

Pawnee Hills Community Association
Board of Directors Meeting
March 13, 2008

Board Members Present: Tina O'Bryan, Pam Schultz, April Osborn, and Greg Brendlinger were present. Brian Cook was not present. Sandy Perry was present as Treasurer.

Meeting was called to order at 7:07 p.m.
Motion was made and passed to approve the agenda.

MINUTES:

Tina: Cynthia is not going to be here tonight but she called me and I know April, you and her have been working on the bid.

Greg: She called me also.

Tina: So, we have three bids. One of the bids obviously is no longer even valid and it is off the table but at least we've got it so we have something to compare it to. We also have John's bid and Dave's bid. I have seen John's work. He is coming in at \$23,000 and that is not including all of the flooring so the flooring is about an additional \$7,000.

Pam: And that doesn't include the cabinets?

Greg: It does.

Tina: It does. So basically what we are saying is, and Dave came in at \$28,000, alright? So John came in lower; both Cynthia and April are very comfortable with John's bid with everything that he has done. I am comfortable because they are comfortable. So basically, we are coming in at about \$30,000 and that is everything we want to get done. And like I said, April has worked with him before in the past. Cynthia has gotten the bids, asked questions, met with him, and is comfortable with him.

Pam: Does that include the two vanities downstairs because they need replaced desperately.

April: Yes. Men's and women's.

Pam: Because they are in bad shape.

Tina: So we are basically getting everything we want to get done done.

Pam: Thirty instead of 25.

Tina: Thirty instead of 25. That is all of the flooring, the kitchen, everything that we wanted to get done.

Pam: I don't really think we have proposed anything that is extravagant.

April: Not at all.

Greg: No. I don't think so.

April: You know, really, it is an investment in this community with all of the people who have their homes for sale or will put their homes up for sale.

Pam: They want this place looking nice.

April: If you are going to have to pay monthly dues, you want to be able to come over here and walk in here and look and go, "Wow. My kid could get married here or something."

Pam: This clubhouse is one thing that sold our family.

April: We could have a family reunion.

Pam: When we bought 15 years ago, we wanted a pool for the kids and we liked the clubhouse. We have used it many times and it did make a difference in where we decided to buy our lot, you know, so I think you're right.

Tina: Well, and I would just like to go ahead to make a motion to approve a bid. We have had three solid bids. We've got all the documentation. We just need to make a decision so that we can get them started. The only thing is, whoever we give the bid to, they do not get the job awarded to them until they give us their liability and Workman's Comp. paperwork. So that is kind of what we have already just stated is you don't get to start, you don't get awarded the bid unless you provide us that information.

April: I need to go look at things so we took the day Saturday and went three places and priced laminate, tile, carpet in three different places and when we hit the third one, you know, Cynthia has been looking on the internet, she has been asking around. She has been getting these bids.

Greg: I've got both.

April: Do you really?

Tina: Getting the material is the least of our problem, getting a contractor to get the work done is priority.

Pam: Did you mention to them our thoughts on the cabinets? Anything for those?

Tina: No, I didn't get that far because my concern right now is that we go ahead and make a motion and get the bid awarded so we can get the work started because what is really starting our first thing is, obviously, drywall patching—and then we can go to the next step which is what exact materials are we looking at.

Pam: Might that happen before next month?

Tina: Well, it will.

April: It is actually walnut laminate. It is quite—I think it is pretty nice looking.

Tina: But I think that is our next step. So right now, we are looking at \$23,000 and that is minus the flooring and the material.

Pam: I thought you said 27.

Tina: Well, it is 23 plus seven for the flooring, see, so it is going to come in about \$30,000 is what we are going to look at and that is everything we want.

Pam: Okay.

Tina: So I am going to go ahead and put a motion on the table that we vote to have John from Decks By Doura.

April: Second.

Tina: Discussion. I think we have already kind of discussed it. Does anybody have any questions?

Pam: He does more than decks.

April: Yes. If you want to look at portfolios of his work, you can.

Pam: He does remodeling, do you know?

April: Oh, definitely. I want him to do more work on my home also.

Greg: And Dave has done work at my house too and he has done all five of my commercial buildings which have been top notch, man. The guy is good.

Tina: I think Dave or John, either one of those, I think we would have been fine with. My thing is, obviously I am shooting for the 23 because it is cheaper.

Greg: Well yeah, I understand. Yup.

Tina: If Dave would have come in at \$23, if it would have been switched the other way around, we were comfortable to go with Dave.

Pam: You have had experience with one and you had experience with the other.

Tina: And Cynthia liked both of them.

April: If you would like to come by my home and look at some of his work up close—

Greg: I trust you.

Tina: I think it is great that we actually got two people that we really did like. I was amazed at that and the only difference is the price coming in between 23 and 28.

