

**Las Vegas Ranch Estates
Property Owners Association
Open Board Meeting Minutes
April 1, 2015**

The meeting was called to order at 4:00 p.m. with quorum established with four Board members present: Kurt Wilkinson (President), Dan Searer (Secretary), Joe Dalmas (Treasurer) and Mark Spiegel (Director). Director Mark Watson was absent with prior notice. Cindy Leath, HOAMCO representative, also present. Approximately 20 homeowners were present.

Kurt Wilkinson opened the meeting with comments regarding setting the ground rules for Open meetings. He asked that everyone be respectful of the Board and each other, with one person speaking at a time. Homeowners may comment or ask questions of the Board after motions have been made and seconded, but before the Board takes a vote. Kurt informed those present that complaints against neighbors cannot be made verbally and must be in writing, but encouraged neighbor to neighbor conversations to resolve disputes.

Approval of Minutes

Mark Spiegel motioned that the March 12, 2015 Organization Meeting minutes be approved. Dan Searer, second. Passed unanimously.

Financial Report

Joe Dalmas provided the financial report as of February 28, 2015. The Operating Budget for 2015 is \$52,858.00. There were minor variances for postage, printing, and office supplies related to the Annual Meeting. There was a total of \$563.71 in gate remote and transmitter expenses, to replenish the stock on hand. As owners purchase these items, the expense will be offset. Year to date actual expenses are \$5,364.14 vs the budget of \$6,462.00, leaving a positive variance of \$1,097.86. The Reserve account has a balance of \$64,119.69 and there is a pending transfer of \$45,342.00 which is currently on hold. The Board wants to see what the road committee and other committees plan for the year; if more crack sealing is needed that exceeds the \$15,000 budgeted for road repair we may not transfer as much to the Reserves. If chip sealing is required, we may put all the money into reserves in order to better fund the project next year.

New Business

A. Board Policy, Voting ties

Before discussion of the agenda item, a resident asked for introductions of the Board and their terms. The initial Board elected Kurt Wilkinson, President, Joe Dalmas, Treasurer, and Dan Searer, Secretary. Two candidates, Mark Spiegel and Mark Watson, who were not elected in the election, were subsequently appointed as additional Directors for one year terms.

A Board Policy for setting procedure to break tie votes in meetings where not all Directors are present was reviewed by the Board. The policy allows that the President be the deciding vote in such occurrences. If the President is absent from a meeting

where there is a tie vote, the matter being considered will be tabled until the next meeting where all Directors are present, or the President is present. Dan Searer, motion to approve. Joe Dalmas, second. Resolution passed unanimously.

B. Committee Charters

Joe Dalmas gave an overview of what committee charters are and why they are important. The charters provide a scope of authority and type of work that can be done, lays out responsibilities for budgeting and planning, and allows for the Association's liability insurance to cover the sanctioned committee work and the volunteers. All committees work under the approval of the Board of Directors. For the Roads Committee Charter, Joe Dalmas motion to approve. Mark Spiegel, second. Resolution passed unanimously. For the Front Entry/Landscape Charter, Mark Spiegel made motion to accept. Dan Searer, second. Passed unanimously.

C. Confirmation of Committee Appointments

ARC

Per Statute, a Boardmember must Chair the Architectural Committee. Kurt Wilkinson and Dan Searer were nominated to co-chair the Committee. Mark Spiegel made a motion to accept. Dan Searer, second. Passed unanimously.

Roads Committee

Kurt Wilkinson asked for volunteers to serve as Roads Chairman. Ralph Istwan raised his hand. Additional persons volunteering to serve on the Committee are Darrell Bryant, Bill Taber and Andy Jablow. Dan Searer made motion to accept. Joe Dalmas, second. Passed unanimously.

Front Entry/Landscape

Bob Whitney volunteered to serve as Chairman. Ruth Jablow and Charles Main volunteered as Committee members. Joe Dalmas made motion to accept. Kurt Wilkinson, second. Passed unanimously.

D. Insurance

Cindy Leath provided information on pricing for a \$2 million Umbrella policy which would be additional coverage to the general liability insurance and Directors & Officers policy. Broker provided cost of \$950.00 annually. Current coverage is \$1 million in general liability and \$1million in D&O. Discussion regarding proration of policy cost to coincide with September renewal date and shopping for competitive rates prior to the expiration of the policies. Mark Spiegel motion to approve purchase of Umbrella policy. Dan Searer, second. Passed unanimously.

