

July 2018

IMPORTANT NEWS FOR ALL 9 MILE RANCH LAND OWNERS

PLEASE READ

This is a newsletter from the board of the 9 Mile Ranch HOA, created to inform you of important issues, and we ask that you take the time to read it thoroughly.

Nine Mile Ranch Homeowners Association / P.O. Box 332 / Oroville, WA 98844

9mileranchhoa.org / email: bod@9mileranchhoa.org

OUR FIRST ELECTED BOARD IN HISTORY, and NEEDING YOUR PARTICIPATION

As many of you know, on May 19, 2018, our membership elected it's first Board of Directors in 22 years. We thank all those who took the time to get their ballot cast. Your board members are:

- Brett Coffman
- Leo Culloo
- Kirk Johnson
- Rick Lewis
- Kate Naysnerski
- Wayne Naysnerski
- Susan Stewart
- Brian Rabe

We are a group of volunteers with strong professional background – including in road maintenance – committed to financial stewardship, transparency, community building, sharing information, and supporting our CCRs through appropriate actions.

Our bylaws require us to have a minimum of (9) directors, so we need to place one more... Please contact us at 9mileranchhoa.org if you're interested in cooperative and qualified directorship. We also need volunteers for:

- Architectural Control Committee
- Division Road Reps (1 from each Division)
- Other helpful agents and assistants for projects and committees

There's lots of work to do to make our association successful, *and it's in our hands now*, so please connect with us and lend a hand!

We welcome all input and inquiries about the ongoing developments at Nine Mile Ranch. Everyone has a voice, and we want your direct involvement.

YOUR CURRENT CONTACT INFO AND EMAIL

The board needs current contact information for all members. The cost of mail-outs is approximately \$300 each time – *the equivalent of a truck load of gravel for our roads* – and we would like to reduce this cost as much as possible. Any help from members is much appreciated. If we can send you notices and other info via email we can spare the cost of mailings. Please email us at bod@9mileranchhoa.org and give us your current contact info, and please give us permission to notify you via email (RCW24.03.009). ***Please include the registered owner of your lot, Division number, and lot number.***

ROAD MAINTENANCE AND INCOME

Nine Mile Ranch has 36 miles of roads to maintain, as well as paying for a variety of other requirements under our CCRs and state laws. Just recently the interim prior board raised the dues rate from \$160 per lot per year to \$176 per lot per year, the first rate increase in 13 years. While that rate increase was seriously needed, our total current rate doesn't even keep up with the rate of inflation of costs at Nine Mile Ranch since the beginning (20 years ago) when the rate was \$100 per lot! Yet, road wear from traffic has increased multi-fold since then. Here are a few more facts impacting our budget right now:

- While we are doing everything in our power to keep costs down, in order to continue to fulfill our obligations under the CCRs Nine Mile Ranch absolutely needs more financial support.
- Replacing gravel on roads from traffic wear is far behind. Many roads cannot even withstand maintenance machining because of lack of gravel.

(cont. next page)

(cont. "ROAD MAINTENANCE AND INCOME")

- Deposits into our reserve fund are far behind.
- Funds for additional state-required actions (CPA audit, Reserve Study) are needed.

Our approach for calculating budget/income needs is purely factual and based on sustaining our HOA and the provisions of our governing documents and state laws. Qualified rate calculations performed so far indicate the minimum need for anywhere between \$234 - \$300+ per year per lot. With the support of qualified volunteer board members and other membership assistants, we can continue to keep yearly dues at a minimum. However if this qualified volunteer support does not continue, Nine Mile Ranch may eventually have to hire these duties out as professional services, which will radically increase yearly dues beyond those projected above.

- ***Please volunteer your talents, especially if you have business and road maintenance experience.***
- ***Please visit our website for meeting minutes showing board actions, and updated info and reports about all fiscal and maintenance issues.***
- ***Please VOTE IN ELECTIONS and run for offices as they come available.***

Our website is just newly-created, so please be patient and revisit it over time for additional content.

VOTE, VOTE, VOTE!

While the recent vote for board members did achieve a minimum voter participation, the accompanying vote for a bylaw change did not. It is critically important for the success of our association that we all participate in voting, especially now that governing has been turned over to us from the developer:

- Each year we will have to elect new director(s).
- There are many 'tune-ups' that can be made to our governing documents that would help make governing more efficient.
- Each ballot sent out costs our association money; it's good to make the money spent worthwhile.
- Certain fiscal issues can be voted on, whereby significantly impacting income and expenditures.
- Voting gets people 'in the know' about the running of the association and prepares future volunteers.

***Please promptly vote when you receive a ballot...
Thank You!***

PLANNING A PROJECT OR DRIVEWAY?

Please remember you must receive approval from the Architectural Control Committee (ACC) before beginning your project or driveway. Email the ACC at acc@9mileranchhoa.org for more details.

- WILDFIRE SEASON IS HERE -

There have been at least three wildfires in Ranch history, having destroyed many homes and damaging land and other property... ***PLEASE no outdoor fires until bans have been lifted in the fall.***

VOLUNTEER ROAD WORK HAS DANGERS

Some helpful Lot Owners choose to volunteer their time and tools to trim trees and shrubs encroaching Ranch roads, or clear culverts, etc. While we so very much appreciate these efforts and encourage the help, there are a few details about this subject you need to know:

- The roads (not private driveways) throughout Nine Mile Ranch are the legal responsibility of Board of Directors of the Association. Please get in contact with us and ask us what's OK and not OK.
- The Nine Mile Ranch Homeowners Association is not responsible if you injure yourself or any property, and by doing your volunteer work you agree to hold the Nine Mile Ranch Homeowners Association harmless from the results of any action you might take.

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Driving fast on our roads costs \$\$\$. Please drive no more than 20MPH

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NOTICE - SNOW PLOWING INFORMATION

Call coordinator Eldon Hunt at (509) 476-3323 for all plowing requests and information. Plowing standards are:

- generally, 4" of new snow.
- discretion of Coordinator may increase plowing frequency.
- Main roads plowed first.
- Plowing berms left across private driveways from Ranch roads plowing are the responsibility of each Lot Owner.

The Ranch plower can plow your private driveway, at extra charge to you; if you are interested please email the Board and ask for his contact information.

2018 ROAD MAINTENANCE CONCLUSION

Here are concluding highlights about this year's road maintenance performed, ready for winter:

- All ditching and culvert clearing is complete.
- All roads with enough gravel to machine have been crowned for proper watershed.
- Road embankment erosion repairs made.
- Weed/growth control completed.
- (28) truck loads of proper gravel were placed, with more to come next spring.
- All expenditures came in within budget and this year's income.
- Great membership volunteer participation in trimming/felling roadside trees!

Other notable issues:

- This year's gravel replenishment kept pace with wear from traffic, but most prior years' replenishment has not been addressed; additional funding will be necessary.
- About half of all roads are not able to be crowned (raked, graded) for lack of surface gravel.
- Roadbed boulderheads sticking up are causing increased snow plowing costs (added gravel needed).

Visit 9mileranchhoa.org for detailed reports and logs about road maintenance performed.

NOTICE - BOARD OF DIRECTORS MEETINGS

The following are the currently-scheduled 2019 Board meetings, as well as the Annual General Membership meeting:

- January 5, 2019 Board meeting
- March 16, 2019 Board meeting
- June 15, 2019 General Membership meeting
- July 13, 2019 Board meeting
- October 15, 2019 Board meeting

All meetings will be held at 1:00PM at the Oroville Senior Center, 1521 Golden Street in Oroville. All Lot Owners are encouraged to attend. Check the HOA website for changes in scheduling prior to planning for your attendance.

If you would like to speak at a BOD meeting at the conclusion of BOD meeting business, please sign up at the beginning of the meeting. Understand that Board meetings are packed full with business for Board members to attend to, and state laws require that almost all Board business be done only in meeting, so there is little time to accomplish many needed tasks. Member participation will be limited in time according to number of speakers and other agenda items. Remember also that all HOA members can email the Board at bod@9mileranchhoa.org and we will promptly correspond with you.

We welcome all member input and inquiries about the ongoing developments at Nine Mile Ranch. Everyone has a voice, and we want your direct involvement.

YOUR PERMISSION FOR EMAIL SAVES COSTS

State law gives owners the option to receive certain notices and mailings via email instead of postal service, which saves HOA funds. Please email us at bod@9mileranchhoa.org and give us permission to notify you via email (RCW24.03.009). ***Include the registered owner of your lot, Division number, and lot number.***

Owners, please remove debris and blockages from roadside ditches and culverts if you see it, or contact the Road Manager, and keep your driveway culverts cleared too. These measures save HOA funds and also help prevent costly road damage repairs... Thank you!

NOTICE – COMPLIANCE WITH OUR CCRs

As members know, all Lots on Nine Mile Ranch are subject to the requirements and rights given in our CCRs. Complying with these requirements keeps our private residential/recreational wildlife refuge a beautiful and valuable place to have ownership in... and compliance is of course every Lot Owner's legal duty.

The CCRs and our Bylaws also require that the Board/ACC enforce our CCRs, which we are following through with. Please make sure you are aware of and compliant with the CCRs, and if you have any questions contact the Board or ACC with inquiries. You can also visit the website at 9mileranchhoa.org to view and print out copies of the CCRs and other governing documents.

PLANNING A PROJECT OR DRIVEWAY?

Remember you must receive approval from the Architectural Control Committee (ACC) before beginning your project or driveway. Email the ACC at acc@9mileranchhoa.org for more details, and visit the website to download application forms. Please also remember to keep all fences, structures, personal possessions, and other plantings/fillings out of the 60'-wide rights of way that are our Ranch roads (30' from the center of the road each way).

DID YOU KNOW...?

- It's your right to view all general HOA business records, including financial; just ask us. Also visit the website for various reports, current financials, and all Board meeting minutes.
- All Directors are unpaid volunteers.
- On a monthly basis, HOA bank account reconciliations and copies of all checks and all invoices paid are sent to two volunteer members (including currently a Canadian CPA) to verify proper order and use of funds.
- Starting in 2019 our HOA is required by state law to conduct an annual CPA audit of our books *unless waived by a vote of the membership...* one CPA audit costs about \$3000.00.
- It takes at least 60% of the membership to vote yes to approve an amendment to the CCRs.
- After allowing for inflation, our yearly Lot assessment rate has increased by only \$22.00 in 20 years, yet road wear from traffic has increased multi-fold, and gravel/etc. have gone up in price substantially.
- Nine Mile Ranch does not have anywhere near enough income to support its own road maintenance department and equipment. For 20 years independent local contractor Tim's Enterprises has performed almost all Ranch road maintenance and snow plowing, except gravel delivery. His rates have been methodically checked to be sure he's at or under market rates, and his level of care and attention has been excellent. He also knows our roads extremely well and takes pride in being responsible for that. In a region with few options, we are fortunate to have our working relationship with him. Thank you Tim!

COLLECTIONS IMPROVEMENTS!

Collection of past-due assessments, both long and short-term, is a constant impact on an Association's income. It is important that an organization robustly carry through with collections efforts in order to keep delinquent accounts at a minimum. On July 1, 2018, the Board adopted and began acting on a collection policy (see website for actual policy details) that included standard successive late notices, CCR-required interest charges, and liens for long-term past-due accounts; these collection elements had not been employed by prior Boards in many years. The following statistics reflect the collections improvements we are happy to report:

- 47% of the amount that was "two or more years past-due" has been fully collected, 20% of the remaining "two or more years past-due" is in payment agreement, and the final 33% has been liened.
- Comparing this time last year (without collections policy and efforts) to right now after 4 months of policy and efforts, we have improved collections 29% in gross principal assessments collected.

