

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

Board Members Present: Tina O'Bryan, Pam Schultz, April Osborn. Greg Brendlinger was not present. Gail Brouillard was not present.

Meeting was called to order at 7:23 p.m. Motion was made and passed to approve the agenda.

MINUTES:

Facility Coordinator Report - Cynthia.

Cynthia: We need to approve the Tru-Green beetle kill contract when possible. Last year it was emphatically voted to have it done so—

Tina: I make a motion that we approve the Tru-Green beetle kill for 2009 in the amount of \$357.00. Do I have a second?

Pam: Second.

Tina: Discussion? None? All in favor? Aye, Aye, Aye. Ok then it is approved.

Cynthia: I am still working on bids for the siding and gutter. I actually have two people who are calling me back. I met one of them over here and then they came back and he didn't have a ladder with him and inspected the gutter and he said we do have several gutters we need replaced. They will have to be prefab gutters because the people that do the seamless where they actually construct them on site, they aren't calling me back. We have played phone tag for several months and they never called me back.

Tina: Okay.

April: Which one is it?

Cynthia: We do have a bid that I would like considered if you guys could look it over and if that's reasonable depending on what we get in from these guys. I gave them a priority of siding first, gutters second, underneath the building drainage third, and fourth would be retaining walls and they do all of those things. They don't want to do the retaining walls around the courts unless we have an engineer's plans because we are asking to have them do French drains and we need elevations for them to do that properly. We have the exit sign that the fire department required that we put down in the new door and it was installed. In addition to that, there was a hole upstairs in the closet that the fire department needs covered. The electricians are going to fix that. We had a ballast go bad on one of the fluorescent lights in the game room and that's fixed. Someone threw out my cover. It was leaning against the wall and someone threw it away so we need a new cover for it and I have to get new bulbs and I do believe that's it.

Tina: Sandy told me that the printer/scanner is dead. She was going to do the address labels for the newsletter last month and she told Susan Laessig she couldn't do it because the printer died and then so Susan told me so then I just talked to Sandy tonight just hoping that maybe she could have gotten it up and running and she said, no, it is dead, and the problem she was having before is, when you print out the financials, it takes about 60 pages or so so she was using copy paper to go through. Well, it was

jamming so then she just used some inkjet paper from work and it was going through. It's feeding fine. Well, then all of a sudden it just jammed and stopped and so she thinks there is a roller or something wrong with it but she says it is broken and she was going to tear it apart and see if she could fix it and she said, "What am I going to do, ruin it?" because it is already broke so now we are looking at a scanner/printer thing for upstairs since that one is dead.

Pam: Oh, that's too bad.

Tina: So we are going to have Cynthia check to see how much more that's going to be along with the computer and then if we do it before the next meeting, I will e-mail you guys and we will get a vote going to see what we are going to end up with.

April: What was your response from the other Board members on purchasing the computer for the office?

Tina: Greg said yes, you said yes, Pam said yes, I said yes, and I haven't heard anything from Gail. So, you are caught up. That's as far as we have gotten so far. RC, did you want to jump in. Did you have something that you wanted to discuss?

RC: I'm just trying to find out what is going on in the HOA in general. Since there haven't been any minutes since September.

Tina: Did you have September?

RC: Well I think the last ones that are posted are August.

Tina: Okay, well, we will look into that.

RC: Just a suggestion. It seems to me like in order to really have not only yourselves but everyone in the community kind of up to date on what is going on. It should be completed before the next Board meeting hopefully.

Pam: The one from the meeting before cannot be.

RC: Why?

Cynthia: Because they have to be read and approved by the Board. They are always going to be a month behind because they can't approve until the next meeting—

Tina: We would be approving October minutes today.

RC: Correct.

Tina: We've got other factors going on regarding getting the minutes getting done. One we are a bunch of volunteers. Marji, she transcribes it. I get it. If there are any blanks that Marji can't transcribe, then I have to listen to the tape and fill those in. I send it to Pam to go over it for spelling and punctuation. Then she sends it out to the Board to read and approve.

RC: I am just hearing excuses.

Tina: It's not an excuse. I'm just telling you and I totally agree with you. I would love for it to go faster too.

RC: But now we are two months behind and if there is some way we can speed that process up. I mean, Pam when you were sick, I volunteered to do it.