Greg: Right. No, I'm good with John. That's fine.

April: You'll like him.

Greg: I can put Dave in, you know, down the road too if we see a need.

Tina: Absolutely.

April: There is certainly more work to be done.

Tina: Absolutely. And that's a good thing that we've got two.

Greg: Yeah, yeah.

Tina: I am very impressed that we found three. In fact, we actually found three because Sam was good too. So, I know it sounds crazy. John, Dave, and Sam, but they were all three good, you know. They were all three good. Sam just happened to get a bigger job somewhere else so he can't do it and that is the only problem that I had between the two is price.

Greg: Yeah.

Tina: Okay, so, anymore discussion on who we give the bid to?

Greg: No.

Tina: Okay, all in favor? Aye, aye, aye, aye. Four ayes. So John gets it. Of course with making sure, again, if he doesn't give us this paperwork and everything falls through, I would say that Dave is our next person in line and that we vote it to him because like I said, we've got two great—two good choices here. As far as having the fire inspection, we are waiting until after the remodel is done and then we call—we have to do a yearly fire inspection of the building.

April: Where they come look at your extinguishers and your egresses and—

Tina: Yeah. They make sure everything, that there is no lights out on the exits... So they come in every year and do a fire inspection for us and we have decided to go ahead and schedule that after we do the remodel. So that's all I've got from her. I've got to still talk to her about putting an ad in the paper and the newsletter for the summer help at the pool and the clubhouse because we still have to get that done.

April: So, if we could get some type of a job description so that people would know what that would involve and the approximate times—

Tina: Exactly.

April: I know of a couple of people who are tentatively interested already.

Tina: Okay, good. So, Cynthia was supposed to put that up for me so I will e-mail her and say to put that thing together and get that done. She is working on getting the bid for the re-key for doing the whole re-key so she is getting that bid so we can determine whether or not we have any money to do a re-key this year.

April: Just the Boards' keys or the whole community?

Tina: The whole community.

Pam: It may not be the right time.

Tina: It may not be the right time but we will see. My concern is, last summer when they ended up getting the Board keys and we have no idea how many keys are out there now and years ago, we numbered all the keys and basically you had—April Osborn has key #57. So if key #57 ended up in a kid's hand then we could tie it a homeowner or a homeowner who had it stolen or a homeowner that their

kid gave it—whatever. We can't do that. We had those keys that were stolen and they were Board keys that they got a hold of and we don't even know how they got them from upstairs and so—

April: Cynthia said there was a ladder in here. She thought they might have leaned a ladder up and climbed up—

Tina: And climbed up through there and got it, yeah. So, we haven't re-keyed in years and we've got people coming in and out of here and, of course, I think if people know that their key is numbered and they will be responsible for that key—

Pam: Well, let's just see how much it costs.

Tina: Yeah.

Pam: I mean, I think it is a good idea but, you know.

Tina: We'll see what we can do for that and see how much that is going to cost so she is working on that one. The other thing that she is working on is the TruGreen bid. She is working with Greg on checking other bids and seeing what other companies are out there and so hopefully she will have that. We are not in a big rush for it, so between Greg and Cynthia, they're working on the maintenance buildings and grounds type thing. They are getting that put together.

Communications from Homeowners:

Tina: This letter was sent by Bob Rowland on February 12, 2008. He sent it to Colorado Management & Associates and Pawnee Hills Board: "I am in receipt of your letter dated January 31, 2008 stating that I have an outstanding balance on my account of \$12.75. This amount is from a \$2.50 late fee, a \$10.00 illegal assessment for processing and apparently 25 cents in interest. As per my conversation on February 11, 2008 with your office, I demand you immediately remove these charges to my account which are obviously in error. I used an electronic payment in the amount of \$45.20 to this account on January 25, 2008, and my US Bank records reflect clearly that the payment was received and delivered to Colorado Management & Associates on January 30, 2008. Your representative on February 11, 2008 stated, "Well, we didn't post it until February 4, 2008, and the Board of Directors won't let us take any charges off your account." As you know, our covenants and bylaws are very clear that dues are not past due until after the 30th of the month, and of course, you received my January dues on that date. Therefore, when you decide to process and post payments is not a factor in when you can make assessments to members. This notice is an official response to your letter and your statement that I must protest this action within 10 days. Please note the date of this letter is being sent and not the date when you finally open it. I will consider any delay or refusal to remove these charges from my account a direct violation of the covenants and bylaws of the Pawnee Hills Community Association. Furthermore, if the Board and Colorado Management does not remove these charges, I demand to move this matter to the resolution process outlined in the HOA's written policies. –Robert P. Rowland"