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July 2019

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2019 ROAD MAINTENANCE UPDATE

Work completed so far:

- Inspection/plans for repairs completed in May (visit 9mileranchhoa.org under "Reports" for details).
- Divisions 7 and 8 received raking for crowning and washboard repair. More raking throughout the Ranch to come in the fall, as well as final ditching, culvert cleaning, and erosion repair.
- \$3800 worth of gravel placement and machining was performed on West Corral and Gold Rush Ridge in Divisions 7 and 8 recently, completing last year's gravel budget.
- Pre-emergent weed/growth control completed.
- Volunteers have felled roadside hazardous burned trees in Divisions 2 and on Old Tressle in Div. 4.

Other notable issues:

- We're now in a new fiscal year, so we'll be spending all we can on badly-needed gravel placements this fall.
- Long-time work contractor Tim Roberts, who has been our source for road raking, is unavailable to us due to lack of state licensing; this is why more raking was not performed this spring. He is the only contractor in the area with a rake, so the Board is researching the feasibility of purchasing a road rake for the Ranch. This machine is critical to road maintenance for us so a solution must and will be found. Come to the July 13, 2019 Board meeting at 1:00PM at Oroville High School to hear plans, decisions. Reports will also follow the meeting, posted to the HOA website.

Visit 9mileranchhoa.org for detailed reports and logs about road maintenance plans and performance.

- NOTICES -

- Reminder: Board meeting, July 13, 2019 at 1:00PM at Oroville High School.
- Volunteers performing road work tasks do so at their own risk. Thank you for your help!
- On June 15, 2019 at the Annual Membership Meeting Charlene Dima was elected as new Board member, and on June 29, 2019 Charlene resigned, via email to the Board.

THE YEAR IN REVIEW

The first member-elected Board of Directors has completed year #1. Here is a major highlight list of work completed:

- All needful road/watershed maintenance and weed control was completed on time.
- \$12,000 invested in gravel; most ever, and first time keeping pace with road wear.
- Past-due assessments reduced by 50+%.
- Website set up, stocked with comprehensive info.
- Comprehensive road repair analysis/planning, detailed reports published throughout the year.
- Long-standing major legal questions resolved.
- (2) major CCR violations dealt with/in-process, protecting land values and community agreement (CCRs).
- State-required Reserve Study process engaged.
- Gravel deficit study completed (\$54,000 worth of gravel needed to replenish prior wear).
- Contractor work order and insurance/liability system implemented.
- New HOA insurance policy; lower cost, greater coverage.

MAJOR UPCOMING ISSUES THIS YEAR

- Purchase a road rake.
- Conduct state-required CPA financial audit.
- Defend challenge to validity of CCRs.
- \$54,000 gravel deficit, potential Reserve Fund shortfall; need more income.
- Fall gravel placement, other maintenance.

We welcome all member input and inquiries about the ongoing developments at Nine Mile Ranch. Everyone has a voice, and we want your direct involvement. Newsletters are brief summaries of subjects; contact us for more information. A healthy HOA needs members to know what's going on!

WILL THE REAL BOARD PLEASE STAND UP?

It is possible you might receive communications from someone claiming that they are the 'board' of our HOA and that the current Board has been voted off; this is untrue. On June 15, 2019 at the Annual Membership Meeting, embroiled director Kate Naysnerski claimed that she possesses votes that removed the entire Board and placed her in rightful possession of all HOA accounts and records. She demanded that the Board turn these over to her immediately, requiring that we place them in the road in front of an address on the Ranch. On June 26, 2019 we received a letter from her attorney stating similar. Our HOA attorney has responded to her appropriately, letting her know her assertions are false and that her demands will not be met. You can read more about the details behind this subject in the enclosed meeting minutes from that membership meeting, and you're welcome to contact us to request more information.

The bottom line is this: no one except the current Board of Directors is the official board of Nine Mile Ranch, and you should not respond to anyone claiming otherwise. The Board of Directors is of course continuing to manage the HOA and take care of all HOA business as required, and all inquiries about HOA matters and payments for assessments should continue to go to the official HOA addresses and contact points. If you receive a communication you're not sure is from the true Board of Directors of our HOA, please visit our website or contact us for verification.

Ways to Change Our HOA

You may have a desire to see something changed about our CCRs, or to seek voting off a director. There are many state laws and HOA bylaw provisions that affect these potential changes, so its important that members follow these provisions to create change; otherwise, the change can't happen. The Board is very willing to assist members about understanding the processes associated with any particular change desired, so please contact us if you like. You can of course also consult with your attorney. The following are a few major guidelines about members affecting HOA change:

- As long as there's an official board in place, all voting about all HOA issues must be conducted through the Board (RCW64.38.025(1), Bylaws, Article IV, Section 1). For a variety of very important and practical reasons protecting the HOA, members can't just conduct votes themselves.
- Any vote of the membership must be prior-notified to the *entire* membership so everyone has a chance to vote on the issue (Bylaws, Article III, Section 3).
- It takes at least a majority of all membership voting power (156 lots) to affirmatively vote in favor of removing a director(s) (RCW64.38.025(5), Bylaws, Article IV, Section 5).
- If a minimum of 10% of the voting power of the membership (32 lots) requests in writing to the Board that a vote be brought to the entire membership about any given subject then it is the duty of the Board to bring that vote to the entire membership (Bylaws, Article III, Section 2).
- Become elected or appointed to the Board of Directors.

- REMINDERS for RECREATIONAL/RESIDENTIAL SAFETY -

- Honor Burn Ban Season by calling 1-800-323-BURN (2876) before you burn outdoors.
- When a burn ban is in effect do not burn brush piles of any size, recreational camp fires, burn barrels, oil torches, charcoal briquettes, or outdoor patio wood stoves/heaters. You may use pressurized or bottled liquid fuel (LP) stoves, lanterns, or heating devices.
- Check <http://www.dnr.wa.gov/OutdoorBurning>, or <http://fortress.wa.gov/dnr/protection/fireganger>.
- NO discharging or using ANY fireworks, NO discharging firearms.
- Off-road vehicles are only to be used on the gravel portion of association roadways (unless its on your own Lot), keeping speeds under 20MPH. Do not ride/drive on on any other Lot owners' lots without their permission.
- ALL use of chainsaws needs to follow DNR IFPL requirements (check www.dnr.wa.gov for detail).

MORE INCOME NEEDED

For a great number of years the yearly assessment rate was not raised, which allowed HOA income to fall behind road maintenance needs and costs. Also, the developer originally set the rate too low to start with. The last two years have seen raises - 10% each time - for the first times in 13 years, but this is still not enough... a lack of gravel on our roads and enough money in Reserves are the two major expense issues.

In the coming months the Board will be finishing analyses and reports that support increases we will be asking for. The goal of the reports is to address only costs required by our CCRs, not anything more than that. We'll be bringing this information to you as soon as we can. Please do remember how inexpensive the yearly rates are to maintain all these roads year round; each of us individually would pay *far more* each year to take care of this without the benefit of pooled resources in our HOA.

PLEASE REPORT ROAD REPAIRS

There are 36 miles of roads to maintain on our Ranch, and this is coordinated by HOA volunteers. It is very helpful if members report to the Board if you see repair items, like erosion problems and weed growth.

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SPECIAL ASSESSMENT VOTE PASSES

On August 31, 2019 the membership voted 102 to 58 in favor of a one-time special assessment charge per Lot of \$242.00 to purchase badly needed gravel for our roads and to purchase a gravel rake. The added income for these purchases will also protect our small reserve fund from being drawn down.

- The \$242.00 charge will be invoiced to all Lot Owners in (2) separate charges; \$150.00 will be invoiced immediately (invoice enclosed), and the remaining \$92.00 will be due next July with the regular annual assessment.
- Purchasing the rake and the gravel will happen as funds from the special assessment come in and provide that funding, so hopefully we'll be able to start purchasing soon... in other words, getting the rake and placing gravel will take time over many seasons in the next two years.

Go to the 9mileranchhoa.org website throughout the next few seasons to see updates about progress of this subject.

COMMITTEE MEMBERS WANTED

The greatest amount of work in running our HOA is accomplished between meetings by committees; this is where 9MR needs volunteers. Committees communicate largely by email, sharing information and deliberating about work topics to prepare the groundwork for the Board to make decisions by. This is where the interesting 'mechanics' of our HOA can be participated in. Current standing committees of 9MR are:

- **ACC:** oversees compliance with CCRs, processes Lot Owner land development applications.
- **Legal:** researches issues relative to state statutes and our governing documents.
- **Financial:** dealing with issues concerning expenditures and budget, accounting, financial planning and cash flow.
- **Road:** dealing with anything having to do with road maintenance and improvement

The management of our 9MR HOA is all volunteer. If you have aptitude in any of these subjects or committees and enjoy working in cooperation with others, please contact us to explore joining a committee. The work load is small if many chip in, and the sense of accomplishment is rewarding!

ROAD MAINTENANCE UPDATE

For complete road maintenance details please see the website under "Reports" for the "2019 Road Work List 3.0(1)". Otherwise, here are some summaries and highlights:

- The last of culvert clearing and ditching is being completed right now.
- Weed control is completed for the year.
- Late July heavy rains brought unusual erosion damage to many roads and ditches. Working within the limits of available funds, the highest priority repairs are just being completed; this has included some ditch armoring in heaviest flow areas using large shale rock. These unusual repairs will use approximately half of this year's available road maintenance budget.
- As long as further unexpected heavy rains do not cause more repairs to be made, we're planning to be able to perform some raking before winter sets in.
- Due to higher repair costs this year we will likely wait until next spring to place new gravel. The goal is to go into winter with approximately \$14,000 excess cash from current income and see if winter snow plowing expenses are higher than average; then in spring we can spend whatever is left on gravel, given that no other unforeseen/uncontrollable expenses come up.
- The passage of the recent Special Assessment will cause approximately \$2000 additional funds for road maintenance to become available. This will likely be spent on next-priority road maintenance items as shown in the "2019 Road Work List 3.0(1)" on the website.

SNOW PLOWING UPDATE

Winter's not that far away, so that means snow is coming. The Road Committee has been interviewing new snow plow contractor candidates and will be making agreements soon. Here are some points of interest to Lot Owners:

- It will take time for new plowers to learn our many miles of roads; please be patient while new plowers are learning.
- If you would like to arrange having the Ranch plower plow your private driveway for you please either visit the 9mileranchhoa.org website in the coming months for contact info or call (509) 476-3089 for more information.

CPA FINANCIAL AUDIT IS COMPLETE

The required audit for last fiscal year's financials (6/1/18 – 5/30/19) and supporting documentation has been completed. Here are summarizing quotes from the auditor's report:

- *"Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatements."*
- *"In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Nine-Mile Ranch Homeowners Association as of May 2019, and results of its preparation and its cash flows for the year then ended in conformity with accounting principals generally accepted in the United States of America."*

The full audit report is available upon request.

NOTICE – FINE POLICY AND SCHEDULE

Enclosed with this Newsletter you will find a newly adopted fine policy and schedule. Our CCRs and state laws allow fines as part of enforcement. The Board has adopted this intending it will encourage members to uphold their end of the contract in following our CCRs. The policy also provides the Board an avenue to take actions to encourage compliance instead of spending HOA funds on attorneys. Please contact the Board/ACC if you have any questions regarding the policy.

ACC REPORT & REMINDERS

First, a thank you goes out to all Lot Owners who have gone through the ACC application process.