Pam: RC, I wanted help with the filing.

RC: You know, so it seems to me that we need to get some information. I would love to be caught up with that and actually participate in what is going on but I can't because the minutes are so far behind.

RC: We can't participate because by the time we find out three months later that something has happened, we can't do anything about it.

Tina: Well, I'm hoping that if there is something happening that the newsletter would get it out to the community—the newsletter gets it out faster than anything else.

RC: I would sure like to see some way to get them out as fast as possible and again, if I need to volunteer again.

Pam: Or just come to the meetings.

RC: Well, unfortunately life gets in the way sometimes.

Pam: I know.

Tina: My point exactly. You said you had something else?

RC: I understand there is a complaint on me. I received a letter from Pawnee Hills for having too many horses. I will be in compliance by December 31st.

Tina: Okay. Is there any way you can put that in writing?

RC: Do I have to?

Tina: Well, if I can get that in writing. I always require homeowners to put it in writing.

RC: It is recorded in the minutes.

Tina: I know but the reason why I do that, it protects you and it protects us because—I ask people to put it in writing and it protects both of us because it is not one of those where Pam says, “Well, I thought she said this day” and April goes, “Well, I was there but I thought it was this day” and our minutes reflect it and you go, “Well yeah but the minutes aren't always on time.” Alright. That would be fabulous. I'm sorry but I ask the same thing out of everybody. Nothing personal. Let me go ahead and jump to—do you have anything else, RC, or can I just keep going?

RC: The other thing was, I never did resign.

Tina: When we spoke on the phone, you said that you could not work for a Board of Directors that was, I don't know, wasting money or throwing money out the door, and—

RC: How did we end the conversation?

Tina: The end of our conversation was, you felt like you couldn't work for this Board and didn't want to have anything to do with the Equestrian Committee. I said I'm sorry you felt that way and I said if you change your mind, please give me a call and let me know. And you said, "I'll let you know" and that's all that I heard. If there was a misunderstanding—then I apologize but if you are on the Equestrian, fabulous. Susan had asked me if I had heard from you regarding an article for last month's newsletter and I said my understanding was that you were not Equestrian anymore and then so if you are Equestrian, fabulous. I will put you back on in the newsletter next month as the Chair of the Equestrian and then we still have the money available for this year for the 31 markers that you were going to talk to Dave about making those up so that is still hanging.

RC: That's the last thing in August is that there wouldn't be any funds available.

Tina: No, not in 2009 but in 2008 we were going to try to get those signs done and paid for because that was still part of the 2008 budget.

RC: Okay, so can we go ahead and start with it? Can I contact Dave and let him know how many signs we need?

Tina: I wasn't sure the amount. I thought it was like \$600.00, \$650.00. I wasn't sure and I thought there were 30, 31 signs.

RC: Thirty-two signs and his rough estimate was at \$30.00 a sign, no, \$20.00 a sign. So I will get with him to make sure he can make them for that amount.

Tina: Because it looks like right now you have \$900.00 left in the Equestrian for 2008 and that's why I wanted to get it nailed in 2008.

RC: Then I will get with him.

Tina: Just to remind everyone the budget is posted on the website. Jeff Minion is going to be doing the arena maintenance and he does the snow removal, the mowing, the trimming, the checking the water at the barn. He does all of that stuff. So he is continuing to do that. He does have the tools to do that. Greg and Jeff were looking at the depth of the sand in certain areas and basically what is happening is, everything is just going to settle over this winter and then they are going to look into it again because some of the areas are deeper than others and the footing, I guess, the horses are going down too far. I've got one homeowner that took her jumps out of there because she felt it was unsafe and didn't want somebody to get hurt so instead of trying to do anything right now, they are just going to wait over the winter. They will still groom it and still take care of it and stuff. See what they are going to end up with. They may have to take some of the sand out.

RC: Okay. If I may stress very clearly, you are never going to make every homeowner happy in the condition of that arena. If you take sand out, I am going to complain.

Tina: Well, they actually dug down and they've got pictures with a ruler showing in some spots 6 to 7 inches deep in certain areas. So that is my concern because the newsletter said 3 inches. Everybody is saying 3 inches and now all of a sudden I've got 6 - 7 inches in areas and I've got people pulling their stuff out and I've got one person saying it is great and I've got five other people saying, "I'm not riding." So I'm just trying to say let's everybody calm down over the winter. We will still groom it and we will still see what we have.

