

March 13, 2008 BR HOA Board Trustee Meeting
Thursday, Mar 13 at 6:00 p.m.

Attendees:

Bobbi Cupps - Buckboard and HOA President
Tracy Livingston - Chuck wagon & HOA Vice-President
Ranelle Shultz - Stagecoach & HOA Secretary
Kent Christensen - Elkhorn & Road Committee Chair
Lynnette Larson - Trustee at large

The meeting was called to order at 6:15.

1. Financial report and projected budget

Bobbi: Currently we have a balance of \$791 in our account and we owe \$13,485 for snow removal. Our last snow removal bill was issued on Feb 8, before the REALLY BIG STORMS hit. I suspect by the time mud season is over with we will owe Mike close to \$20,000, almost half of what we will collect for next years dues. This means we will be starting out our fiscal year, yet again, dipping into next years budget. Does anybody have any suggestions as to how we can climb out of this hole?

Tracy: We just raised the dues by 15% last year. I don't really want to raise them again this year just because we had a big snow year. We could hold a special assessment, a one time only fee, instead of raising the dues.

Ranelle: We could ask for donations, have the landowners add a little sumthin-sumthin to their annual dues. The whole state of Utah is having trouble paying for snow removal. I'm sure people will understand our situation.

Bobbi: Yeah, but most people will not likely pay any extra. They will say, "well I only went up there once this year and I didn't see any snow." Or they will come up with some excuse not to help out.

Kent: (Snorting) You try having your driveway cleared more than once a year for less than \$132.25. Those dues are nothing compared to our costs.

Lynnette: We could have little boxes to check off, like on the tax forms. Check here if you would like your donation to go towards a) snow removal, b) summer road improvement c) liver transplant fund...(loud snorting and laughter)

Kent: I think that we should ask for a one time extra payment to help offset our debt, but we shouldn't make it mandatory.

Bobbi: Lets have a bake sale at the General Meeting and raise some funds that way. We could get a dunk tank and people would pay to see the HOA board members dunked. Seriously, we could ask for donations to be sent in with the annual dues, say \$20-\$50. Most importantly, the board needs to keep a tight rein on the budget this year. Once we have spent our budget on summer road repair, then we tell Mike to stop doing any more work except for

emergency repair. We will squirrel away a little money in the bank to pay for our snow removal on time next year. Won't Mike be surprised to get paid during the winter months?

Tracy: Lets vote on it. I make a motion that we **do not** raise the annual dues.

Kent: I second the motion.

VOTE: It was a unanimous decision by all the board trustees not to raise the annual HOA dues. Dues will stay at \$132.25 for 2008-2009.

2. Roads Report & Missing Culvert on Elkhorn

Bobbi: (Looking out the window at the snow falling on March 13th.) How did we ever survive this winter?

Kent: This is the biggest winter Fruitland has seen since 1951. It was extraordinary. The winds were the worst, and the heavy snow was damaging all our equipment. There were some days that all the available equipment were out pushing snow two & three times during a storm and we still couldn't keep the roads clear.

Bobbi: I think there were only three people in Bandanna who did not call me and complain about the weather or blame me personally for all snow up here.

Kent: There was that one day, Feb 8, where the winds were so bad all the roads were completely drifted in overnight. The night before, I barely made it home in the blizzard. Vern G. was out plowing and he pushed a path for me to get home or I wouldn't have made it. Nobody could get out of his own driveways the next morning. Clint was stuck in Tabiona; Mike was stuck in Roosevelt with a broke down snow machine. We were totally compromised up here.

Bobbi: I got so many calls that morning, starting around 4:30. One woman was pregnant and her baby was due on Feb 9th. Thank heavens that baby didn't arrive early; we really dodged a bullet on that one. There were nurses, state road workers and high school teachers, among others who couldn't get to work that day.

Lynnette: We can't afford to sit around and wait for Mike to get up here and clear the roads on his own time. Too many people live up here and need to get to work or school. What if we had to get that woman & her baby to the hospital that day? That's a big liability. We should take bids from private contractors who will step in and help Mike Young with the roads, so we can get things done around here in a timely fashion.

Ranelle: Someone in stagecoach has a line on a nearly new road grader; it's a really good deal. We could purchase that and do our own roads.

