

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

TUESDAY, JANUARY 16, 2018

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

John Park
Mark Fisk
Jill Barkouras
Loree Blough
Paul Holland

MANAGEMENT

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

OTHERS

Fred Whitney, Neuland, Whitney and Michael

II. HOMEOWNER FORUM

Nellie Gail Ranch Corporate Counsel Fred Whitney was briefly in attendance to update the Members in attendance regarding current legislation related to short term rentals and sober living facilities.

Nine (9) Members addressed the Board with comments related to assessments, security, violation enforcement and street lighting.

III. EXECUTIVE SESSION REPORT

An Executive Session meeting was held on November 14, 2017. Topics included:

- Approval of November 7, 2017 Executive Session Minutes.
- Consider legal updates related to pending litigation, collection of prior judgements in favor of the Association, and acceptance of ADR to meet with a homeowner regarding an unauthorized retaining wall.
- Review of draft contract with Smith Architects for the clubhouse refresh project.

- Decline to renew an Instructor Service Agreement with an Equestrian Center Instructor.
- Consideration of contract with a new website design and hosting service.
- Review of delinquency collection reports.
- Review of enforcement issues and violation report

An Executive Session meeting was held on December 12, 2017. Topics included:

- Approval of November 14, 2017 Executive Session Minutes.
- Review of legal updates
- Considered appeal of the decision to non-renew the Equestrian Center instructor service agreement and confirmed the decision.
- Review of Events Sub-Committee Report related to pending contracts for summer concert series.
- Approved contracts with Boulder, Advanced Lighting and California Boring to implement lighting at the Greenfield & Bridlewood Monuments
- Review of Collection Report & action
- Approve a debtors exam to collect on a past due judgement for outstanding assessments.
- Review of the December violation report
- Approval of a contract with Smith Architects for Clubhouse refresh projects to include the following:
 1. Portions of the existing building that have been underutilized for storage will be opened up to create community meeting space for clubs, classes or other activities.
 2. Existing underutilized office space will be considered for modification to create a small plate type of kitchen /catering staging area.
 3. Parking space and walkway access to the Clubhouse to comply with ADA requirements. Will include replacement of delaminating concrete entry.
 4. The Clubhouse façade will be considered for renovation to create consistency in aesthetics.

An Executive Session meeting was held on January 9, 2018. Topics included:

- Approval of December 12, 2017 Executive Session Minutes.
- Approve an Alternative Dispute Resolution Meeting (ADR) with a homeowner to negotiate a payment plan for outstanding assessments.
- Approve foreclosure of delinquent account.
- Approval of The Pony Express logo for Service Mark registration.
- Discussion related to hosting a Volunteer Recognition Dinner
- Review of a design modification submittal to bring an RV structure into compliance.
- Receive and file the January Delinquency Report

IV. MEMBERSHIP APPEALS / REQUESTS / ANNUAL MEETING

A. CONSIDERATION OF HOMEOWNER APPEAL – 24831 BUCKSKIN DRIVE

The owner was in attendance to speak to the Board regarding his appeal for view obstruction. The Board tabled a decision until they were able to discuss the issue further with the ARC at their next meeting on February 13, 2018.

B. CONSIDERATION OF HOMEOWNER APPEAL – 25871 PRAIRIESTONE

The owner submitted a written appeal related to previous denial of a structure located on both his and an adjacent neighbor's property. The owner submitted a written agreement signed by the neighbor approving the structure to remain in place.

Motion: Fisk
Second: Barkouras

Resolution: To allow the garden structure to remain in the current location subject to the homeowner and the neighbor signing a revised agreement confirming the owner of 25871 Prairiestone will remove the structure upon the sale of either property or at the request of the Association.

Ayes: Fisk, Barkouras, Blough, Presley
Nays: None
Abstain: Holland

The motion carried.

C. CONSIDERATION OF HOMEOWNER APPEAL – 27622 HIDDEN TRAIL

The owners were in attendance to speak to the Board regarding an appeal related to their Notice of Completion being denied. The owners request a finding that his recently completed improvements are compliant with the approved plans. The Board tabled a decision until they were able to drive by the home and discuss the issue further with the ARC at their next meeting on February 13, 2018.