RC: The problem that you have is the arena is at a slope. The area itself – to fix that - you have to do some major ground breaking, okay? So what we did is, we brought in sand to bring it to a level that is acceptable because there was no sand in that arena. It was simply a hard pan. That was it, okay? Now the way that Jeff Minion is grading that, he is going to continue to pull that sand at an angle and the reason is because he does the same pattern every single time over that arena. He has got to change the pattern every week. He has got to go this way sometimes. He has got to go this way sometimes.

April: So can you tell him that?

RC: I don't think I'm in the position to tell him.

April: Well, if you are on the Equestrian Committee.

Tina: Well, I could let him know. I mean, I can give him a call and tell him that—

RC: He and I talked about this, you know. We were standing there talking with a gentleman with an arena groomer specialist, you know, and anybody who does the arena really has to change the pattern. Imagine you've got a sugar bowl, okay? You fill it level full of sugar and then you take a spoon and you go like this. What is going to happen? All that sugar is going to be pushed out to the side, okay? You have a hole in the middle. A good example of that is, you go over there right now and look at the round pen. It is exactly what it looks like; a sugar bowl that has been stirred for an hour, okay? It is a dish.

Tina: Well, you know what? I'm thinking that we just need to have a come-to-Jesus meeting over there at that arena and get everybody understanding what our situation is, how we are going to fix it, and how we are going to make it right. You are right, I'm not going to please everybody. I'm just trying to get the majority happy so I think that—Both Greg and Jeff had said, "Tina, let's just let this thing settle. Let's see what we can do." I was told that, and I don't know because I'm not over there, but the sand is up against the edges of the wood which there are supposed to be drain holes in the wood so it is covering the drain holes so we need to watch that. I'm like, lost, going, "Okay." I think what we need to do is figure out because there is not that much riding going on during the winter time and he just kind of makes it look good enough and then maybe on a good day we all have a come-to-Jesus meeting over there and decide; do we need to take the sand off of this side for the drain holes to work? Do we need to move some sand over here? Do we need to get Greg's Bobcat over there to get some of the sand out of there? Is it too much? Is it not enough?

April: Or at least just agree on how it should be groomed.

Tina: Exactly. I have been hearing 3 inches. They are telling me 6, 7 and I understand what you are saying. It is not level so they had to level it but yet now I have people that won't ride over there because their horse is digging into that 6, 7 inches and taking their jumps out and telling me they are not riding until it gets fixed. And I'm going, "You guys have got to get this fixed." But I don't know what the fix is going to be.

RC: Take it out and I won't ride in there. How do you make everybody happy?

Tina: I think if it is 3 inches. Wouldn't you ride if it was 3 inches?

RC: It has got to be re-added 3 inches to it. Don't you remember? We didn't say it was going to be 3 inches. We added 3 inches to it.

Cynthia: But you said there wasn't anything in the hard pan so that was the 3 inches.

RC: So there is 3 inches on it.

Tina: Yeah. Well, I think we need to all meet. That's the only way we are going to solve this is we are all standing over there and we—

RC: Very similar to a homeowner meeting every year in January and not get enough people out there.

Tina: Who do I need? I need you, I need Jeff, I need Greg, I need the Board members, Sandy if she wants to be over there. You know, the people that—

April: The people who use the facility most should be the ones that have the most input in how it—

Tina: And if we agree. I don't need every homeowner out there. I need the people that are involved to come to an agreement. That's it. If you tell Jeff, okay, you need to mix it up here. We want to see some different patterns every week, do us a different pattern, great. If you look at it and go, "You know, this is fine; we don't need to dig this out from this wood. This will still drain." Fabulous. But we all need to have the same meeting of the mind between the Board and Equestrian and Jeff who is doing it. We all need to just come to a meeting of the mind and then all of us be happy with whatever we walk away with as a final result of how we are going to groom that every week. That's what I think needs to happen. So we will just have to pick a halfway decent nice day to do that.

Pam: Or wait until spring if they are waiting on it to settle. But you still have to have a conversation about the grooming.