- (2) approvals were given in the month of August, and another is pending.
- Please remember that all structures – no matter the square footage or use – are required to have ACC approval prior to installation.
- Please remember that all driveways need to have ACC approval prior to installation. Especially notable is that private driveways can significantly impact the way their water shedding erodes Ranch roads, culverts and ditches. All impacts to Ranch roads/culverts/ditches from private driveway installation is the responsibility of Lot Owners and can cause expenses.

2020 HOA MEETING SCHEDULE

All meetings will be held at the Oroville High School at 1:00PM; please check the HOA website prior to meetings for any changes:

- Board meeting: January 11, 2020
- Board meeting: March 14, 2020
- Annual Membership meeting: June 20, 2020
- Board meeting: July 11, 2020
- Board meeting: October 10, 2020

VOLUNTEERS NEEDED FOR ROAD WORK

Most road maintenance has to be hired out to professionals who have particular skills and equipment, but some tasks are especially helpful when done by volunteers. Please contact us for your help.

General Labor. There seems to be a shortage of local licensed, bonded and insured labor that can legally perform general labor tasks outside of large equipment operation. Of course, volunteer work also saves the HOA money. The following are a few of the labor tasks that our HOA often needs volunteer help for:

- Removing large errant rocks from roads after road maintenance gear has been operated.
- Filling potholes.
- Other shovel or hand work too small for equipment.
- Trimming trees and shrubs that encroach roads.
- Clearing culverts.
- Fixing fencing barriers and cattle grates, and removing refuse.

Road Raking. Soon our HOA will own its own gravel rake, which is an essential tool for road crowning and gravel/surface maintenance. The rake can be pulled behind any ¾-ton 4x4 pick up truck and requires no truck modification. If you have some aptitude for using and understanding road gear and own a truck and would like to help, please contact us to see if we can get you involved.

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SEE ENCLOSED SNOW PLOWING INSTRUCTIONS FOR NINE MILE RANCH AND PRIVATE DRIVEWAYS

SPECIAL ASSESSMENT GRAVEL PLACEMENTS!

On August 31, 2019 our HOA membership approved a special assessment to purchase \$54,000 worth of road gravel and for \$19,000 dedicated to purchasing a gravel rake. As payments started coming in in late September the Road Committee ordered initial placements of gravel to begin, placing the amount of gravel worth equal to the money collected. Initial placements are complete for now, allowing winter to set in and for additional funds to build up until next spring when placements will continue again. (28) truck loads of quality topcoat gravel, worth \$9400.00 with sales tax, have been placed, representing approximately 1/6 of the total special assessment funds for gravel. Funds continue to come in and we're also setting enough aside to stay on schedule for the rake purchase in spring.

You can visit the 9mileranchhoa.org website home page to see pictures of all gravel placements. Gravel placement priorities have and will continue to be on steeper inclines, to cover exposed boulderheads in the roads, and high traffic areas. We won't be able to do all we'd like to do but this will be a big step in improving our roads and making up for the lack of gravel placements over the last 20 years.

NEW VOLUNTEERS NEEDED

Are you interested in being a Board or Committee member? Contact the Board to find out work loads and what business tasks are involved. Our HOA is all-volunteer and needs new folks to help out. Living at the Ranch is not a requirement.

We welcome all member input and inquiries about the ongoing developments at Nine Mile Ranch. Everyone has a voice, and we want your direct involvement. Newsletters are brief summaries of subjects; contact us for more information. A healthy HOA needs members to know what's going on!

CASH FLOW/FISCAL REPORT OCT. 15, 2019

You can see a detailed cash flow report on the 9mileranchhoa.org website, but here's a general overview and highlights...

- \$47,986.00 in reserve/savings funds. This has remained basically unchanged for many years. \$3000 from this year's income will soon be added to reserves, the first increase in savings in many years.
- \$630.00 of interest has been earned on our reserve fund in CD since January 2019 when it was created; first worthy interest gains since 2012.
- \$18,863.00 of the total \$45,600 has been collected from the recent Special Assessment billing of \$150.00 per lot (recall that the remaining \$92.00 per lot will be billed next year). \$9467.00 of what's been collected has been spent already on recent gravel placements.
- At the October 12, 2019 Board meeting the Board resolved to spend the last prudent-available road maintenance funds for the season (an additional \$3000), totaling approximately \$18,000 having been spent on road maintenance this maintenance season. \$5413 of that was spent on emergency repairs due to unusual heavy rains last summer. These figures are regarding the *regular annual budget*, not including the special assessment income and expenditures.
- Right now we are setting aside \$13,000 from this year's 'income which is not already committed' from the regular budget as a buffer for variable winter costs, especially snow plowing expenses (any plowing expenses above the yearly average of \$15,000 will have to come out of this buffer.. the worst year on record, adjusted for current inflation, was about \$22,000). In spring we will spend whatever is left on yearly gravel replenishment (\$10,000 required every year, and so far about \$750 has been spent for this year).

Clarification About Some HOA Facts

In having a common goal to make our HOA successful – given that we all have land values and land access tied to one another – it's really helpful that we all contribute accurate facts and impressions about our HOA. This is especially important for those newer or less-involved members who may not be as informed. So with that in mind we'd like to clarify some facts about a few subjects that may have come to your attention. We encourage you to also visit the 9mileranchhoa.org website and see a much more detailed report entitled, "Clarification About Some HOA Facts", including informative links, about all the following issues:

- **Rake purchase:** For qualified analysis about the reasons for the rake purchase please see the document entitled, "Rake Purchase Report" on the 9mileranchhoa.org website (look under the "Reports" section).
- **All elections have been conducted validly from the most complete membership list possibly available.**
 - List updated constantly, referencing county tax records and sales through escrow.
 - Records kept digitally on-line since 2008; not subject to corruption or destruction.
 - The developer has never managed, held or controlled the records.
 - HOA records are sometimes more accurate than county tax records.
- **In multiple ways, HOA governing documents express and imply that snow plowing on all roads is required to be provided by the HOA.** This is why the developer provided it for the first several years and the HOA has provided it for the last 18 years since. Please see report, "Clarification About Some HOA Facts" on the HOA website for greater details.
- **All directors and officers have been duly placed according to applicable state laws and governing documents.** RCW64.38.025(2), RCW24.03.100, HOA Bylaws Article IV, Sections 4 and 5 and Article VIII, Section 3.
- **All director voting powers, duties and offices are held and conducted in strict accordance with applicable laws and governing documents.**
 - No director has acted outside the power for a single vote per director on each and every Board action.
 - No single director or officer has unilateral decision-making capacity; every decision is made by Board resolution and/or Board delegation.
 - All officers have been duly elected into place by the Board of Directors.
 - All directors have equal right and access to all HOA records at all times, including to on-line financial account records, and no director has been denied access at any time.
 - No expenditure is ever taken without Board approval.
 - All actions taken by committees and delegated positions are disclosed to the entire Board as they happen at any time.
 - The Board has financial internal controls and disclosure procedures that ensure ongoing mandatory internal oversight.
 - There is no capacity within the Board administration and systems for any single director, officer, committee or groups of directors/officers/committees to act in self-interest without every single director being able to either know about it or have the opportunity to prevent it.
- **The Board conducts all discussions and business in strict accordance with state laws and governing documents.** RCW64.38.035(4), RCW24.03.115, HOA Bylaws Article VI, Section 4, and Article IX.
- **According to HOA records, no Board member has ever performed a paid service to this HOA nor has any been considered to be hired. There are no conflicts of interest.**

Do You Want Full-Time Rentals on 9MR?

The CCRs require that all rentals on Nine Mile Ranch are limited to no more than 6 months per calendar year, as was also recently verified through HOA legal counsel. Many of us know that there are and have been rentals exceeding this limitation. The ACC is required to enforce this provision and will start enforcement soon. Members can change this rentals restriction by amending the CCRs with a 60%+ approval vote. Also, according to Bylaws Article III, Section 2, if 10% or more of Lot Owners write the Board requesting that a vote to change the CCRs be conducted then the Board is required to put it out to vote to the entire membership.

Thank you, volunteers!!!

Thank you to all the members who give their time and resources to our HOA like trimming trees, sending out welcome folders, donate meetings equipment use, manual labor on roads, filling potholes, clearing culverts, legal research, road drive mileage, volunteering for committees, etc. It's inspiring when folks choose to be helpful and giving to improve our HOA.

NOTICE - NEW WATERSHED RULE

At the October 12, 2019 Board meeting the Board approved a new policy that protects Ranch roads and easements from water damage resulting from land changes Lot Owners might take on their own lands. The policy makes owners responsible for damages and requires remedy of causative circumstances, and the rule is subject to fines if an owner chooses not to adhere to the rule. Please see the 9mileranchhoa.org website under "Policies" to view the full rule text. Also please remember that land change activities like driveway installations, construction, and all significant clearing are required to be prior approved by the ACC, so please contact the ACC before you make such changes. This can also be helpful in having the ACC advise members *before* potential land changes are taken and cause damages.

IMPORTANT NEWS AND NOTICES FOR **ALL 9 MILE RANCH LAND OWNERS**

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UPCOMING ELECTION: DIRECTOR CANDIDATES NEEDED! SEE ENCLOSED SOLICITATION

GOOD PROGRESS WITH GRAVEL PLACEMENTS

You may recall that last fall our HOA membership approved a Special Assessment to purchase \$54,000 worth of road gravel and for \$19,000 dedicated to purchasing a gravel rake. The amount of gravel was specifically calculated to replenish gravel wear that has happened in the past but had not yet been fully replenished due to lack of funding. Last fall before winter set in we installed (28) loads of quality topcoat gravel at spots throughout the Ranch, and as soon as spring conditions allow we will continue placing more gravel. The total remaining Special Assessment amount for gravel, if fully collected, would allow for approximately (130) more loads to be placed over the next year or so... weather, supply availability and hauler availability will also affect the schedule.

As an interesting perspective... (158) big truck loads of gravel might seem like a great amount but if that amount were spread evenly over all Ranch roads it would be a layer only as thick as 3 pennies stacked on top of each other!

Given 2016 auto traffic rates on the Ranch we need to be installing approximately \$9600 worth of gravel *each year* to replenish worn away gravel alone; this doesn't include gravel layer *improvement* but just *maintenance*. The recent years' annual dues increases (\$33.60 per Lot total over the last two years) have helped bring income closer to being able to pay for this maintenance, but more will still be needed.

We are thankful for the benefit the Special Assessment gravel has and will bring:

- helping to better cover up many road sections that have large boulderheads sticking up.
- giving us a better road surface to grade/rake.
- working toward having roads that are smooth enough to allow winter plowing closer to the road surface, whereby reducing ice and snow buildup.

IMPORTANT FACTS TO REMEMBER ABOUT OUR HOA

- All directing and administration is conducted by volunteers, including managing road maintenance and contractors throughout the year, performing all treasurer duties and collections, enforcement activities, fulfilling state law requirements and all business management, and responding to all member inquiries and needs. It is important that we have qualified volunteers continue to step forward, otherwise our annual assessment rates will more than double in order to hire out for many of these services.
- Great care is applied in calculating annual assessment rates to include only the services required under the CCRs. There may come a day when the *membership* chooses to collect more income and spend it on allowed improvements, but the members of this board are focused only on requirements and spending funds on road maintenance measures that improve the value of dollars spent.
- We understand the following statements to be true: 1) the vast majority of people who purchased property at 9MR reviewed the CCRs before their purchase and deliberately chose to purchase here because they wanted what the CCRs provide, 2) because the CCRs "run with the land", every Lot Owner is required to follow the CCRs and is also entitled to expect the CCRs to be upheld, and 3) the Board of Directors and the ACC are required to uphold the CCRs. Given these realities it is simple for our Board to move forward following the CCRs, using sound and reasonable judgments and actions supported by applicable laws and contracts.
- Per the specific language in the Special Assessment vote last fall for replenishment gravel and the rake, funds from the Assessment are spent **only** on these things.

