

Pawnee Hills Community Association
Board of Directors Meeting
February 9, 2006
Minutes

Board Members Present: Tina O'Bryan, Pam Schultz, and Walt Day

Meeting was called to order at 7:11 p.m.

Agenda:

No agenda was done due to time restraints.

State Farm Insurance:

Larry Castle, an underwriter for State Farm and David Topolnicki, who has been our agent for 2 years were in attendance at this meeting to answer any questions the board and the homeowners may have. They went over our current coverage and recent increases in coverage. Some discussion was held regarding easements and liability issues with riders having accidents. State Farm covers our (PHCA) community properties as well as the easements. Your individual property and easements are covered under your own homeowner's coverage.

Board of Directors coverage is for \$1 million if they were to be sued for monetary damage and the insurance company attorney will defend us if any lawsuit is brought upon the association. State Farm's lawyers would defend us, so they would not have to pay anything out of pocket. Question, if \$1 million is enough on this type of liability and if it should be changed to \$2 million if cost is only \$269.00 a year to increase the coverage? Our agent felt that our current coverage is sufficient.

State Farm did not see any future increases expected for the current buildings. We are getting a credit for having a good loss history and very few claims. The act of riding in the barn will not change our current policy, but having outside people or shows would increase our current policy. Covering shows and guest would cost a huge amount of money and may not be covered in some cases.

WSI (Web Site Company)

Marsha Scheinhart

Marsha presented the abilities of her company and the cost was below all other bids that we have received. She also offered training and support for the website for current and future board members. We also discussed the license and if we could take this to another company if we were dissatisfied. We feel that this is a valued service for the majority of the community and we are seriously considering getting this implemented very soon.

Minutes:

January 12, 2006 board meeting and January 21, 2006 annual meeting minutes will be postponed due to time restraints.

Communications to the Board: *presented by Tina O'Bryan*

Sheila Gaston letter pertaining to donkey's on property (Reading and Attached)

This is in answer to the Greg Hahn's covenant complaint previously sent to the board that was ruled equine and therefore allowed within the covenants. We have received a better definition of donkey and researched showing that we do not have the word "equine" in our covenants but only "horse".

The board has made a mistake in the previous ruling and we are correcting this mistake. We would like to make it clear that we are a "horse" community and not an "equine" community.

Letter to board from Sheila Gaston pertaining to burros and horses (Reading and Attached)

Motion to contact Sheila Gaston with a letter to give her our ruling that a donkey is not a horse and she has 30 days from February 1st to come into compliance.

Seconded, Passed (3-For 0-Apposed)

We did not have a quorum at the Homeowners Meeting held on January 21, 2006, so we could not vote on the 1998 bylaw change that incorrectly allowed commercial activities. Now we will have to present this to a Judge for a declaratory judgment on this past bylaw change.

Motion that we request a declaratory judgment on the 1998 bylaw change regarding commercial activities and other requirements that were also changed.

Seconded, Passed (3-For 0-Apposed)

Letter from the lawyer to the MacArthur's to come into compliance (reading and attached).

(Re-reading of letter sent to MacArthur's on fees incurred by him from filing restraining order with the courts). The board is not paying the bill from the MacArthur's and we are asking them to pay the attorney fees that they incurred from the community's attorney without board approval. We did not ask for attorney's opinion on this matter as we had already made our ruling before this was presented to the attorney. Therefore, the bill for \$185.00 for clarification from our attorney regarding "breeding for commercial purpose" is the sole responsibility of Mr. MacArthur.

Reading from Bob Rowland; he and other community members feel that we should not have paid the fees from this charge. The board was aware of the bill being the MacArthur's and paid it anyway.

Board: We give a list of issues that we are investigating to the main contact for the attorney before it goes to the attorney. This list is reviewed by a second member and corrected before it goes to the attorney as a final draft. At that time John MacArthur was asked to remove the request to the attorney for a ruling on the website and the breeding on his property. He was told to remove this and he did not so it was sent to the attorney with this request.

Bob Rowland: In spite of this conversation we paid the bill when it came in.

Board: We must remain in good standing with our accounts and the attorney is set up with the community and not John MacArthur.

Bob Rowland: The DA needs to be asked about this very issue.

Board: We feel it is a good idea to ask the DA and encourage anybody in the community to ask the DA and please advise the board with the findings.

Bob Rowland: We would like you to ask the DA about this.

Board: Who is we?