Tina: Yeah. I mean, I can call Jeff and tell him to mix it up. That's not the problem. I don't have a horse. I don't know. I don't. I am just going off of homeowners.

RC: I ride over there almost every day. If the weather is nice, I'm over there and I am very happy with it. If it was deeper I would be happier but, like I said, we can't make it deeper but I don't think we will make everybody happy.

Tina: I know but I think maybe if Equestrian and the Board and the person who is grooming it all come to an agreement, I think we will all be happy because then we have figured out what we need to do and how we are—

Pam: You may not come to an agreement. You may come to a decision.

Tina: Well, and I'm okay with that.

Pam: You are not going to come to an agreement.

Tina: We may not come to an agreement—well, we may. Who knows? I don't know but maybe we just make a decision and we go with that and we let everybody know that rides horses that this is the decision we made and then they can—you know, if they are not going to open their mouth up, if they are just going to say, "I'm taking my jumps out. It is not good and I'm not coming back until you fix it" and they don't tell me what they want to be fixed, I can't help them. I mean, RC, I can't fix that.

RC: I know. I understand that. I mean, I also know another person that jumps there regularly. I ride with every weekend. It's fine. It's great. And it drains now instead of that big lake in the middle. It actually drains. I don't know what to do.

Tina: I don't either. But I think Equestrian, the groomer, and the Board needs to just come to an understanding. Let's put it that way so that there is no confusion.

April: If you are the Equestrian Committee Chairman, whatever, you should have a proposal of what needs to be done for the maintenance which we can present to Jeff because he is contracted with us to do the arena. I would think that if there was something a little more specific about how that may need to be done that he could look at it and agree to that might help a lot of it and if he had questions on how to do it, he could contact the person who laid it in the first place and maybe get reinstructed in good maintenance because it makes sense if we've got the material in there to keep it where it belongs.

Tina: Well, and we also have extra. I mean, we still have sand in a pile on the side of the barn so it is not like if we need to put more in, take more out, I don't know, we've got it. At least we don't have to worry about sand. I'm happy about that. We have sand so how much more can we ask for? At least we don't have to buy any. We've got it.

Communications from Community Members:

Tina: E-mails, letters, conversations. I have one. On November 6th, I received a phone call from a homeowner regarding fencing that is encroaching onto the bridal trail from 35227 Cherokee which is Catherine and Eric Kohrt and basically it is like fencing, it is like port-a-panels. So the port-a-panels were put out there so that their horse can go further and they are encroaching into the bridal trail. So this said homeowner approached the other homeowner and said, "Hey, you know, it is kind of in the bridal path. What's going on?" So there was a confrontation. Long story short, said homeowner calls me and says, "Can you fix this?" So I called Catherine, left a message, and I talked to her on the phone and she said that her son put them out there before he went to college and he comes back in November for Thanksgiving break and she will have him move those panels back because I guess they are fairly heavy. So they can't move them so they are waiting for their son to come back for college break at Thanksgiving. He will remove them from the bridal path. Called the homeowner that complained about it and let them know that it is going to be taken care of and when it is going to be taken care of and to please contact me if it doesn't happen and we will make it happen. All was good in the world. Played kind of mediator there between the two and sounds like everybody is fine now but we will see after Thanksgiving when it either gets moved or it doesn't get moved.

Treasurer's Report: (Tina)

Tina: Bank balances: Petty cash: \$250.00. Checking account: \$5,061.73. Savings account: \$710.21 for a total operating amount is \$6,021.94. Reserve: \$12,931.83. The total we have is \$18,953.77. So things are starting to go back up again.

Tina: First of all, I want to tell you that I missed getting IREA be paid. It happened so fire me, please. I sent it to them as soon as I could and I think what they were going to try to do was send them like an estimated amount and then we will balance it all out later.

Listing of checks written and discussed.

Tina: And then I have a whole bunch of other bills that need to be paid that you will be seeing but the audit tax prep, there is another \$927.36 going into that and I called him yesterday, the day before and I'm like, "Hey Bruce, what are we doing?" And he's like, "Oh, I'm working on it." So supposedly some time this week I've got to go out and get it. And then I have to sign the tax returns and mail the tax returns and then we'll have our audit and tax returns and everything will be done. But I contacted Jennifer Lowther at CMA and asked them who does auditing and tax returns that we can get cheaper than Bruce and she gave me a name and she said they will send a proposal. So hopefully we will save a whole lot

more money and go with somebody different; somebody that they are used to working with auditor-wise for CMA. The good thing is—the reason why this is so high is because we has three separate bookkeepers. We had ABC—

Pam: But he has always been high.

