



**2012 High Lonesome Ranch Property Owners' Association
Annual Membership Meeting
Saturday, March 9, 2013
Elfrida Community Center, Elfrida, AZ**



h Cadden Management Company, (Attn: Lisa Wallace), 555 East Wilcox Drive, Suite B, Sierra Vista, AZ 85635
Official email: board@hlrpoa.com Official website: www.hlrpoa.com

Minutes: (draft as of 26 April 2013)

Noon: **Membership Pot Luck**

1PM: **Annual Membership Meeting**

- **Call to Order:** The Annual Membership Meeting started at 1PM. Board members present included, Bob Hritz, Greg Briner, Eileen Ahearn, Jo Green and David Vlastic. Bob H, President, presided over the meeting. The HLR POA Secretary, Eileen, confirmed that we had a quorum for balloting.
- **Pledge of Allegiance:** We recited the Pledge of Allegiance
- **Introduction of Members in Attendance:** Joel Levin, Alisa Cook, Phyllis Cavanaugh, Russ Christopher, Carl Gander, RW Barfield, Pat Green, Dale Beard, Charlet & Dennis Lepard, Bob & Terrie Gent, Barb & Bill Brown, Joe Alberti, Mark Shelburne, Margaret Baxter, Adele & Doug Crouch, Gregg & MaryAnn Kenniger and Jim Browning. Guest attending included Reb and Mrs Davidson, and Jason Smith. Please notify board@hlrpoa.com if we did not accurately capture who was present.
- **Guest Speaker:** Jason Smith, Attorney, Carpenter, Hazlewood, Delgado & Bolen, Topic: Cattle on High Lonesome Ranch: Introduced by Bob Hritz. BLUF: (Bottom line up front): Within the confines of High Lonesome Ranch, HLR governing documents, CCR 10.19, requires all HLR property owners to confine all animals within an Owner's property boundaries and shall at no time allow animals to run loose on any other properties or Common Areas and/or easements. This includes HLR property owners who create incentives to attract animals/livestock and owners who sign leases to allow others' livestock to graze their lot. If a HLR PO has the intent to allow cows/livestock on/traverse or graze their land, then they must follow CCR 10.19. He further stated that: Deed restrictions such as our CCR are enforceable by law; AZ State "Open Range Law" is for liability purposes; AZ State statutes designates livestock which has "strayed" from their designated grazing area as strays.; non HLR property owners who have cattle who move onto HLR private land(s) are obliged to pick up their animals if contacted since they are strays; and State Livestock/Brand inspectors may not want to come out to HLR when called but are required by law.
 - Terrie Gent spoke up to mention that she personally talked to the Declarant, Lou Christiansen, and he said that he had granted no one/ no entity a temporary grazing easement as he might have in accordance with CCR 4.4.
- **Ranch Business:**
 - **2012 Annual Meeting Minutes:** Key points were read by Eileen. No changes were recommended.



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- **HLR 2013 Budget**: Jo G briefed the 2013 HLR POA budget. She pointed out the \$10 reduction/change from the original 2013 budget. The decrease would be indicated on the 1 July 2013 statements. There were no comments/questions.
- **A HLR Property Owner tried to take control of the meeting and to make motions.** A second PO tried to second the motions and call for a vote. (Note: The only business that the POA had a quorum on was for balloting of the board position vacancy. Quorum achieved by in person and mailed ballots. No other business met the criteria for a quorum since no other items were on the ballot and insufficient %/# of property owners were in attendance per our HLR By Laws "Section 3.4 Quorum. The presence at the meeting of Members entitled to cast twenty-five percent (25%) of the votes of each class of membership shall constitute a quorum for any action, except as otherwise provided in the Articles of Incorporation, the Declaration, or these Bylaws. Pursuant to ARS 33-1812B, votes cast by absentee ballot or other form of delivery are valid for the purpose of establishing a quorum.)

Break: The meeting was put on break to initiate counting of the ballots. HLR BOD members moved to Executive session originally scheduled for after then annual meeting and before the follow on BOD meeting.

- **Initiation of Balloting**. Candidates were allowed to speak.
 - **Results of Election**: President Bob H presented the results of the election and congratulated the new BOD members: Phyllis Cavanaugh. The 2013 BOD consist of Bob H (2014), Jo Green (2013), Greg Briner (2013), David Vlasic (2014), and Phyllis Cavanaugh (2015). (Dates indicate when their term expires; first annual meeting after.)
- **Next Annual Meeting**: Tentatively projected for Mar 2014.
 - **Next Board meeting**: immediately following today
 - **Call to the Membership** *:
 - Gregg Kenniger asked about the cost of having a lawyer attend the annual meeting.
 - Adele Crouch asked that the BOD allow the DRC to listen to the Shelburne CCR Violation dispute and not impose fines on PO Shelburne.
 - Barb Brown asked about the conflict in the timeline the Board gave the DRC to hear the Shelburne CCR Violation dispute.
 - Mark Shelburne requested the DRC hear his CCR Violation dispute.
 - Joe Alberti cited ByLaws Section 3.1 for a community meeting. Bob H asked for a copy of the written request by the members but none was turned over. Bob H then stated that POs are encouraged to host community meetings. The Community Meeting was set for March 30, 2013 at 1PM, and Joe requested that the BOD post and send out an email announcement concerning the meeting. . "Section 3.2 Special Meetings. Special meetings of the Members may be called at any time by the President or by the Board of Directors, by Declarant, or upon written request of the Members who are entitled to vote one-tenth (1/10) of all of the votes entitled to be cast by the Membership."
 - MaryAnn Kenniger asked who had the authority to spend HLR POA monies.
 - Terrie Gent recognized Joe Alberti's work with the Cochise County Board of Supervisors concerning paving of Gleeson Road.



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- Joe Albert stated that if the Board of Supervisors carried through on what they have said that Gleeson road may be completely paved in the next 12-18 months.
 - Phyllis Cavanaugh ask that the Board not conduct the BOD meeting scheduled to start immediately after this Annual meeting as was indicated on the agenda and originally scheduled.
- **Adjournment:** The meeting adjourned at 3:21PM.
- * This is the time for the Membership to comment on issues that confront a member or the Ranch as a whole. Action taken as a result of Members' comments will be limited to a referral to the Board of Directors in order to study the matter, response to any criticism or scheduling the matter for further consideration and decision at a later date.