

High Lonesome Ranch Estates

Property Owners Association Board of Directors Meeting

Sunday, 13 January 2013

Elfrida Community Center, Elfrida, AZ

Minutes (draft as of 15 Feb 2013):

- **2PM: Call to Order** by Pres Bob H. Board members attending included Bob H, Greg B, Jo G, David V, and Eileen A; quorum met. Property owners in attendance included George B (43), Alisa C and Phyllis C (13+), Carl and Gail G (21 ), Mark S and Margaret B (11+), Jo A (35+), Barbara and Bill B (125+), Doug and Adele C (23), Judy R (98), Gerald H (20A ), Greg and MaryAnn K (77), Terrie G (14), Jessamine S/L (7), Russ C (102+), Matt, Nicole and Allison S (66) and Lillian H (71).

-- Pledge of Allegiance: recited

-- Code of Conduct: not read

-- President's Message: Bob H applauded the HLR board members service despite criticisms from property owners; he offered solutions and encouraged everyone to vote in the upcoming election. See below for full message.

- **Consent Agenda:** Bob H motioned to approve all items on the consent agenda below, Eileen A seconded and the motion carried.

-- Approval of 11/4/12 Board meeting minutes: with two changes (delete lawyer's name (Justin Allred) and change Mom to Dorothy G)

-- Treasurer Report: Monthly update: Nov 12 operating (\$6373) and reserve fund (\$28,076) balance

-- Secretary report: Email responses (Cook/ Gent/ Brown/ Rossbach/Gander/Shelton); Letter responses (Shelburne/ Shelton); BOD Letter (Christiansen) and Lawyer to (Christiansen).

-- Committee Reports (info only/no committee recommendations): (3 min)

• ARC: see below

• CCR: none

• Windmill: none

• Road: Greg B reported that the Committee was working on Road repair project #4 to be completed within next three months. PO Shelburne has offered to allow the road to move northward in the wash so any repairs would not involve the phone cables on the south side of the wash/road.

• Nominations: David V reported that two POs submitted their names for the upcoming elections (Phyllis Cavanaugh and Nance Ceccarelli)

• DRC: none

- **Committee Recommendations:**

-- ARC:

• ARR lot 41 (Shelburne) (Entrance/corrals (no well house)): The ARC recommended no action until PO in CCR compliance; Bob H motioned for approval of updated ARR, Eileen A seconded and the motion carried.

• ARR lot 118 (Shelburne) (Internal Fencing/Gates): The ARC recommended no action until PO in CCR compliance; Bob H motioned for approval of updated ARR, Eileen A seconded and the motion carried.

• ARR lot 126 (Barfield) (cattle guard): The ARC recommended approval as submitted, Bob H motioned for approval, Greg B seconded and the motion carried. Eileen A recused herself from voting.

• ARR lot 127 (Barfield) (cattle guard): The ARC recommended approval as submitted, Bob H motioned for approval, Jo G seconded and the motion carried. Eileen A recused herself.

- ARR lot 39/40 (Lucas): no recommendation/action taken
- ARR lot 11 (Shelburne)(change Barn and exterior fencing): no recommendation/action taken
- Outdoor Business ARR: The ARC recommended changes to the Association rules and a separate ARR form. Eileen A motioned for an Association Rule and outdoor business ARR questions become page 2 of current ARR form, Jo G seconded, and the motion did not carry. Eileen A updated the motion for the HLRPOA to host a community meeting to discuss the outdoor business ARR and post ARC recommendation on HLR website for comments, Greg G seconded and the motion carried. (Date and ARC Recommendation posted on the HLR website for Sunday, 17 Feb at 10AM vicinity the community windmill.)

-- CCR: none

-- Road: none

-- Windmill: none

-- Nominations: none

-- DRC: Bob H motioned to accept new member volunteers (Bill Brown, Barbara Brown, and Alisa Cook) and Alisa C as Chair, Greg B seconded and the motion carried.

- **New Business:**

-- 2013 Budget Relook: Eileen A motioned to decrease the 2013 dues increase from \$33 down to \$23 (because seven short term and two long term delinquent POs paid in full since original budget created) for an annual assessment of \$189 (down from \$199) with reduction reflected in our July assessments, Jo G seconded and the motion carried.

-- Annual Meeting: 9 March: agenda items include: Potluck at noon and tentative guest speakers include County Assessor and/or Brand Inspector starting at 1PM, Location remains Elfrida Community Center.

-- Email to the BOD: (Gent): Bob H read email.

-- Status of Enforcement: (Gander): Carl G requested status of CCR violation on lot 134; PO submitted letter with new timeline to get within compliance.

-- Gates across roads (Gander): Carl G requested status of gate across HLR road; Bob H motioned to ask CCR committee to look at the issue, Jo seconded and the motion carried. (To be discussed at the Community Meeting on 17 Feb.)

-- Complaint (Brown): Barbara B issued her complaint. Bob H dismissed the complaint without action.

-- Hearing Results (Shelton): Jo G motioned for the BOD/Cadden to relook the sequencing of the lien letter and PO payment and if there was an error on both sides, for BOD to reduce the penalty, Eileen seconded and the motion carried.