OWNERS PLEASE COME TO THE NEXT BOARD MEETING, MARCH 14, 2020

A Look At Our Annual Assessment Rate

For many 9MR Lot Owners who have had years of familiarity with our HOA finances, we have long seen that the annual assessment rate has not been raised enough to meet the HOA's actual obligations.

"The annual assessments shall be sufficient to meet the obligations imposed by the Declaration and any amendments to the Declaration, and shall be sufficient to establish an adequate reserve fund for the maintenance, repair, and improvement of the roads and any other Common Areas, plus any other costs or fees incurred by the Association."

- CCRs (Declaration), Article IV, Section 4

While the HOA has not gone into fiscal 'debt' because of its income shortfall it has suffered large debt-like burdens or consequences in the following ways:

- Approximately \$40,000 of savings was spent down between 2008 and 2017 to pay for regular annual road maintenance/improvements, and
- The gravel on our roads was allowed to wear away without adequate replenishment.

The awareness of the above two facts caused Boards in the last two years to start raising the assessment rates and to also conduct a proper study to determine what rate is sufficient to meet with the obligations of the CCRs. The study will get adjusted later this year as we create final state-required determinations about Reserve Funding – so the projected assessment rate will likely be adjusted higher – but the study preliminarily indicates right now that **we need to have a minimum assessment rate of at least \$235.56 per Lot** at today's costs and road traffic levels. You can contact the Board to receive the detailed study documentation, otherwise here is a summary and breakdown, all based on cost factors taken directly from our historical accounting records and actual traffic rates (per year averages shown below):

• CCRs annual reserve fund deposit	\$3357.00
• Average attorneys fees and legal costs	\$1810.03
• Liability insurance	\$1621.58
• Snow plowing	\$13,447.93
• Weed/road growth spray	\$10,373.75
• Road Repair & Maintenance	\$23,292.79
• Yearly gravel replenishment needed	\$9677.04
• All other annual Association expenses not in above categories	\$2202.69
• Yearly lawfully-required accounting audit	<u>\$3000.00</u>
TOTAL YEARLY EXPENDITURES:	\$68,782.81
divided by avg. # of lots collected:	(292)
COST PER LOT:	\$235.56

Again, there are many details and footnotes in the full study that explain aspects about the information above. So where do we go from here? At the January 18, 2020 Board meeting the Board decided *not* to raise the assessment rate for the coming fiscal year, due to consideration that the recent years' raises and the recent Special Assessment are enough 'rate increase fatigue' on the membership for now. However, it will take two more years of '10% increase per year' to reach the minimum goal rate above, and the Board intends to follow through with those raises at a minimum.

Forest Health, Fire Control and Your Neighborhood

There are areas of 9MR land – particularly in Divisions 6, 7, and 8 – that are forested, and this means concerns for forest health and fire control for those neighborhoods. There are prominent cyclical pest infiltrations that kill trees, and unmanaged undergrowth or other forest management problems, that can lead to heightened fire danger for everyone. As a public service the Washington State Department of Natural Resources (DNR) offers significant information assistance and grants, including site visits, to help land owners better manage their forests and reduce fire danger; there are many 9MR owners who are currently benefiting from these services. For more information you can call the local DNR office at (509) 685-6900. You can also contact the Board at the HOA website or mailing address to get contact information for neighbors who can talk with you about their experiences.

NOTICE – ENCROACHING EASEMENTS

Per many clauses in our CCRs, all roadside easements and roadways are for the collective use of all property owners, including for recreational purposes like horseriding and snowmobiling. Roadside easements are also areas for maintaining roads, like drainage areas and space for snow placement. They must not be blocked or have installations placed in them (fencing, fill dirt, etc) without the permission of the ACC or Board. Owners who block or unduly occupy any 60-wide easements are violating the rights of the HOA and all Owners; please contact the ACC if you have questions or requests.

A Case For Our HOA

In December 2019 our HOA was sued in small claims court by an owner who, of his own accord, purchased and placed \$1000 worth of gravel on an HOA road where he specifically wanted it, and then sought to force the HOA to pay for it. He did this after he was advised by the Board long prior to his action not to do it. Our CCRs and state laws disallow owners from taking actions like this, and indeed the small claims court judge upheld this reality. The case cost the HOA approximately \$100 in expenses to defend, and no attorneys were involved.

JULY 2020

IMPORTANT NEWS AND NOTICES FOR ALL 9 MILE RANCH LAND OWNERS

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SEE ENCLOSED ROAD REPORT, & SEE NEW RULES AND POLICIES ON THE HOA WEBSITE

RECENT MEMBERSHIP ELECTION RESULTS

Here are the results from the June 20, 2020 election:

- Don Charnholm and Pam Lewis are new directors, for terms of 3 and 2 years respectively.
- The vote to waive the CPA audit for fiscal year 2019/2020 passed by a vote of 87 to 37, so no audit will be conducted. This will allow the \$2700 that was budgeted for the audit to be spent on roads, placed in savings, or used for other HOA expenditures.
- The proposed 2020/2021 fiscal year budget was approved by a vote of 101 to 20.

NOTICE - NEW HOA RULES AND POLICIES

With the current board being the first elected board, and that prior developer-appointed boards did not make progress about this, we've taken on the responsibility to discover how to best resolve some problem areas of CCR compliance... you could say this is groundwork that has been much needed. Our work has led to creating some Rules and policies intended to better clarify and give guidance to both board members and HOA members about how to uphold CCRs while protecting rights and responsibilities given under the CCRs. This work will have also made it much easier for future boards to follow as elected members come and go.

Another challenge about this we've (hopefully) addressed is how to most effectively cause compliance without paying excessive HOA funds to attorneys or civil court processes. That subject led us to utilizing two 'tools' given to the HOA: 1) the ability to create durable legal Rules via CCRs Article IX, Section 22 and 2) the ability to levy fines for violations pursuant to state statute RCW64.38.020(11). These additional Rules via Article IX/22 can be made by the board that "...are consistent with the purposes of the [CCRs]", and they can only be reduced or rescinded by a 60%+ vote of the membership. The RCW regarding fining allows boards to levy reasonable fines against violations of both CCR clauses and additional Rules, such process which includes the right for violating owners to be heard before fines are instituted. This is a good tool to help pressure violators to comply. While most CCR clauses have been honored and followed by owners over the years there are several areas that have needed some enforcement emphasis recently, including excess dogs and commercial dog breeding, rentals in excess of 6 months per year, unapproved commercial enterprises, and limitations on numbers of domestic farm animals.

The full texts of the new Rules and Policies can be viewed on the 9mileranchhoa.org website. It is important that all members know these rules as they are required to be followed just like our CCRs. Please email us at bod@9mileranchhoa.org if you have any questions or comments about the following:

- **Domestic Farm Animal Density Rule:** establishes clarifying criteria for limitations on the numbers of these animals and how the Board is required to determine limitations.
- **Commercial Enterprises Rule:** establishes clarifying criteria for what businesses are allowed on the Ranch and how the Board is required per the CCRs to approve businesses.
- **Elections, Ballots and Recounts Policy:** addresses protections for keeping members' votes private, procedures for membership-requested recounts, and membership inspection of ballots.
- **Watershed Rule:** addresses owners being held responsible for negative watershed impacts caused to Ranch roads by their lot developments, including driveways, building sites, and land clearing.
- **Enforcement Rule and Fines Schedule:** specific procedures about the notification and fining process against violations, including base fine amount (\$25.00 per day) and violator's right to a hearing to contest or explain circumstances before fines are levied.

DON'T LIKE WASHBOARD?

Slowing down, especially on inclines and around corners, will help reduce washboard on our roads. The roads are drying up now so there can be no raking or grading as some moisture in the roads would be necessary. The HOA's budget is underfunded to be able to absorb the cost of a water truck. So, please observe the speed limit of 20 MPH.

PRIMITIVE ROADS ARE DRIVERS' RESPONSIBILITY

Ranch roads are rural gravel roads. There are no warning signs. Winter driving conditions can be risky and require adequate driver caution and equipment. While they are and have been good roads for all owners' use and enjoyment for more than 20 years, our roads were not originally professionally engineered or constructed to any specific standard, nor were they required to be in law. Common sense, awareness, skill and adequate autos with proper traction should always keep drivers in safety, but remember that drivers use roads at their own risk.

Bylaw Voided re: Number of Directors

Our Bylaws at Article IV calls for that the core elected five board members appoint at least (4) fellow directors, all those possessing the qualifications of "...one member being or having been a licensed forester, one member representing the protection of wildlife interests, one member representing the community of Oroville...". This clause has been advised by HOA legal counsel to be in conflict with RCW 64.38.025(2) which prohibits board members from electing fellow board members except in the circumstance of appointing a vacancy. So per legal counsel, at the March 14, 2020 board meeting the board unanimously declared in part as follows: "the Board recognizes that the Bylaw language in Article IV, Section 4 regarding the Board selecting directors is unlawful and thus may be ignored." This means that the 9MR board shall legally consist of (9) director positions whom are all elected by the membership or – in the event of vacancy – appointed by the Board for the remainder of the term.

NO MORE THAN TWO DOGS ALLOWED

Be aware that our CCRs limit dogs to two per Lot; please be on notice that the board is and will continue to uphold this requirement.

WILL YOU CHOOSE TO KEEP THE CCRs?

Short and to the point... As you may recall there is a Lot Owner/prior board member who has been ignoring CCR clauses regarding limitations of dogs, commercial dog breeding and commercial business approval for a number of years. He has now recently added encroaching the HOA easement to the list of violations, having installed a permanent fence and large boulders that block a portion of the roadside easement; this action violates the membership's right to use the roadside easements and it causes trouble for wintertime road maintenance.

The member has caused the HOA to spend about \$3800.00 in attorneys fees to address his violations so far. The board has attempted every form of diligent communication available and has fined the member as well; anyone is welcome to request copies of all communications to him. **The board has done all it can; now its up to you, the membership.** The board has been advised from legal counsel that if the HOA does not follow through with legally enforcing on the member that the HOA will risk losing the right to enforce at least some of the provisions of the CCRs (legally termed "abandonment"). Soon the board will send a mailing to everyone outlining options that can be taken from here forward, including a court ordered injunction against the member. The mailing will also likely include a direct communication to you from the HOA attorney about the subject. You may be asked to consider spending \$40 - \$80 per lot for a one-time special assessment to legally pursue the member; is it worth it to you to spend \$80.00 to save the CCRs or a portion of it?

