

**Minutes of a Meeting
of the Board of Directors of Tall Pines Ranch Homeowners' Association
November 3, 2009**

- **Residents Attending**

(Paul Coscarelli, Ruben Dinkel, Reesa Hicks, Priscilla Hudson, Suzie Lawrence, Monika Maerky, Doug Parker, Barbara Schlinker, Gary Torrance)

- **Member Comments**

Prior to the meeting, TPR HOA members were invited to address the Board of Directors. Mrs. Schlinker addressed the Board regarding the current ACC submittal form; she recommended the Board take action to adopt a submittal form for use by the members of the HOA

During the meeting, members were permitted to participate in the discussion regarding the matters under consideration by the Board of Directors.

- **Call to Order**

The meeting was called to order at 7:33 P.M. by David Hicks, President

- **Roll Call**

All directors were present
(Cynthia Coscarelli, David Hicks, Larry Lawrence, Stephen Polland, and Candace Torrance)

- **Approval of Minutes - Board of Directors' Meeting – October 20, 2009**

Mr. Polland moved the Minutes of the October 20, 2009, meeting of the Board of Directors be approved as written; the motion was seconded and the Minutes were approved as written
(Aye: Coscarelli, Hicks, Lawrence, Polland, Torrance; Nay: None; Abstention: None)

- **Acceptance of Financial Reports**

Prior to the presentation of financial reports for approval/acceptance, Candy Torrance reported that she had requested advice from a registered parliamentarian regarding the approval/acceptance of financial reports, specifically reports that covered periods prior to a current Board's election. The parliamentarian gave information that Robert's Rules of Order suggests that financial reports are not "approved" but are "accepted" for the file and auditing, if they are to be audited.

Mr. Polland moved the financial reports for the months of June, July, August, and September, 2009, be accepted and filed in the Association's records; the motion was seconded and approved.

(Aye: Coscarelli, Hicks, Lawrence, Polland, Torrance; Nay: None; Abstention: None)

- **Tree Inspection**

Mr. Lawrence reported he is still waiting to hear from the Colorado Forestry Service the name of the person who will be assigned to conduct the forestry inspection in Tall Pines Ranch. Mr. Lawrence will report in the future.

- **Water Meter Readings/Well Usage**

Mr. Hicks reported he still is awaiting the readings from three property owners; he will make a request to the three owners asking them to submit the meter readings as soon as possible. One property reflected usage in excess of 360,000 gallons; Mr. Hicks has inquired about this matter but has received no response; he asked the owner to verify the reading. Mr. Hicks further reported it appears the total usage for the community is approximately 20-25% less than the preceding year; this may be due to greater precipitation during the past summer. Water leaks at the properties with excessive usage from the preceding year appear to have been corrected. One property's reading has not changed in three years; Mr. Hicks will follow up with that property owner.

Discussion ensued regarding excessive usage by a few property owners.

Mr. Polland moved the Association keep continual records regarding water usage and that those owners who use an excessive amount of water (in excess of _____ gallons per year) be notified. The motion was seconded.

(Discussion comments: If owners continually used in excess of the allotted amount per year; the State Water Board may become involved and could pull the water well permits for those properties where usage continually is excessive.)

Following discussion the motion was approved.

(Aye: Coscarelli, Hicks, Lawrence, Polland, Torrance; Nay: None; Abstention: None)

- **Insurance**

Mr. Lawrence reported he spoke to the insurance agent. The Association does not carry automobile insurance; the reference on the Certificate of Insurance refers to the name of the company that provides other types of insurance to the Association.

It is recommended the Board review all of the policies of insurance at the time of renewal. Mr. Lawrence recommended a change of address be sent to the insurance agent.

- **Tall Pines Ranch Website**

The Board, on behalf of the Association, again extended its gratitude to James and Catherine Dove and David Hicks for creating the website. Mr. Hicks reviewed the "site map" and described the contents under each tab. Board members and other members in attendance remarked they have found the website to be helpful. Mrs. Torrance suggested that future E-mail communications generally will not include specific information but will refer members to the website to find updated information. Mrs. Coscarelli, Assistant Secretary, will send a thank you note to the Dove's. Mrs. Torrance will send an E-mail to

the several real estate agents who have properties listed making them aware the website is available for their reference.

- **Transfer of HOA records from TMMC Management Company**

Mr. Hicks and Mr. Lawrence reported they took possession of five boxes of records and files on November 2, 2009. In addition, there is a box of architectural plans and similar large maps; Mr. Hicks suggested these may be nearing the end of the five-year retention date required by the CC&R's. In the near future, the records and files will be stored at the home of Larry and Suzie Lawrence; once a management company is in place, perhaps the management company will store the records and documents. TMMC confirmed that TPR HOA mail will be forwarded for a period of three months from the date of that company's resignation which was October 3, 2009.

