who will pass them to Roshni Bhat.

5) Lot Occupancy Update Committee - Kirk Johnson

Kirk Johnson says that the Committee is still working on the formulation of the final draft policy to give to the Board for review. Kirk asks that the Board consider adopting the Rental Notification Rule, developed by the Committee, as sent out February 23rd, 2025

The Board discussed several different wording options for the proposed Rental Notification Rule, with input from Andy Hill, Leo Culloo, and Kirk Johnson, without any consensus.

Motion by Stacey Johnson to table this Rental Notification Rules' verbiage until our next Board Meeting, Seconded by Andy Hill, Motion passes unanimously.

5) Road Committee Updates - Kirk Johnson

Kirk says that before the next Board Meeting in April, the Road Committee intends to make a comprehensive sweep and initial evaluation of all the roads. Kirk will prepare a Spring Motion for appropriate expenditures for repairs and maintenance.

Kirk has contacted Tim Mason to be ready to start the Spring work as soon as roads are in condition to affect repairs. Most roads need to be dry and thawed out.

6) Legal Committee - Stacey Johnson

Stacey says that we have received responses from our attorney, Ken Miller, on two of our questions. Attorney response letter regarding the Cougar Ridge question was sent February 16th, 2025, and letter regarding Unincorporated 9MR was sent on February 5th, 2025.

This first being Cougar Drive, as outlined in a situational history, sent January 13th, 2025 from Stacey Johnson. Kirk Johnson sent a suggested Motion for consideration, via email, March 8th, 2025.

The second being unincorporated Forest Road in Division 6, as outlined in a situational history, sent January 13th, 2025 from Stacey Johnson. Kirk Johnson sent a suggested Motion for consideration, via email, March 8th, 2025.

The Board agrees to review the information and be prepared for discussion at the April Board Meeting

7) Annual Meeting/Mailout to Membership - Stacey Johnson

Stacey says the Board needs to determine if we're having only a virtual meeting, an in person meeting, or both. She says that we are in RCW compliance by having the Zoom meeting.

Stacey says that if we have an in person meeting, we need someone to set up the reservation location. Sonya Bachmann volunteers to coordinate a reservation for the in person portion of the Annual Meeting. She will reach out to Oroville High School, and see if we can reserve the Library, which provides good WiFi access. Akshay Bhat volunteers to set up the technology portion of the meeting.

Stacey Johnson reminds us that the Ballot counting meeting is at 10am, with the Annual Meeting and Zoom Meeting at 1pm. Ballot results are given to the President for an announcement at the meeting. Stacey hasn't yet confirmed our Ballot Counter, but she's working on it. Stacey has called My Place Coffee for availability, but hasn't received a confirmation yet.

Motion by Stacey Johnson, to make a \$ 100.00 donation to the facility that accommodates our ballot counting. Seconded by Rick Lewis, Motion passes unanimously.

Annual Meeting Mailing - Stacey Johnson

Mailing needs to be postmarked on May 1st, 2025 Stacey says it takes a bit of time to pull together the content of the annual mailing, and get it approved by the Board, and then get it printed, stuffing the envelopes, ahead of the mailing deadline.

Motion by Stacey Johnson, to approve mailing content via email, by majority vote of the Board, to review documents, Seconded by Rick Lewis, Motion passes unanimously.

Motion by Stacey Johnson, to spend \$ 1200.00 to cover the cost of the mailing, which includes printing, envelopes, and postage, Seconded by Leo Culloo, Motion passes unanimously.

Stacey points out that a growing number of members have opted to receive their mailings via email, but she still needs to mail the ballot slips, as they go to the Ballot

Counting Fiduciary, at the separately secured Post office Box for counting. This special Post Office Box address is printed on the ballot envelopes. Stacey confirms that the Ballot Counting fiduciary has obtained the box.

Stacey will include the Email Permissions Form with this Annual Meeting mailing. She notes that we had a good response last year.

Stacey asks Rick Lewis to write up an ACC statement , as he is the new ACC Chair.

Stacey asks Akshay Bhat to send an alphabetized email list for the Annual Meeting email mailing, as opted in by Lot owners. They will still receive a Ballot in the USPS mail.

Motion at 10:04am by Dan McLelland, to leave the Open Session, and Move to Executive Session to discuss a recent possible, or potential legal complaint made against the HOA, Seconded by Leo Culloo, Motion passes unanimously.

Motion at 10:32am by Dan McLelland, to leave the Executive Session, and Move to Open Session, Seconded by Leo Culloo, Motion passes unanimously.

Andy Hill uses Google Earth / plats when reviewing the plat maps for the Nine Mile Ranch divisions. He has been able to fill in several missing measurements that document where property lines or roads are located, versus where they reside physically. Kirk Johnson acknowledges that there are many variances in the documented plat measurements. Akshay Bhat says he is interested in learning more. Andy's point of view is that while plat maps might be the legal authority, some are incomplete, and can contain numerical errors and inconsistent information.

Discussion is a collection of comments about boundary lines, easements, encroachment, and rights of use for our roads and right of ways for public access on Forest Service Road(s).

Motion by Leo Culloo, to adjourn meeting, Seconded by Akshay Bhat, Motion passes unanimously.

Meeting adjourned by Dan McLelland at 10:55am

Next Meeting April 12th, 2025, Zoom Invitation and Agenda to follow.

**Board Meeting Nine Mile Ranch
April 12th, 2025, 9:00am**

Board Members in Attendance: Dan McLelland, Rick Lewis, Leo Culloo, Stacey Johnson, Cole Markusen, Akshay Bhat, Andy Hill, Sonya Bachmann at 9:30am
Absent: Noah Brown

Committee Members in Attendance: Kirk Johnson

Meeting Called to Order at 9:12am

1) Old Business - Dan McLelland

Motion by Dan McLelland to adopt the HOA Board Meeting Agenda for April 12, 2025
Seconded by Cole Markusen, Motion passes unanimously.

Motion by Dan McLelland to accept the March 8, 2025 HOA Board Meeting Minutes, as approved on April 3, 2025, Seconded by Cole Markusen, Motion passes unanimously.

Action: Cole Markusen, please post to the website.

2) Treasury Updates & Business - Stacey Johnson

Stacey Johnson reports on Collections. Stacey has been in contact with a member who has been in arrears for \$ 3000, our largest outstanding account. This member has responded to a letter notifying them of our intention to file with small claims court. Information was provided to member regarding the breakdown of statement balance.

The 2nd highest collection is about \$ 1700, from a member who may be facing foreclosure. This member has not paid dues to the HOA, or property taxes to the County for three years. Stacey reminds us that the HOA stands to lose this money in the foreclosure process unless we have a court ordered lien. Stacey informs us that the cost to secure the Court ordered lien exceeds the collection balance. Further, there is a possible repeat purchaser who if they secure the property through foreclosure, may pay the past due balance.

Stacey says she is current with sending communications for past due assessments and collections.

Stacey reports on the status of our Checking account, with an approximate balance of \$ 46,000. She quickly outlines several items being presented today that will mostly deplete the 2023-2024 annual assessment income.

She lists a Gravel item for \$ 9,300 from a motion made last year. We didn't spend it last year, because there was a supply issue, and then poor weather set in.

There's \$ 13,500 for Spring Road Work, as outlined by Kirk Johnson's Report of April 8, 2025.

We have a quote for \$ 7,500 for our Spray Order.

With the Capital Improvement we approved last year, \$ 4,000 will come from checking, the rest will be from the Reserve account. So, using about \$ 34,000 from checking.

2025-2026 Assessments will start renewing our annual budget funds. Invoices will be mailed on June first, with annual assessments due July first.

3) ACC Business - Rick Lewis

Rick Lewis reports that the ACC digital files are being migrated from Todd Besaw to a more centralized location set up by Roshni Bhat.

Rick reports that they have received One (1) new fence application - Division I, application is with the Committee for review and approval.

4) Lot Occupancy Update Committee - Kirk Johnson

The Committee is currently working on a draft policy to present to the Board.

Kirk Johnson sent a copy of an Okanogan County "Blue" sheet to the Board, April 7, 2025. Kirk tells us that the Committee is potentially considering it for implementation to our ACC approval process as it references occupancy footage as determined by the Okanogan County. This "Blue" sheet is issued from Okanogan County with the building permit.

Kirk references the HOA CCRs' Article 9, Section 3, where it requires the 900' square foot residence requirement: exclusive of porches, garages, or carports. Defining the factors that affect what constitutes actual living space can be difficult for the ACC to determine. Even at the Okanogan County level, the Plan Examiners discretion can affect the total square footage in classifying usable/living space in basements, attics, and other areas.

The Committee is likely to propose that for final ACC approval, the owner will be required to submit to the ACC the Okanogan County's "Blue" sheet within 30 days to confirm the living space square footage. The Committee will suggest that the HOA adopt a policy to abide by Okanogan County's standards and determination because our CCRs lack clarification about what space is included into the 900 square foot minimum.

Stacey Johnson asks if what the ACC previously approved wasn't 900 square feet. Rick Lewis explains that part of the ACC approval process is to review the owners plan application, which includes the building plan that the member is submitting to Okanogan County, and make sure that there is greater than 900' square feet.