HOA MEETINGS POSTPONED or UNATTENDABLE

Due to continuing state restrictions limiting public gatherings because of COVID-19, the in-person June 2020 Annual Membership Meeting remains postponed until restrictions are lifted in a way that will reasonably allow a physical meeting of the membership to take place. Also, board meetings are being held telephonically until COVID-19 restrictions are adequately changed; see website for meeting minutes posted, and you can also request an audio recording within two weeks after a meeting. Please watch the HOA website for further notice. Upcoming scheduled regular meetings:

- October 10, 2020 regular board meeting
- January 16, 2021 regular board meeting
- March 31, 2021 regular board meeting
- June 19, 2021 annual membership meeting
- July 10, 2021 regular board meeting
- October 9, 2021 regular board meeting

MILEAGE REIMBURSEMENT for ROAD VOLUNTEERS

At this point the management of road maintenance is thankfully performed by volunteers on the Road Committee. The current auto mileage reimbursement rate for volunteers when performing HOA work is \$.58 per mile, the same as the current federal and state rates for tax purposes. That rate may be accurate for commuter-type travel on paved roads using a smaller car but it is inadequate for V8 trucks and vans touring rough steep Ranch roads during road maintenance assessment touring, such touring which involves driving relatively few miles while leaving an auto running for hours; this adds up to much higher fuel costs. A recent report from the Road Manager (see website, report entitled, "V8 Road Tour Reimbursement Calc 2020"), using actual fuel costs incurred, suggests a reimbursement rate of \$1.08 per mile, which is typical of similar industry-related circumstances.

The board is looking at adopting various mileage reimbursement rates to more accurately reimburse volunteers under different circumstances. If you'd like to comment about this subject or help by offering your own knowledge about accurate reimbursement rates please email or write the board at the contact points on the front page.

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Instructions for HOA Members Regarding Plowing on RANCH ROADS

(see further below for instructions for plowing private driveways)

Contact the Plowing Coordinator - Bill Burman - at 476-2996 with all plowing questions and reporting.

DO NOT CONTACT THE PLOWING COMPANY.

- Plowing on Ranch roads will happen at accumulations of 4" or greater.
- In general, plowing will happen the next morning after it is ordered by the Plowing Coordinator, or it may happen same day if order was by 6:00AM.
- Contact the Coordinator with any questions, concerns or feedback... DO NOT CONTACT THE PLOWING COMPANY.

If you are a **part-time occupant** and want your driveway entry left void of a plow berm when Ranch roads are plowed:

- please contact the Plowing Coordinator before the ground freezes to arrange for your driveway to be marked.
- this DOES NOT APPLY to driveways serving regular occupancy homes.
- this DOES NOT APPLY to driveways signed up for the Ranch plower to privately plow for you.

Instructions for HOA Members Wanting Private Plowing

Individual owners can hire the Ranch plowing company to plow your driveway for you at a direct charge to you. Conditions are as follows:

- Plowing of your driveway will happen ONLY when the Ranch roads in you area are already ordered for plowing by the 9MR Plowing Coordinator; NO EXCEPTIONS.
- Once you sign up, plowing of your driveway will happen EVERY TIME the Ranch roads in your area are plowed, and you will be billed directly from the plowing company for every plowing; NO EXCEPTIONS.

IF YOU WANT TO SIGN UP FOR PRIVATE DRIVEWAY PLOWING please follow these instructions:

- Contact Doug Nothwang via **email only** at seal_247pm@yahoo.com.
- Provide your name, plowing address, mailing address, and phone number.
- Doug will call you directly to arrange your plowing details with you, which will include pricing, placement location of snow, etc.

ALTERNATIVE PRIVATE PLOWER: You can call Joe Glover at (509) 560-0838 if you'd like a different plower alternative for your private driveway.

PLEASE KEEP YOUR PRIVATE DRIVEWAY CULVERTS CLEARED

It is great help in protecting Ranch roads from damage and saving HOA funds if owners take the time to keep their driveway culvert inlets and outlets clear of buildup and obstructions. If your culvert is not kept clear to allow Ranch road ditch water to flow through it then that water can run onto and across or down Ranch roads, which causes erosion and then needs repair. So please keep an eye on this and clear obstructions and buildup if they happen.

FALL 2020 ROAD REPORT and HIGHLIGHTS

The following information is a brief summary of what's happened this year with road maintenance. You can also go to the 9mileranchhoa.org website, under "Reports", and see detailed road and cash flow reports from this year. You can also read Board meeting minutes and financials on the website and also contact the Board at bod@9mileranchhoa.org if you'd like more info or have questions and feedback. Please note that "Special Assessment" gravel expenditures and budgeting are discussed in their own bullet point below, separated from all other road work expenditures.

- The priority for regular road maintenance and repair is always in this order: 1) within budget and reserve fund constraints, 2) emergency repairs, 3) maintain proper watershedding and erosion control, which includes crowning roads, (raking and grading) clearing ditches and culverts, and armoring erosive road embankments, 4) replace worn away surface gravel, and 5) raking washboard.
- This fiscal year's budget for all regular road repairs and maintenance (not including weed spray and snow plowing) was \$16,248.00. As of 11/8/20 for this fiscal year we have spent \$11,239.82 on the following: 1) \$5365.03 for yearly gravel replenishment, 2) \$1482.34 for raking, 3) \$1555.38 for ditch/culvert cleaning, 4) \$1429.36 for other road materials and repairs, 5) \$149.64 for administration labor and materials, 6) \$162.43 for capital improvements, 7) \$879.13 for emergency repairs, and 8) \$216.51 for erosion prevention/control. The remaining amount of collected funds available will be held until spring to see how winter snow plowing and spring melt affect roads and expenditures, then additional maintenance and repair will continue accordingly.
- Spring 2021 maintenance/repairs will need to be performed out of remaining available annual funds unless the Board resolves to use some of the reserve fund. Expenses will include - to varying degrees according to winter impact - erosion repairs from winter melt, ditching and culvert clearing, costs to clear several fully blocked culverts, and raking for crowning.
- There are several short road sections (approximately .6 miles total) that were originally constructed by the developer that are either too narrow or too rough to be able to feasibly plow throughout the winter; (9) lots are affected and those owners have been notified. The CCRs require that the HOA provide access, so these road sections will have to be budgeted for improvement ASAP. Such improvement costs are beyond current HOA income rates and plausible reserve fund availability.
- Snow plowing rates for this year have increased approximately 13% over last year's rates.
- We're coming toward the completion of executing the placement of the Special Assessment gravel that was approved by the membership in 2019. As of October 10, 2020 there were funds available to install approximately (60) truck loads of gravel:
 - (23) loads were placed recently while road moisture conditions were adequate. Recent cold temperatures have halted additional placements until spring.
 - the remaining (37) loads are scheduled to be placed in spring 2021 when conditions allow.
- Every year road traffic wears away approximately \$10,000 worth of road gravel and needs replacement annually. Due to lack of available regular annual assessment funds, approximately half of that replenishment was achieved so far this year; more may be placed in spring if unforeseeable winter maintenance and other emergency costs end up coming in exceptionally lower than expected. In other words, until annual income is adequately raised the 'sacrifice' will largely be in letting gravel wear away without adequate replenishment to some degree, which has been happening for a great many years.
- Good news about the new rake cost/benefit payoff analysis: 9MR purchased a road rake earlier this spring via Special Assessment funds approved in 2019. We recently performed a relatively short fall raking (7.5 miles). The cost for that raking alone was a savings of \$1288.00 compared to historical rates the HOA has paid prior to owning its own rake; the money saved on that single raking recoups over 7% of the original rake purchase cost.

DIRECTOR POSITIONS COMING OPEN

In approximately 8 months the terms of 6 of the current 8 Board of Directors will expire. To ensure that our HOA remains the beautiful nature preserve, supported by Covenants, Conditions and Restrictions, and with road maintenance performed at a very reasonable cost, we urge anyone with interest and ability to consider having your name on an upcoming ballot.

To perform as an effective volunteer director does take some time, reading emails/info to stay abreast of the issues and working on committees. There are four meetings for the Board scheduled annually plus an all-members meeting in June. Directors can attend meetings telephonically also, so you don't have live or be near the Ranch.

Please give this some thought. Management of the HOA is on an all-volunteer basis. It is a good opportunity to provide some much needed community service and our Association can always use the energy and fresh thoughts of new Board members.

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SEE ENCLOSED SOLICITATION FOR CANDIDATES for DIRECTORS ELECTION!

ROAD REPORT & UPDATE

This winter brought a lot of ice, creating dangerous driving conditions for a long period of time. Sanding was required more than past years for safety. Sanding may become an increasing cost in years to come. Please see the related article on page 2 for greater possible solutions.

Once the roads clear they will be evaluated for needed spring road work. This includes clearing culverts and crowning the roads. These actions are important for the roads to be able to handle the spring melt and other wet weather conditions. We'll pick up where we left off last fall with new work this spring. You can go to the HOA website to read last fall's Road Report and the November 2020 Newsletter to see plans for continuing road work to come.

There are also several road sections that have needed serious improvement since the beginning of the Ranch 20+ years ago. All Lots are guaranteed under our CCRs to be provided access to using Ranch roads, and these road sections are not adequate year-round. One repair is scheduled for spring and the others will require that the HOA will vote to secure funds for; more will be reported about this in the next communications to you.

Presently the HOA has \$17,000 of special assessment funds ready for gravel placement. Fall 2020 road work was scheduled to be able to place some of this gravel, but the early onset of winter changed those plans too. Gravel will start being placed this spring, as fast and as much as we can depending on haulers' time schedules and the availability of gravel.

When more workable material is placed on the roads the new HOA road rake can be used even more. Past neglect on the roads outpaced the replacement material for many years, thus many of our roads are down to base, creating boulder heads sticking up. Those boulder heads cause major problems for road maintenance and snow plowing. The 2019 special assessment for gravel and a road rake has been a blessing for the HOA in this process, and last fall the HOA gained back about 7% of the purchase cost of the rake from the savings of just one raking by owning the rake instead of paying a contractor to use their rake. Note that all special assessments funds are being spent strictly for gravel now that the road rake has been purchased.

LAWSUIT AGAINST OUR HOA

James Mathis, member of the HOA, filed what the Board and HOA legal counsel believe to be a frivolous lawsuit against the HOA in December 2020. You can see the timeline of documents regarding this issue on the HOA website. The HOA insurance company is now also involved. Presently, the suit is in the hands of the HOA attorney and no court hearings have occurred yet; we will be updating you on the HOA website.

CONTACT and FEEDBACK

Remember to keep checking the HOA website for updates and information on all subjects. Please do contact the Board if you have any questions or comments you want to share. Contact information is on the website.

HOA MEETINGS via ZOOM

The HOA is working to conduct meetings through Zoom video conferencing. The Board used Zoom for its January 2021 meeting, and now we would like the membership to be able to join our Board meetings... it may not be smooth and it will likely have technical issues but we'll give it our best! The next Board meeting is March 31, 2021. If you would like to attend via Zoom, please refer to the HOA website (9mileranchhoa.org) for instructions to join the meetings. Instructions will be posted by March 15, 2021. The Board will open up the meeting for HOA members comments and questions after the Board completes its business.

COVID-19 affected our HOA with regard to open Board meetings and last year's Annual Membership Meeting. Our meetings were held at the Oroville High School commons room, allowing for members to be present and speak. Then COVID-19 hit. Everything changed. Being volunteers with limited time, the Board coped with this situation moving forward with business and communicating to the members by posting our meeting minutes ASAP and informing through newsletters. At this moment, Okanogan County is still in Phase 1; not allowing in-person meetings. Nothing beats face to face basic human connection. It is also a concern that internet service for some Ranch residents is inadequate, but this is what we are left with right now.

WINTER ROAD MAINTENANCE PROJECT: BETTER SANDING SCENARIOS

This winter we experienced the reality of the need to create greater capacity to sand icy Ranch roads for winter driving safety. Our HOA is moving more toward municipality-type and sized needs to some degree; we manage 32+ miles of year-round roads with a growing volume of use and residents.