Tina: Yeah, he has always been high but it was even worse this year because we had three separate bookkeepers that it never tied.

Pam: He is expensive as well.

Tina: Yes. But it never tied one from the other. It was a mess. So he had to go through a little bit more work than usual but—not a firecracker, I can tell you. So hopefully, and I will keep hounding him, but next week that will all get done. And then I will get the proposal for our 2008 books so that I can start getting it but the best thing is that CMA has had us from January to December so it has got to get better. And their stuff is amazing what they put out. They are right on target with a lot of stuff.

Motion to approve bills as read passed.

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

Activities Committee - Karlene Herbrand. No report.

Tina: Karlene Herbrand just came by. The only thing she has left is the holiday decorating contest which she is going to have four \$25.00 Home Depot gift cards. We figured she had \$111.00 still left in her budget even after I pay the bills that she just handed me which was from Halloween. So the Halloween is \$38.88 and \$151.19 so we took her balance off of what I had left in her account, subtracted that, and she has \$111.00 left so she will be able to do the judging contest thing. So then what she will do is, she gave me the date so the holiday decorating contest judging will be December 19th from 7:00 p.m. to 8:30. Those will be the top four winners. They won't do first, second, third, fourth. They just do the top four and they send them a \$25.00 gift certificate to Home Depot. Then they will list the four winners and then some honorable mentions. They will do that in the January newsletter. And then the other thing she wanted us to put in the newsletter was the garage sale signs. I wrote this so if it sounds goofy, it is me: "For those of you who picked up the garage sale signs from the Activities Committee for last summer's sale, could you please return them to Karlene Herbrand at 1298 Pawnee Parkway or bring them to the annual meeting in January." The committee would like to get the signs back to use for—what happened is that they had all those signs printed up and done so that they could put them at the end of their driveway, so they came here, they picked up the signs so that they could put them at the end of the driveway and then Karlene and the Activities Committee kind of like forgot about them and they are like, oh, we should probably get those back. How many people will have them? I have no idea. How many people return them? No idea. So that is going to go in the newsletter.

Directory – Tina O'Bryan. No report.

Equestrian - No report.

Newsletter – Susan Laessig

Tina: I sent Susan these two pieces, the holiday decorating and the garage sale thing and then the covenant reminder. She asked what we should put in and I said covenant reminder regarding horses so we will put that one in and then the CMA information. I talked to them and asked them when they thought they would have our new coupon stuff out so she is going to send me this week just a copy of the cover letter just to have me look at it before it goes to print. So she is hoping within the next week or

two she will have those complete out. So they will have them by December 1. But I want to put in the newsletter, "If you do not receive your new coupon book from CMA by December 15th, please contact them." And I gave the number and then, "Please note the change in dues, the new amount beginning January 1, 2009, will be \$47.46." I talked to CMA and they said that sounds fine. She said we just have to—most boards have to give 30 days' notice. I said we have already put it in two newsletters of the change in the dues. First newsletter was wrong. Second newsletter was almost wrong. Thanks for proofing that, Pam.

Pam: I did find an error, if you recall.

Tina: I know, I got a second page. There was like an 'e' on the end of something. I'm like, no, I really needed it to be \$45.20, not \$42.50, but okay. We almost made that mistake twice. I would have died. And then we are going to put in again that we have an opening for a treasurer.

Nominating and Welcoming – Pam Schultz. No report.

Tina: Do you want to put in our December newsletter that we have the openings?

Pam: Yes, we need to get the word out.

Tina: Okay.

Pam: We will have three openings.

Tina: The meeting will be Saturday, January 31st. So I'll put that in and then I will just tell them that the proxy and agenda and the info will be sent. I'll send it in December. And then they will have their meeting notification.

Open Forum:

Tina: Okay, anything for open forum?

April: I would mention that I did talk to a homeowner a couple of days ago about her household-use only well permit, Joanna Melton.

Tina: I thought you said it was Sawyer.