Kirk Johnson clarifies that the Committee's draft language will include verbiage that the CCRs' require that members have to provide the ACC their building plans for approval, the ACC will make their best judgment, but final approval will be contingent upon the ACC receiving a copy of the Okanogan County "Blue" sheet within 30 days of receipt, showing occupancy floors square footage of at least 900 square feet.

Leo Culloo questions how to read the County's "Blue" Sheet, with the square footage including porches and alternative structures that aren't usable, and also questions what defines a basement, what makes it usable, and what it takes to define it as living space. Kirk Johnson says that Okanogan County has specific requirements and building codes for what your intention of use is, how they classify the space, and other variables such as heating, headspace, barrier flooring, or declared living space.

Cole Markusen points out a specific example of garage space being classified as living space by Okanogan County's "Blue" Sheet. Kirk Johnson reminds us that our CCRs' specifically excludes garage space, as not constituting living space, or go towards the 900" square foot requirement.

Andy Hill says he has reviewed records and says it can be a complicated process to interpret how Okanogan County might classify applications and living space. He supports the ACC using the Okanogan County's "Blue" sheet as a tool and resource for approval.

Kirk Johnson reiterates that the goal of the Lot Occupancy Update Committee is to provide a more streamlined ability for the ACC to evaluate and approve building applications based on data, not an arbitrary determination.

Leo Culloo questions what happens if a member deliberately falsifies information in an application. Leo points out that many owners say they never received a copy of the

CCRs'. Stacey Johnson remembers that we had a high profile legal case where that argument did not hold up as an excuse for their violations.

Kirk Johnson reminds us that last meeting we discussed instituting a Rental Notification Rule. The Rule was tabled pending wording and format.

Motion to adopt the amended Rental Notification Rule, by Andy Hill, Seconded by , Rick Lewis, Motion passes unanimously.



Rental Notification Rule
adopted by the Board of Directors on 4/12/25

Prior to renting in any form a portion of their Lot, for any period of time, included but not limited to, the:

Land

and/or, on the Lot:

Structure

Recreational Shelter

RV

the Lot Owner(s) must notify the ACC/BoD of their intentions to rent.

This Rule is in addition to Owners being required to comply with all CCR requirements, BOD policies, and state, federal and county laws regarding the subject of all forms of renting and commercial enterprises.

Violations of the Rule will be subject to the Enforcement Rules & Fines Schedule and specifically the fines amount enumerated at Section III/1.

5) Amending the Committee Guidelines Policy - Kirk Johnson

Kirk Johnson says we all received a copy of the suggested language changes for the existing Committee Guidelines policy on March 22, 2025. Kirk says that Allen Jones brought to our attention that it contains language that is incompatible with state law regarding the difference between "advisory" committees and "committees of the board"; in other words, the current Policy does not address this. Kirk has reviewed these Guidelines, and has drafted a suggested editing to the Policy.

Kirk Johnson says we all received a copy of the suggested language changes for the Policy Committee Guidelines on March 22, 2025. Kirk says that Allen Jones brought to our attention that it contains language that is incompatible with state law regarding the difference between "advisory" committees and "committees of the board"; in other words, the current Policy does not address this. Kirk has reviewed these Guidelines, and has drafted a suggested editing to the Policy.

Stacey Johnson suggests that we remove the notation of *“The Secretary will make a hard copy and file all motions, discussions and votes for email motions made by the Board of Directors between meetings. All motions made between meetings will be read out-loud at the next Board meeting and recorded into the meeting minutes.”* Stacey feels it’s not pertinent to the Committees.

Motion by Stacey Johnson, to update the Committee Policy, and delete the last paragraph as specified above, Seconded by Cole Markusen, Motion passes unanimously.

“Committees Purpose and Guidelines”

A major beneficial action within committees is to share research information among committee members and to have creative open deliberation about any given issue outside of Board meetings. As opposed to the full Board of Directors, committee members within a committee are allowed to discuss shared information on their given tasks outside of Board meetings, and then present those findings to the entire Board for their review in open Board meetings. This allows many aspects of the business of the HOA to progress between meetings with education so clear decisions/actions can be made by the Board at meetings.

Currently there are two types of committees allowed under Washington state statute RCW24.03A.575:

1. “Committees of the board”, which consist of two or more members of the Board but cannot have upon them a majority of the total number of directors on the Board. These

committees are allowed to perform actions of the Board that are delegated to them by the Board, but those actions are limited to those enumerated under RCW 24.03A.575. A committee of the board shall not include as voting members persons who are not directors, except as provided under RCW24.03A.575.

2. "Advisory committees", which may consist of both or either board members and persons who are not directors but may not have upon them a majority of the total number of directors on the Board. Advisory committees have no power to act but may only advise the Board.

Committee work can be accomplished through any communication format (email, phone, video conference meeting, etc). Documents produced and presented to the Board by a committee are used by the Board in preparation for Board meetings and actions/motions, and such documents can be presented to directors prior to a Board meeting so that directors can prior study and contemplate individually. Board discussion and/or adoption of said documents will be in an open Board meeting unless immediate action, between meetings, is deemed necessary and followed per Bylaws Article VI, Section 4.

Because of the RCW64.38.035 requirement that Board meetings must be open to observation by all HOA members, the Board cannot participate in committee dialogue outside of Board meetings. However, any director who is not on a particular committee can request the committee to be "cc'd" in any or all committee email dialogues and other forms of committee meetings. The dialogue being "cc'd" to the requesting director(s) is for their education/observation only, to assist in directors being able to take action based on final reports from committees.

The Chair of each committee will keep hard copies, or archive in email system, all substantive email communications between committee members.

Committee members will be appointed by the Board of directors, as per state law. The Board of Directors has the sole right to remove a committee member at any given time."

Action: Cole Markusen, please post to the website.

6) Road Committee Updates - Kirk Johnson

Kirk Johnson revisits the Cougar Drive - No Plow Policy, as sent April 6, 2025 This Policy was tabled at the March 8, 2025 BOD Meeting. Andy Hill and Kirk Johnson have been discussing potential edits to the proposed motion that was drafted and presented for that meeting. Among the aspects discussed was whether the stop point of plowing can actually be advanced further down the road.

The Road Committee did stop, assess, and measure the Cougar Drive no-plow issue on April 5, 2025. It was unanimously agreed, director Rick Lewis included, that there is no practical place beyond the C-130 corner to establish a plow-out; the road width and shoulders offer no option. The motion language attached includes an exact indication of the suggested stop point. Re-wording of the final paragraph, and a couple of grammatical errors corrected by Andy Hill.

Andy Hill asks about plow access to the equestrian trail easement, Kirk Johnson says that because of plowing logistics it's impractical to plow up to that point because it would cause the road to be blocked with an accumulating plow berm in the road, and there's no space for a plow truck to turn around.

Motion by Stacey Johnson, to adopt the edited version of the Cougar Drive NO PLOW Policy, Seconded by Rick Lewis, Motion passes unanimously.



Cougar Drive NO PLOW Policy

adopted on 4/12/25 by the Board of Directors

WHEREAS the portion of Cougar Drive in Division 8, starting from 1973' (also known as plat map curve coordinate C-130 through to the end) from the intersection with Gold Rush Ridge Road all the way to the end of Cougar Drive, was originally constructed by the developer/declarant of Nine Mile Ranch with steepness, narrowness and ruggedness such that reasonable winter snow plowing cannot be performed without presenting undue damage to plowing equipment and undue safety risk to plowers, and

WHEREAS that section of road has been deliberately omitted from snowplowing by the HOA for virtually all of HOA history to date for the reasons stated above, and

WHEREAS all the Lots which are accessed by that section of road also have access by way of Gold Rush Ridge Road, and none of those Lots currently have improvements on them that are dependent upon access via Cougar Drive, and

WHEREAS the cost to improve the road such that it could be reasonably plowed would be excessively burdensome to the HOA membership, and

WHEREAS, per HOA attorney advice, there is no direct expressed or collectively implied requirement in the CCRs that a road section existing under the circumstances listed in the preamble above be winter maintained,

THEREFORE IT IS RESOLVED that a Policy is hereby adopted to regard that that section of Cougar Drive is neither required to be maintained in the winter, nor that potential costs to improve the road up to a maintainable winter standard are regarded as included in any 9MRHOA reserve fund study or obligation.

Leo Cullo followed up on plowing as discussed at the March 8, 2025 Board Meeting. He contacted the Forest Service at the Tonasket office, about plowing on the Forest Service Road/Summit Lake Road FS3525, and they said that they do not plow the road. Andy Hill had asked Bill Burman who thought it was the Forest Service or a logging company further up there. Andy thinks it's an individual logging company that plows that road, and anticipates that it would be a problem if/when they stop plowing.

Kirk Johnson says a potential consideration is that it's the Federal government's responsibility to "maintain" the road, and according to the easement agreement it doesn't specifically stipulate that their maintenance includes plowing. Our CCR's don't specifically say that we're going to plow, but our plat maps do say plowing will be provided by Nine Mile Ranch. We have incorporating language for our obligation to plow, perhaps we do need to plow it, as it's on our plat map as our responsibility to plow.