I have a response to that letter, not that I sent to him but that I sent to the Board. So basically, just to reiterate the statements he had made and the actual due date for the dues was January 1st. That is your due date. Your due date is the first of the month. Late fees are assessed after the end of the month. So Bob's direct bill pay check from US Bank was dated January 30th but CMA's processing center by law has to post the day that they receive the payment which was February 4. US Bank, Bob's bank, called CMA and asked them when the check was posted and was told February 4. US Bank asked if there were any late fees assessed and Elsie said (Elsie is from CMA), "Yes, \$12.95." US Bank asked if they could waive the fees and Elsie said no. US Bank did not dispute that the payment was actually received on the 4th and US Bank said they would let Bob know. So CMA did everything correctly and if Bob wants

to take this further, then we have all the documentation to back up our policy and procedure in collecting any outstanding balances.

Pam: What is the problem there? The time period. That is such a long time period. Is that how long it takes to go through that clearinghouse?

Tina: Well, no. What happens is, when you tell your bank to pay a bill, it could take between 5 to 6 days for the check to actually get written and sent.

Pam: That's amazing.

Tina: So, a lot of times what the bank does is tell you, if you are going to do automated bill pay through our bank, allow X amount of days for it to get processed. So what he should have done is on January 1st, he should have actually on December 25th, because it is due on the first. It is not due at the end of the month; it is due the first of the month. You just get assessed late fees after it is posted at the end of the month.

Pam: O.K.

Tina: So that is why in the newsletter, we are trying to say if you are doing automatic bill pay, please make sure that your bank gives enough time—

Pam: That is amazing that it takes that long to me. Does he understand that now or do we know? Are we sending him a letter that explains that?

Tina: Well, no. CMA has explained to him the process and even US Bank had called. Well, US Bank said, "Oh, we didn't realize that your processing center didn't get it until the 4th." So that means that they went back to Bob and said, "Bob, you are going to have to up this time frame so it gets there in time." So we have done everything we can correctly because truly, he was late January 2. We have a due date.

Pam: Yeah, but we don't care until the 30th. We don't care.

Tina: It is not that we don't care; it is that we don't start assessing fees until the end of the month.

Pam: Right.

Tina: We say that the due date is the 1st. We don't assess fees until after the end of the month and that is exactly what we have done.

Pam: Okay.

Tina: I can write a check dated January 30th and mail it to you but if their processing center doesn't get it until the 4th, then that is when they post it. They have to by law post every payment that they receive the day that they receive it.

Greg: Yeah.

Pam: Okay, if we don't remove the charges, he demands that we move this matter to the resolution process outlined in the HOA's written policy.

Tina: And he has to, by the policy, has to request that.

Pam: This is his request.

Tina: No it is not.

Pam: Does anybody think it is his request?

Tina: He is saying if they don't remove it. I don't know. He may have already paid it.

Pam: Well, they are not going to remove it. You already told me they are not. That CMA is not going to remove the charges.

Tina: I think it is kind of like if the sun sets at 3:47 today, then I want you to go ahead with the ADR.

Pam: I think that is a request for the ADR because you said that they are not removing the charges.

Tina: Well, they are not going to remove the charges. Now, has he paid his bill? I don't know. He may have paid everything so we are telling him we are going with ADR to argue what?

Pam: Well, we don't know that. We can find that out, but in his letter he is asking for the ADR.

Tina: "I demand to move this matter to the resolution process outlined in the HOA's written policies." So, we then can write him a letter and state, "In the event of any dispute involving the Association and owner, the owner is invited to and encouraged to meet with the Board of Directors to resolve the dispute informally and without the need for litigation. If the owner requests to meet with the Board, the Board shall make reasonable effort to comply with the owner's request." So do you want me—

Pam: So are we responding to his letter? Or is that what you are wondering?

Tina: If you want to talk about it, I have homeowners every day going, "Can you waive this for me?"

Pam: Yeah, but they don't—

Tina: "Can you fix this?"

Pam: I am just concerned that he put it all in writing and he is asking us—

Tina: So I will have to do is I have to call CMA tomorrow and see if he paid.

Pam: See if he paid it.

Tina: Has he paid these dues and if they say he has paid everything but \$12.95 or whatever, because he is on his second letter by now—if he hasn't paid completely up, I would be more than happy to say, "Dear Mr. Rowland, per your letter dated February 12, 2008, it was decided at this meeting that—

Pam: Do you guys think we need to respond to the letter either way?

April: Why didn't he bring that up when he was here meeting with us just a short time ago?

Tina: On the 14th when he met with us? I don't know.