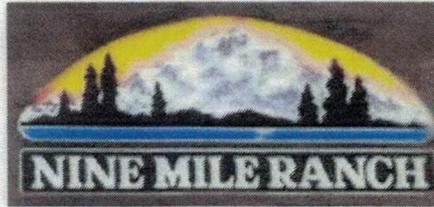
This subject has many complicating factors that have and continue to make it challenging... it is relatively easy to hire a contractor to spread sand but everything else needed to support the subject are major issues:

- Larger quantities of dry stored sand are needed, without greater costs, to access and distribute on the roads at a faster pace.
- Sanding requires loading trucks using a constantly-available loader stationed at the sand storage site.
- Sanding costs at this time include long, expensive transportation fees; we need a very local, easy-to-access-and-load supply of dry sand.
- With our own dry sand supply, and available loader close by, any contractor could access it; this would provide us guaranteed sanding service even as sanding contractors may change or increase in number.
- There is a potential solution...

Right now the Road Committee is developing a proposal for stable and adequately-sized sanding capacity within the parameters above, involving a small investment of HOA ownership, and letting private sources provide the rest. The scenario being considered and developed for potential right now is leasing a spot at an existing commercial mini storage facility at the base of Nine Mile Ranch in Oroville where sand can be stored dry and the proprietor's constantly-available tractor can be accessed whenever our sanding contractors need it to load sand. The HOA would own and install a low-cost sand storage structure there that would be almost all portable so that it could be easily disassembled and relocated if our HOA progressed to owning its own facility one day. We have procured preliminary agreement from a mini storage owner – to have a low-cost 10 year lease for the site space and the tractor use, with all tractor maintenance and fuel provided by the owner. At this moment here are the features that appear possible from preliminary indications:

- Sanding contractors can be changed, as circumstances may require, without sacrificing the significant availability of the stable sanding scenario.
- Dry sand being available and loadable at the base of the Ranch will eliminate significant transportation fees, whereby paying off the sanding site investment in approximately 6 years. This availability will also allow sanding to occur at no less than twice the speed as current and would allow multiple contractors to use it, if needed, and in that circumstance even more sanding could be accomplished faster if desired.
- A total of approximately \$11,000 of investment is projected, equal to a one-time special assessment fee of approximately \$37.00 per lot.

Once the Road Committee is finished with this feasibility study the Board will deliberate it and bring the final information, and further fiscal considerations and proposals, to the membership for their consideration



Nine Mile Ranch Home Owners Association

President's Letter – Oct 2021

Dear Lot Owner,

I am excited by the prospect of working with the Board of Directors (BoD) to address key issues and challenges facing the Home Owners Association (HOA). To keep mailing cost down, I will be making a number of references to the HOA website <https://www.9mileranchhoa.org>.

If you do not have internet access and would like a copy of any of the website documents, please call me 1-604-948-2909 and leave a message if I do not answer.

Thanks to all who voted on the ballot items in advance of this years Annual Membership Meeting (AMM). This has provided the BoD insight into the will of the membership.

If you have not seen the results, please review the ballot items and results of the first and second counting on the HOA website. The ballot items can be found in the document titled [2021 Voters Pamphlet](#) in the [Reports](#) section of the website. A summary of the first and second counting can be found in [2021 Preliminary Results of Ballot Tally Outcome](#) and [2021 Secondary Results of Ballot Tally Outcome](#) respectively in the [Reports](#) section of the website.

There have been a number of changes in the board. I would encourage you to visit the [Contacts](#) page of the HOA web site if you have not done so recently.

The board strives to provide prompt answers to your inquiries and requests. However, members are volunteers with personal and work obligations. Some inquiries may also require some debate to take into account laws governing HOAs, our Bylaws, the CCR's and established policies (refer to the [CCRs & Legal](#) and [Policies](#) sections of the website). Your understanding is appreciated and follow up if you have not heard something in a while.

The current board has had a number of priority items to deal with. Thank you to the members of various committees and the board for the work done to date. For more information refer to [BoD Activity Updates – Oct 2021](#) on the home page of the [HOA website](#).

Three key issues the board is currently facing are:

- 1) The ongoing restrictions the Covid pandemic (meetings, cross border travel)
- 2) Common area deficiencies and maintenance with limited funds available
- 3) Dated bylaws with conflicts between legislation changes and the CCR's

Thank you to the Zoom committee for helping to educate us all and to provide assistance to the technically challenged to deal with the unprecedented situation in the face of Covid restrictions.

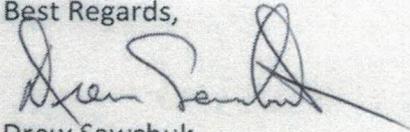
Common area deficiencies and maintenance items will take time to address. Some of the ballot items pertaining to annual fee increases and special assessments will help. With the assistance from our road committee the board is working to prioritize and resolve known issues and reduce maintenance requirements where possible. For more information on please refer to the [Roads](#) section of the website.

The board is looking to form a committee to determine what bylaws need to be changed, which ones should stay as is and which should be debated to determine if change is required. Please see the Bylaws Update Committee enclosure highlighting this issue and requesting those interested in being on the committee to make their desire known. Even if you do not get involved with the committee, I would ask you take the time to get familiar with this issue. To make needed changes will require 51% percent of the membership to support amongst other requirements.

There is lots to be done. The board and committees could benefit from participation of additional members. Enclosed is a form where you can sign up to help.

If you have any questions or concerns you can email the board at bod@9mileranchhoa.org or call me at 1-604-948-2909.

Best Regards,



Drew Sawchuk

President - Nine Mile Ranch Home Owners Association

Instructions for HOA Members Regarding Plowing on Ranch Roads

Contact the Plowing Coordinator- Bill Burman at 476-2996 with all plowing questions and reporting.

DO NOT CONTACT the PLOWING COMPANY

- Plowing on Ranch Roads will happen at accumulation of 4" or greater.
- In general, the plowing will happen the next morning after it is ordered by the Plowing Coordinator, or it may happen same day if ordered before 6:00 AM
- Contact the Coordinator with any questions, concerns or feedback.

Again – DO NOT contact the plowing company.

If you are a part time occupant and want your driveway entry left void of plow berm when Ranch Roads are plowed:

- Please contact the Plowing Coordinator **before the ground** freezes to arrange for your driveway to be marked
- This does not apply to driveways serving regular occupancy homes
- This does not apply to driveways signed up for plowing by the Ranch plower

Instructions for HOA Members Wanting Private Plowing

Individual Owners can hire the Ranch Plowing company to plow your driveway -at a direct charge to you.

- Plowing of your driveway will happen only when the Ranch roads in your area are already ordered for plowing by the 9MR Plowing Coordinator
- Once you sign up, plowing your driveway will happen every time the Ranch roads in your area are plowed. **You will be billed directly by the plowing company.**

To sign up for private driveway plowing:

- Contact Doug Nothwang via e-mail at seal_247pm@yahoo.com
- Provide your name, plowing address, mailing address, and phone number
- Doug will call you directly to arrange details

Short Note from our Road Manager

We are trying very hard to stay in budget this season and make sure we can make it through the winter. Last year's winter took over \$30k to get through. Once we get all funds in by Spring we will see what is left over from snow plowing and sanding. Right now **steep** slopes on our most used roads start by Tuesday next week (19 Oct). The work order has been issued.

We are also looking for more volunteers to pull the road rake as the budget may be underfunded to get all roads done. If interested contact Brett Coffman at 206-730-9400.

SPECIAL NOTICES --- miscellaneous :

REQUESTING Volunteer HELP FROM OWNERS

Road Rake operator will be working on Ranch Roads in the coming couple of weeks /- before end of month. Rain has finally made this possible.

Please take some extra travel time for courtesy to be extended to the operator towing our 9MR Road Rake. Please stop if displaced rocks are stirred up and left in the roadway - place to road side.

THANK YOU! - from your Roads Committee

Your fellow HOA owners and neighbors will appreciate and thank you!!

Administrative Committee Update and Request for Volunteers

As most of you know, we have three new HOA Board Members from our election held last June. This has resulted in a new Board President,- Drew Sawchuk, and a new Secretary -, Susan Stewart Griffin, who both reside in Canada. Jeff Click was chosen by the Board to be the new Treasurer. Jeff recently turned that duty over to Don Charnholm, but remains a Director. With COVID preventing easy travel across the border, all of our meetings have been conducted via Zoom. COVID has also caused mail disruptions, resulting in both delays and non delivery for some items crossing the border. To head off this disruption Drew or Susan have sent our last couple of all membership items from Canada to our Canadian owners.

Another new Board item is the formation of an Administration (Admin) Committee to assist the secretary in preparing newsletters, plus the mailing with help from volunteers. Other required mailings: requests for board membership, voting information, annual membership meeting etc. Much of the assistance is in the form of clerical work, i.e. copying, printing, stuffing and addressing envelopes, stamping and mailing. To make this job easier, a designated Director would verify the emailed content from a sample print out via a print shop, including updated Address Label list for Printing, plus HOA return address labels. The materials, including envelopes and stamps would be mailed with USPS tracker to the responsible volunteer- the designated volunteer would proceed according to the provided instructions for handling such a job, making volunteering for such an important job – easier.

For the Newsletters, all members are invited to submit articles for consideration on any subject of interest to fellow owners. Please submit ideas or a completed article to: bod@9mileranchhoa.org
We are not sure exactly when Newsletters will be sent, but likely one in Fall and one in Spring.

One last item that may be of interest is the "Welcome Information Folder for the New Owner". From January to September 2021 there have been 22 new owners – interestingly all from the US. (Covid has hit everything).

Please remember the Board members and committee members are all volunteers, trying to do our best to uphold the ByLaws, CC&Rs - and items voted on by the membership last June.

Some feel - to keep our HOA functioning well, the position of Ranch Manager should be considered. This position in no way replaces the volunteer, elected BOD. A brief outline was entered into Minutes - 2020.

Volunteering has many benefits. In addition to the obvious fact that it saves HOA funds through self-performing tasks that we would otherwise have to pay for, volunteering is a great way to meet fellow owners at 9MR. Developing a spirit of community through helpful interactions with your neighbors is key to making life more worthwhile and enjoyable. If you support these goals and have a feeling that you would like to help - please contact the BOD and we can discuss your interests and how you can contribute. Our goal is to benefit from your interests and capabilities. Your contribution can be equally valuable whether you live at 9MR providing help on-site or are involved remotely from your home elsewhere. Tasks that could use volunteer help include:

1. Becoming a Committee member on any of our committees which are : Legal / Roads / Architectural Control /Admin / or an Ad Hoc committee when a special need arises
2. Admin help such as copying, mailing, maintaining address lists, etc
3. Assisting the road manager by reporting road conditions and helping to manage our subcontractors. Light duty road debris removal – leading a Division half day work group etc.
4. Website webmaster.

Your involvement can be as much or as little as you want, but any help is appreciated.
Out of pocket expenses are reimbursed.

If you're interested in volunteering please call me (Brian Rabe) at 509-724 7664 or contact the BOD via e-mail (bod@9mileranchhoa.org). Please provide your name and contact info along with your interests and ideas, and how you would like to help.

THANK YOU – Brian Rabe, 9MR Admin Committee .