Stacey Johnson mentions liability as a concern for us to assume maintenance. If we assume plowing, do we also have to assume gravel, grading, and weed spraying? Alkshay Bhat asks if the FS3525 road requires maintenance, who would the owners contact for repairs? If the owners contacted the HOA, who would we redirect them to for resolution? Kirk Johnson says it's the Federal government, the Department of Agriculture, who's easement agreement requires them to maintain the easement, as the easement runs with the land.

Stacey Johnson questions who is providing winter plowing? Sonya Bachmann says she'll ask the neighbor who lives on the road what information they can share.

Leo Culloo says the Forest Service has a maintenance degree rating system of 1-5, and Kirk Johnson asks if Leo can follow up and determine what that rating is for FS3525.

Action: Leo Culloo says he will follow up with the rating system. Leo also said he had a logging contact and could reach out and see if we could make any discoveries.

Cole Markusen questions whether the HOA has the authority to plow the FS3525 if we requested the Plowing company to plow.

Andy Hill suggests we investigate a more thorough answer so that we can be prepared in the event that whoever is plowing, ceases to plow, and we need to be able to make an immediate action plan.

Action: Sonya Bachmann will follow up with asking a neighbor knows who's plowing the FS3525.

Kirk Johnson asks for approval for general Spring Road Work as outlined in Section One, as sent out on April 8, 2025 for \$ 13,532.

Motion by Stacey Johnson to approve the funds for general Spring Road Work, Seconded by Leo Culloo, Motion passes unanimously.

Kirk Johnson asks for a Motion to post the Spring Road Report to the website.

Motion by Rick Lewis to adopt the general Spring Road Report to the website, Seconded by Dan McLelland, Motion passes unanimously.

Action: Cole Markusen, please post to the website.

Kirk Johnson asks for \$ 7,500, released to the Road Committee for Pre-Emergent Road growth control Spraying for locations as listed on the April 10, 2025 Spray Order.

Rick Lewis asks what the Intention is for Horse Trail Drive, Kirk Johnson says the order calls for road shoulders: the first .41 miles of Horse Trail Drive, up to the dark green roofed house on your left (that's the road going left at .2 West Corral Drive, which is about .2 miles from Chesaw Road) and full width: on the same Horse Trail road, continuing from .41 to the end. Approximately 300' total.

Motion by Stacey Johnson to approve the funds for Spring Spraying , Seconded by Leo Culloo, Motion passes unanimously.

7) Legal Committee - Stacey Johnson

Motion by Stacey Johnson to post the Revised Committee Policy with Approved Changes, and Cougar Drive - No Plow Policy to the website , Seconded by Akshay Bhat, Motion passes unanimously.

Action: Cole Markusen, please post to the website.

Stacey Johnson sent communication that our Attorney, Ken Miller, let us know he was going to follow up with our inquiry regarding the Service Animal request.

Leo Culloo asks Stacey Johnson if we're compliant with RCW 64.90- Wondering if we're following Washington Uniform Common Interest Ownership Act, Stacey says that she thought we were grandfathered by RCW 64.38 a few issues like budget that we already complied with. Leo mentions we might need to check to make sure that we remain compliant, since our last research was a few years ago. Stacey remembers that the majority referred to condominiums, but she has it on her list to follow up and review.

8) Annual Meeting Update - Stacey Johnson

Stacey Johnson has the Ballot Counters secured, the mailings are ready, and will send them to the printer at the last moment so she can include the very latest content.

Sonya Bachmann reports that she has secured the reservation, reserved the equipment, and will pick up the key during the week.

Akshay Bhat is arranging the Zoom Meeting with the Zoom Committee, and has the technical aspect covered. He checked in with Drew Sawchuk for any additional details.

Andy Hill talks about his plat road project. Akshay Bhat acknowledges that the maps can be quite inaccurate, and can be hard to determine property boundaries, with overlaying on Google Earth, gives a fair representation of property lines. Akshay says that this tool does not replace an official survey as it has no legal standing.

Motion by Dan McLellend, to adjourn meeting, Seconded by Rick Lewis, Motion passes unanimously.

Meeting adjourned by Dan McLelland at 10:32am

Annual Membership Meeting, Saturday June 21st, 2025

Next Meeting July 12th, 2025, Zoom Invitation and Agenda to follow.

**Board Meeting Nine Mile Ranch
May 21st, 2025, 6:00am**

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

Committee Members in Attendance: Kirk Johnson, Todd Besaw, Roshni Bhat, Terry Bachmann

Meeting Called to Order at 6:07pm

Motion by Dan McLelland, to accept the following amended meeting agenda, adding in Treasury Updates by Stacey Johnson. Seconded by Rick Lewis, Motion passes unanimously.

1) Old Business - Dan McLelland

Motion by Dan McLelland, to accept the Minutes of the Board Meeting from April 12th, 2025, as approved via Email on May 14th, 2025, Seconded by Rick Lewis, Motion passes unanimously.

2) Treasury Updates - Stacey Johnson

Stacey reports that our quickbooks fee was increased \$ 60.00, bringing our yearly cost to \$ 760.00 Stamps were purchased for the annual mailing, and subsequent follow up letters.

Motion by Stacey Johnson, to release \$ 275.00 for our Tax Return, the cost may be affected by the annual membership vote regarding the audit. This is the fee we paid last year for our return. Seconded by Rick Lewis, Motion passes unanimously.

Rick Lewis asks if annual invoices will be emailed, or USPS mailed. Stacey responds that Annual Invoices and Ballots are all physically mailed at this time. Sonya Bachmann asks about sending annual invoices and ballots in the same mailing, and Stacey responds that the timing for the items are different, as well they return to different addresses.

3) Road Committee - Kirk Johnson

Kirk reports that as of May 20th, 2025 all of the road expenditures, maintenance tasks, and Capital Improvements tasks for the 2024-2025 fiscal year were completed, so all road work is done for the 2024-2025 year.

Motion by Stacey Johnson, to release \$26,542.00 to the Road Committee for placement of road gravel, budgeted in the fiscal 2025-2026 year. Seconded by Cole Markusen, Motion passes unanimously.

Breakdown for the \$26542.00 is as follows: \$19,359.00 from the adopted 2025-2026 annual budget, which is the entire gravel category budget. \$7183.00 from a portion of the adopted 2025-2026 budget Vote Item #3, which is a portion of the 2020-2021 voted added replenishment gravel catch up 2018-2021

Kirk Johnson explains that the request from the incurment of funds from the upcoming 2025-2026 fiscal year is due to several factors. Kirk explains that contractors are asking to start work so it's completed prior to fire season when they are often called away. Kirk also states that our gravel supplier has gravel available now. Additionally our next Board Meeting isn't scheduled until July 12th, 2025, and that's a considerable time to wait to request funds release.

Stacey Johnson says historically, that we collect about 50% of annual assessments in June, and by August we have usually collected approximately 82% of annual assessments, and this would cover requested amounts. By the end of June, in the last three years, we have collected between \$42,000 and \$66,000, which more than covers this requested funds release.

Leo Culleo asks what we have in our checking account, and expected bills we might receive. Stacey Johnson says we have \$42,000 in checking, and reviews our current financial obligations, mentions our reserve funds, current expected vendor invoices, and feels confident that we can cover this release ahead of the 2025-2026 collections.

Motion at 6:29pm by Dan McLelland to leave the Open Session, and Move to Executive Session to discuss potential CCRs Violation regarding multiple dogs on a lot, and sending a letter of inquiry to the owner(s) in question. ACC members requested to remain in executive session. Note: The posted Agenda included an item regarding lack of participation of a Board of Directors member. President Dan McLelland had a verbal conversation immediately prior to this meeting, and member explained their recent absence. Member was present for this meeting.

Motion at 7:23pm by Dan McLelland, to leave the Executive Session, and Move to Open Session, Seconded by Rick Lewis, Motion passes unanimously. Dan McLelland summarizes that during the Executive Session, it was determined that we will send a letter to the lot owner(s) asking for additional information as discussed.

Meeting adjourned by Dan McLelland at 7:26pm

Annual Membership Meeting, Saturday June 21st, 2025

10:00am Ballot Counting will take place at:

My Place Coffee & Cream, 811 Apple Way Avenue, Oroville, WA 98844

1:00pm In person Meeting at:

Oroville High School, 1016 Ironwood Street, Oroville, WA 98844

Zoom Meeting Registration will take a few minutes. It will ask your Name, Address, E-mail, phone number, Division and Lot number(s). Please register a few minutes early, you can follow this link and review the questions ahead of time.

https://us06web.zoom.us/meeting/register/zS8ypQS_T_GuHThbw2LftQ

If you need assistance from a 9MR Zoom Support Committee member you can email Akshay Bhat at: akshay@rusticgrowth.com or telephone at: 1-847-702-5800.

Next Board Meeting July 12th, 2025, Zoom Invitation and Agenda to follow.