Tina: So on a different note, so a whole different letter gets written on February 14th, okay? So we will set this 12th matter aside, okay? So he writes us a letter on the 14th and “I am in receipt of your letter concerning my demand for our bylaws rules and state law to gain access to the following HOA records for review. Due to the late change in the January meeting from the normal Thursday, February 14th to Tuesday, February 12th and based on the recording at the clubhouse saying the clubhouse is closed for renovation, I was unable to review these records at the February meeting. Therefore, based on your published hours of business, I am requesting access to these records on Thursday, February 28th at 12 noon. Please advise where I should come to do this. You may call me at...to verify this time and date. Records to review, all voting documents from the annual member meeting conducted on January 26, 2008, including proxies, ballots, attendance records, etc. relating to the published results of 73 ballots, all and any documents related to the discovery and activity of the mold in the common property clubhouse to include reports, invoices, bills, notes, etc. I remind the Board that our rules require a response to member request records within five days and that this is my second attempt to confirm an agreeable date and time for this review, the first being a voice message left at the clubhouse per the HOA published procedures on Monday, February 11, 2008, to which I have received no response as of date. Robert Rowland”

Now, on 2/21, I called Bob to confirm Thursday, February 28th at noon, was fine for review of documents. April Osborn and myself will be present for the review. On February 11th, though, when he says that he left a message with the clubhouse, we didn't even have the recorder plugged in. We did not plug that back in until like the 13th or 14th of February. So, nevertheless, on February 28th when April and I met him here, he didn't want to look at any of the mold stuff. He just wanted to make sure that we are putting the clubhouse back together again and he just counted through the proxies and glanced at the stuff from the meeting and he was done. So he did not request any—I mean from us, so we have given him a couple of chances to say, “What would you like to do?” I feel personally that if he is really concerned about this, his next letter will be to request a meeting with the Board. I don't think it is the Board's place to go to him and say, “Do you want to request a meeting with the Board?” I think it is the homeowner's responsibility to come to the Board to say, “I request it.” If you don't waive these fees, I want—

Pam: ...I want this policy to be enacted.

Tina: But it is the homeowner who has to contact the Board, not the Board has to contact them. I am fine to go through the paperwork—

Pam: I just want to be careful. I think this could be viewed as a request. That is what I am trying to say but if you guys don't think so, we will move on.

Tina: And what do I do? I am going to send him a letter and in that letter I am going to say, “Per the policy, in the event of any dispute involving the Association and the owner, the owner is invited and encouraged to meet with the Board of Directors to resolve the dispute informally and without the need for litigation. If the owner requests to meet with the Board, the Board shall make a reasonable effort to comply with the owner's request.”

Pam: Yup.

Tina: And then that's it?

Pam: That would make me happy.

Greg: That's it, yeah.

Tina: Alright. I will draft up and letter and will send it out to you guys.

Pam: I think that covers us.

Tina: And more paperwork but—

Greg: We will be done.

Tina: I love paperwork. I will draft it and send it to you guys first.

Treasurer's Report: (Sandy)

Listing of checks written and discussed. Motion to approve bills as read passed.

The bank balances: Checking Account \$15,743.32, Savings Account \$17,233.73, Reserve Total \$11,276.77, CD #2 \$0.00 (zero), CD #3 \$5,354.21. Total cash on hand \$49,858.03.

Our 2007 books are at the auditors except for our payroll journals and our 941. I wasn't able to get into the filing cabinet. He hasn't asked for it yet so I think we are okay. I haven't been notified about the status of our income tax but I'm sure that there is an extension going in because they are due on the 15th of this month. We did cash out the second CD, received that check and it has been deposited into our savings account so we have one CD left.

Tina: We can probably leave that one in, can't we? We should have enough money to leave that last one in.

Sandy: Alright. I will go ahead and when that renews, I will go ahead and let that one renew for another 90 days. We did receive a rebate check from IREA. I don't know how much it was for.

Tina: I think everybody did.

Sandy: We did receive a letter from the IRS regarding a federal unemployment tax calculation error. We owe them 30 some odd dollars. Paychecks looked into it and we do owe them the money and we have written a check for them.

Tina: Great.

Sandy: I think that's it.

Tina: So our Workman's Comp thing, we are done with that project because we can't—

Sandy: We have given up on trying to get additional certificates but I have not forwarded those yet to our auditor.

Tina: Okay.

Architecture Control Committee (ACC) – Pete Smilanic. No report.

Activities Committee - Karlene Herbrand. No report.

Buildings and Grounds: Greg. No report

Covenant Committee – Bill Curley. No report.

Directory – Sandy Perry.

We received just under 40 directory responses. So we are running at about 25% and I was going to ask you when do you want them? What I am going to provide is a spreadsheet that has the compiled information updated for anyone who has turned in their sheets. Otherwise, I will use what we used in 2006. I will update entries for the services, then it will go to the Directory Committee for formatting and into the final version that is going to be mailed out.