Bobbi: I am not sure I want to take on that liability. Currently the HOA does not own any equipment or vehicles; our liability insurance would go up if we got into that. I would prefer to sub-contract any roadwork or snow removal work out.

Lynnette: Then there is the question of where do we store the machines? Who would operate it? Who would maintain it?

Kent: Mike will flip out and act like a spoiled little bastard if we buy our own grader. He told me that we would have to buy gravel from Roosevelt if he ever saw us with our own equipment.

Lynnette: Pffshaw, there is a gravel pit across the highway, it will be up and running this summer. Mike must know there is competition out there. He is not the only one in town.

Tracy: What's the difference to him? We often have Vern G. or somebody do some of the roadwork when Mike can't get around to it in time? We have always had some private contractors working up here to fill in the gaps. Do we have an exclusive contract with Mike? Should we write a contract?

Kent: Mike doesn't like contracts, he may read it but he won't sign one.

Tracy: Should we look for other bids from subcontracters to help Mike out?

Bobbi: We spent \$37K last summer on road repairs and maintenance. I can't see where that money did any good when I look at the mess the roads are in up on Stagecoach. A good portion of it was spent on improving roads down by Airport that didn't need any improvements. When he couldn't get out here after a rainstorm, he would have water trucked in to soak the roads so he could scrape down the washboards. That is just STUPID to be paying for water when the same job could get done after a good rainstorm. I'm not doing that again. We have got to take control of that this year or we will run out of money.

Ranelle: Mike Young would always start at the lower end of Bandanna and work his way over to stagecoach. Usually the day was over before he got to the upper parts of Bandanna.

Kent: Last year, George & Paul took Mike around and made a list of the projects they wanted done. By the time I got appointed to this position, Mike had all ready completed most of the list and was busy checking everything else off. I had no idea what was on that list or what the priority was.

This year, I will go around with Mike and we will work on only the areas that have severe damage from the washouts. I will talk to him about changing his pattern and starting on the upper part of Bandanna. We won't be able to afford much this year; I hope people don't expect a bunch of smooth roads on our budget.

Decision: There was no official vote on this matter but the board unanimously agreed not to purchase our own equipment but instead we would subcontract some of the roadwork out, preferably to someone who lives in Fruitland so they could be up here in the winter. We do not want to replace Mike Young, but only to fill in and help out when Mike could not get up here in a timely fashion to do the work. We all agreed we need better service year round.

Kent: (Mumbling and cussing about culverts, mud & roads draining) quotes Article 5, Section 16 of CC&R's. *"Installation of Culverts: Every Member who purchases a piece of property and constructs a road on the same must install a 10 inch culvert where that road meets the subdivision roadways. It is generally considered necessary to install a culvert, especially on the up-hill Lots or those Lots located up hill from the subdivision roads. The purpose of such culverts is to prevent erosion to the roads and keep down the cost of road maintenance. Any Member desiring a variance from this requirement or seeking to have a determination made that a culvert is not necessary for their particular Lot may apply to the Board for such variance."*

Bobbi: Speaking of culverts... CW-0305 lot owner (Blaine Winslow) called me to complain that he & his son had put a culvert in on their driveway. Later someone came in and dug this culvert out and moved it aside while they were working on the water line. The culvert was never replaced and now it is sitting next to the driveway of the neighbor's lot 0304. Blaine wants his culvert back.

Kent: I think I know who is responsible for moving the culvert. It is either the water department or that guy that lives over the hill there.

Bobbi: When the snow melts, prolly by the end of May, we will see if we can spot this missing culvert and I will talk to the water department (or that guy) and see what we can do about returning it to the rightful owner.

3. Collecting of unpaid dues

We did a fair job of collecting on unpaid dues. Most of the people I called were very nice and simply forgot to pay. The following is a list by phase of how many still need to be collected for 2008.

