

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

TUESDAY, FEBRUARY 20, 2018

MINUTES

I. CALL TO ORDER

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

DIRECTORS PRESENT

Mark Fisk
Jill Barkouras
Loree Blough
Paul Holland
Alex Presley

MANAGEMENT

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

OTHERS

Fred Whitney, Neuland, Whitney and Michael

II. HOMEOWNER FORUM

A. OPEN HOMEOWNER FORUM

Twenty-seven (27) Members addressed the Board with comments related to assessments, mobile patrol security, violation enforcement and street lighting.

**B. CONSIDERATION OF HOMEOWNER CORRESPONDENCE
REGARDING THE 2017-18 ASSESSMENT INCREASE**

Several homeowners attending the January 16th and this meeting inquired regarding the 2017-18 assessment increase being inconsistent with a CC&R provision limiting assessment increases to 10%. Nellie Gail Ranch counsel attended the meeting and advised that *Civil Code* is the governing standard. Specifically, *Civil Code* Section 5605 supersedes the CC&R's providing for increases up to 20% without obtaining a membership vote. The 2017-18 19% increase was the first since 2013 when assessments increased by 16%. However, regardless of the legal provisions, the Board expressed it is committed and

focused on determining those amounts necessary to properly fund maintenance and services for the overall benefit of the community. The cover letter to the member disclosure, which was sent with the budget, identified the increase of \$21.33 per month, and specified the line items it went toward.

III. EXECUTIVE SESSION REPORT

A. REPORT ON EXECUTIVE SESSION MEETINGS JANUARY 16, 2018 AND FEBRUARY 13, 2018

The regularly scheduled Executive Session meeting was held on January 16, 2018. Topics included:

- Approval of January 9, 2018 Executive Session Minutes.
- Interviews with potential website developers
- Review status of litigation and legal matters
- Review legal opinion regarding short term rentals & sober living homes
- Approval of contract with Advance Electric for installation of electrical wiring in storage shed
- Approval of contract with Aquatic Facility Services for pool and spa heater maintenance
- Review of violation report

An Executive Session meeting was held on February 13, 2018.

- Approval of January 16, 2018 Executive Session Minutes.
- Approval of agreement to install insulation and drywall in storage shed
- Review status of enforcement at various properties
- Review of Draft Clubhouse Refresh plans and discussion with Chip and Charge to confirm potential impacts on Tennis Center operations
- Receive and file delinquency & collection reports.

IV. PRESENTATIONS

A. SECURITY AD HOC COMMITTEE STATUS REPORT

There was a brief report provided regarding the Ad Hoc Security Committee progress since appointment January 16, 2018.

B. PRESENTATION OF PROJECTED CLUBHOUSE REFRESH PROJECTS

Conceptual plans for Clubhouse Refresh project were reviewed at the February 20, 2018 Board Meeting. The plans address four priorities:

1. Modify parking spaces and the building entry to comply with accessibility requirements

2. Repair and replace worn components that have reached the end of their service life span. This would include the clubhouse and administration building façade and entry court, flooring, paint, electrical, HVAC, furniture and cabinets.
3. Add value by implementing new amenities for homeowner use as identified in the July 2017 Survey
4. Accomplish the above within the constraints of the current budget

Starting with project funding; The prorated budget is \$430,000 with 74% of the project funds currently allocated to be expended from the Tennis Center Reserves which are 100% funded by the Tennis Center Income, 0% from homeowner assessments. The portion allocated from Association Operating and Reserves is 22% and 4% projected to come from Swim Center Reserves.

The project is currently moving from the conceptual design phase to the construction document phase to prepare for bidding the project. Further reports will be provided at the March 20, 2018 Board Meeting and future issues of The Pony Express.

V. MEMBERSHIP APPEALS / REQUESTS / ANNUAL MEETING

A. CONSIDERATION OF HOMEOWNER APPEAL – 24831 BUCKSKIN DRIVE

Motion: Holland
Second: Fisk

Resolution: To deny the appeal and confirm the ARC’s decision with respect to the original approval for the neighbor to plant the trees between the two properties for purposes of privacy. The trees meet the community standards and as a condition of the approval for the trees, the ARC required the trees to be maintained at or below a height of 30 feet. The height of the trees are measured from the level of the soil which is at or near the original slope grade prior to construction of the home.

