

## **APRIL HOA BOARD MEETING MINUTES**

Time: 6:30 PM – 8:30 PM

Date: Monday, April 11, 2015

Location: Ruby Ranch Lodge

1. Quorum (3) Board Members. Present were Cristi Roberts Rawlings (CR), President; David Mixon (DM), Vice-President; Kelly Baugher (KB), Secretary; David Fletcher (DF), Treasurer; and Phil Mueller (PM), At-Large.
2. Welcome and introduce visitors. This meeting's attendees included Paul Czarnocki, Scott Christians, and Mark Rawlings.
3. Review and approved Meeting Minutes for previous month(s) and/or Special Meeting(s). DM made motion to approve the minutes from the January meeting. CR 2nded, all were in favor.
4. Review of financial statements for the previous month(s):  
SC reported. Current balance is \$225354.59 (approximately \$77,774 in checking, \$147,580 in savings). 2016 to date financials were discussed.

Several homeowners have paid balances, excluding the interest that is owed. BOD stated that interest must be paid, and we cannot set the precedent of allowing owed interest to be forgiven. CR will write letters to send to these homeowners.

Collections is down to \$23,810. Attorney wants to know if certain accounts should still be in collections – CR to research. DM wants to see a copy of the verbiage in the collections letters. SC reported that we have not received any payment plan payments in a while, so all payment plans are now void. SC noted that we need to go through the collections list with the attorney and update/file liens. CR wants to send a proactive letter to folks before the liens are filed to warn them, which may trigger some payments. CR will check with the attorney about procedures, verbiage, etc. regarding liens. SC noted that at some point, the BOD will have to look at foreclosures.

KB made motion to approve the financial statement. DM 2nded. ALL were in favor.

5. Ongoing Business (presented in order as listed in the agenda, although some items were discussed out of order)
  - A. Electronic Voting/Website –  
SC will post the gate code change notice on the site.
  - B. End of Year Procedures –  
Monthly to-do. No updates.

C. Speeding cars and sheriff –

2 shifts on 3/9 and 3/12, with a total of 22 stops (21 warnings and 3 citations).

D. Quarries –

Hays quarry – next meeting is June 7.

E. Life Safety Plan / Quarterly Newsletter –

PM volunteered to take on the newsletter and help with content (especially in the area of Fire Safety).

F. Committee recruitment –

Heavy recruiting is needed in the neighborhood to fill positions on committees and the board.

6. New Business

A. Board Member topics. Limited to 5 minutes each.

- a. CR – street signs. Some signs were either missed or need attention. CR will follow up with the company.
- b. CR/DF – DF filed the franchise tax, and SC filed the 1120H income tax form. DF discussed sales tax issues. BOD decided that we will pay tax on purchased items that we resell (i.e. gate remotes) and they will be sold at our cost + tax (this is required to maintain non-profit status). For other items, like contracted work, we will not pay sales tax (tax-exempt form). DF mentioned that he cannot find us on the Comptroller site, so we may need to file again for a permit (DF will file for our tax-exempt certificate if it is indeed not filed with the state). CR will file the report of HOA officers (SOS form). DF/CR will make the 'registered agent' changes at our financial institutions.
- c. CR – SC mentioned that the franchise tax forms are due. DF will take care of them. The Sec'y of State form listing Board Members also needs to be filed. The income tax form (1120H) needs to be filed by the end of March. SC will fill it out and DF will sign it. Should not be any registered agent changes this year.

7. Standing 2015 Committee Updates

A. Executive Session prior meeting oral summary – Cristi Roberts

Nothing to report.

B. Road Committee – Mark Rawlings (David Mixon, liaison)

Sealcoating has been pushed to at least 4/18 due to weather. MR said that there will be more folks helping with barricades, cones, other manual labor. MR will put the signs out. We will also sealcoat from the 4-way stop signs to the bridge in order to fix the striping. Some crack fixing will also occur. The McCoy culvert situation needs to be addressed. MR gave rough estimate of \$10-12K for those repairs.

CR/MR discussed the need for an engineer to assess the repairs and provide guidance (BOD agreed that we must have an engineer). MR suggested contacting Mark Ramseur (lives in RR).