Tina: Okay, so I say we put in one more time the directory form in the newsletter and state in there to please get this to us so we can get the directory finished up type of thing. We will put something in the newsletter like that and we will run it another month and then whatever you get after that and compile after that is what we will run with, even though you are not doing it.

Equestrian - RC Cuellar. No report.

Newsletter – Susan. No report.

Sandy: A thank you to RC for copying the newsletter and supplying the labels for the homeowners and thank you to Kerry Marten for folding and stapling should go into the next newsletter.

Tina: Yeah.

Sandy: And for next month's newsletter if there is a next month's newsletter, I am going to look into actually printing the homeowner's address on the newsletter so that we don't have to do labels for that portion either. Trying to cut some expenses then so we are going to look into the technical aspects of—

April: Doing what again, sorry?

Sandy: Printing the homeowner, the recipient's address directly on the newsletter rather than onto labels.

April: I see.

Tina: Anybody else have anything else to go in the newsletter that they can think of?

April: It looks nice.

Pam: Maybe an update on the renovation of the building.

April: Sure.

Greg: Oh yeah.

Pam: I think we should give them a little update. Tell them something.

Nominating and Welcoming – Pam Schultz. No report.

Website – Sandy Perry. No report.

Tina: The website looks good. I mean, I kind of went into the pictures and was kind of looking around and doing more than I usually do and it looks good. I am very happy with it.

Tina: Brian Cook. I was going to just talk about the assignment updates that I gave you guys, you know, as far as the reserve report review for Brian Cook. I don't have anything from him. April obviously has given us her rebuild project update stuff so we've got a contractor and I think it would be good after the meeting is over with that we just do a quick little walk-through and you can kind of show us what is what and then that way we will all be on the same page so let's make sure that happens tonight. I know I asked about that last month; we didn't get it done.

Buildings & Grounds – Greg Brendlinger

Tina: Did you go over the punch list with Cynthia yet?

Greg: Not really.

Tina: Okay. If you guys get a chance, I know the remodel is a big deal but once they get working on that, if you guys can sit down and—

Greg: Yeah, we will start—

Tina: Redo that punch list because I think some of it is totally obsolete.

Greg: There is, yeah.

Tina: But there is some other stuff that might need to be addressed.

Greg: I've got a couple of things I want to add on there too.

Tina: And then I would like to try to get slotted for time frames and find out who we can hire to get them done if we need to hire to get them done.

Greg: Okay.

Tina: Pam Schultz, you have the Unpaid Assessments Rules and Regs.

Pam: Well, we all have that I think.

Tina: We all have that.

Pam: And then I have that to act on, isn't that the deal?

Tina: Yes. So, last month, I gave you guys the policy and procedures for the collection of unpaid assessments. We have already made a motion, seconded, passed it last year, probably October or November before we printed out the new coupon books to go ahead and make the due date be the first of the month and then—

Pam: We changed the fee from \$10.00 to \$2.50.

Tina: Yes, changed the late fee on delinquent installments fee from \$10.00 to \$2.50. So that has already been passed. The problem of it is that we didn't change the policy physically. So that is what I would like to talk about tonight is the changes we were looking about doing. Now, I have the effective date as—our old effective date was January 1 of 2006 and what we can do is say January 1 of 2006 and then in parentheses put "revised on" and I will find out—if we decide to make a motion and second tonight to get that done, it would actually be revised on March 30th, I guess.

Pam: Wouldn't it be today's date?

Tina: 13th, sorry, what am I saying 30th, 2008, I'm dyslexic, and then revision become effective January 1 of 2008.

Pam: Can you do that?

Tina: Because didn't we make it effective January—we make it effective January 1. When we did the vote, we did it back in October to become effective January 1 but we had to make it back in October of 2007 because we had to get our coupon books printed with the new start date, the new due date.

Greg: Due date.

Pam: Okay. But you guys didn't vote on it?

Tina: We voted on it, we passed it but we didn't fix this so I am just trying to say, what do we do for an effective date? Do I make it just effective January 1 of 2008 because that is where we changed it or do we not want to put that January 1, 2006 as—I mean, we adopted this whole policy January 1 of 2006. We revised it effective January 1 of 2008. But we actually revised it at a meeting and I will have to pull the minutes in either September, October—wasn't it about then—

Pam: But if you voted on it, why are we talking about it?

Tina: We voted on it, but we did not actually make the changes to the document.

Pam: Yeah, why are we talking about it if you guys voted on it? Why wasn't it done and called into the attorney? Do you understand my question?

Tina: I do understand your question and it is a valid question.

Pam: Why am I dealing with it in March is what I want to know.

Tina: Because you got off the Board.

Pam: Nobody would do it. Okay.

Tina: And I didn't have any help.

Pam: So we really do have a vote on this as it stands.