**Annual Membership Meeting Nine Mile Ranch
June 21, 2025 1:00pm**

Board Members in Attendance Physical and Zoom: Dan McLelland (President), Rick Lewis, **Leo Culloo**, Stacey Johnson, Cole Markusen, Sonya Bachmann, Akshay Bhat, Andy Hill, Noah Brown.

Committee Members in Attendance: Kirk Johnson, **Todd Besaw**, Roshni Bhat, Terry Bachmann

Approximately 30 members total in attendance at the Oroville High School Library and on Zoom.

Meeting Called to Order by Dan McLelland at 1:05 pm

Agenda for Annual Meeting.

Results of Ballot: (To Waive, or Conduct, a Certified Public Accountant performed Audit of the HOA's Fiscal Accounting for the Year 2023-2024)

95 Ballots were received, and 70% Voted to Waive the Audit. Audit is waived.

The Proposed 2025-2026 Budget was Ratified by the attendance of this meeting.

Dan McLelland explained the process and requirements to be compliant with the Assessment Rate Increase Per the 9MRHOA CCRs, Article IV, Section 3. The Board had recently made the decision to raise the annual assessment rate 3% (\$10.00) for fiscal year 2025-26. This \$10 increase is for one year only, and is dedicated for road work to complete Project #2 'No Plow' road section at the end of Blue Grouse Road.

The Next Nine Mile Ranch HOA Board Meeting is July 12, 2025 9:00am: Information and Agenda can be found on the Nine Mile Ranch HOA website.

Open Meeting Session for Commentary, Questions, Concerns:

Paul Jones - comments that he mentioned last year that approximately 85% of annual assessments cover Road Maintenance, Snow Removal, Weed Control, and associated costs of that work. Paul feels that being at a property that is accessed via a County road that is covered by County funded services, that perhaps a three tiered assessment rate might be beneficial to those in a similar situation? Paul asks if this is something that could be looked at for possible reduction of assessments for those affected. Dan McLelland (President) says he understands Paul's point of view. Drew Sawchuk - (last years' President), remembers that there was dialog saying we could entertain looking at this, but that the CCRs say everyone pays equally. To make any changes, It would need a general membership vote to pass by 60% Sonya Bachmann (Secretary) also understands paying for services that don't serve you proportionally, but also asks if Paul wants the other HOA benefits, like Legal Representation to be pro-rated. Stacey Johnson (Treasurer) says that this has been mentioned previously, but that the Board

can not allocate spending legal funds to create a change the CCRs for a very small percentage of people affected. Stacey explains the procedure to affect a change is for Paul to contact the people interested in making a change, hire their own attorney for any appropriate consultations, and that 10%, about 32 members would need to present a petition to the Board to present a vote to the general membership. If the general membership passes the vote, then there are additional expenses to have the HOA attorneys create new CCR's, Filings with the County, and that it's a process. Paul says after 19 years, it isn't a huge issue, but wonders if there are any options. Stacey points out that we are all part of an HOA that upholds our property values by following our CCRs.

Dan Patrick - comments that he wasn't aware the Nine Mile Road was a County road, and asks when the washboard is taken care of? Asks how the washboard is created, how to prevent it. Understands that this isn't a HOA responsibility, but says it's pretty awful. Dan also asks about view protection, as he is concerned that a neighbor might obstruct his view if they built on their property. Dan asks if he can "reserve" his future building site view somehow. Kirk Johnson mentions that the CCR's have a "view" protection in the CCRs, but it only relates to trees. Stacey Johnson suggests that he talk to the neighbor, and suggests that he could build first. Rick Lewis (Board Member/ACC Chair) tells Dan that they can look at the lot and owner, and make a note that you have a concern about the view, so it will be remembered if the situation arises.

Alan Jones - Mentions that he feels that one of the things that could be looked at in the CCRs is the 900² requirement for building. Alan says with the small/tiny home movement there's a lot of opportunity for small attractive livable units that are less than 900². Alan says that if an owner installs a cabin, less than 900², that there's a restriction of three months of lifetime usage. Alan says there's a cabin where the owners want to stay longer that the restriction allows. Alan feels that this is a disincentive for developing cabins at Nine Mile Ranch. Alan would want to include allowing smaller homes as an item to review if the CCRs are being reviewed. Alan also feels that currently the CCRs favor double wide manufactured homes, which he doesn't feel is keeping with the recreational spirit of the wildlife refuge.

William Smith - asks about Short Term Rentals Policy, why Bed and Breakfast are allowed, but not Short Term rentals. Asks about having an owner present while the short term rental is happening. William says it seems contradicting to allow a B&B but not an Airbnb. Drew Sawchuk says that the determination was made to ensure that an owner was present for the duration of the guest visit. Drew explains that the Committee did a lot of research associated with the definitions and requirements of each option. The determining factor for our decision was an owner being present. Drew mentions there are more County regulations for the Bed and breakfast. Kirk Johnson asks William if he had read the entire motion on the Short Term Rental Policy, and says there was a lot of defining description in the content. Kirk says that William may be proposing a unique scenario, and to write an email to the Board, with his specific request so it can be reviewed and a substantive response can be made. William read the policy and feels that owner rights are being diminished by not being able to use our property as we want. Stacey Johnson agrees that we have Recreational Residential properties, further

limited by allowable business opportunities approved at the discretion of the Board. Sonya Bachmann says that the Board extensively hashed this out with Committee and Legal research and consultation, reading definitions, County Codes and requirements. Sonya pointed out neighboring owners' concerns about unattended guests starting camp fires, potentially having loose animals, not understanding property boundaries, and environmental risks such as rock cliffs that are present on some properties. Sonya invites anyone with questions to reach out to the Board. Dan McLelland relates his own initial thoughts about the restrictions in the CCR's, and his appreciation for the nature conservancy that exists.

William Smith asks when these issues come up if there is a way for the membership to be more aware of things before they are made into Policy. William asks how people can be more involved and informed. Dan McLelland reminds us that all the meetings are posted on the website, the Agendas are posted prior to the meetings, and invites anyone to be more involved. Stacey Johnson confirms that these are Zoom meetings, easy to attend from home. Stacey invites more Committee involvement, and explains the exploratory and research process, how Committees are able to dialog different issues, and offer up solutions. Drew Sawchuk reiterates the value of membership participation in Committee action, how valuable it is to the HOA and really offers the ability to weigh in and be part of the process.

Kirk Johnson explains that our yearly budget earmarks proceeds available for things like the Annual CPA Audit. As an example, when the General Membership votes down the annual audit, (\$2700.00) those funds are released into the general funds, and can offer up a credit value when determining the next year's annual budget.

Drew Sawchuk thanks our Board and Committee for all their Volunteer work for our Community.

Meeting adjourned by Dan McLelland at 1:45pm

Thank you to the **Oroville High School**, for opening their Library to us during the Summer break.

A special thank you to **Akshay and Roshni Bhat** for their Computer Genius, we experienced some last minute electronic access difficulties, and they made some magic! Also, a thank you to **Kirk Johnson** for having friends and phone numbers while we raced to resolve our media crisis.

Drew Sawchuk, thank you for being present to support the current Board, and help answer questions. The experience and leadership you brought from the last Presidency is appreciated.

**Board Meeting Nine Mile Ranch
July 12, 2025, 9:00am**

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

Absent: Noah Brown

Committee Members in Attendance: Kirk Johnson

Meeting Called to Order at 9:10am

Motion by Dan McLelland, to accept the meeting agenda, Seconded by Andy Hill, Motion passes unanimously.

1) Election of Officers - Dan McLelland

Motion by Stacey Johnson, that Dan McLelland be our President for the next year, Seconded by Leo Culloo, Motion passes unanimously.

Motion by Stacey Johnson, that Leo Culloo be our Vice President for the next year, Seconded by Rick Lewis, Motion passes unanimously.

Motion by Stacey Johnson, that Sonya Bachmann be our Secretary for the next year, Seconded by Dan McLelland, Motion passes unanimously.

Motion by Andy Hill, that Stacey Johnson be our Treasurer for the next year, Seconded by Cole Markusen, Motion passes unanimously.

2) Review of Committees and Members – Dan McLelland

Motion by Dan McLelland, that Committee Members remain the same, with the exception of removing Ryan Mann as he no longer owns property in Nine Mile Ranch, Seconded by Cole Markusen, Motion passes unanimously.

Action: Stacey Johnson will type up a current list of Committee Members and distribute it to the Board.

3) Old Business – Dan McLelland

Motion by Dan McLelland, to accept the Minutes of the Board Meeting from May 12th, 2025, as approved via Email on June 12th, 2025, Seconded by Cole Markusen, Motion passes unanimously.

4) Fall Newsletter - Dan McLelland

Stacey Johnson says historically that we put out a Fall Newsletter in October after the Annual Meeting, announcing new Board Members, Ballot Count Results, and Snow Plowing Contract and Contact details. With the next Board Meeting in September, it's a short time to generate the newsletter, get it approved, printed, and mailed. Stacey points out that the newsletter content has really diminished, solicits content and input ideas and participation.

Motion by Stacey Johnson, to start working on contents of October Newsletter, that it can be approved by Board Majority via Email, Seconded by Cole Markusen, Motion passes unanimously.