E. Action without Meeting Resolution – Appointment of Additional Directors

Cindy Leath provided information that the Board may make decisions in between meeting dates. Resolutions can be made as long as all Directors respond in the affirmative to the action. If a Director does not respond or dissents, the matter must be brought to the next Open meeting for discussion and vote. If a Resolution is passed via email, it will be noted on the Agenda for the next meeting as an acknowledgment and noted in the minutes. The initial Board of Directors, per the Bylaws, was three (3) members. By unanimous approval, the Board resolved to appoint Mark Spiegel and Mark Watson as additional Directors for one year terms on March 17, 2015.

F. Action without Meeting Resolution – Approval to Release \$500 for Road Maintenance Supplies

By unanimous approval, the Board resolved to release \$500 for road maintenance supplies to Ralph Istwan, based on submitted receipts, on March 20, 2015.

Open Forum

Q. How were the Board terms decided?

A. The Officers drew slips of papers at the Organizational Meeting to determine their terms. Kurt Wilkinson will serve a 3 year term, Joe Dalmas will serve a 2 year term and Dan Searer will serve a 1 year term. The appointed Directors will each serve a one year term. The Board may decide to change the terms of the appointed positions at the next election so that the terms are better staggered.

Q. How does the past management affect the new Board?

A. Peter Gooding was the Declarant and he no longer is involved. The homeowner Board is fully in control of the Association now.

Q. How do we contact the Board?

A. Please correspond or contact Cindy Leath. She will provide information to the Board. The Board will either respond to the owner directly or provide information to be provided to the owner. As the Board members are all volunteers, it is best to use the management company as liaison.

Q. What happened with the Directory?

A. Cindy Leath is compiling information from owners as to who wants to be included or excluded. A pdf file will be emailed out.

Q. Can we have a website?

A. The Board is considering the possibility and will look into costs, etc. If it is a secure website, directory information can be placed there, as well as minutes, financials, etc. Joe Dalmas will write a charter for a website committee to research the options. This will be added to the next meeting agenda.

Q. Will the Road Committee take care of weeding the sides of the roads, including those in Phase II? Can the weeds be sprayed instead of cut?

A. Once the Road Committee meets and provides a plan to the Board it will be reviewed. The Board is not in a position to make a decision on spraying or not spraying weeds at this time.

Q. Are the roads in Phase III going to be the Association's responsibility?

A. There are no roads in Phase III other than a private drive/road that the lot owner is fully responsible for. If additional future roads are engineered to written standards and provide additional ingress/egress for residents, the Association may decide to accept responsibility in the future.

Q. Section 3.15.3 of the CCRs states that there could be no 'for sale' signs during Developer control. Now that the control has passed, what are the guidelines for signage?

A. State statute provides language for signs and the ARC can include criteria in the design guidelines.

Q. Will there be new ARC guidelines?

A. Yes, the Committee will be working to write new guidelines and presenting to Board for approval.

Q. Somewhere in the governing documents there was a stipulation that Las Vegas Ranch Estates could not be used in advertising home for sale, etc.; is that in force?

A. The Association is Las Vegas Ranch Property Owners Association. We are not aware of any stipulation that the name of the Association cannot be used.

Announcement: There is an issue with pinon trees with scale infection throughout LVRE. Bob Celaya, Forest Health Specialist, from the Arizona State office of Forestry, will be at Tom Turner's house on Friday at 10:00 a.m. to discuss tree conditions, if anyone wants to attend.

Q. If an owner does not maintain the health of the trees on the lot, how is that handled by the Association.

A. We follow the Compliance Policy for the Association if there is a condition that violates the governing documents. This would include letters and fines, and ultimately could result in a 'self-help' action where the Association would go upon the property to remedy the condition. This is a last result and the Association would consult an attorney before taking that action. The Board does not feel that should be going upon properties to inspect tree health or other conditions. A recommendation was made to send out notification to owners that the pinon scale is a problem, so that they can be aware and perhaps have someone come out to inspect their property. The Board does not feel that the responsibility for a large scale problem like tree health lies with the Association.

There followed a long discussion regarding the use of herbicides, pesticides, tree maintenance, and conditions of property. What is the threshold of concern for types used, frequency used, where used, etc? Board will be sensitive and use committees for research and information. Lot owners are not limited to what they can use on their private lots. It is premature to make any decision at this time.

Cathy Zettler offered to send a report that she has on the Environmental Assessment for Management of Noxious Weeds and Hazardous Vegetation on Public Roads on National Forest System Lands in Arizona to the Board, via email to Cindy.

The next meeting date will be Wednesday, May 6, 2015. Agenda will be emailed to residents a few days in advance of the meeting

Q. Will we get copies of the minutes from Board meetings?

A. If the Board approves sending out 'draft' copies of the minutes to owners via email, we can do that. We will not incur the expense of mailing out minutes.

Having no further business, the meeting was adjourned at 5:30 p.m.

Respectfully Submitted,
Cindy Leath, acting Recording Secretary