Tina: As it stands, at an actual meeting we did vote, we made the change, we made it effective January 1 of 2008. We changed the \$2.50 and we changed the date. Now, the only thing that didn't get done was the formality and Board signature. So what happens is, these changes have to happen, go back to Hindman Sanchez, they make the changes, this Board then signs—now we are signing here saying that the undersigned certify that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors on March 13, 2008, and in witness thereof the undersigned has subscribed his or her name. And then the Board members present have to sign off on it. That is the formality that didn't get done.

Pam: You know, that's the only thing that confuses me is, is if we can put March 13th but effective in January. I guess we can.

Tina: Well, it is when we got it corrected.

Pam: O.K.

Tina: Because I can't go back to the old Board members and say fix this - that ain't going to happen.

Greg: Nah-uh.

April: Come here and sign this.

Greg: No.

Tina: Good luck with that.

Sandy: But I think the policy was actually revised in October or November. It took effect January 1, 2008.

Tina: Right.

Sandy: And then you just have a three-month paperwork lag. Now, Hindman Sanchez may on the revisions just choose to red line out so you know where the changes occurred.

Tina: Uh, normally when they do that, they just make the change. And then send it back to us and we sign off on it and then we sign one back to them and then we give a copy to Cheryl.

Pam: What I am confused about us signing something that we didn't adopt.

Tina: Then we start all over again.

Pam: So we could just vote on this tonight.

Tina: We can vote on it tonight.

Pam: Do you understand what I'm saying? If they voted on it and they adopted it, we are signing it as if we are the ones that adopted it and we did not.

April: And I would like to have you clarify again what the changes were.

Tina: The changes are the due date.

April: Okay.

Tina: Is due and payable on the 1st. It used to be the 15th and we are changing it to the first.

April: Okay.

Tina: Okay, so the first day of each month and we changed the late charges from \$10.00 to \$2.50.

Greg: Okay.

April: So a positive change for the homeowners.

Tina: And then the only other thing is back to the due date because we had a little collection time frame so instead of the 15th, we put the 1st. Past due date we changed to the end of the month, okay? And the first notice goes 30 days after the due date, second notice goes 60, and delinquent get turned over to the attorney after 90 days. So the only thing we changed was just a couple of things to go with the normal accounting practices.

April: Gotcha.

Tina: So, I would say that we are doing something that needed to be done months ago but this Board has got to get it done.

April: Okay and this doesn't sound like any type of change that I would need to debate much about.

Greg: I don't think.

Pam: My only question is, you know, do we just need to vote on it again before we can be the undersigned to say we adopted it?

Tina: I think we can go ahead and vote on it. I can make a motion that we change—go from the 15th to the 1st, the late fee be from \$10.00 to \$2.50, and that the past due date is the end of the month.

April: Second.

Tina: Discussion.

Pam: Just a question, really. Will I just let Hindman Sanchez decide what we do about the revised part?

Tina: Yes. That effective date, that is where Hindman Sanchez is going to tell us—you have to explain to them the situation and then they are going to tell us how do we do this. Do we say—

Pam: Probably just revised on January—

Tina: Revised on January 1, 2008?

Pam: Yeah, I think so.

Tina: And that they give this to us and we will say on March 13, 2008 that we witnessed and signed off on it.

Pam: Yes, that is what I'm thinking. Okay.

Tina: I think it is whatever their call is giving them what the situation is. You are going to have to explain to them the situation.

Pam: I agree with you on that. I was wanting to clarify if you guys had a certain way you wanted it to read or just go with—

Tina: I just want to make sure that the effective date is January 1 of 2008 because that is exactly the way we did the coupons.

Pam: Okay.

Tina: We changed the coupons. Okay, so all in favor? Aye, aye, aye, aye. Four ayes. Yeah, that was simple. So that is your happy thing that you are going to have to figure out what we do after that.

Sandy: How long do you think that will take before we get a printed and signed copy of it? I need to forward it to CMA.

Pam: By the next meeting for sure. I mean, I will call them tomorrow or the first of next week. I don't know who we are working with now. They have had a lot of changes but on something like this, they already have it in their system, I wouldn't think it would take them very long at all to turn it around for us.

Tina: And I could even get it to every Board member. I mean, I can say okay, Greg, I will meet you out at the driveway and he signs it. Pam can sign—I can literally hand sign it and get it for you and you can scan it and e-mail it directly to them.

Sandy: Well, if we've got it—if I've got it by the next meeting, that should be good.

Tina: Oh, yeah.

Sandy: They just inquired about it.

Tina: I know. And, I don't know, check with Hindman Sanchez and see if they have a problem with us saying end of the month. And tell them the reason why I want it to say the end of the month is because we have a homeowner, and I won't mention that person's name, who argued about 28 days in the month. "You said 30 days." Well, that's not—

Sandy: That also works for them with months that have 31 days that you are giving them that extra day.

