

PAWNEE HILLS HOA  
BOARD OF DIRECTORS MEETING  
MARCH 9, 2017

A quorum has been met. Board members in attendance: Greg Harber, Cynthia Cregger, Mark Chisholm. Meeting called to order at 6:05pm.

Announcements: Todd Fukai has resigned as President of the Pawnee Hills Board of Directors effective March 6, 2017. Vice President to serve as interim President.

Approval of December, January, and February BOD meeting minutes: Motion made to approve the January 2017 minutes with the revisions as dictated by Cynthia seconded and approved. Motion made to approve December 2016 minutes seconded and approved. Motion made to approve February 2017 minutes seconded and approved.

Approval of Agenda: Motion made to approve the agenda seconded and approved.

### **Reports**

Facility Coordinator-Jim Garnhart: Jim not present. Jim has reported to Greg that the estimate received from Parker Electric to change out the light bulbs and to install timer switches is too high. Jim will change out the light bulbs but it will require a 12-foot ladder to do so.

Treasurer-Sandy Perry: Bank balances- Petty Cash-\$350.00, Checking-\$28,652.67, Debit Card-\$1,284.00, Savings-\$27,271.39, Total Operating-\$57,558.06, Reserve-\$95,438.32, Total Funds-\$152,996.38. The bills have been read and motion made to approve the bills seconded and approved.

Architectural Control Committee: There are no ACC requests at this time. Greg resigns as a member of the ACC. Greg states that it is not necessary that board members be on this committee and any matters the committee cannot resolve will be brought to the board. Greg also recommends Bill Curley, who is also a board member, remove himself from the ACC as well. The committee will then be comprised of two homeowner representatives, Paulette Cresawn and Jim Garnhart.

Activities-Robin Pickering: The Easter Egg Hunt is scheduled for April 8.

Covenants-Paulette Cresawn: The committee is not presently meeting at this time. Paulette suggests someone should contact the realtors when a house in Pawnee Hills goes up for sale to inform them that Pawnee Hills is a Covenant Controlled community and to refer them to the covenants on the website. Paulette requests authorization to contact realtors and relay this information. Motion made to approve Paulette Cresawn to contact realtors seconded and approved.

Equestrian-Rachel Larsen: Not present. The plans for the arena restoration are still underway. Greg spoke with Dirt Dogs recently and they are prepared to begin work in April. Greg is requiring an indemnity statement to go along with the contract to protect Pawnee Hills HOA from any damages that may result from the numerous truckloads of dirt and rock to be delivered to the site. Dirt Dogs requires 50% payment up front and Sandy will require a copy of the estimate prior to the project commencing in order to get a check issued. Greg reminds the board that Dirt Dogs will be doing the arena only and not the fence. The board needs to decide what exactly the fence will consist of and Greg wants to make sure we are doing it right and that it will look nice. Greg questions whether the right direction is to use the old landscape timbers.

Newsletter-Andrea Garnhart: Not present: Paulette has a flyer and a message from the covenant committee to include in the March newsletter. The newsletter has not gone out so these items will be included. Goal is to receive newsletter items from the committees and the board by the 25<sup>th</sup> of each month.

Website-Sandy Perry: The board inquires if there is a way via the website to establish email accounts for the board members, on advice from the attorney, to keep board business separate from personal business. Ideally these email accounts would pass on to any succeeding board member in the future. Cynthia cautions that emails are considered public documents and this type of communication should be used with caution.

Welcoming-Robin Pickering: Nothing new to report.

**Open Forum/Communication from Community Members:** Homeowner inquires about the status of the changes to the governing documents. States she was very pleased to see the progress the committee had made. Paulette explains that while the committee carefully examined the documents and proposed changes to bring them into County and State compliance as well as other changes they were informed by legal that all changes requires a 2/3 affirmative vote of the homeowners. Changes may also be made by court order but this avenue also requires a significant amount of input from the homeowners.

Greg brings up the fact that each of the current board members are limited to a three-year term and at that time a new board will be elected. Greg would like to revisit the nominating committee to seek out those that may be interested at election time.

### **Old Business:**

Delinquency Process: Cynthia has formulated a new delinquency letter that delivers all the required information in an easy to understand format and contains softer language than the previous delinquency letter and is requeststing feedback from the board. As the board previously discussed, the delinquency letter will not go out until the homeowner is 30 days in arrears and at that time CMA will generate a past due letter. The homeowner will incur the fee from CMA in the amount of \$15 but no other fees or delinquency penalties will be assessed at that time. If the homeowner fails to come into compliance at the 60-day mark, another letter will be generated by CMA and the fees and fines per protocol will be assessed commencing at the 60-day time. The letters emphasize the importance of contacting the board and arranging for a payment plan at which point all fees will stop incurring once payment arrangements have been made. It is imperative that the homeowner not wait until the situation is referred to the legal department. If the situation cannot be resolved and it goes to the attorney it is essentially out of the hands of the board and it will be settled in court.

The Rules and Regulations will also need to be updated to reflect any changes made regarding the delinquency process.

Write off procedure: The board is working towards formulating a process for managing and writing off bad debt.

Current delinquencies and actions: Discussed a homeowner that has accrued dues and fines and legal fees in excess of \$7,000. The board has researched and are unable to verify exactly why and how the charges have accumulated. Another homeowner has had their home foreclosed on and in fact this home has been resold and it is unlikely that Pawnee Hills will recoup any monies owed. There are several other homeowners that are significantly in arrears as well.

Attorney of record change: The board is considering having HIndman Sanchez manage the legal items for Pawnee Hills HOA.

Document review: The board is reviewing the attorney's recommendations regarding our governing documents. The covenant committee will begin working on the By-Laws. Upon completion, all the documentation-the covenants, by-laws and rules and regulations will be presented to and reviewed by our legal representation for feedback.

Covenant enforcement plan: The covenant committee will receive and review all covenant complaints for resolution and if they are unable to be resolved they will be referred to the Board of Directors. Even though the board is working towards amending the governing documents the board does need to enforce the covenants as they are written. The board is formulating a letter to go out to all homeowners to inform the community that the board has an obligation to and will enforce the covenants as a means of improving the community.

Safety at HOA Meetings: There was a situation at a meeting where a homeowner threatened physical harm and property damage. If this situation occurs again the meeting will be adjourned and the sheriff will be called.

**New Business:**

New President: Todd Fukai has stepped down as President and Greg Harber has been elected as the new President. Vice President to be determined later.

Motion made to adjourn meeting seconded and approved. Meeting adjourned at 7:55 pm.

Respectfully Submitted,  
Andrea Garnhart, Secretary