5) Suggested 9MR Meeting Schedule 2025-2026 - Dan McLelland

Dan McLelland sent out these dates for review on July 11, 2025 Board has responded that these dates work. No current discussion, so these are next year's scheduled meeting dates. Dates will be posted to the HOA website, Agendas usually posted a week earlier than the meeting and include the Zoom access information. Members are always welcome to join!

Board Meeting - Saturday, September 6th, 2025 9am

Board Meeting - Saturday, October 4th, 2025 9am

Board Meeting - Saturday, January 10th, 2026 9am

Board Meeting - Saturday, March 7th, 2026 9am

Board Meeting - Saturday, April 11th, 2026 9am

Annual Membership Meeting (AMM) - Saturday, June 20th 1pm - Location to be determined.

Board Meeting - Saturday, July 11th, 2026 9am

Board Meeting - Saturday, September 12, 2026 9am

Action: Cole Markusen to post meeting schedule to website.

6) Treasury Updates and Business – Stacey Johnson

Stacey Johnson reports our Checking has \$ 90132.00, CD Savings is \$ 54,902.00, and our Reserve Account \$ 9,070.00.

Since the July 1st 2025 Accounts Receivable Report, we have deposited \$ 13,341.00. To date, 78% of this year's current assessments have been collected, same time last year it was 68%.

Stacey is following our Collection Policy, so on July 1st 2025 she sent out statements explaining that on August 1st 2025 a late fee will be applied to late members, and interest starts to accrue. Stacey says this has created a record amount of phone and email communications with members, she says everyone has been great. Zelle payments have really increased as well, last year was a handful, this year she's received one or two a day.

Motion by Stacey Johnson, to transfer \$ 5700.00 from the HOA Reserve Account to the HOA Checking Account. These funds were spent on the Capital Improvement Fund No Plow areas, Seconded by Leo Culloo, Motion passes unanimously.

7) ACC Business – Rick Lewis

Rick Lewis says Roshni Bhat has been busy transferring ACC records into an electronic file database. Roshni has completed five so far. The files consist of records of Application of Plan Approval, any Drawings and/or Photographs, the HOA response, and then our final ACC Approval paperwork. Rick then zips them together, sends them back to Roshni and she puts them into the database.

Rick says the only active item he has, is that a member reported a neighbor was looking to rent out their property. Rick says the ACC has not received any notifications or a Rental Application. Rick reminded us we have an application for rental situations, and then reached out to the owner with an explanation and the Rental Form, he hasn't had a response from that member.

Rick also received a voicemail from a member regarding finishing the inside of their Pole Barn. Rick returned the call and requested additional information, but hasn't heard back from them yet. Stacey Johnson suggests also making sure that they have the proper County Permits.

Rick asks Stacey Johnson about a list of owners to facilitate his ability to contact members for his ACC work. Stacey asks Akshay Bhat to generate a list of Email addresses for Rick. We only have the email from members who have chosen to share their email, and given permission to email contact. Rick says alternatively, he will send communications through USPS mail. Kirk Johnson mentions that the RCW's restrict notifications to require the owners explicit permission to receive notification via email and have them considered to be official. Andy Hill asks Stacey to clarify if our Email permission form includes express permission for things like Board communications. Stacey responds that the form does cover these communications. See Form Verbiage Below:

***Electronic Notice Authorization
Email Permission Form***

Washington State HOA law (RCW 64.38.110) allows for electronic transmission of HOA communications upon consent, in writing, from the Lot Owner.

Filling out the information below, and returning it to the HOA, will allow HOA communications to be sent to you via email instead of US mail. Communications

include the annual mailing, required notices and newsletters. The annual mailing includes a voting ballot and voting ballot return envelope; these will continue to be mailed to you by US mail. Assessment invoices will continue to be mailed US mail.

Your agreement to receive email communications will help to reduce mailing costs. Your email address will remain confidential and will be used only for official HOA communications.

Stacey Johnson says that she continues to mail the Annual Invoices and Ballots through the USPS mail. She says that being able to send the Annual Meeting, Fall Newsletter, and other correspondence via email has significantly reduced our mailing expenses and time, and she thanks Akshay Bhat for sending out the E-mailable portions.

Action: Akshay Bhat will send Rick Lewis an Email members list for ACC work.

Rick Lewis still needs to retrieve ACC paper records from Todd Besaw. Sonya Bachmann offers to pick up the records from Todd Besaw and deliver them to Rick Lewis. Sonya didn't realize that Rick and Todd are neighbors, so Rick will collect records!

Action: Rick Lewis to collect ACC records from Todd Besaw.

8) Road Report Review and Road Business – Kirk Johnson

Kirk Johnson reports that 20 of the 51 slated loads of gravel have been placed for this year, and the work continues forward. No road maintenance is scheduled until Fall to prepare for Winter and Spring melt.

Kirk and the Road Committee agreed to direct our sprayer to target explicitly for St. John's Wort, and it could increase our annual spraying bill. The reason is that 12-15 years ago the HOA was threatened by a lot owners' attorney that we have to prevent the spread of weeds that occur due to road work and maintenance. The Committee decided to have the sprayer treat where it appeared it might seed in ditches or on roads, it would spread with any subsequent raking.

Kirk has spoken with Michael Martin regarding snowplowing on the ranch. Michael is a solo plower, often plowing 13 hours a session, which he can not maintain. Kirk and Michael have discussed options to secure priority snowplowing for the entire ranch. Michael is concerned that our contract with him is too much for him as a solo plower, and he has made us an interesting proposal. Michael identifies a truck for sale in Salt Lake City, Utah, a 2000 Osh Kosh Complete with an 11' plower blade, with snow wheels and a 6 yard sander on the back, which is the same truck he currently operates. Seller says they would take \$ 31,000.00, a delivery quote was \$

4500-5000.00, and he would need tire chains for ~\$ 3000.00. So, Michael proposes that we work collaboratively, with the HOA loaning Michael the \$ 31,000.00 to be paid back in five annual payments, with no interest. He asks for a five year plowing/sanding contract, with us being the Priority, with the understanding that both trucks would always roll first for the HOA Ranch. Regarding insurance, he would like the Ranch to pay upfront as we already do, it's repaid back to us on each billing, usually done by mid-season. Looking at the hourly rate, currently at \$ 200.00 per truck, Michael evaluates that with the costs of tires, fuel, cutting edges, he asks the rate to increase to \$ 225.00.

Leo Culloo asks to review the terms, asks what collateral will cover this expense, notes the potential loss in interest income. Kirk suggests with so few real options available to us, it would be beneficial for us to "own" our own services, and to respond in a timely fashion. Kirk clarifies that Michael's annual payment would come directly off the top of our annual \$ 20,000.00 budget. Leo asks if we can legally extend ourselves this way, asks if the Board can make this unilateral decision without the general membership endorsing it. Kirk says that this action still qualifies as a non profit action, and that the RCW's allow the HOA to do this. Stacey Johnson reminds us that the HOA has entered into agreements like this in the past. Stacey says that we have the funds available, that as of May 31, 2025 we had \$ 81,568.00 available, combined with reserve funds. If we expense \$ 31,000.00, we still have ~\$ 50,000.00. A lengthy conversation is had debating our budget, income, and expenses, where we could short funding, or have generously calculated potential costs, the detriment of not having plowing available, the value of plowing, sanding, erosion, exceptionally bad seasons, and the time to recoup our investment. We review collateral, repayment, our guarantee that we will make a full financial recovery. Currently, we annually expense ~ \$ 25,000.00 in plowing and sanding. Kirk Johnson suggests we form an ad hoc committee to really evaluate this service, and asks the Board to send in thoughts and suggestions for considering this purchase. Stacey Johnson mentions insurance coverage and liability.

Cole Markusen asks if the requested \$ 225.00 hourly rate would be for the five year contract, or will be negotiated yearly. Kirk Johnson says that it's not reasonable to expect this rate to stay stationary for five years, due to maintenance, fuel, and other considerations. Discussed that we would be "reimbursed" on each billing. We agree that we need an attorney to review the situation and counsel us. Andy Hill suggests we approve funds to cover attorney counsel, so we don't have another separate meeting to approve legal council approval.

Kirk Johnson clarifies that these trucks are not going to be providing member driveway services, just roads. 24/7 might continue to plow personal driveways as they have done previously.

Ad hoc Committee: Leo Culloo, Cole Markusen, Kirk Johnson, with interface with Legal Committee to consider this action. The committee will be cc'd in on communications.

Motion by Stacey Johnson , to allot \$ 1000.00 if needed to seek legal council as needed to advise and protect our interests, Seconded by Andy Hill, Motion passes unanimously.

Motion by Stacey Johnson , to form a temporary ad hoc committee to study the proposal from Michael Martin, our snowplower. Ad hoc Committee to include: Leo Culloo, Cole Markusen, Kirk Johnson, will interface with the Legal Committee to consider this action. The committee will be cc'd in on communications. Seconded by Andy Hill, Motion passes unanimously.

9) Finance Committee – Kirk Johnson

The Fiscal Management Policy discussion is tabled until the next meeting, Saturday, September 6, 2025

Action: Dan McLelland, add to September Agenda.