- **Old Business:** (10 min)

-- Complaints (Cook): Alisa C restated her complaints. Bob H dismissed the complaint without action.

- **Next Board Meeting:** 9 March 2013: Annual POA Membership meeting and Abbreviated BOD (Elfrida Community Center, Elfrida, AZ): agenda items will be limited.

- **Call to the Membership \*:**

- Alisa C (13+) stated: serving on the BOD did not have to be a burden; she appreciates what it takes to serve on a BOD; and BOD can do things to make it easier.
- Mark S (11+) stated he was concerned about selective enforcement.
- MaryAnn K (77) stated that she was under the impression when she purchased that the CCR were for roads maintenance and to protect from mobile homes only, so concerned about any enforcement.
- George B (43) stated he was concerned about CCR and CCR enforcement.
- Joe A (35+) stated that the BOD needed more oversight and there needed to be more checks and balances; elections not enough.

- Terrie G (14) clarified that she asked to be deleted from other PO's emails since she did not want to get hate email.
- Carl G (21) stated that complaints about BOD members should be included/addressed in the CCR Enforcement Policy.
- George B (43) asked what BOD members thought about someone touching someone's recorder.
- Alisa C (13+) asked about increasing the role of the DRC.
- Matt S (66) stated that he thought that the DRC's role was to be more informal with regards to dispute resolutions.
- Jessamine S (7) asked about how to increase communications among POs.
- Phyllis C (13+) stated that the big issue was open communications.
- Russ C (102+) stated that he was concerned about the status of cows grazing all over the ranch over everyone's private properties and in the common areas.
- Barbara B (125+) asked why folks moved to the ranch if they did not expect to see wildlife/cows.
- Phyllis C (13+) asked why not send the cattle issue to the DRC.
- Terrie G (14) stated that her role as a member of the DRC was not to interpret parts of the law, like she was hearing many of the HLR neighbors do, but to work out issues neighbor to neighbor.
- George B (43) asked if we could explore the cost of fencing the cattle off the ranch.
- Joe A (35+) proposed for the DRC to host a meeting about the cows on the ranch with subject matter experts on the law(s).

- **Review of Action items:**

- Bob H to coordinate Assessors' Office and/or Brand inspector to be guest speaker at Annual POA Mtg.
- Eileen A to create and disseminate draft minutes and update HLR webpage.
- Greg to work with RC reference Repair #4.
- Eileen A to prepare draft letters to be coordinated with the BOD to be sent to PO reference CCR violation/Hearing.
- Jo G to work with Cadden reference change in 2013 budget.
- Jo G to work with Cadden concerning Matt Shelton hearing concerns/delinquent dues payment.
- Eileen A to send email to Jessamine S concerning access to HLR PO info and agenda items.
- Eileen A to disseminate David K (134) letter to BOD members concerning CCR violation and draft BOD response, if applicable.
- Eileen A w/ ARC to propose date for Community Meeting reference outdoor business ARR.
- **Executive Session:** @4:45PM. BOD moved to executive session.
- **Reopen Meeting:** 6:45PM. Open meeting resumed.
- **Adjournment:** 6:45PM. Bob H motioned to adjourn the meeting, Greg B seconded and the motion carried.

\* 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.

President's Message: January 2013

It has been a year since I have been on the Board of Directors for the High Lonesome Ranch. That year has not been pleasant. Members of the Board have devoted countless hours to the business of the ranch and is under constant scrutiny of the Property Owners. However, when the Board, as required by our governing documents, works to get violations of our CCRs enforced, many property owners object. The rules set forth in our governing documents cover both Board Members and Property Owners. For one example: Property Owners have sold or transferred properties without notifying the Board and this has caused much extra work for the Board Members,

especially the Board Secretary. When these violations of rules are brought forward by the Board, there are property owners who view the board as divisive.

There are several solutions to this problem:

1. The Board may relax all rules and regulations and watch the High Lonesome Ranch deteriorate to allow Property Owners the complete ability to do as they see fit with their property. This, I believe, would be in violation of the governing rules of the Association.
2. The Board may take a stronger look at enforcing **all** rules and CCRs making any change a more rigid procedure. This would just increase the 'them versus us' attitude of some Property Owners.
3. The Board may review the CCRs and make suggestions to give flexibility to Property Owners in the use of their property. This review would give Property Owners a voice in change the CCRs.
4. Cadden Management may be hired to run the ranch and conduct Board Meetings. This would eliminate any perceived appearance of favoritism.
5. The High Lonesome Ranch Property Owners Association could be dissolved with a vote of 75% of the members entitled to vote. All assets, to include common property and roads would be given to Cochise County and all assets would be given to a public agency to be used for purposes similar to those for which the HLRPOA Corporation was formed. This would leave each Property Owner on his own to do with his property as each sees fit.

I should not need to remind anyone that the Board Members are also Property Owners. Each Board Member acts to see that the responsibilities of the Ranch are conducted in an efficient manner. With elections coming, I strongly encourage every Property Owners to cast their votes.