April: It was Sawyer. She is married so in one message it was Sawyer and in the other it was Melton. Anyway, so that issue did come up. I imagine I will be hearing from more people about that. I had spoken with Gary Crosby just a few days ago to get a little bit more information about that for anybody else who is interested. So he will be sending some information via the mail about adjudication and augmentation.

Tina: Do you think we will have it for the newsletter?

April: The adjudication, his letter will be out the first part of next week hopefully. And then after that, I'll get—he didn't want to mix the two issues there which is certainly understandable so there will be more information about that down the road a little ways.

Tina: Does he want us to put anything in the newsletter?

April: Not at this point.

Tina: Because it will go out December—first week in December.

April: The last newsletter, the subject did come up you know the little blurb that I wrote there so, again, pursuing the adjudication and then more information about the augmentation. There is definite interest in that.

Tina: Okay.

April: My deal was, they changed from domestic well permits to household-use only unbeknownst to me because I wasn't aware that I needed to be looking for that. If they can change those things just like that, if you are adjudicated, they would have to go to court to change those things so knowing that water is going to be nothing but a bigger and bigger and bigger issue, whatever we can do now, you know, this is one action. This application process is one action. It could be, and I know that we've had a really good response so far. I've got 20 consents right here and their letter hasn't even come out yet. So, you know, that's just one group of people. What happens if other people want to find out more information and want to do something about it in 2 or 5 years, go for it, you know? This isn't like an either/or has to be done thing. It is one step towards helping some people. For some reason, water has suddenly become something for them to be concerned about. Why is that? I don't know but I think the more information we get and whatever proactive thing we might be able to do, you know, is certainly worth an investment to me, I decided. A small one. Who knows what water is going to be like down here and how things will change, you know?

Tina: Well, and I think the main thing for me is the people that have household-use only that are trying to sell their house and find out that the contract takes a dive because they have household-use only.

Cynthia: To me, that's huge.

April: One lady said to me, "I'm going to take it to court to see if I can be reimbursed." And have that action pay for the adjudication process and the augmentation.

Pam: Reimbursed for what?

Tina: For purchasing the land not knowing that it was household-use only.

Pam: Wasn't that her fault that she didn't know?

Tina: I would think so.

April: I don't know how long she has been here. Again, it hasn't really been an issue until about the last year or so.

Tina: And a lot of people haven't even looked.

Cynthia: Actually, years ago this came up and it was in the newsletters and everything about your well. Do you remember that? It was a huge big deal. We even had people speak to the community years ago.

April: Well now, your permit has to be available to potential buyers and if your permit says household only, you know, and they want horses here, of course they are going to walk away.

Cynthia: I wonder if that is a realtor disclosure thing too.

Tina: I think it is now.

April: Yes it is.

Tina: The only other thing I have to do is read into the minutes the letter that we sent to RC dated October 31, 2008 to RC Cuellar, 1990 Pawnee Parkway: "It has come to the attention of the Pawnee Hills Community Association that you have more than four horses on this property which is in violation of article 6 of the declaration of amendment of protective covenants. Article 6, restrictions on use, section 7 livestock, "a maximum of four horses per five-acre plot will be allowed and four adult dogs and/or cats per household." You are further notified that correction of said violation is to be made within 30 days from the date of this notice. Please respond in writing notifying us when the violation cited above is corrected. Your cooperation is sincerely appreciated. – Board of Directors" And RC came, of course, tonight and she –

Pam: Wants to read hers into the minutes.

Tina: Writing, "We will be in compliance by 12/31/2008." And RC has signed that so that has gone into the file so that is fabulous. It is all in writing. Everything is good. Does anybody have anything else that they are thinking of?

April: Are you talking about December's newsletter already?

Tina: Yes. We are in November, so it would be December. It usually goes out the first week in December, yeah. I know there is probably something major I'm forgetting. Pam, check on your computer and see if you e-mailed out those September minutes to the Board.

Pam: Okay.

Tina: I think you did. I think you did and we were waiting for a response from the Board approving them. But give a drop dead date. And then we will just e-mail them to Sandy and say shoot them out on the website.

Pam: The newsletter is on the website. The minutes can't go until the board approves them, but we will work on them.

Motion made to adjourn the meeting. Motion passed.

Meeting adjourned at 8:17 p.m.

Respectfully submitted.

Tina O'Bryan