- **New Management Company**

Mr. Hicks prepared a "scope of services" and distributed it by E-mail to the directors for review. He will continue to revise the "scope of services" as he receives comments from the directors. Directors are to suggest names of prospective management companies so that when the "scope of services" is finalized, it can be sent to those management companies to solicit bids for services.

- **Outstanding Violations**

The following outstanding violations were addressed:

18650 Lake Drive (Alleged violation of CC&R's ACC approval provisions)

Mr. Hicks reviewed the background information he had and his knowledge with regard to this matter. Mrs. Torrance reviewed information she had assembled from a review of Association documents, minutes, and background documentation provided by TMMC Management Company, the property owners, and legal procedures/requirements for a Board to take action without a meeting.

Following discussion by and among Board members and HOA members in attendance, Mrs. Torrance moved the continued enforcement of the alleged violation be dismissed; the motion was not seconded and was not approved.

Mr. Polland moved the property owners be requested to submit, in written form acceptable to themselves, a description of the modifications made to the property and that the ACC evaluate the modifications and report back to the Board of Directors. The motion was seconded and approved.

(Aye: Coscarelli, Lawrence, Polland; Nay: Torrance; Abstention: Hicks)

(Due to a conflict of interest with regard to this matter, Mr. Dinkel, in attendance and a member of the current Architectural Control Committee, excused himself from the discussion and consideration of the matter when it is presented to the ACC.)

18909 Pagentry Place (Alleged violation of CC&R's ACC approval provisions)

Mr. Hicks reviewed background information he had and his knowledge with regard to this matter. Mrs. Torrance reviewed information she had assembled from a review of background documentation provided by TMMC Management Company,

Following discussion by and among Board members and HOA members in attendance, Mr. Lawrence moved the Board request a written statement from Derrell Schreiner, the sole member of the ACC at the time the storage corral was installed, and that the matter be reviewed in 30 days to evaluate the strength of the HOA's case in pursuing enforcement of the violation. The motion was seconded and approved.

(Aye: Coscarelli, Hicks, Lawrence, Polland, Torrance; Nay: None; Abstention: None)

18791 Pagentry Place (Alleged violation of CC&R's Parking provisions)

Mr. Hicks and Mr. Lawrence reviewed background information they had and their knowledge with regard to the alleged violation. Mr. Lawrence reported he met with Bill Schulze to gather information about the matter and shared that information.

Following discussion by and among Board members and HOA members in attendance, Mr. Lawrence moved the Board continue sending notices of violation and waive the fines associated with the violation.

The motion was seconded; for lack of a majority, the motion was not approved.

(Aye: Lawrence, Torrance Nay: Coscarelli, Hicks Abstention: Polland)

Mr. Hicks moved the Board request a meeting with the property owners to discuss the matter further and suggested the Board should again evaluate the enforcement of the alleged violation following the meeting. The motion was seconded and approved.

(Aye: Coscarelli, Hicks, Lawrence, Polland, Torrance; Nay: None; Abstention: None)

Mr. Lawrence offered to contact the property owners to schedule a meeting.

In the context of the discussion regarding all of the above matters, Mrs. Torrance noted the CC&R's and policies and procedures of the HOA allow a Board of Directors options of discretion and deviation with regarding to pursuing the investigation of and enforcement of the CC&R's.

- **New Complaints**

Prior to the meeting, Mr. Hicks had informed the directors that a written complaint had been received regarding open garage doors on a property on Pagentry Place.

(Due to a conflict of interest with regard to this matter, Mr. Lawrence excused himself from the discussion and consideration of the matter.)

Following discussion by and among Board members, Mrs. Torrance moved the matter be dismissed; the motion was seconded and approved.

(Aye: Coscarelli, Hicks, Polland, Torrance; Nay: None; Abstention: Lawrence)

- **HOA Legislation** - Discussion of this agenda item was tabled.
- **Financial Audit (2008)** - Discussion of this agenda item was tabled.
- **Next Board of Directors' Meeting** – No meeting was scheduled.
- **Action Items for Subsequent Meeting** – Action items to be discussed at a future meeting were suggested and noted.

They include:

Review and approval of an ACC submittal form
Approval of leasing of post office box for the Association
Approval of establishing bank account(s) at a local bank
Selection of a management company
Further consideration of outstanding violations

Candace Torrance, Secretary

____ Approved as written (Date:____)

____ Approved as corrected (Date:____)