Motion by Dan McLelland, to Move to Executive Session at 10:25am to discuss a “ June 27, 2025 Response to Letter regarding Service Animals” and a “Past Due Member Account”, was not seconded, or voted on. (how to note appropriately)

Motion by Dan McLelland, to Leave Executive Session at 10:56am, and return to open session, was not seconded, or voted on. (how to note appropriately)

Motion was made in Executive Session to form an ad hoc Committee, to produce a letter to send to the owner. Letter will be sent to the Board for review, prior to sending.

Andy Hill asks if the Okanogan PUD installs a transformer in the easement, are we covered for liability. Kirk Johnson responds that the PUD is allowed per the CCR's and Declarations, and does pretty much what they want. Andy mentions being concerned with the snowplower hitting it, and comments he had his set back 10' behind some trees..

Motion by Dan McLelland, to adjourn the meeting at 11:01am, Seconded by Cole Markusen, Motion passes unanimously.

Next Meeting September 13th, 2025, Zoom Invitation and Agenda to follow

**Special Board Meeting Nine Mile Ranch
July 29, 2025, 6:00pm**

Board Members in Attendance: Dan McLelland, Rick Lewis, Leo Culloo, Stacey Johnson, Sonya Bachmann, Akshay Bhat, Andy Hill

Absent: Noah Brown, Cole Markusen

Committee Members in Attendance: Kirk Johnson

Meeting Called to Order at 6:02pm

Motion by Dan McLelland, to accept the following amended meeting agenda, adding in Treasury Updates by Stacey Johnson. Seconded by Stacey Johnson, Motion passes unanimously.

1) Old Business - Dan McLelland

Motion by Dan McLelland, to move approval of the Minutes of the Annual Members Meeting on June 21st, 2025, to the September 13th, 2025 Agenda, Seconded by Rick Lewis, Motion passes unanimously.

Action: Dan McLelland to add Annual Members Meeting Minutes approval to September agenda.

2) Treasury Updates - Stacey Johnson

Motion by Stacey Johnson, to open discussion regarding writing a check for \$ 31,000.00 from our Checking account, to Michael Martin our SnowPlow Contractor. This is a loan extended to Michael Martin for the dedicated purchase of a snowplow truck to be paid back to the HOA per the Promissory Note and snowplow contract. Seconded by Rick Lewis, discussion ensues.

Leo Culloo has reviewed the contract that the ad hoc and Legal Committee have developed at the July 12th, 2025 Board Meeting. Leo asks about including a Board Member to physically verify the information and condition on both the truck and collateral that are included with this agreement. Leo asks for photographs, VIN verification, and inclusive wording to be added to the contract or Promissory Note, protecting our investment.

Kirk Johnson asks if Leo Culloo can make time to meet with Michael Martin to document and verify the accessory collateral equipment. Leo has time on July 30th, 2025 and will reach out and set up some time to document the collateral equipment with Michael. Kirk also asks Leo to review the Contract and see where appropriate language can be added summarizing the collateral documentation.

Motion Amendment: by Leo Culloo, to amend the Contract, and/or Promissory Note, to include that a Representative of the Nine Mile Ranch Board make an appointment with Michael Martin to be able to verify and photograph the two pieces of equipment offered as collateral, to ensure that these are the actual equipment noted. Additionally when the vehicle we're financing arrives, we would meet up and photograph that vehicle and ensure it is the equipment specified in our documents. Seconded by Rick Lewis, discussion ensues.

Akshay Bhat questions our previous conversation about making sure that the collateral equipment was insured. Akshay says he doesn't see any insurance language in the Contract or Promissory Note. The Board conversates about what kind of insurance we think is appropriate as it affects our security interest.

Leo Culloo asks about the possibility of Michael Martin selling off the collateral equipment. Kirk Johnson asks if Leo sees somewhere in the Promissory Note to write it in.

Kirk Johnson summarizes that there are two additional items to address in our Contract and Promissory Note. The first being what kind of insurance requirement we need to document, and the second, what are the protective provisions if Michael Martin wants/needs to sell these pieces of collateral equipment.

Leo asks if our attorney is going to review our paperwork so we're properly protected. Rick Lewis asks what we might expect to pay for a consultation. Stacey Johnson says it would probably cost us an hour of time, and reminds us that we released funds at the July 12th, 2025 Board meeting to cover this venture.

The Board continues to work through several possible scenarios, and how best to address them to protect our interests. Kirk Johnson summarizes that the Board wants Michael Martin to maintain a minimal level of insurance coverage. Rick Lewis suggests that the level of coverage is commensurate with its use. Leo Culloo will write up the questions that we want to have the attorney address, and send them to Stacey Johnson.

Leo Culloo asks to clarify what the payment agreement stipulates specifically with regard to when the first payment is due. The contact states that it will be at the beginning of the plowing season. Leo says that it's subjective, and asks if we need to be more specific. Kirk Johnson responds that the terms of our service contact with Michael Martin allow that we pay him up front, and that we would simply be shorting this initial payment, so it's not actually something we would receive, it's an amount we will not be paying out to him for services, as it is the payment due on this new purchase loan contract. Stacey Johnson will ask the attorney to add in the wording to include that it's the beginning of the season, or December 1st.

Stacey Johnson, reviews our fiscal position \$103,000.00 Checking, \$19,000.00 Savings, \$35,000.00 in CD. Stacey verifies that we're going to use funds from our checking for the \$31,000.00 The CD will roll over next June.

Kirk Johnson asks Leo Culloo if when Leo meets with Michael Martin, will he review these additional questions. Kirk has kept in touch with Michael where we are in discussions regarding this purchase loan, and has reviewed our initial contract.

Leo Culloo asks about Michael Martin's License, Insurance, and Bond status as he has been working under the 24/7 umbrella. Leo says it would be good to know. Kirk Johnson says that he's not sure about the status at this moment, but says that Michael does meet the Commercial Liability \$2,000,000.00 insurance requirement. Stacey Johnson says he has to have the license and insurance to get the bond. Kirk Johnson says that to get the insurance Michael would have to satisfy the licensing requirements from the insurance company. Leo will add it to the list of questions.

Motion by Stacey Johnson, to write a check for \$31,000.00 from our Checking account, to Michael Martin our SnowPlow Contractor. This is a loan extended to Michael Martin for the dedicated purchase of a snowplow truck to be paid back to the HOA per the Promissory Note and snowplow contract. With agreed upon amendment(s) to the Contract and Promissory Note. see Motion Amendment immediately following. Seconded by Rick Lewis, Motion passes unanimously.

Motion Amendment: by Leo Culloo, to amend the Contract, and/or Promissory Note, to include that a Representative of the Nine Mile Ranch Board make an appointment with Michael Martin to be able to verify and photograph the two pieces of equipment offered as collateral, to ensure that these are the actual equipment noted. Additionally when the vehicle we're financing arrives, we would meet up and photograph that vehicle and ensure it is the equipment specified in our documents. Seconded by Rick Lewis.

Stacey Johnson asks about transparency in documenting this for the General Membership by attaching to the Meeting Minutes. Kirk Johnson reminds us that we have spent HOA fees for attorney council and contracts, and that our website has public access. The Contract and Promissory Note are available through request, but will not be posted on the open HOA website. Kirk Johnson agrees to write up a comprehensive report of the Board's activity, decisions, and factors considered, protections we considered and enacted, and historical context.

Motion by Stacey Johnson, to have Kirk Johnson write up a summary review report regarding the Board's decision to engage a five year loan and service agreement with Michael Martin, Snow Plower contractor. That report will be a second page to be attached to the Meeting Minutes to be posted on the website, and will be approved by the majority of the Board via email. Seconded by Sonya Bachmann, Motion passes unanimously.

Sonya Bachmann asks Kirk Johnson to include historical context and factors that made this a good decision for the HOA.

Action: Kirk Johnson will send Leo Culloo contact information for Michael Martin. Leo asks Kirk to let Michael know he'll be in contact, and that he's an authorized representative of the Board.

Action: Kirk Johnson will write up the explanatory review for why the HOA extended funds for purchase of a truck for Michael Martin.

Leo Culloo reaffirms that he'll be sending Stacey Johnson an email with the extra questions to be run by the attorney for review. Stacey will be contacting the attorney immediately so that we can get the additional items written into the Contract or Promissory Note as appropriate. Leo will confirm Michael Martin's responses and results of the physical verifications. Stacey will secure the Cashier's Check when the revised Contract and Promissory Note are signed by Dan McLelland- Nine Mile Ranch HOA President, and Michael Martin.

Dan McLelland thanks everyone for their contributions for this purchase agreement.

Kirk Johnson says that Michael Martin touched base with Frank of 24/7, discussing that we were going to engage him to be our contracted Snow-plower for the next five years. Frank indicated that he supported Michael, and asked that if the HOA needed coverage for some reason that he be considered. Frank has provided great service for us for several years.