- 1 in Elkhorn - EK-0049 Glade & Kathy Wiser owe us \$132.25
- 0 in Stagecoach - (2 have paid next years dues!)
- 4 in Buckboard - BB-0114 Jeremy Schooley - owes us \$274.85
 - BB-0089 Ruth Medina owes \$274.85
 - BB-0022 Robert & Judy Miller owes \$132.25
 - BB -0017 Dale & Karen Larson owes \$132.25
 - BB - 0023 Carl & Bonnie Callister owes \$274.85
- Chuck wagon - 11
 - CW-0316 Mark & Carol Demill owes \$100.00
 - CW-0250 Brian Trapnell owes \$132.25
 - CW-0278 David & Linda Ledingham owes \$132.25
 - CW-0292 Susan Garcia owes \$310.53
 - CW-0295 & 0296 David & Anne Green owes 164.50
 - CW-0305 Vernessa Reed owes \$132.25
 - CW-0310 Kuka Toleafoa owes \$132.25
 - CW-0330 Robert Ludlow owes \$1,073.57
 - CW-0343 Edward Paulsen owes \$132.25
 - CW-0371 Gerald Davis owes \$132.25
 - CW-0007 Rodney Roalson owes \$132.25

There is a total of **\$3795.65** in outstanding dues.

Tracy: Thunder Ridge HOA has collected dues for 2008 and we will be forwarding the Bandanna portion of that onto Shauna next week.

Bobbi: In years past, a few members of Bandanna Community who have contributed time and energy towards managing the ranch have their annual dues waived in lieu of paying them. We will be waiving the dues of the following people (for 1 lot only) in return of services rendered. Are there any others that the Board wants to add to this list?

Vern Graham, Kirk Larsen, Scott Carter, Dee Egget & the board of trustees. However, if any of these people desire to make a contribution to the HOA in order to help us pay for the HUGE SNOW REMOVAL bill, they are encouraged to do so.

4. Discussion of Browning Rd - by the main gate

The status of this road was in dispute as to whether or not it is a Bandanna road. This road went unplowed this winter as it has in all previous winters. The new owners of the cabin (Herman Rackl) at the end of the road as well as the owner of the first lot (Larry Padlow) have politely requested us to clear & maintain it.

Bobbi: I believe we have resolved this dispute and it is indeed a Bandanna road. Before I knew that, I asked Vern G. to scrape out a little pull out so the 5 lot owners down that road could park their vehicles and hike into their lots. Mr. Rackl paid Vern to plow the road down to his cabin. When I learned that it was a Bandanna road, I spoke with Mr. Rackl and arranged to have the HOA to reimburse him for the money he paid Vern for plowing it. It will be deducted from Rackl dues next year.

Kent: That's right, that road is a Bandanna Road. It should be maintained and plowed. When the snow melts, we will go over there and see what needs to be done to improve it, widen the turn around if necessary so an emergency vehicle or snow plow can turn around at the end of it.

Bobbi: I want to thank Larry Padlow and Herman Rackl for their understanding and patience with us in this matter. I also want to mention that 3 of the 5 lot owners on this road have not paid their dues and we are quite justified in limiting the amount of money we will spend on improving this road. However, the Rackls are in good standing, they have a cabin with power and water at the end of the road so we are obligated to keep it open in the winter for emergency vehicle and propane truck access.

5. Discussion about request to move in Containers- (storage sheds)

Lot SC-117 on Horseshoe bend sold in Jan and the new lot owners requested permission to move in two 40X8 containers onto their lot. The available board members & the Architectural Committee were contacted by phone and their request was turned down, based on the size of the containers. They are over 200 square feet, which is the county limit. More than that and you need a building permit. Now that Ranelle (the stagecoach trustee) is back in town I would like to formally address that request. Were we correct in turning them down?

Ranelle: Yes, stagecoach phase has very specific CC&R's; it is a cabin only area. The new owners are up there on Horseshoe bend, where they can see the neighbors with a couple of campers & tents. Those people are in violation of our CC&R's, they can only have those structures on the lot for one year before they have to build a cabin. It's been over a year.

Bobbi: We will have the Architectural Committee investigate that violation this spring.

Vote: The board voted unanimously against moving any large containers into Bandanna Ranch.

6. **Planning the Spring newsletter**

A first draft of the spring newsletter was passed around and discussed. Additions to the letter were suggested. Specifically we want to mention the new website. In addition to the traditional info of the newsletter, (i.e. gate combo, meeting schedule, culverts & ATV's) we decided to include a little honesty and fess up to the financial situation we are in. We will request donations to be included with the dues to help offset the huge cost of this winter's snow removal. The Fruitland Fire Council is writing up their spring newsletter and plans to include it with ours when we mail it out.