INFORMATION / REMINDER from the ACC:

The Application for Plan Approval can be found on the Association web site:

ACC – Nine Mile Ranch HOA (9mileranchhoa.org)

- All structures need to be approved regardless of size or purpose and should receive a Okanogan County Site plan analysis even if a building permit is not required as per the CCR Article Section 23.
- Compliance with Okanogan County Zoning and Building Regulations.
- All construction must be consistent with and done in compliance with the zoning and building regulations for Okanogan County, and any other relevant governmental agency.
- ACC approvals of application for plan approval submitted to the ACC since January 2021 to the preparation of this Newsletter:
 - Single family residence (1)
 - Outbuilding (6)
 - Build site preparation (6)
 - Driveway (4) of that (1) required a culvert by Road Committee recommendation.
 - New Fence (0)

Thank you,
Todd Besaw, ACC Chairman

FROM OUR OKANOGAN COUNTY NOXIOUS WEEDS TECHNICIAN

Machelle Kawkins - is now sending the Noxious Weeds packet of educational information to 9MR New Owners, as promised in the Welcome Folder Information for New Owner package. Machelle has already visited 9MR and found some areas of concern. Those Lot Owners already contacted by her were polite and courteous, and are working to remedy their weed situations.

Any owner can contact Machelle directly for assistance –

email: mhakins@co.okanogan.wa.us or noxiousweeds@co.okanogan.wa.us Phone - (509)422-7166

Spring Information for all owners with Okanogan addresses is mailed. If you do not receive this information – e.g. have an out of area address, and would like to have it - as we would like all our owners to receive, perhaps this can be provided via our 9MR Website.

Again – your neighbors and our Ranch owners appreciate everyone’s help to control weeds – noxious or otherwise.

*These are our Okanogan Country Taxes at work, with improvement seen over the years. **Thank you all!***

~ A fun book for new owners in the Okanogan Highlands /at Nine Mile Ranch ~

Okanogan Highland Album : A pictorial history of the Okanogan Highlands and of the people

by the Molson, Chesaw, Knob Hill Communities

Previously found new in the Oroville Drugstore.

Recent research shows the book currently out of stock/print, but Amazon is taking orders.

Some Nine Mile Ranch owners have found relics from the days of early Settlers on their properties – horse shoes and pieces from machinery or sleighs. Bottles of sugar and mysterious brown liquid. Old leather shoes. Ink wells. Vases and pieces of crockery – even patches of rhubarb.

Road side signs along 9 Mile Road tell some of the stories from this area – so rich in history. **ENJOY!**

IF you have a story / finding on your 9 Mile Ranch property, and would like to write it up for a future Newsletter - please submit for us all to enjoy.

****** SNOW SEASON is coming to Nine Mile Ranch Roads ******

aka Our White Blanket

from The Welcome Folder of Information for the New Owner.

Any new information for this document / Information for New Owners is welcome for consideration
Email: bod@9mileranchhoa.org ref: Welcome Folder coordinators

Emergency Contacts & Preparedness

911 - If using cell you may get Canadian operator (should redirect to American response lines) or call (509)422-7232. Closest Emergency Room services – Tonasket Hospital.

Emergency Air Lift (by helicopter) LIFE FLIGHT www.lifeflight.org
ph: (800) 982-9299 “Peace of Mind for the Unexpected” - arrange before service is needed.

HELICOPTER services. Owners are encouraged to make their own enquiries for what could be a life saving service ... **9 Mile Ranch accepts NO responsibilities, but we do have a flat pad for emergency helicopter landing area on HORSE TRAIL DRIVE, first turn left off W. Corral Drive, Division 7, approx. ½ mile left past the stream and green gates.** (Thanks to the owners volunteering land use.) However, any lot owner should think about a landing area(s) on or near their own Lot for reasons below. The helo service/ pilot will decide where and how to land safely when situation dictates.

FIRST AID classes are encouraged for any person/family. Learn how to deal with simple injuries, perhaps your own. Even study from a book **some patients should not be moved!!**

Correct 1st Aid can and does prevent a worsening situation.

<https://www.redcross.org/local/washington/take-a-class/first-aid> ph: 1-800-RED-CROSS (1-800-733-2767)

SNOW – especially around the holidays, can be dicey for access back to home on the Ranch.
The County and our 9 Mile Ranch contractors do their best to cope with snow plowing of roads – do be prepared for a hotel stay if needed. Missing an appointment – even the symphony or ski date on Christmas Day is no fun, but cuddled up by a roaring fire is easier than being stuck in snow – especially if vehicle was to slide off road into a ditch (*has happened*)!!

Please remember, being a snow plow contractor is not as easy as it looks – 36 miles of roads over 8 Divisions with everyone wanting their road done now! -- well we need to sit by the fire and be glad it's not us out there trying to see.

It has been suggested each Owner look for alternate, emergency routes out – even on foot.

Snow Shoes are fun !? Teach yourself how to use them – in case you have to use in an emergency situation. Keep them in your vehicle – with poles, & plastic bags – also work for wrapping hands & feet if needed. **Light Back Packs work. Pack Flares & Flashlights. Cell phones & extra batteries. Everything for a closure in a Mountain Pass. Carry chains.**

Keep a “Winter Emergency Pak” – in your vehicle - a plus if you have to leave it, with drinking water & protein bars. Plan your trip for the worst – and then have a fun, discovering trip.

9MR Drive Maps are on our Website – www.9mileranchhoa.org --/ printed inside the Welcome Folder for New Owner.

FOR Tires/ Chains & light emergency snow socks* – including Inspection/Vehicle Services - Les Schwab is a favorite with 9 Milers. Ph: 509-476-3902, closed on Sundays & major holidays. Some items may need ordering* – research needs, call ahead.

TOWING : Budget Towing (509)560-1056 Tonasket.

For our many 9 Mile Ranch Lot Owners

Visiting Nine Mile Ranch to see the “Winter Blanket” will be a fun trip.

We Nine Mile Ranch Owners, all pay for maintenance of Nine Mile Ranch Roads – whether we use them or not. Our Dues pay for road materials, organized through the diligent Roads Committee and its Manager. This big job is performed by volunteer owners & professionals.

As you use the roads, please enjoy all the Ranch has to offer – wildlife can be easier to see this time of the year, as you drive or stop safely - with courtesy. Slow speeds help the roads too, as well as your safety. Please pull over safely for oncoming vehicles especially if they are towing (hopefully not on snowy roads), or are traveling up-hill. Though a road sand may be used – we encourage everyone to carry chains and know how to easily put on whenever they may be needed. Please use wider areas (off the road if possible) for dealing with tire chains. These areas are scarce. Try to use areas that are cleared and level. Good rule is to put them on before they are needed, off the tar sealed/highway roads. Experienced truck owners know weight in the back of their truck aids winter travel.. Soaking a hay bale with water and allowing freezing to occur is easy and the deer will clean up the left overs. **Driving tips** – on a tight downhill turn, come out of 4x4 to get around bends. May save backing up and multi point turns – which can and does mess with the chains. All 4 tires chained may give less headache in the end. Is better to feel a “wuss” than look stupid with a slide off the road. Chains do have their limits - consider carrying a spare. Small metal buckets aid keeping inside of vehicles dry and make handling cold chains easier, as do gloves and a good flash light.

Fall rock spreading will be mostly on Pine Bluff, as it is the most needed location. **We will be raking as much as the budget allows us to do, and dealing with the steep slopes first to remove as much washboard as possible**. Please take care during the compaction period by splitting your drive tracks to get as much of the newly raked areas compacted as possible prior to snow. **Keep in mind - if you want smooth roads, removing rocks is a must. This is a task that our HOA members need to perform PLEASE** - preferably before it snows. **When you see a rock standing tall please take the time to remove it. Our goal is for better and smoother travels.**

Wonderful views of both sides of our Ranch are best seen from the County maintained and wider -- **9 Mile Road**. About ½ mile past Old Tressle Rd - turn sharp left off Chesaw Highway from Oroville. **GPS car navigators work in the back country more reliably than cell phone navigators, due to lack of cell tower service**. Brands such as TomTom / Garmin etc. do contain most 9 Mile Ranch Roads.

Point of interest - Private roads, such as 9MR signs are blue, while county roads have green signs
Report difficulty locating a 9MR road sign in a non-urgent e-mail to www.bod@9mileranchhoa.org

Continue your sightseeing along 9 Mile Road through the historic town of Molson, back to Chesaw Highway – right turn for Oroville. Or left turn for hot drinks/restaurants in the more rustic towns of Chesaw?, and Republic, where the highway continues to Colville and Spokane, or get back to Hwy 20 into Tonasket. “The Iron Grill” is our newest watering hole with delicious food. Back to 9MR, a shortcut is via East Lake Road - turn just before the bridge. OR continue straight on Hwy 97 to the Canadian Border, through Oroville – where more restaurants/bar and coffee shops can be found.

DO stay on plowed roads – and enjoy your beautiful purchase at 9 Mile Ranch!!

Bylaws Update Committee Forming

Please contact 9MR HOA Board at _____ if you are interested in serving on the HOA Bylaws Update Committee. The committee will recommend Bylaw amendments to the HOA Board. Amendments require approval by owners of 51% of all lots.

Bylaws have not been updated in more than 20 years. In that time, laws, technology, property ownership, and practices of the Association have changed. Amendments are needed to:

- Reflect changes in State law,
- Clarify election and voting procedures,
- Facilitate electronic communication,
- Address confidentiality of contact information,
- Address conflicts of interest,
- Resolve inconsistencies between the Bylaws and CC&Rs, and
- Make numerous other technical and housekeeping changes.

The Committee's work will be conducted remotely via email and Zoom communication. No in-person meetings are planned at this time. The goal will be to develop amendments in time for the 2022 election.

The Board will strive to name committee members reflecting the diversity of 9MR owner interests.

If you have questions, please email or phone HOA President Drew Sawchuk at dsawchuk@telus.net or 1 604 948-2909.

The following is a letter received from one of our owners, Leland Jay.

Quote

Dear 9MR Owners,

I have been a remote property owner for the last 10+ years.

Would like to create a regular ZOOM meeting via computer/phone to meet all the wonderful 9MR owners – Participation is optional and you don't need to attend every Zoom session.

This is an informal session without quorum of 9MRBoard members in attendance. I will host the Zoom call from home.

The purpose of the Zoom meeting is to .. (some ideas listed below)

1. Meet other 9MR owners (face to face, remotely).
2. Share 9MR stories and local events.
3. Look for opportunities to connect & improve the 9MR owner community

** Once the pandemic is over, we can meet in person. Yeah!!!

If you would like to participate in these Zoom Drop-in meetings, please email me at leland9988@gmail.com and I will reply with a Zoom meeting invite email.

The first Zoom meeting will be in November 2021.

Best Regards,

Leland

Unquote



P.O Box 332 / Oroville, WA / 98844

bod@9mileranchhoa.org

President's Letter & Newsletter, November 2022

Dear Lot Owner,

Welcome to all the new owners who have joined our community. If you are planning any development please review the appropriate Covenants, Conditions and Restrictions (CCRs) <https://9mileranchhoa.org/legal/> and submit your plans using the Architectural Control Committee (ACC) Approval Form found on the Home Owners Association (HOA) web site here <https://9mileranchhoa.org/acc/>. This will help ensure you are aware of any potential items that may be in contravention of our CCRs.

Unexpected inflation has impacted the road committee plans this year and the drier than expected fall has delayed the planned raking. The lack of funding for Capital Improvements continues to impact a number of lot owners. The board is discussing options and will need the community's support to be able to address some key areas on the Ranch.

Winter is on its way and though the board has a snow plow contract in place for Ranch roads, residents and visitors should always be prepared for periods of adverse road conditions. The road system on our Ranch is extensive and takes time to clear. Melting can create icy sections. **Four wheel drive and/or chains are recommended to improve safety**, and they may be needed at certain times no matter what. Please refer to the enclosure for additional information.