Michael Martin will not be able to plow personal driveways, as his trucks are too large. Frank at 24/7 will probably be a solution for those who want/need their driveways done. Bill Burman is the contact to coordinate service through if needed. Bill can be reached at 509-476-2996

Dan McLelland, called to adjourn the meeting at 6:45pm,

Next Meeting September 13th, 2025, Zoom Invitation and Agenda to follow

**Board Meeting Nine Mile Ranch
September 6, 2025, 9:00am**

Board Members in Attendance: Dan McLelland, Rick Lewis, Leo Culloo, Stacey Johnson, Sonya Bachmann, Akshay Bhat, Andy Hill

Absent: Noah Brown, Cole Markusen

Committee Members in Attendance: Kirk Johnson

Big Horn Ridge: Drew Sawchuk - President

Meeting Called to Order at 9:05am

Motion by Dan McLelland, to accept the following meeting agenda, Seconded by Rick Lewis, Motion passes unanimously.

Stacey Johnson asks to add on a discussion regarding Big Horn Ridge, it's added as item #7

Kirk Johnson reminds us about the Fiscal Management Policy, and it will be included in item #4

1) Old Business - Dan McLelland

Motion by Dan McLelland, to accept the Minutes of the Annual Members Meeting on June 21st, 2025, and the Board Meeting on July 12th, 2025, and Minutes of the Special Meeting of July 29th, 2025 as approved August 10, 2025, Seconded by Sonya Bachmann, Motion passes unanimously.

Action: Sonya Bachmann to send PDFs to Cole Markusen for publication on the website.

2) Treasury Updates - Stacey Johnson

Stacey Johnson starts with a financial report with \$66,717 in Checking, \$19,571 in Savings, \$35,519 in CD, and \$3,370 in Reserve. Stacey notes that we have already paid for the new snowplowing truck as per our agreement with Michael Martin.

Stacey says that we owe \$54 on our HOA Tax Return, and she's in the process of setting up the account with the IRS for making payment(s). She will pay

Stacey says that our accountant notified us about the changes in the RCWs, regarding the financial audit, which became effective this year, 2025.

Motion by Stacey Johnson to start our yearly audit with the current year 2025-2026 , setting our audit for next year. Seconded by Andy Hill, Motion passes unanimously.

Andy Hill says that he has followed this, and his interruption is that we do not need to back date the audit. Stacey Johnson says that we have budgeted for this expense every year, so it's already built into our annual budget.

Action: Stacey Johnson will write a blurb for the Newsletter informing the members that the audit has become a requirement.

Stacey Johnson reports collections are going well, she's in communication with a few members that are now two years behind, with liens scheduled, per policy, to be filed November 1st, 2025 She hopes that payments are made prior to that deadline.

3) ACC Business - Rick Lewis

Rick Lewis reports that the ACC has received a plan for a house with lot development that included the application for plan approval. ACC approval was sent.

The ACC also received an email from lot owners regarding a dog issue. A letter was sent to the dog owner requesting a plan for future prevention. The dog owner has not responded, so Rick Lewis will send another email to follow up, and respond accordingly.

Rick Lewis reports that the ACC digitization process is going well.

4) Legal Committee - Kirk Johnson

Kirk Johnson opens up a conversation about the status of Un-9MR lots near Division 6, which was tabled during the March 8th, 2025 Board Meeting. This issue has been brought up several times over the years, and is being resolved by a consolidation of investigation and written Policy that can be posted on our HOA website.

Motion by Stacey Johnson,

WHEREAS there are (7) tax lots, as shown on Okanogan county Auditor's file #836532, which are colloquially located at the east end of Forest Road in Division 6 of the Nine Mile Ranch Homeowners Association (9MR), and

WHEREAS the deeds of those Lots apparently include referential language to the 9MR Covenants, Conditions and Restrictions (CCRs) and

WHEREAS the Declarant to 9MR, Lynn Barnett, never took action pursuant to the CCRs BACKGROUND to bring the Lots under encumbrance of the CCRs, and

WHEREAS HOA legal counsel has advised the Board to adopt the following position regarding those Lots,

THEREFORE be it resolved that the Board adopt a Policy that the (7) Lots of subject are regarded as NOT members of the 9MR HOA, that the HOA has no duties owed to them, that the Lots owe no annual or other assessments to the HOA, and that the Lots are entitled to access of easement along Forest Road.

Andy Hill asks if the HOA has had any discussion with any of the owners affected. Kirk Johnson says that there was one who had approached the HOA, but that they have subsequently sold their property. Stacey Johnson confirms that none of the seven lots have ever paid dues or assessments. Stacey also notes that they have road access through a road further passed our development.

Drew Sawchuk says that he also was involved in past research that determined that the original declarant, Lynn Barnett had signed documents to remove them from our HOA.

Seconded by Akshay Bhat, Motion passes unanimously.

Stacey Johnson suggests that we used one point of contact to send items to Cole Markusen, to post on the HOA website. Stacey asks Dan McLelland to be the point of contact and “gatekeeper” for items to be posted. Dan accepts this responsibility, so all postings for the website should be directed to Dan McLelland.

Kirk Johnson inquires if the Board approved publishing the snowplow truck loan statement purchase information on the website. Board agrees that it was approved for publication and Kirk Johnson will send it to Dan McLelland to send to Cole Markusen to publish.

Motion by Stacey Johnson to adopt the April 8th, 2025 edits of the Fiscal Management Policy, this document can be found on the HOA website under the Policies tab.

Seconded by Leo Culloo, Motion passes unanimously.

5) Road Committee Updates - Kirk Johnson

Motion by Stacey Johnson to release \$1404.00 to the Road Committee to order limited fall raking to be performed on specific steeper road sections in order to reduce winter driving danger. Approximately 5 miles of roads will be raked. Seconded by Akshay Bhat, Motion passes unanimously.

Kirk reports that all 51 loads of gravel have been placed for this fiscal year.

On August 31st, 2025, Kirk sent out a composition of questions asked of our prior HOA attorney, Nick Bergh. Item #2 regards responsibilities of trees in the road easements. Earlier this year the Road Committee has been reviewing potential necessary tree work. Looking ahead at the number of trees that are encroaching into the easements, and affecting road maintenance, they anticipate that we may need to engage some not insignificant amount of funds to properly address the tree work necessary to maintain our roads.

Kirk has approached a couple of tree companies to perform the work, to get an idea of the cost, but suggests we wait a couple of years until the snowplow loan is further recovered.

Rick Lewis asks about forming some member based work parties to perform some of the smaller work. Kirk explains some of the trees are larger, and potentially may need to be dropped as opposed to trimmed back.

Stacey Johnson suggested that Kirk Johnson make a comprehensive list of trees/areas that need maintenance, and asks Rick Lewis if he would be available to coordinate work parties. Rick agrees to put out some feelers for work parties, Kirk would flag and identify specific appropriate areas to address during the Spring Road Drive, and look ahead to coordinate for Spring work.

Kirk asked the Board to consider the proposed FS3525 snowplowing policy clarification. He explains that we will only need to snowplow, not maintain the roads. We would be responsible for any damage caused by our snowplowing. The Forest Service is responsible for all other road maintenance.

Motion by Stacey Johnson to adopt the snowplowing policy for FS3525:

WHEREAS the first .25 miles of Forest Service Road 3525 (FS3525) is included into the official Nine Mile Ranch Division 6 plat map, shown as North Haley Road, and is shown as a 60 foot wide easement which is required to be maintained according to all road maintenance provisions within the CCRs, and

WHEREAS access to all Division 6 Lots is through that road section, and

WHEREAS prior to the establishment of 9MR a valid recorded easement agreement for that road section, Okanogan county auditor's #481636 (see this [link](#)), requires that the United States federal government is responsible for maintaining that road *except there is no mention of snow plowing the road*, and indeed the US government does not plow that road, and

WHEREAS all official 9MR plat maps have a recorded note requiring that, “Snow plowing will be provided by the Nine Mile Ranch Homeowners Association”, and that all plat maps are regarded as encumbered under the CCRs, so

THEREFORE I move that the 9MR HOA here forward act to perform winter road maintenance on that section of FS3525 just like all other 9MR 60’ wide easements.

Seconded by Rick Lewis, Motion passes unanimously.

6) Fall Newsletter - Dan McLelland

Stacey Johnson says that the newsletter can include the Audit Statement, the SnowPlow Purchase information, SnowPlow contact for private driveways, the Email Permissions form, she asks Rick Lewis to write an ACC blurb, new adopted Policies, And the “How to help the HOA” sheet with suggestions about assisting the HOA. Stacey would like to get the newsletter sent out around October 1st - 15th, 2025.

Motion by Stacey Johnson to approve \$ 250.00 for publication and mailing of the Fall Newsletter, Seconded by Andy Hill, Motion passes unanimously.

7) Big Horn Ridge - Drew Sawchuk - President

Drew Sawchuk reports that the Big Horn Ridge Management Committee has been formed. Drew Sawchuck is President, Jason Bradshaw is Treasurer, and Susan Stewart is Secretary.

Big Horn Ridge members set their annual dues at \$100.00 and are setting up to align with the Nine Mile Ranch's annual dues billing dates. These dues are exclusive to Big Horn Ridge members.

