

Pawnee Hills HOA
Board of Directors Meeting
June 9, 2016

Meeting called to order at 6:09 pm. Board members in attendance; Todd Fukai, Greg, Harber, Tina O'Bryan, Mark Chisholm.

Meeting Agenda--Date changed to reflect June 9, 2016, Tina O'Bryan removed as newsletter editor, and Karlene Herbrand removed as Activities Director. Motion made to approve agenda as amended seconded and approved.

Announcements-The Pool is open.

Minutes- Motion made to approve May 2016 BOD meeting minutes seconded and approved.

Reports:

- A. Facility coordinator-Jim Garnhart: The pool opened on Memorial Day weekend. The heating coil was in need of repair. Have had a few instances of kids not observing the pool rules regarding number of guests allowed and some kids jumping the fence. The offenders are asked to leave when we are aware. The weed control has been very effective this spring
A tire has been replaced on the lawn mower.
The county has placed 16 new speed limit signs throughout Pawnee Hills. Jim asked the county whether Pawnee Hills can place additional speed and caution signage throughout the neighborhood-this would require approval from the county.
The county road crews have been active in Pawnee Hills working on the roads and culverts to improve drainage.
- B. Treasurer-Sandy Perry-Bank balances for period ending May 2016. Petty Cash \$350, Checking \$31,632.35, Debit Card \$3,414.91, Savings \$57,215.61, Total Operating \$92,612.87, Reserve Fund \$32,647.69, Total Funds \$125,260.56. The bills have been read and motion made to approve the bills as read seconded and approved. Write offs for the month-none
CMA continues to struggle to meet its obligations to PH HOA. We may need to look into hiring a new management company if it persists. Sandy to call the supervisor and explain that we need better service from them. We received a draft copy of the 2015 audit-needs to be approved and signed off by the board. The attorney did not receive the Legal status of delinquent accounts from CMA so it is missing from the report but the board can approve as is. This item is estimated. Widener and Associates has given us a quote to complete the 2016 Audit and prepare 2016 taxes. Board to review.
- C. Architectural Control Committee: Plans submitted for 1628 Belgian Trail- Replace existing fence. Modify barn to add overhang over stall doors. Motion made to approve plans submitted seconded and approved.
- D. Covenant Control Committee-Paulette Cresawn-Completed reviewing the bylaws-beginning to work on policy changes on the covenants-rewording to make it relevant and to remove obsolete language. The committee would like to keep the community informed by having items in the newsletter as well as posted in the mailbox shelter regarding progress made.
- E. Equestrian-Suzie Brown-Had a formal meeting this week attended by 8 homeowners. Ideas explored regarding a covered arena, parking, traffic and a plan to get the footing right at the arena. Suzie will have someone come evaluate the arena and get estimates on needed repairs to improve the footing. Suzie asks that we hold off on the repairs approved at the last meeting so we can get a clearer picture of what actually needs to be done. Cynthia states we should be in contact with the county and their requirements. Realistically not much will be done for the summer riding season but at minimum we should replace the broken boards.

It is suggested that there is a need for additional trail markers throughout the community. Jim states there are a number of trail markers in the barn if anyone wants to put one on their property.

- F. Activities-Robin Pickering: The garage sale is scheduled for June 24, 25. Signs will be posted. Everyone should come out to the 4th of July Parade and Ice Cream social at 10:00 at the mailbox island. The coffee club has been put on hold for the summer.
- G. Newsletter: We need a volunteer to do the monthly newsletter, Tina McKenna is interested but would like more information on what it entails.
- H. Website: The new term limit rule and regulation has been filed with the county. And is on the website.
- I. Welcoming: There are some new homeowners that Robin will be contacting.

Open Forum: The edge surrounding the pool is very slick and poses a danger. Is there a way to make it non-slip? Jim to look into available products.

Homeowner would like the board to look into the community all using the same trash company. Is there a way that this could be paid for out of the monthly dues understanding that an increase in dues would be necessary? It will help to preserve our roads and make them safer by having fewer trash trucks coming through the neighborhood. Robin has done extensive research on this topic and "The Garbage Man" is the only company that does recycling as well. Would this take a vote of 2/3 of the homeowners? Tina McKenna and Robin Pickering to look further into this.

Homeowner brings up the topic of making the clubhouse handicap accessible. By law Pawnee Hills HOA is not required to do so and if we were to do some upgrades we would then be obligated by law to bring everything into compliance which would be very expensive.