I would like to thank the board of directors, the many people who are on the various committees (ACC, Road Committee, Bylaw Committee, Legal Committee, Admin Committee, etc.) and those just pitching in to help where they can. These are all volunteer positions and countless hours have been spent this year in helping to run, uphold our CCR's and working to improve our community. To find out more I encourage you to take some time to visit the various tabs on the HOA web site <https://9mileranchhoa.org/>.

Volunteer directors who are business-minded with a care for good community decision-making are needed. All board work happens remotely via email and teleconference, and there's a great support network in place of historical and legal advisors to help board members through issues and learning. Currently there are three open positions that need to be filled; two have just over a year left and the other is a full three year opening. If you are interested and would like to know more please feel free to email the board at bod@9mileranchhoa.org or call me at 604-948-2909.

Please continue reading our Newsletter on the opposite side of this page and the attached page; it includes official notices and important information.

Thanks for caring,

Drew Sawchuk

President - Nine Mile Ranch Home Owners Association

IMPORTANT NEWS AND NOTICES FOR **ALL 9 MILE RANCH LAND OWNERS**

PLEASE READ

This is a newsletter from the board of the 9 Mile Ranch HOA, created to inform you of important notices and issues, and we ask that you take the time to read it thoroughly.

Nine Mile Ranch Homeowners Association / P.O. Box 332 / Oroville, WA 98844

9mileranchhoa.org / email: bod@9mileranchhoa.org

Instructions for HOA Members Regarding Plowing on RANCH ROADS

(see further below for instructions for plowing private driveways)

Contact the Plowing Coordinator - Bill Burman - at 476-2996 with all plowing questions and reporting.

DO NOT CONTACT THE PLOWING COMPANY.

- Plowing on Ranch roads will happen at accumulations of 4" or greater.
- In general, plowing will happen the next morning after it is ordered by the Plowing Coordinator; or it may happen same day if order was by 6:00AM.
- Contact the Coordinator with any questions, concerns or feedback... **DO NOT CONTACT THE PLOWING COMPANY.**

If you are a **part-time occupant** and want your driveway entry left void of a plow berm when Ranch roads are plowed:

- please contact the Plowing Coordinator before the ground freezes to arrange for your driveway to be marked.
- this **DOES NOT APPLY** to driveways serving regular occupancy homes.
- this **DOES NOT APPLY** to driveways signed up for the Ranch plower to privately plow for you.

Instructions for HOA Members Wanting Private Plowing

Individual owners can hire the Ranch plowing company to plow your driveway for you at a direct charge to you. Conditions are as follows:

- Plowing of your driveway will happen **ONLY** when the Ranch roads in you area are already ordered for plowing by the 9MR Plowing Coordinator; **NO EXCEPTIONS.**
- Once you sign up, plowing of your driveway will happen **EVERY TIME** the Ranch roads in your area are plowed, and you will be billed directly from the plowing company for every plowing; **NO EXCEPTIONS.**

IF YOU WANT TO SIGN UP FOR PRIVATE DRIVEWAY PLOWING please follow these instructions:

- Contact Doug Nothwang via **email only** at seal_247pm@yahoo.com.
- Provide your name, plowing address, mailing address, and phone number.
- Doug will call you directly to arrange your plowing details with you, which will include pricing, placement location of snow, etc.

ALTERNATIVE PRIVATE PLOWER: You can call Joe Glover at (509) 560-0838 if you'd like another plower option for your private driveway.

PLEASE KEEP YOUR PRIVATE DRIVEWAY CULVERTS CLEARED

It is great help in protecting Ranch roads from damage and saving HOA funds if owners take the time to keep their driveway culvert inlets and outlets clear of buildup and obstructions. If your culvert is not kept clear to allow Ranch road ditch water to flow through it then that water can run onto and across or down Ranch roads, which causes erosion and then needs repair. So please keep an eye on this and clear obstructions and buildup if they happen.

SUMMER/FALL 2022 ROAD MAINTENANCE SUMMARY

Please see the HOA website under "Reports" and "Meeting Minutes" for more details, and email questions/inquiries to roadmanager@9mileranchhoa.org.

- In early summer Ranch roads experienced notable surface and embankment erosion from heavy July 4th rains. As a result approximately \$7500.00 worth of roadside erosion repairs were conducted in July and August involving mostly placement of large shale rock on embankments. Raking, to reshape road surface erosion, is scheduled for late October/early November after adequate road moisture becomes present.
- \$2458.50 was spent to complete the installation of a cul-de-sac turnaround at the end of Gold Rush Ridge Road. Two Ranch owners voluntarily machine cleared and graded the area, so it was very cost-effective to spend minimal HOA funds to install and compact the necessary gravel after that. The turnaround now allows the HOA to fulfill more of its obligation for winter plowing which was previously unable to be accomplished.
- To date this maintenance year, (50) 11-yard truck loads of replenishment top coat gravel have been placed throughout Ranch roads. It was originally scheduled/budgeted in spring to be able to place (61) loads but upon receiving the notice that delivered gravel prices have increased 48% over 2020 prices the Road Committee and Board scaled back the placement to (50). This inflation of gravel cost means additional annual funds will need to be secured in order to keep up with annual gravel replenishment from road traffic wear.
- Weed control spraying was completed in (3) sessions throughout summer, and all culverts have been checked and cleared for proper water flow. The limited amount of grader ditching needed is scheduled for late October.
- \$8442.37 worth of 'dust spot' repair work is scheduled for fall work. These are locations where the road base has worn too thin or submerged into the sub grade, leaving soft dust spots. This is a relatively new phenomenon in Ranch road maintenance history so we're watching this closely as it develops. There is currently no funding in annual budgets for repairs of this nature, so if it continues then extra annual funds will need to be secured.
- Approximately \$5800.00 worth of road raking is scheduled for late October/early November. This will be a deep and extensive raking intended to maintain road watershedding crowning and eliminate washboarding and pot holes as much as possible.
- The annual road maintenance budget and additional available funds for fiscal year 2022/2023 have been either spent or scheduled to be spent between now and spring 2023.
- There are several short road end sections on the Ranch that are inadequately constructed to be able maintain at least some amount of winter plowing in order to allow reasonable vehicle access throughout winter. This means some Lot Owners are and have been being denied winter access, which is a legal problem. In 2021 the HOA membership voted down funding to remedy this; another funding vote will need to be brought again soon in order to remedy this problem, or alternatively the Board may automatically raise assessments 10% and start saving funds for future remedy.
- **UPDATE 11/6/22: The fall work items itemized in the report entitled, "Road Report & Cost Estimates" (see under "Reports" on the HOA website) began on October 31, 2022;** it was at this point that adequate ground moisture was finally present in the roads after a long hot dry summer and fall. All road materials were delivered and machinery located, and (2) dust spot repairs were completed before uncommonly early cold and snow came later in the week. Machinery remains staged on the Ranch and work will recommence if and when weather allows. If by chance weather remains uncooperative until spring it will be OK, as in general there are no road areas that are truly vulnerable to spring melt issues or vulnerable to any driver passability. All culverts are clear and watershed flow characteristics are good, and adequate moisture will be present in roads in spring to recommence scheduled work if necessary.

- ACC NOTICES -

ACC notice to Lot Owners with undeveloped Lots regarding if they choose to create access to their Lots from Association Roads within 60' easement right of ways:

Due to the high number of new Lot Owners with undeveloped Lots within the Ranch, the ACC requires that all Lot Owners communicate with the ACC for approval prior to when a new road approach/driveway is to be developed. This will facilitate the ACC and Road Committee to observe the location and make known to the Lot owner any culvert requirements and watershed issues to be aware of. Culvert installation and keeping the culvert free of damage is the responsibility of the lot owner for private driveways connected to Association roads.

Topic of concern: Recently the Association has been reminded that local ranchers within the vicinity of 9MR have been known to take lethal action against dogs that attack livestock on the rancher's land. Please, for the well-being of your family pets keep them within the boundary of your Lot and within your control or kept in a kennel as per the CCRs.

Voting Item #1: To Waive, or not, the CPA Audit for Fiscal Year 2021/22. The membership voted to waive (not have) the audit.

Voting Item #2: Advisory Vote whether to Update and Amend HOA Governing Documents. 18% of the membership voted yes, 16% of the membership voted no.

Per state law, compelling the BOD to pursue the time and cost of amending our governing documents requires at least 20% membership approval; the 18% approval fell short of that. Although the BOD can pursue amendments processes if they feel it necessary, the BOD saw the advisory vote outcome as the membership not seeing this as a priority at this time. The subject will continue to be addressed. Please visit the HOA website under "Reports" to view a timeline of the bylaws amendment process that has taken place so far.

Director Positions: No HOA members submitted their names for election to the Board of Directors in 2022. Our HOA now has 6 Board members and three open positions. Some of the current Board members' terms will be expiring next year. **We need capable members to volunteer.**

Current Board Members:

- Drew Sawchuk (president)
- Jeff Click (vice president)
- Susan Stewart (secretary)
- Don Charnholm (treasurer)
- Rick Lewis
- Ryan Man

Much of the Treasurer's job is focused on collections. To date the HOA has collected 93% of the 2022-23 Annual Assessments. Thank you to all the members who pay on time; it saves cost to the HOA and volunteer time. For past-due members, monthly statements are sent out, often with letters. The CCRs allow for filing of liens, and the HOA Collection Policy states that liens are to be filed on Lots 2 years past due. There has been dialog with the HOA attorney regarding using small claims court against those members substantially past due.

There are monthly Accounts Receivable and Cash Flow reports posted on the HOA website. Brief reports are also incorporated into the BOD meeting minutes.

SPEED LIMITS for SAFETY and SAVINGS

For the sake of all Ranch members, **please keep your vehicle speed to all posted signage.** This helps prevent excessive road wear as well as improves safety, especially in certain weather conditions. And also remember that Nine Mile Ranch is a Wildlife Refuge and no gunfire is allowed on the Ranch at any time.

Remember to visit the HOA website at 9mileranchhoa.org for updated road and financial reports, development plat maps, HOA rules and regulations, board meeting minutes, and of course view the HOA CCRs and Bylaws. You can also write the Board of Directors with any inquiries and questions at bod@9milernchhoa.org

- NINE MILE RANCH vs. NAYSNERSKI -

On the 2021 ballot the membership voted whether to legally pursue a CCR enforcement. The membership voted in favor to pursue, and for a special assessment to pay for legal fees involved. 95% of those fees were collected; \$10,470.00.

In September 2022 a summary judgment hearing about the suit was held in Okanogan County. The judge ruled in favor of the HOA, awarding to the HOA all fines assessed on the violating member as well as all HOA legal fees to be paid by the defendant. The defendant was then court ordered to pay the HOA approximately \$60,000; \$40,000 in fines and fees and \$20,000 attorney fees, and to remove his fence currently encroaching the easement area. The defendant did not respond to the court order in the allotted time given by the court. The Board of Directors is presently in dialog with the HOA attorney concerning possible movement into Judicial Foreclosure. Cost of attorney fees to pursue this would be incorporated into the foreclosure, but the HOA would have to front the funds. Deciding whether to proceed from this point will also need to include looking at the value of property involved and other debts attached to it to see if this is the wisest financial decision for the HOA; in other words, can any money be collected in the end. Also note that the cost of attorney fees needed to complete the collections process would be in addition to the original special assessment.

An additional note: An unrelated lawsuit was completed against the HOA last year. The outcome of that suit validated the strength of our HOA Bylaws, and this current suit validated the strength of our CCRs and Fine Policy, including the judge describing our CCRs as "robust" and our Fines schedule as "reasonable".