- C. Gate Committee – Paul Czarnocki (Phases 4&5), Thomas Doebner, John Kimbrough, Jim Coates (Phases 7&8) (David Mixon, liaison)

PC – Gates are doing well. Arctic is coming next week for maintenance. PC is going to go with them and check out the backup battery situation. He reported that 2 do still work, but others are out. In the event of a power failure, we need the batteries to open the gates (or else they will have to be manually opened). DM found the gate code change signs, and they will be modified and posted (BOD decided that we will keep the month/day consistent, and just update the year on the signs each year). Resident codes will change, but for 2016 the vendor code will remain the same as it was in 2015.

- D. Landscaping Committee – Steve Selger

ROWs needs additional mowing, and Rogers will do it. DM said we need additional mowing due to all the rain, and Rogers needs to treat for ants. Landscaping work to replace flowers and shrubs/trees will start in April. Fence repairs at the entrance of RR will also begin in April.

- E. Wildlife Committee – Tim Dowling (CR, liaison)

Nothing to report.

- F. Neighborhood Watch/Welcoming Committee –

CR/PM will start going door-to-door and meeting new neighbors.

- G. Architectural Control Committee – Kevin Ritchie (David Mixon, liaison)

The prior Associa report was discussed, and the violations had been approved to be sent out. The ACC will conduct another drive-around just to check things out. Lengthy discussion ensued regarding CCR enforcement, failure of some residents to obtain permits for projects, lack of CCR compliance in structures being built by other residents, piling of dirt, etc. The BOD will be involved in several ACC-related issues and will consult the attorney as necessary. The BOD approved a disclaimer to go on all ACC approval letters stating that unless an explicit variance is granted and documented in the approval letter, the bylaws and CCRs will govern and supercede any ACC approvals.

## 8. Executive Session

- A. Legal. Updates and Discussion.
- B. ACC Violations – Updates and Discussion.

## 9. Scheduling of next meeting and conclusion

- A. Schedule May Board meeting – set for Tuesday, May 17, 2016 at 6:30 PM.
- B. Meeting was adjourned at 8:22 PM.

\*The Ruby Ranch Home Owners Association's Board of Directors reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any matters of the Association.

## **POLICIES** (In alphabetical order by topic)

- Neighborhood patrol. Policy was set to hire (2) four hour minimum shifts monthly to protect and serve the community. Effort is to minimize speeding, stop sign running, vandalism, unsanctioned night time activity.
- Garage sales. 2/12/15 policy. Policy was set ruling against any future individual garage sales. (Motion made and was carried by a 3/1 vote.)
- Interest on dues. 2/12/15, policy. Our bylaws state we are to assess interest 0 days after due date which is the last day of January. Policy was set to send statements with assessed interest 3/1. (Motion made as part of financial approval and was carried by a 4/0 vote.)
- Wording will be changed per information from attorney - Collections procedures on open dues balance. One invoice at end of year for upcoming dues. One statement after last day of March as per bylaws with interest assessed. One final statement on last day of April with interest assessed giving 10 days to pay debt. Any outstanding balances after the 10<sup>th</sup> day of May will be turned over to collections. (Motion was carried by a 5/0 vote.)
- Wording will be changed per information from attorney - Collections procedures on any invoices other than dues. Invoice issued has 30 days to pay. One statement 30 days after the date issued with interest assessed. One final statement 30 days after the first statement with interest assessed and giving 10 days to pay debt. Any outstanding balances after that 10<sup>th</sup> day will be turned over to collections. (Motion was carried by a 5/0 vote.)
- Gate code changes. Policy was set 6/9/15 to establish a yearly changing of gate codes. This is to occur in March following the February annual meeting. All were in favor.
- Collections. Policy was set 7/14/15 allowing residents in financial hardship SIX months to pay out their HOA dues. If any payments are untimely or missed, the payment plan is revoked and the resident will be sent to the attorney for collections. TD made motion, DB 2nded. ALL were in favor.
- Stray/Roaming animals. Policy was adopted 8/6/2015 prohibiting stray/roaming animals and making it a finable offense.
- Invoicing. Policy was determined to invoice for open account balances monthly.
- AMENDMENT to collections procedures on open dues balances.  
One invoice at end of year for upcoming dues. One statement after last day of March as per bylaws with interest assessed. One final statement on last day of April VIA CERTIFIED MAIL with interest assessed giving 30 days to pay debt. Any outstanding balances after the 10<sup>th</sup> day of May will be turned over to THE HOA LEGAL FIRM FOR collections. (Motion was carried by a 5/0 vote.) DB made motion 10/20/15 to accept amendment to policy. KB 2nded. ALL were in favor.
- AMENDMENT to collections procedures on any invoices other than dues.  
Invoice issued has 30 days to pay. One statement 30 days after the date issued with interest assessed. One final statement 30 days after the first statement with interest assessed and giving 10 days to pay debt. Any outstanding balances after that 10<sup>th</sup> day will be turned over to collections. (Motion was carried by a 5/0 vote.)