D. CONSIDERATION OF HOMEOWNER REQUEST FOR NELLIE GAIL RANCH SUPPORT AT THE CITY FOR ADDITIONAL STREET LIGHTING AT HIGHWOOD CIRCLE AND THROUGHOUT NELLIE GAIL RANCH

The Board directed that this matter be referred to the Security Ad Hoc Committee to consider and provide a recommendation to the Board.

E. CONSIDERATION OF SCHEDULING THE 2018 ANNUAL MEETING OF THE MEMBERSHIP / BOARD OF DIRECTORS ELECTION

Motion: Blough
Second: Fisk

Resolution: To approve Wednesday, June 6, 2018 at 6:30 p.m. as the date and time of the Annual Meeting of the Membership / Board of Directors Election and tentatively, Wednesday, June 13, 2018, at 6:30 p.m. as the Reconvened Meeting date and time.

The motion carried unanimously.

V. COMMITTEE APPOINTMENTS

A. CONSIDERATION OF APPOINTMENT OF SECURITY AD HOC COMMITTEE MEMBERS

Motion: Holland
Second: Fisk

Resolution: That the Board of Directors approve appointment of the following Nellie Gail Ranch Members, subject to signing the Community Leader Code of Conduct Acknowledgement, to serve as Members of the Security Ad Hoc Committee until completion of their assigned responsibilities, or January 31, 2019, whichever is earlier.

Anthony Sindoni
Ed Fuller
Joe Vargas
Pat Barry
Richard Ruben
Rick Eram
Stephen Blythe
Steve Schnayer
Steven Beeuwsaert
Tom Burns
Will Loeffler (To be confirmed following Board discussion)
William Bill Hunt

The motion carried unanimously.

Motion: Barkouras
Second: Holland

Resolution: That the Charter be amended to eliminate reference to a specific number of committee members.

The motion carried unanimously.

B. CONSIDERATION OF APPOINTMENT OF ARCHITECTURAL REVIEW COMMITTEE MEMBERS

Motion: Presley
Second: Barkouras

Resolution: That the Board of Directors approve appointment of Marjorie Fleming, Tom Conkling and Vanessa Kon, as members, and Brian Von Helmolt, as alternate member, to the Architectural Review Committee through January 31, 2019 subject to signing the Community Leader Code of Conduct Acknowledgement.

The motion carried unanimously.

C. CONSIDERATION OF APPOINTMENT OF EQUESTRIAN COMMITTEE MEMBERS

Motion: Blough
Second: Holland

Resolution: That the Board of Directors approve appointment of Jim Berens, Gigi Bourke, Jan Curtis and Jennifer Portnoff, to serve as Members of the Equestrian Committee through January 31, 2019 subject to signing the Community Leader Code of Conduct Acknowledgement.

The motion carried unanimously.

D. CONSIDERATION OF APPOINTMENT OF EMERGENCY PREPAREDNESS COMMITTEE MEMBERS

Motion: Holland
Second: Barkouras

Resolution: That the Board of Directors approve appointment of the following Nellie Gail Ranch Members, subject to signing the Community Leader Code of Conduct Acknowledgement, to serve as Members of the Emergency Preparedness Committee through January 31, 2019:

Deirdre Spalding
Don Caskey
Dennis Blough
John Cardall

John Park
Ken Cheng
Loree Blough
Mark Fisk
Susie Lynch
Robert Bettey

Ayes: Holland, Barkouras, Presley
Nays: None
Abstain: Blough, Fisk

The motion carried unanimously.

E. CONSIDERATION OF APPOINTMENT OF LANDSCAPE COMMITTEE MEMBERS

Motion: Holland
Second: Fisk

Resolution: To approve appointment of the following Nellie Gail Ranch Members, subject to signing the Community Leader Code of Conduct Acknowledgement, to serve as Members of the Landscape Committee through January 31, 2019.

Alex Presley
Gina Stewart
Bruce Freeman
Kurken Alyanakian
Cathy Chamberlin
Michael Magnell
Evan Buckley
Sanjay Mathur
Greg Peterson
Toby Nassif

The motion carried unanimously.

F. CONSIDERATION OF APPOINTMENT OF TRAILS COMMITTEE MEMBERS

Motion: Presley
Second: Holland

Resolution: To approve appointment of the following Nellie Gail Ranch Members, subject to signing the Community Leader Code of Conduct Acknowledgement, to serve as Members of the Trails Committee through January 31, 2019.

Cherie Behringer
Dolores Caringella
Donna MacGillvray
Linda Mudd
Viviana Mamolo

The motion carried unanimously.

