

**Minutes of a Meeting of the Board of Directors
of the Tall Pines Ranch Homeowners' Association
November 16, 2009**

I. Member Comments

Prior to the meeting, TPR HOA members were invited to address the Board of Directors.

Mr. Powell commented regarding various outstanding covenant violation matters under review by the Board of Directors.

(TPR HOA Members in attendance: Jackie Dinkel, Ruben Dinkel, Reesa Hicks, Derek Powell, Gary Torrance)

II. Call to Order

Mr. Hicks, President, called the meeting to order at 6:36 P.M.

III. Roll Call

All directors responded to Roll Call

(Cynthia Coscarelli, David Hicks, Larry Lawrence, Stephen Polland, and Candace Torrance)

IV. Approval of Minutes – Board of Directors' Meeting – November 3, 2009

Mr. Hicks moved the Minutes of the November 3, 2009 meeting be accepted with correction to the members that were in attendance included Reesa Hicks and Doug Parker. The motion was seconded and the minutes were approved unanimously.

V. Financial Reports

(No financial reports were presented for review.)

VI. Covenant Violation Matters

Open Violations

18791 Pagentry Place (Violation of CC&R's – Parking provisions)

One of the owners of the property attended the meeting to discuss with the Board the circumstances with regard to garage space and parking at the family's home. Following a discussion by and among the members of the Board and the owner, Mr. Lawrence moved that the parking matters at the property be recognized as a violation of the covenants and noted in the records and that the associated fines for a continuing violation be waived. Further, that the continuing parking violation be addressed each quarter year by the owners and the Board as to the status of the matter and the progress the owner is making on removing some of the cars or building an approved enclosure. The motion was seconded. Upon vote, the motion failed.

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

Following defeat of the initial motion, the Board further discussed the matter.

Mr. Hicks moved that the Rules and Regulations be followed with regard to all matters until a review of the Covenants, Conditions and Restrictions can be undertaken. Mr. Lawrence inquired if this meant also imposing fines with regard to this parking matter. The motion was seconded and passed.

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

18650 Lake Drive (Violation of CC&R's - Architectural Control Committee provisions)

The Board reviewed the form submitted by one of the owners of the property describing the house modifications that had been made. The owner had made some changes to the form. Discussion ensued with regard to what is required on an ACC submittal form and whether or not a form prescribed by the TPR HOA

exists. It was noted that the form provided to the owner for completion appears to have been prepared by TMMC Management Company. It further was noted that in general, members of the Board or Architectural Control Committee need to be able to enter onto a property in order to inspect modifications. The form as submitted by the property owner was distributed to members of the Architectural Control Committee for review and advisement. Mr. Marter and Mr. Harder, two of the three members of the ACC, reviewed the submittal and recommend the modifications be accepted.

Mr. Polland moved the Board accept the recommendations of the ACC with regard to accepting the modifications that previous were made to the house but noted that the changes the owner made to the form itself are unacceptable. The motion was seconded and passed.

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

Further discussion ensued with regard to the alleged storage of equipment behind and within the subject enclosure. It was noted the back of the enclosure is open and may be viewed by neighboring properties. Mr. Lawrence moved the Board request the owner extend the enclosure, with like material and of like color, so as to completely conceal from view the equipment stored within the enclosed area; the owner will not be required to seek ACC approval with regard to further extending the enclosure. The motion was seconded and passed.

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

Mrs. Torrance will advise the owner of the approval of the modifications already made and with the further request to extend the enclosure at a time convenient to the owner.

18909 Pagentry Place (Violation of CC&R's – Architectural Control Committee provisions)

Mr. Hicks reported that Derrell Schreiner, former member of the ACC, has provided a written statement that he verbally approved the construction of a storage coral/fence on the property. Discussion ensued as to the history of this matter and the nature of legal advice that had been requested by TMMC Management and given by the HindmanSanchez firm. Further, it was discussed whether or not Mr. Schreiner approved the location of the coral/fence in a set-back area. Mr. Hicks confirmed he thought Mr. Schreiner had approved the location of the coral where it was constructed.

Mr. Hicks moved that the violation be dismissed since the storage coral/fence materials and location were approved verbally by Mr. Schreiner, acting as the sole member of the ACC, and as such the community had no legal basis to proceed with action. The motion was seconded and passed.

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

The property owner, in attendance, noted that if the owners of the properties at 844 Piney Ridge Way and 808 Long Timber Lane remove fences constructed on their properties that he would remove the storage coral/fence on his property.

New Complaints, Alleged Violations

The following alleged violations were noted by Mr. Polland.

Violation of CC&R's – Parking provisions

771 Tall Timber Lane
825 Piney Ridge Way
843 Long Timber Lane

Discussion ensued prior to and after the following motion. A discussion as to the interpretation of the parking provisions and the definition of the word "habitually" ensued. Mr. Hicks reported on the previous board's interpretation of the parking provisions.

Mr. Hicks moved that phone calls be made to the owners of these properties to remind them of the guidelines set forth in TPR HOA governing documents with regard to parking vehicles on their properties and, further, that they be advised that if they did not eliminate the parking violations within 15 days that violation letters would be sent. The motion was seconded and passed.

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

Mr. Hicks will send the violation letters pursuant to the guidelines set forth in the relevant Policies and Procedures.

Mr. Lawrence moved that any and all fines with regard to outstanding violations be waived and that courtesy notices of any violations, confirmed and alleged, be sent. The motion was seconded. The motion did not pass.

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

VII. Management Company

Mr. Hicks requested comments on a letter to be used in soliciting proposals from prospective management companies. Discussion ensued. Mr. Polland moved the proposed request for proposals be accepted. The motion was seconded and passed unanimously.

VIII. Board of Directors' Meetings – 2010 – Proposed Dates

By consensus, the directors agreed to the following schedule for regular meetings of the Board of Directors, 2010:

January 12, 2010

April 13, 2010

July 13, 2010

The information will be posted on the community website.

IX. Post Office Box

Mr. Lawrence moved the TPR HOA lease a post office box at the Monument post office at the cost of \$28.00 per year. The motion was seconded and passed.

(Aye: All Nay: None Abstain: None)

Discussion ensued about the lease of a post office box in connection with the anticipated selection of a management company.

After further discussion, the previous motion was reconsidered and withdrawn.

A post office box will not be leased at this time.

X. Bank Account – Checking

Mr. Hicks moved that the funds in the checking account in the bank used by TMMC Management be transferred to Integrity Bank in Monument. The motion was seconded and passed unanimously.

XI. Files and Records

Mrs. Torrance observed that the governing documents require the Association keep certain records but that many of those records and files have not been maintained. Mrs. Torrance and Mrs. Lawrence, member, have volunteered to organize the files and records transferred from TMMC Management Company.

Mr. Hicks moved that Mrs. Lawrence and Mrs. Torrance proceed with organizing the records. The motion was seconded and passed unanimously.

XII. Miscellaneous

Mrs. Coscarelli reported she had received an inquiry about the possibility of a holiday celebration for the Association. The consensus of the Board was that no party would be organized by the Association this year.

XIII. Adjournment

There being no further business, the meeting was adjourned at 9:02 P.M.

Signed _____
David Hicks, President

Approved as written Date: 01/12/2010

Approved as corrected Date: _____