7. **Clarification of by-laws**

Bobbi: Several prospective property buyers or their agents have contacted me for clarification of our by-laws. I would like to get some agreement from this board on how to interpret them. Specifically, Tracy, I get a lot of inquiry's from Bandanna Ranchers who are also pilots and would like to know if they can use the airstrip and is there a place to park their planes overnight. (See Article V Section 7: Overnight Parking)

Tracy: Yeah, they can use the airstrip but there is no place to park the planes. I need to work out the legal issues and create an Air Club. That way people can pay some dues, like they do to the Hunt Club, which gives them access to the airstrip and a place to park their planes. I'm working on that.

Bobbi: Also I have had inquiries about how many horses you can have on your property. Article V, Section 8: Livestock is somewhat confusing unless you have a Math Professor living with you. *"Animals on a single family lot shall be restricted to two (2) horses, two (2) cows, two (2) sheep, or any combination of the above but not to exceed the total of the above. No more than two (2) dogs can be kept on the property not shall the dogs be kept for breeding purposes."*

Tracy: (Thoughtfully working his math on his fingers) Well that's pretty clear..2+2+2 is 2 right? No wait, six.

Bobbi: (whipping out her scientific calculator) Yah that's right. You can have 6 horses or 6 cows or 6 sheep per lot. In addition to your 6 horses you can have 2 dogs. Now, for extra credit.. How many wives can you have?

Ranelle: It depends on how many cocktails you have had.

Kent: No pigs. It doesn't say you can have any pigs.

Decision: Although it was not voted on, the board unanimously agreed that a single lot could have up to 6 livestock animals (cows, horses or sheep) plus 2 dogs. That means if you have two lots you can keep 12 livestock animals. Property owners are still responsible to control their lots so that dust and odor do not become a problem to other property owners.

8. Water Moratorium

According to Larry Worthington of the water department, there is currently a water moratorium on new water hook ups in Fruitland. When it is lifted, hook-ups will only be available if you have a water share to trade in for it. The question comes up, how does that affect Bandanna Ranch? Do we have enough water shares for every one on Bandanna that needs a water hook up to cover them? No one on the board knows for sure. This discussion was tabled until board members could get more information.

9. Rough Hollow

There is a question about the upper section of Rough Hollow. Two sections (112 acres & 25 acres) of Rough Hollow were deeded over to Bandanna Ranch HOA from Ford Inc. last year. The upper section of 179 acres seems to be missing from the paperwork and the HOA did not pay taxes on it. This acreage is in the center of Bandanna Ranch and from the looks of it, should have been included with the other two Rough Hollow pieces. It is thought that the original intention on Ford's part was to deed it all over. There is a rumor floating around that there was a mistake made at the county recorders office on this. The board discussed this and decided to investigate. Tracy is going to talk to the title company. Bobbi will check into the county tax records and find out from Mike Ford what his original intention was.

10. Scheduling & Planning the General Landowners Meeting

In keeping with Bandanna Tradition, the General Landowners meeting will be held on the Saturday before Memorial Day. That would be May 24th, which also happens to be Bob Dylan's birthday and coincides with the Fruitland Fire Fair. We will hold it at the tennis courts where it was last year. Bobbi has obtained permission from the landowner to hold it there again this year. Bobbi: What time? Is ten o'clock too early? I would like to schedule a little time before the meeting, say 9 to 10, so folks can mingle and meet the new board. I was thinking we could have a bake sale as a fundraiser to help pay for the snow removal.

Ranelle: You are going to have to bake a lot of cookies to pay that bill.

Lynnette: I know a volunteer who will manage the bake sale booth for us.

Bobbi: Can we get a sound system so we can play Dylan tunes?

Lynnette: We would need a really loud generator, which would drown out the music.

Ranelle: I think this year the board should sit together up front to support Bobbi. She shouldn't have to be the sole target for everyone's questions and complaints.

Tracy: Should the board meet before the meeting? We can discuss an agenda and make any last minute plans.

Bobbi: I don't think we will need another meeting before that. Lets wait and see how much we have on the agenda for the General Meeting and I will call everybody and schedule something if we need to meet.

The BR HOA Board meeting was adjourned at 9:15

Joke of the month: What do you call a blind doe?

Answer: Noeyeddeer