There have been complaints about vehicles traveling at high speed throughout the neighborhood and that this is a very unsafe situation for horses, riders and pedestrians. Solutions suggested are more signage and a call for more police presence.

Question regarding what the county considers our bridle paths-they consider them utility easements. According to Bill Curley, on the official plat they are listed as Bridle/utility. Ideally the bridle paths should not be fenced and the utility companies have a right to come onto this property for utility maintenance. The bridle/easements are private property.

Open Board Position: We currently have one open board position. The covenants state the board will select a new board member to serve out the remainder of the vacated position. The board would like anyone interested in being on the board to submit by July 14 a letter of interest with qualifications. The letters may be mailed to the clubhouse or put into the drop box at the clubhouse. The board will review the applicants and if there is a qualified candidate they may make a decision at the next board meeting. Notices to be placed at the mailbox shelter, on the face book page and on the website regarding the open board position.

Discussion had regarding the new term limits as they were voted upon at the January Homeowners meeting. The new rule is that a board member may serve for 3 years and then may not be reelected to the board until 1 year has passed. It is the opinion of some that this was not the intent of the change and this topic will be on the agenda for the July homeowners meeting.

Playground-We have checked with our insurance company regarding liability and there is not a problem with adding a playground. We would have to increase our insurance to cover the cost of the playground. Some home owners question why are we thinking of adding a playground while the arena has been neglected for years. The reason being that we have had homeowners express an interest in having a playground installed on the clubhouse grounds. We have upgraded the lighting at the barn and have approved \$3,000 to repair the arena fence.

Todd maintains that it is the goal of the board to be transparent to discuss all the needs and wants of the community, to do cost analysis on proposed projects and then get the information out to the community so there is adequate input

from the community. We need a better vehicle to get input from and information out to the community. All suggestions and requests are welcome and will be discussed and considered.

New Business: Todd states that according to the covenants we should have an Architectural Control Committee consisting of 3 homeowners appointed by the board. The ACC committee would be responsible for approving requests. Tina maintains that the board has the final say and signs off on all ACC requests since if a legal situation arises the board will be ultimately held responsible. Todd also points out that our ACC guidelines are not in line with county regulations and as a result we may approve something that is not consistent with the county. Tina states that it is not up to the HOA to stay current with all county regulations, in fact it would be impossible to do so and it is up to the homeowner to verify they are in compliance with the county. Todd states that the Covenant Control Committee is making progress in making our covenants consistent with county guidelines. Todd proposes and motion made that we turn the ACC responsibilities over to the Covenant Control Committee, realizing the board will sign off on all ACC requests. Mark has seconded the proposal. Tina and Greg against. This is tabled for tonight but will be further discussed at a later date. The board welcomes anyone interested in fulfilling the ACC responsibilities.

Topic of Executive Session was brought up and it has been clarified that the Board may discuss topics that are sensitive in nature in private but any decisions by the board must be made in a public forum.

Todd brings up the topic of covenants violations and the avenues for complaints, hearing process and that we may not be following the covenants properly. He would like the homeowners to be able to be heard by the Covenant Control Committee in an effort to resolve disputes before taking a legal route. This committee would have no decision making authority but would review and establish if there truly is a violation and then work with the homeowner towards a resolution. It would then be brought before the board. There are many steps in the violation process that we are not currently following. Tina states the board sends a letter to the homeowner to advise they are in violation of a covenant. The homeowner has 30 days to respond to the letter and have a hearing before the board. If we do not hear from the homeowner within the 30 days another letter is generated which gives the homeowner 15 days to come into compliance. If we do not hear from the homeowner then the violation goes to the attorneys. Todd maintains that the current process is not going through all the necessary steps afforded to the homeowner and may eliminate the need for the attorney. Todd proposes a committee to review covenant violations and report to the board where they are in the resolution process. Tina would like a legal opinion regarding whether a committee comprised of homeowners is prudent and would hold up in court. Tina also states that whatever is decided will apply only to future ACC requests and that we cannot go backwards.

Bill Curley maintains that there is nothing written in our covenants or rules and regulations that states the board must sign off on all ACC request.

There was a resolution change regarding ACC in 2014 but the change does not state that the board will ultimately sign off on all proposals.

Motion made to adjourn meeting. Motion seconded and approved. Meeting adjourned at 8:35 pm

Respectfully Submitted
Andrea Garnhart
Secretary