Bob Rowland: Linda Lee, Roland Dale and Bob Rowland

Stephen Giles: He has contacted the Sheriff about this matter and the Sheriff is looking into it.

Board: We have asked the attorney if this is something that the DA would take, and she said the DA would not take this case. The board is satisfied with the attorney's answer and the action that is currently being taken.

Community present: Feel that the board should have paid this bill and we should continue with the current process. (We took a hand vote of the members present to get feedback all but 2 voted with the board).

Bob Rowland: We should be careful in the future for this kind of stuff happening.

Board: The board is looking for a volunteer to look into this with the Sheriff and the DA, Bob Rowland and Stephen Gile have volunteered to research this issue.

Treasurer's Report: *presented by Sandy Perry*

Sandy did a reading of the checks cut and transfers amongst accounts for January and February.

PHCA accounts (Attached)

Checking:	\$11,213.96
Savings:	\$23,194.38
Reserve Account:	\$5,310.60
Unpaid Dues:	\$3,127.63
Deposits:	\$8,758.48

Motion to approve the bills as presented.
Seconded, and Passed (3-For 0-Apposed)

Audit:

Need to determine if we are going to do a complete audit this year, it is expensive. Argument for having an audit done every year is that we are accountable to the community, but the accountant would still cover this year in the next year's audit. We will review the bylaws and see if they require a yearly audit. Sandy Perry is willing to check into another accountant to see about having another pair of eyes look at it after all these years. We will also get pricing on and audit done every year and if one is done every other year.

Facility Manager's Asst. Report: *presented by Darren Jones*

Programmable thermostat suggested again – base board electric heat with several thermostats.

Spring is coming very soon and we need to start getting ready.

Sprinkler system? Need to look at cost verse's savings in this area.

Pool Repair-Leak may be costly, but is not getting any cheaper.

Painting is almost done (trim work).

Concrete Pile – Fuel Cost only Stephen Giles and he will remove this insurance nightmare.

County Erosion-Walt Day will contact the county and see what can be done in this area.

ACC: (Judy Trawinski – Chair)

Nothing to report

Activities Committee: (Karlene Herbrand – Chair)

Nothing to report

Buildings and Grounds: (Stephen Gile – Chair)

On-going projects:

Lattice installation under the stairs outside.

Covenant Committee: (Chuck Nichols – Chair)

Nothing to report

Directory & Welcoming Committee: *presented by Sandy Perry*

Sandy is done with corrections to the directory and it is print ready. WOW!

It will be mailed with the SB-100 information.

Equestrian Committee: *presented by Stephen Giles*

Spot on the roof repaired.

Board of Directors Business:

Elector of Directors:

Motion to have Tina O'Bryan-President, Pam Schultz-Vice President, and Walt Day as Board Member and Secretary.

Seconded, Passed (3-For 0-Apposed)

SB-100

Senate Bill 100 is effective January 1, 2006, but we as a board are going to allow homeowners until April 1, 2006 to come current with their dues and covenant violations. All fees will be in place in accordance with the new policies and procedures effective April 1, 2006. The policies and procedures will be mailed out to every homeowner.

Motion to approve and adopt the policies and procedures as presented. Seconded, Passed (3-For 0-Apposed)

The copier has been going out for some time and we needed it for the community copies. We all made phone calls and got board approval via the phone to purchase a copier to replace the old one that was broken.

Formal motion to purchase a copier to replace the broken copier for approximately \$350.00.

Seconded, Passed (3-For 0-Apposed)

Motion was made to change master keys for security purposes.

Seconded, Passed (3-For 0-Apposed)

Marguerite Ham is requesting homeowners to attend the March 9, 2006 planning meeting regarding Diamond Ridge development so they can have as many people possible to attend.

The board will move the regular board meeting to the 3rd Thursday, March 16th, 2006 at 7:00 p.m. to accommodate any homeowner who would like to attend the Diamond Ridge planning meeting.

Open Forum:

Sandy: Ballots from the January 21st homeowner's meeting - do we need to keep them or destroy them.

Board: Destroy the ballots since we did not have a quorum, there wasn't a formal meeting.

Sandy: Questions on accounting files for clarification – do we need to keep an extra copy of all of the bills in a file cabinet upstairs.

Board: Has agreed that it is not necessary and what is being done now by Sandy Perry is perfect and in compliance.

Motion was made to adjourn the meeting. Seconded, Passed (3-For 0-Apposed)

Meeting adjourned at 10:15 p. m.