Greg: Right, yeah.

Tina: It is the end of the month.

Sandy: It is pretty standard. I mean, we talked to CMA and that's what their books go by.

Tina: Standard operating procedure. So that would be a good question to ask them if it is okay to go ahead put end of the month on there.

Pam: Open forum, anyone?

Tina: What Pam is also going to ask Hindman Sanchez since she has got their attention is, Bill Curley had brought up that in order to do a covenant change you have to have a written instrument signed by the homeowner as part of the covenants, so I looked in the covenants and it says "this declaration may be amended during the first 25 year period by instrument signed by not less than 75% of the lot owners of privately owned land and thereafter by an instrument signed by not less than 2/3 of the lot owners." So we are at the 2/3 part. So, it is an instrument signed—

Pam: Does it say written instrument or just instrument?

Tina: No, an instrument. "An instrument signed by not less than 2/3 of the lot owners." We consider and have always considered the instrument signed being that they come in, they sign their name next to their property address and we hand them a ballot, okay? So we have never handed you a piece of paper that says "we want to change the covenants to allow cows" and had you sign "April Osborne" on the bottom

and then we count those and determine how many we have. He is saying that is the only way we can do it. I am saying I don't read it that way but maybe we are wrong.

Pam: May be wrong.

Tina: Because if you do have that signed—he is saying I can go to everybody's house and have them sign that they want cows. The problem with that is now I know April Osborne wants them and Tina O'Bryan does not. That is not a good thing.

Pam: No, because they have to have a secret ballot—I think the state SB89 states something like that—it could be the SB89 will pull rank on that.

Tina: On that but that is one of the clarifications that I have asked Pam to do.

April: Good.

Tina: Especially because if he comes in, and being that he is head of the covenant committee, decides that he wants to put this piece of paper together that says whatever for a covenant change and he goes door to door and starts getting signatures, if it is illegal and we can't accept that, he is going to be doing a lot of work for nothing. I want to be able to say, we researched it. This is how we have to do it. This is how you do it. I know this is your understanding but it doesn't say—it just says an instrument signed.

Greg: Right, yeah.

Tina: So it is better to do that because he was very adamant at a meeting that he was right and this is the way he could do it and I just don't want to have a big old uproar with us being blind sighted.

Pam: Well, we need to know.

Tina: And we need to know.

Open Forum:

Tina: Setting up the July 26th homeowner's meeting date. Sandy, do you want to go ahead and put that in as far as the calendar thing? I do not have anything to vote on nor do I want to make up anything to vote on. If I do not hear from any committee or any homeowner or anybody that wants to put something on the agenda for the July meeting, we still have to hold it. If we don't have a quorum—last year I think we had 31 or 33. Didn't have a quorum, couldn't hold it.

Greg: Yeah.

Tina: The only other thing I have is, I got a phone call today from Shantie Magat. She is at 1800 Belgian Trail. She called me and she said, "Tina, we've got a situation; 1820 Kiowa there is a guy that is building a house and he is taking trees off the property." Big trees.

April: Big trees, digging them up.

Tina: "Have a tree removal service come and take them and take them to his property." He lives out east or whatever, I don't know. I said, "Oh, you've got to be kidding me." She is like, "No, you can't do that, can you? I thought I read something in the ACC rules that said you can't do that." And I said, "You are correct. There are ACC rules that states you cannot remove a tree, you can't trim a tree without ACC approval."

Greg: Right.

Tina: So, she gives me this John Bromley's name who is the tree removal person because she went over there and she said, "What's your name?" And he said, "John Bromley." And she said, "What's your phone number?" And she was afraid he was going to give her a bogus number but he didn't. He gave her the right number. So I call. I talk to his wife and I said, "You know, I just want to let you know, this is Tina O'Bryan from Pawnee Hills Community Association. John is removing some trees off of 1820 Kiowa that he—I don't know if he has approval to do so. I haven't gotten a hold of ACC yet" because I left a message for Pete but he wasn't around so I called John to see if I could get him to stop. And she goes, "Oh, I'm sure he has gotten approval. I'm sure it is okay to take those trees." And I said, "Look, I don't have approval. I don't know anything from ACC but I have got a call into them but please have him give me a call." "Oh, I will call him but I'm sure everything is okey dokey." So then I called Bill Herbrand and left him a message. Then Pete called me and he said, "Tina, we didn't approve any trees to be moved, trimmed, cut, nothing." He says, "We even got bigger problems because they didn't put on their ACC approval or haven't figured it out yet where they are going to drill their well and where they are putting a leach field and they are building a barn we didn't even approve that."