AT THAT TIME, ATTORNEY FEES WILL BE ADDED TO YOUR ACCOUNT. DB made motion 10/20/15 to accept amendment to policy. KB 2nded. ALL were in favor.

## **CONTRACTS** with expiration dates

- Bookkeeping Blue Coyote 1/1/16 for 24 months.
- Website Blue Coyote 1/1/16 for 24 months.
- Landscape maintenance Rogers 1/1/16 for 12 months.
- Gate maintenance. Arctic. Open contract.
- Legal counsel – Neimann and Heyer, on retainer.

## **BOARD HISTORY**

President (P), Vice President (VP), Treasurer (T), Secretary (S), At Large (AL)

2015-2016 Cristi Roberts P, David Mixon VP, David Fletcher T, Kelly Baugher S, Phil Mueller AL.

2015-2016 Cristi Roberts P, David Mixon VP, Donna Bjornson T, Andrea Siebert S Tim Dowling AL. Andrea resigned in June and Kelly Baugher was appointed

2014-2015 Cristi Roberts P, David Mixon VP, Donna Bjornson T, Sonny Hollub S, Jack McCord AL. Jack resigned in March and Tim Dowling was appointed. Sonny resigned in April and Andrea Siebert was appointed.

2013-2014 Cristi Roberts P, Jack McCord VP, Scott Christians T, David Mixon S, Thomas Doebner AL.

2012-2013 Kevin Rodriguez P, Thomas Doebner VP, Scott Christians T, David Mixon S, James Weir AL.

2011-2012

2010-2011

2009-2010

2008-2009

2007-2008

2006-2007

2005-2006 Regan Lambert, P

2004-2005

2003-2004

2002-2003

2001-2002

2000-2001

1999-2000

1998-1999

1997-1998

1996-1997

1995-1996

## **ACC HISTORY**

2016-2017 Kevin Ritchie, David Mixon, Cristi Roberts, Kelly Baugher

2015-2016 Kevin Ritchie, David Mixon, Cristi Roberts, Kelly Baugher

2014-2015 Kevin Ritchie, David Mixon, Cristi Roberts, Kelly Baugher

2013-2014 Kevin Ritchie, David Mixon, Cristi Roberts

2012-2013 Kevin Ritchie, David Mixon, Matt Edevold

2011-2012 Kevin Ritchie, David Mixon, Matt Edevold

2010-2011 Aglaia Ahmed, Kris Kelley, David Mixon

2009-2010 Steve Selger, Aglaia Ahmed, Mel Winters

2008-2009 Steve Selger, Aglaia Ahmed, Mel Winters

2007-2008

2006-2007

2005-2006

2004-2005

2003-2004

2002-2003

2001-2002

2000-2001

1999-2000

1998-1999

1997-1998

1996-1997

1995-1996

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## YEARLY PROCEDURES

### March

- Welcome new members and vote/assign positions.
- Acclimate all members to current contracts and policies.
- Dues statements out 3/31 including assessed interest.
- Establish community spring fling date and establish budget.
- Changing registered agent with the Secretary of State each year after the board is determined.
- Gate code change

### April

- Spring Fling – and print signs
- Spring road work – print signs
- Discuss bylaws and CCRs to ensure all BOD are in understanding.
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### May

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### June

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### July

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### August

- Verify National Night Out date and establish budget
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## September

- Adopt NNO budget, venue and details. Print signs
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## October

- Begin discussion of Annual meeting paperwork (agenda, quorum, candidates/vote, year in review)
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## November

- Begin verbiage for survey topics.
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## December

- Finalize all Annual meeting paperwork and prepare for print...including gate code change information.
- Establish AM date, time, and venue.
- Set HOA dues at meeting
- Dues invoices out by EOM including terms clearly stated.
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## January

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## February

- Signs for annual meeting
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