

NELLIE GAIL RANCH OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING – REGULAR SESSION

TUESDAY, OCTOBER 18, 2016

MINUTES

I. CALL TO ORDER

The regularly scheduled Open Session meeting of the Nellie Gail Ranch Owners Association was called to order at 7:30 p.m.

DIRECTORS PRESENT

Loree Blough
John Park
Mark Fisk
Jill Barkouras

DIRECTOR ABSENT

Paul Holland

MANAGEMENT

Brian Mitchell, General Manager
Dennis Moss, Operations Manager, Parks & Recreation Facilities

II. LITIGATION UPDATE:

Board President Loree Blough announced the following: We would like to start the meeting by announcing an update related to a litigation matter. The Court of Appeal has issued its opinion affirming the lower courts November 6, 2014 judgement on Nellie Gail Ranch's behalf in the McMullin matter. The opinion affirmed that the McMullin's did not have the right to build the wall or other improvements on Nellie Gail Ranch Common Area. The court also affirmed the lower courts award of reimbursement of attorney's fees in the amount of approximately \$187,000 plus costs of approximately \$10,000. We express appreciation to our legal counsel for their efforts on our behalf.

III. MEMBER APPEALS

A. CONSIDERATION OF HOMEOWNER APPEAL – 25901 RICH SPRINGS (CAHILL)

Mr. Cahill attended the meeting to appeal the ARC denial of his Notice of Completion subject to removing the spikes that extend above the top rail to meet the conditions of approval. Mr. Cahill advised he does not feel the vertical pickets extending above the top rail are spikes and he requests his fence and the Notice of Completion be approved.

Motion: Blough

Second: Fisk

Resolution: To deny the appeal and approve reconsidering the appeal at the November 15, 2016 meeting following further on-site review of the fence as installed.

The motion carried unanimously.

B. CONSIDERATION OF APPEAL - 25241 STAGELINE (TAVAKOLI)

Mr. Tavakoli's architect attended the meeting on the Owner's behalf. He stated he felt the City was the deciding authority and requested a variance to the setback standard.

Motion: Blough

Second: Park

Resolution: To deny the appeal and approve reconsidering the appeal at the November 15, 2016 meeting following the ARC's review of further proposed changes to the wall detail, the rotunda and the entry.

The motion carried unanimously.

IV. HOMEOWNER FORUM

Four (4) Members addressed the Board with comments.

V. EXECUTIVE SESSION REPORT

The regularly scheduled Executive Session meeting was held on September 20, 2016. Topics included approval of minutes, homeowner delinquencies and liens, legal issues, contracts, personnel, and violations.

VI. CONSENT CALENDAR

Motion: Fisk

Second: Barkouras

Resolution: That the Board approves the Consent Calendar, items V-A through D as presented.

The motion carried unanimously.

A. CONSIDERATION OF APPROVAL OF OPEN SESSION MINUTES

Resolution: To approve the Open Session minutes dated September 20, 2016 as presented.

B. CONSIDERATION OF APPROVAL OF THE SEPTEMBER 30, 2016 FINANCIAL STATEMENT

Resolution: To approve the year-end financial statements for the Nellie Gail Ranch Owners Association dated September 30, 2016.

and

To approve a fund transfer in the amount of \$21,275.72 from the Swim Center Operating Fund Account to Association Operating Fund Account to balance the budgeted vs. allocated Swim Membership Fees for the period 2013-16.

C. CONSIDERATION OF APPROVAL TO PROCEED WITH LIENS

Resolution: To authorize and instruct Management to record a lien on five (5) delinquent accounts should their assessments not be paid within the time period established in the Intent to Lien Letter. In accordance with the Corporation's Assessment Collection Policy, a letter was sent to the homeowners notifying them that they have 30 days to pay the balance owed or a lien will be placed on their property. Therefore, the Board directs Management to lien the accounts listed below should the delinquent assessments not be paid within the time period established in the Intent to Lien Letter:

Account Number	Total Amount Due
0078-02	\$668
0403-01	\$668
0856-02	\$668
1068-01	\$668
1110-01	\$668

D. CONSIDERATION OF RATIFICATION OF SERVICE CONTRACT WITH FOOTINGS WEST TO SUPPLEMENT THE UPPER ARENA WITH SAND AND FIBER FOOTING

Resolution: To ratify the service contract with Footings West to supplement the Upper Arena Footing with 50 tons of sand and 6,000 lbs fiber mix at a cost of \$9,500.