Tina: "Okay, I will let you know what happens but I just wanted to make sure you didn't have it." So then Bill Herbrand calls me and says, "Tina, I don't know of any trees. I don't know what he is talking about. No, not that I am aware of but there weren't any trees that we approved to have moved." So now I've got two out of three ACC people telling me no way and I trust them. So then Paul Stedman called me.

Pam: Or did you call Paul to get the number?

Tina: I told Shantie to call because she said, "Well, maybe I will call Paul and see who"—because he owns the property or used to and he sold it so I told Shantie—she says, "Maybe I will call Paul and see if he knows who is doing what over there." And I said that would be great. So then Paul calls me and he says, "Yeah, it looks like they had a couple of them marked to go," you know, like a red tag around them or whatever, marked to go, "and one of them I know is gone. He left a big old hole and he left big old dirt clods all over the road and it is a big mess." Fabulous. So then Paul and I talked and he said he was going to call his real estate person and find out where it was sold to because it was sold to a builder but the builder had not turned it yet to the owner. So the builder still owned it. This builder was still doing whatever. So he is the one who should have done all of the ACC stuff.

Pam: Are you trying to find out who the builder is on that?

Tina: We found out it was Crown Royal Builders but we didn't have a phone number for them in the list you had for me. I didn't have one. So I found out it was Rob of Crown Royal Builders. I got the phone number and so then I went back—I did call John back and I left him a message and said, "Stop, stop, stop. You do not have permission. Do not take any more trees out of that lot no matter what."

Greg: Right.

Tina: And left him a message. In the meantime, Paul Stedman had called his realtor, the realtor had called him back and the realtor had called this Rob person, the builder, and it had already gotten from John, the tree guy had already called the builder and said, "We are in trouble. We can't take these trees." So anyway, it got all the way around. I am not happy with the builder and we have to get him in line. What was kind of funny was that Paul Stedman had called and said Rob the builder was really saying yeah, yeah, yeah, we apologize. We didn't mean to take the tree. "I already called John and told him to stop." That is why I wanted to call him. You know, Rob, you need to bring it back. I want the tree back. He will be like, "I can't bring the tree." "Well, you know what? You left a big old mess. Are you

going to clean up the mess you left? And by the way, you are drilling a well and a septic that you don't even have approval for. You may have approval from the county but you have to have it through ACC." You know, I should go by there and look at it and see how many trees they took. Shantie said they took two that she could see and I don't know. Paul said he only saw one big hole. I don't know. It's neither here nor there. So, needless to say, I have a message in to Rob but I doubt if he will call me but I am going to give it another shot and say, "Look, you need to give me a call back and we need to work this out and we need to get this resolved."

Pam: Yeah because they still have to get approval for everything else.

Tina: Yeah, he can't fight with ACC. I'm going to say, "Look, I know you are building in this community and that is fabulous but do you have a copy of the Rules and Regs and the bylaws and covenants if not, let me make sure you get them."

Pam: That is something we need to consider when we compile this ACC policy is what teeth do we have?

Tina: Well, we can stop them. Today I could say, "You stop. You pull another tree and we can pick up the phone and do a cease and desist just exactly like our attorney with the Beireis'.

Pam: Let's put it this way. They've started the barn. Screw you guys. We don't care about your approval. There ought to be a way to fine them because no judge is going to come in and make them take it down. That is what I am thinking.

Sandy: They might.

Tina: They might if it hasn't been up for a year.

Pam: I think it is unlikely.

Tina: It is unlikely but it is like, I don't appreciate starting off with this guy and what if he doesn't get all of the ACC approval and the new owners take over and it has been less than a year and they are encroaching on an easement. Now we have got a fight with this brand new owner that didn't know what was going on.

April: Do you know if the builder even has a copy of the—

Tina: They are supposed to at the signing. I mean, everybody gets a copy. Do they read it? Heck no. I just want to make sure they give ACC the plans before they do any more work on the property.

Greg: Get all your plans submitted, yup.

April: I wondered if we were any closer to a date for the community yard sale because I have been asked.

Tina: They didn't get a date to you?

Sandy: On the website, if there was a tentative date, it is up there on the website.

April: Okay.

Sandy: Underneath the calendar.

Tina: Yeah, I don't remember.

Sandy: Because Karlene did send me tentative dates on everything for the year so it may be out there.

April: Did she happen to tell you the name of the other Tina? Her name? She was going to be involved.

Tina: Tina McKenna.

April: McKenna.

Tina: Yeah.

April: Okay.

Tina: And you can call Karlene Herbrand also and ask her.

April: Sure. Well, Karlene was going to try to lay this off on Tina this year so as far as signage, stuff like that. Okay.

Tina: Okay.

Motion was made to adjourn the meeting. Motion passed.

Meeting adjourned at 8:10 p.m.

Respectfully submitted.

Tina O'Bryan