The motion carried unanimously.

B. CONSIDERATION OF HOMEOWNER APPEAL – 27622 HIDDEN TRAIL

Motion: Presley
Second: Barkouras

Resolution: To uphold the ARC’s decision and to require the homeowner to have one paint color consistent with the approved plans. It was determined that the painting of the new stucco does not conform to the plans in that the paint color for the new stucco does not match the remaining old stucco. Additionally, despite the homeowner

representation that the color difference cannot be seen from the street, it is apparent from the street that the side of the home is painted two different colors which is not consistent with the Nellie Gail Ranch architectural standards. Therefore, the Board is upholding the ARC decision to require the stucco color of the house to match to have the Notice of Completion signed off and the deposit returned.

The motion carried unanimously.

C. CONSIDERATION OF APPOINTMENT OF INSPECTOR OF ELECTION AND APPROVAL OF INSTRUCTIONS TO INSPECTOR

Motion: Presley
Second: Holland

Resolution: To approve appointment of The Majority Rules as Inspector of Election for the June 6, 2018 Annual Meeting and Election of Directors and subsequent reconvened meetings as scheduled, and to approve the Instructions to Inspector.

and,

To approve the deadline date of May 4th for the ballot mailing.

The motion carried unanimously.

VI. COMMITTEE APPOINTMENTS

A. CONSIDERATION OF APPOINTMENT OF EQUESTRIAN COMMITTEE MEMBER

Motion: Presley
Second: Barkouras

Resolution: That the Board of Directors approve appointment of Nellie Gail Ranch Member Dolores Caringella, subject to signing the Community Leader Code of Conduct Acknowledgement, to serve as a Member of the Equestrian Committee through January 31, 2019.

The motion carried unanimously.

B. CONSIDERATION OF APPOINTMENT OF TRAILS COMMITTEE MEMBER

Motion: Presley
Second: Fisk

Resolution: That the Board of Directors approve appointment of Nellie Gail Ranch Member Elizabeth Abdo, subject to signing the Community Leader Code of Conduct Acknowledgement, to serve as a Member of the Trails Committee through January 31, 2019.

The motion carried unanimously.

VII. CONSENT CALENDAR

Motion: Fisk
Second: Barkouras

Resolution: To approve Consent Calendar resolutions for agenda items VII-A through VII-C.

A. CONSIDERATION OF APPROVAL OF OPEN SESSION MINUTES

Resolution: To approve the Open Session Minutes dated January 16, 2018 as presented.

B. CONSIDERATION OF APPROVAL OF DECEMBER 31, 2017 FINANCIAL STATEMENTS

Resolution: To approve the financial statements for the Nellie Gail Ranch Owners Association dated December 31, 2017.

C. CONSIDERATION OF APPROVAL TO RECORD LIENS ON ONE (1) PROPERTY

Resolution: To authorize and instruct Management to record a lien on one (1) delinquent account 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
0145-01	\$1,410

Supplemental Delinquency Statistics for the minutes:

- Eight (8) past owner delinquencies total \$7,585 in assessments and \$5,854 in judgments.
- Thirty-seven (37) current owner delinquencies total \$61,650 in assessments and \$5,310 in judgements.
- The total current and past owner delinquent assessment balance totals \$69,235.
- The collection attorney is currently working on twelve (12) past and current homeowner accounts to collect on judgments and/or past due balances.
- Total accumulated outstanding assessments total 3.1% of the annual assessment budget.

The motion carried unanimously.

End of Consent Calendar

VIII. 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.

IX. CORRESPONDENCE

The Board reviewed and filed Member correspondence.

X. NEXT MEETING

The next Executive Session Meeting of the Board is March 20, 2018. The next Open Session meeting is scheduled for Tuesday, March 20, 2018 at 7:30 pm.

XI. ADJOURNMENT

The meeting was adjourned at 10:20 p.m.

Signature

03.20.2018
Date