Drew says that he had a legal consultation session which confirmed that Big Horn Ridge members must comply with the Nine Mile Ranch’s CCRs’ and By-laws. Big Horn Ridge is able to create sub-By-laws as long as they don't supplant existing RCWs’ and Nine Mile Ranch By-laws.

Big Horn Ridge is responsible for their gate and maintenance on their exclusive road(s) surface.

Drew thanks Rick Lewis for forwarding the ACC correspondence from Big Horn Ridge members. Rick asks if Big Horn Ridge plans to have their own ACC point person to field their specific application and approvals. There are plans to create group emails for

communication(s) with the Big Horn Ridge Committee members. Drew will send an email to Rick for forwarding appropriate paperwork.

Drew asks about using the Nine Mile Ranch's website to host the Big Horn Ridge's website publications. A conversation reveals that although Nine Mile Ranch and Big Horn Ridge are coupled, with obligations and responsibilities to each other, they are also separate legal entities, and should be kept separate. Our specific CCR's expressly forbid spending funds to benefit only a portion of the members.

The Board discussed legal implications, perceptions, volunteer time, actual costs of web hosting, domain fees, attorney consultation for legal agreements and reviews, and explored several scenarios.

Motion: By Andy Hill, to Permit a Big Horn Ridge 'tab' on the Nine Mile Ranch HOA website, with these stipulations: At no incremental cost, Single email at no incremental cost, Disclaimer on tab header, Designated Big Horn Ridge admin nominated as Point of Contact / email contact, Written agreement between Presidents. Advantages: clarity to all Nine Mile Ranch about Big Horn Ridge, Seconded by Stacey Johnson, discussion continues, and comes to a vote. Motion fails with a no from Leo Culloo, Rick Lewis, Stacey Johnson, and Akshay Bhat.

Although the Board approached configuring a cooperation several ways, we couldn't come to a consensus to support this request. The determining factor continued to circle back to legalities. Dan McLelland asks that we keep it as a possible future topic.

Drew Sawchuk will explore options and do some cost analysis to provide Big Horn Ridge with access to a website for their communications.

Dan McLelland, called to adjourn the meeting at 11:05am

Next Meeting October 6th, 2025, Zoom Invitation and Agenda to follow

**Board Meeting Nine Mile Ranch
October 4, 2025, 9:00am**

Board Members in Attendance: Dan McLelland, Rick Lewis, Leo Culloo, Stacey Johnson, Akshay Bhat, Andy Hill, Cole Markusen

Absent: Noah Brown, Sonya Bachmann

Committee Members in Attendance: Kirk Johnson

Meeting Called to Order at 9:03am

Motion by Leo Culloo, to accept the following meeting agenda, Seconded by Rick Lewis, Motion passes unanimously.

1) Old Business - Dan McLelland

Motion by Dan McLelland, to accept the Minutes of the Board meeting of September 6th, 2025, as approved by the Board, October 1st, 2025. Seconded by Rick Lewis, Motion passes unanimously.

Motion by Dan McLelland, to accept the Fall Newsletter as presented via email for Board approval, as approved by the Board, October 3rd, 2025. Seconded by Stacey Johnson, Motion passes unanimously.

2) Treasury Updates - Stacey Johnson

With the Fall Newsletter being approved, Cole Markusen can post to the HOA website, and Akshay Bhat can generate the electronic mailing. Cole and Akshay acknowledge that they will post, and send, and verify that they don't need additional formatting.

Stacey Johnson states our financial report with ~\$64,300 (rounded) in Checking, \$19,571 in Savings, \$35,478 in CD, and \$3,370 in Reserve.

Stacey says that she has sent out the Accounts Receivable Report, and the monthly owner statements. After having sent out the Accounts Receivable Report, she received another \$1000.00 from one of the outstanding accounts, bringing their balance from a high of ~\$3400.00 to ~\$400.00 Stacey says that she still has the one account that hasn't paid their owner dues or property taxes, is/has been out of contact, and expects the property to end up being foreclosed on next year.

Stacey reports that she is in communication with several owners who are past due, and says that they will be sending funds. Overall, she feels good about collections.

The Naysnerski property has been sold to a Nine Mile Ranch owner, so there's hope that the property will be restored and/or cleaned up. Leo Culloo asks about being able to collect any of the outstanding funds from liens that had been filed. Stacey reminds us that the liens were released when the bank foreclosed on the property. Stacey says that we followed through with filing the lien on the Naysnerski's New Mexico property.

3) ACC Business - Rick Lewis

Rick Lewis says that he received a note from Todd Besaw, that there's a lot owner that appears to be building a 10' by 30' shed. Rick has not verified that, but will follow up.

Rick sent a letter out to the lot owner who had the dry cabin built in lieu of his application for a storage shed. Rick e-mailed with the letter attached, but hasn't heard anything back from that lot owner. Leo Culloo asks what our course of action is if there's no response or correction from the owner. Rick says that he would review our legal position, Fine Assessments Policy, and solicit Board recommendations. Leo says that he is aware of a few other "storage sheds" that are being used as dry cabins, and questions what the Board can do about it. Rick says that he will need to get together with Todd Besaw, review records for Owner Applications, and send letters to the owners.

Andy Hill asks if the owner has actually broken a CCR by not building what he applied for to the ACC. Is there actually a breach of the CCRs already, or would it be if it was occupied more than three months?

A discussion ensues regarding ACC and County applications for buildings, representation of owner intent, enforcement, and potential ways to address differing interpretations and criteria of actual use.

Kirk Johnson offers that the Lot Occupancy Committee has been working to solidify a policy and recommendations for the Board to consider implementing, and expects that it will be presented for implementation January 2026. Kirk also recommends that we have a strong promotion campaign about the usage of structures in/on the ranch.

Stacey Johnson asks Rick Lewis if all the ACC records have been transferred from Todd Besaw. Rick replies that he still needs to get some, and he will follow up with Todd.

Rick Lewis has also spoken with Roshni Bhat who is continuing to digitize the old records, eliminating boxes full of old paper records.

Andy Hill says that according to the County, there were no building permits on that lot; it is listed with improvements of 192 square feet for the cabin and 120 square feet for a kitchenette.

4) Legal Committee - Kirk Johnson

Kirk Johnson says there's nothing to report from the Legal Committee, and asks the Board if there are any questions, nothing.

5) Road Committee Updates - Kirk Johnson

Kirk Johnson says that the Fall raking was postponed due to a lack of moisture, that raking dry roads just dusts up roads and doesn't pack down, causing the washboard to raise up. So, unless it gets enough moisture before it freezes and starts snowing, he recommends not plowing or raking. He says Tim Mason is on call if we need.

6) Fall Newsletter - Stacey Johnson

Stacey Johnson will send it off to the printer in Omak on Monday, and pick it up on Thursday. Stacey will mail it on Friday, or by the following Monday. As previously mentioned, Cole Marusen will post to the HOA website, and Akshay Bhat will Email to owners.

7) Big Horn Ridge Followup: D1L31

Andy Hill asks about what the HOA spends on the Big Horn Ridge road maintenance, not including snowplowing, Kirk Johnson says per mile the cost to maintain their road is less, because we maintain everything off of the edges of the pavement, which is still on the driving plane. So the gravel that's four or five feet on each side, we maintain that, we don't rake it. There is occasionally some machine work done where it becomes erosive or whatever. We also add in extra anti-erosion gravel on occasion, and do all the rest of the maintenance that we do around the ranch, including spraying and plowing.

Andy says that with slightly reduced road costs, that we could offset the cost of a Big Horn Ridge tab on our HOA website. Akshay Bhat reminds us that the cost wasn't the determining factor in not creating a Big Horn Ridge tab on our HOA website, it was a

liability issue. In the case of a lawsuit or any other legal situation, then it could be a conflict of interest. Concerns about what is permitted to be posted there if there were conflicting information was also mentioned.

Stacey Johnson notes it's hunting season and she sees cars slowly driving up and down Nine Mile Road consistently. They stop, and watch small pockets of area(s) that are not Nine Mile Ranch, off of Nine Mile Road. They don't like to be approached, and there have been some serious conflicts, where the sheriff has had to come out. Stacey recommends getting a license plate and calling the Sheriff.

Leo Culloo says there's a Nine Mile Ranch Facebook page where owners could share their concerns. Stacey mentions people already use the page to report cougars, fires, and other communications.

Stacey Johnson will begin to prep out the new annual budget, and will get it sent out ahead of the January 2026 meeting for review. She also will check the Terms records, as Dan McLelland and Sonya Bachmann's 3 year HOA Board terms are coming due.

Andy Hill asks about our website tab regarding the cattle and the rancher. He says he observed a bunch of cattle on somebody's lot, and phoned them. They were on Brett Kaufman's lot, and Andy asks where they're coming from.

Rick Lewis says they come in at the south end of Cougar Drive. There is a road that goes back into the DNR and there is a gate there that unfortunately is often left open.

Stacey Johnson says that perhaps the cattle notice could be removed from the website. She mentions that she and Cole Markusen have thought of updating the website, and cleaning it up to make it more efficient.

Dan McLelland, called to adjourn the meeting at 9:43am

Next Meeting January 10th, 2026, Zoom Invitation and Agenda to follow