End of Consent Calendar

VII. REPORTS

The following reports were received and filed by the Board: Financial Summary, General Manager's, Architectural Review, Communications, Emergency Preparedness, Equestrian Center, Events, Solar, Swim Center, Tennis Center, Trails, and Landscape.

VIII. OLD BUSINESS

There was no Old Business this month.

IX. NEW BUSINESS

A. CONSIDERATION OF PLACEMENT OF AD IN THE GAME PROGRAM FOR THE THIRD ANNUAL FIRST RESPONDERS CUP SOFTBALL GAME

Motion: Park
Second: Barkouras

Resolution: To approve placement of an Ad in the Game Program for the Third Annual First Responders Cup Softball Game at a cost of \$650.

The motion carried unanimously.

B. CONSIDERATION OF APPROVAL TO AUTHORIZE REALLOCATION OF THE 2016-17 RESERVE FUND BEGINNING YEAR BALANCE

Motion: Park
Second: Fisk

Resolution: To direct Management to reallocate the existing reserve funds effective October 1, 2016 in accordance with the 2016-17 Reserve Balance Reallocation Schedule prepared by Management, and based on the 2016-17 Reserve Study Funding Plan prepared by Association Reserves.

The motion carried unanimously.

C. CONSIDERATION OF APPROVAL OF EQUESTRIAN COMMITTEE RECOMMENDATION TO ADOPT A TRAILER PARKING AGREEMENT AND NEW TRAILER STORAGE FEE

Motion: Blough
To consider different fee increase alternatives and/or a surcharge for loading and unloading trailers. After discussion regarding pros and cons of different fee structures the following motion was approved:

Motion: Park
Second: Fisk

Resolution: To approve the Equestrian Committee recommended Trailer Parking Agreement and revised Trailer Storage Fee.

Ayes: Park, Fisk, Barkouras
Nays: Blough
Abstain: None

The motion passed.

D. CONSIDERATION OF REQUEST BY MEMBER JENNIFER PORTNOFF TULLIS TO APPROVE SARA ZOMORODIAN FOR APPROVAL AS AN AUTHORIZED INSTRUCTOR TO PROVIDE LESSONS

Member Jennifer Portnoff Tullis requested the Board approve an Instructor Agreement with Sara Zomorodian as an authorized Instructor to provide lessons and training at the Nellie Gail Ranch Equestrian Center. Sara Zomorodian and Members attending in support of the request also spoke during discussion.

Motion: Blough
Second: Fisk

Resolution: To defer a decision until the next meeting on November 15, 2016 in order to allow additional time to review the request in conjunction with the proposed instructors' qualifications and the pending Equestrian Center Professional Service Provider Policy. Management was directed to review potential additional Pony Club allocated time at the Equestrian Center to increase available time for evening training.

The motion carried unanimously.

E. CONSIDERATION OF APPROVAL OF CONCEPT OF REPLACEMENT DOG WASTE BAG STATIONS AND AUTHORIZE MANAGEMENT TO NEGOTIATE AN AGREEMENT WITH PUBLIC SAFETY INDUSTRIES LLC

Motion: Park
Second: Blough

Resolution: To approve the concept of thirteen (13) replacement dog waste bag stations and authorize Management to negotiate and to sign an agreement with Public Safety Industries LLC on behalf of Nellie Gail Ranch Owners Association.

The motion carried unanimously.

F. CONSIDERATION OF APPROVAL OF PROPOSAL FROM SHINE ILLUMINATION FOR HOLIDAY LIGHTING AND DECORATION

Motion: Park
Second: Barkouras

Resolution: To approve a proposal from Shine Illumination for installation of holiday lights and decorations at a cost not to exceed \$7,050 and subject to Board confirming the final design implementation.

The motion carried unanimously.

G. HOLIDAY DECORATING CONTEST

Motion: Fisk
Second: Barkouras

Resolution: To invite homeowners to submit photos and statement as to their self nomination.

The motion carried unanimously.

X. CORRESPONDENCE

The Board reviewed and filed Member correspondence.

XI. NEXT MEETING

The next Regular Open Session meeting is scheduled for Tuesday, November 15, 2016 at 7:30 pm.

XII. ADJOURNMENT

The meeting was adjourned at 9:33 p.m.

Signature

Date