G. CONSIDERATION OF APPOINTMENT OF EQUESTRIAN CROSSING SAFETY COMMITTEE MEMBERS

Motion: Barkouras
Second: Holland

Resolution: To approve appointment of the following Nellie Gail Ranch Members, subject to signing the Community Leader Code of Conduct Acknowledgement, to serve as Members of the Equestrian Crossing Safety Committee through January 31, 2019.

Cherie Behringer
Jim Anderson

H. CONSIDERATION OF DIRECTION REGARDING RECRUITING FOR APPOINTMENT OF NOMINATING COMMITTEE

Direction: Management to recruit interested candidates for the 2018 Board of Directors Election Nominating Committee through the Pony Express and website.

VI. CONSENT CALENDAR

Motion: Barkouras
Second: Presley

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

A. CONSIDERATION OF APPROVAL OF OPEN SESSION MINUTES

Resolution: To approve the Open Session Minutes dated November 14, 2017 as presented.

B. CONSIDERATION OF APPROVAL OF 2016-17 YEAR END AUDIT AND MAILING

Resolution: To approve the September 30, 2017 year-end annual audited

financial statements for distribution to the Membership;

and,

To approve mailing through Innovative Printing Solutions at an amount not to exceed \$2,350, plus additional postage estimated at \$625, to print and mail the Annual Audit and associated documents on CD ROM to the membership by January 31, 2018.

C. CONSIDERATION OF APPROVAL OF 2016 TAX RETURNS FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2017

Resolution: To approve and sign the 2016 tax returns for the fiscal year ended September 30, 2017.

D. CONSIDERATION OF APPROVAL OF OCTOBER 31, 2017 FINANCIAL STATEMENTS

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

E. CONSIDERATION OF APPROVAL OF NOVEMBER 30, 2017 FINANCIAL STATEMENTS

Resolution: To approve the financial statements for the Nellie Gail Ranch Owners Association dated November 30, 2017.

F. CONSIDERATION OF APPROVAL TO RECORD LIENS ON THREE (3) PROPERTIES

Resolution: To authorize and instruct Management to record a lien on three (3) 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
0394-02	\$1,060.46
0737-01	\$1,046.00
0567-01	\$1,231.16

Supplemental Delinquency Statistics for the minutes:

- Eight (8) past owner delinquencies total \$7,585.10 in assessments and \$5,853.62 in judgments.
- Twenty-five (25) current owner delinquencies total \$52,414.25 in assessments and \$5,309.52 in judgements.
- The total current and past owner delinquent assessment balance totals \$59,999.35.
- Past owner pending small claim judgements total \$5,853.62.
- 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 2.7% of the annual assessment budget.

G. REPORT OF EXECUTIVE SESSION APPROVAL TO COMMENCE FORECLOSURE ON ONE ACCOUNT

Resolution: To report the January 9, 2018 Executive Session approval to foreclose on Parcel Number 636-361-11 to pursue collection of \$3,975.94 in outstanding assessments:

The motion carried unanimously.

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 action taken on Old Business.

IX. NEW BUSINESS

A. CONSIDERATION OF ADOPTION OF REVISED NELLIE GAIL RANCH EQUESTRIAN CENTER RULES

Motion: Barkouras

Second: Presley

Resolution: To adopt following consideration of member comments the Nellie Gail Ranch Equestrian Center Rules effective February 1, 2018.

and,

To approve mailing to the Membership with the annual audit CD and post on the website.

The motion carried unanimously.

B. CONSIDERATION OF ADOPTION OF REVISED PARK RULES AND REGULATIONS

Motion: Fisk
Second: Barkouras

Resolution: To adopt following consideration of member comments the Park Rules and Regulations effective February 1, 2018 subject to removing #11, amend #10 (add: “unless approved by Nellie Gail Ranch” and amend #13 (“no gas powered vehicles unless approved by Association”).

and,

To approve mailing to the Membership with the annual audit CD and post on the website.

The motion carried unanimously.

X. CORRESPONDENCE

The Board reviewed and filed Member correspondence.

XI. NEXT MEETING

The next Executive Session Meeting of the Board is February 13, 2018 at noon. The next Regular Open Session meeting is scheduled for Tuesday, February 20, 2018 at 7:30 pm.

XII. ADJOURNMENT

The meeting was adjourned at 10:00 p.m.



Signature

03.02.2018

Date