

BUCKSKIN ARTISTS COMMUNITY, INC.

Board Meeting Minutes

August 26, 2017

9:08am-12:20pm

Attending:

Steve Stearns

David Bachman

Brian Kennison

Cully Howland

Diane Dahlin

Jack Haenichen

Jim Albu

Mark Hullinger

Ken Pope

Doug Eddy

Ted Mathias

Maggie Dahlgren

Frank Davis

Denise Stearns

Call to Order

- The meeting was called to order by Steve Stearns at 9:08am. Steve welcomed everyone and thanked them for attending and participating.

Secretary/Treasurer Report - Denise Stearns

- Minutes of the April 2nd and May 27th board meetings were reviewed
- Account balance, Edward Jones account and major expenses were reviewed. Questions were answered about a few expense items.
- Mark Hullinger made a motion to accept the report and David Bachman 2nd the motion. The vote was unanimous.

Committee Reports

Water Committee Report - Jim and Doug

- Report was deferred until the 1st item of new business

Road Committee – Steve

- Reviewed the road work being completed on Rock Ledge, Ten Hawk and Pine Cone roads. Grading of the roads, fill being used on washed out area on Pine Cone, one inch cinder base spread on Rock Ledge and Pine Cone, the use of two inch dirty screen material on the steep hill on Ten Hawk and the compaction of the road material was detailed.
- Shane was not present to discuss his progress in contacting the County to address the concerns related by Michelle Oie on the County maintained portion of Deer Hill Road near her home.
- Diane discussed problems and solutions with the one inch cinders that were spread on Deer Hill.
- Steve read a text message for the Board from Jerry Hite, an owner on Artists Draw since 1973. Jerry is very appreciative of how the Artists Draw project has returned the traffic, noise and litter on the road to near that of his early years in BAC.

Architectural Committee – Maggie

- There were no Architectural Change or New Construction requests since the last board meeting.

CC&R Committee – Jack and Diane

- Will be working on an agenda and specific CC&R's in the next two weeks.

David Bachman made a motion that the committee reports be accepted. Mark Hullinger 2nd the motion. Vote was unanimous.

Old Business

- Steve discussed the progress we are making on late dues collections. At present, 24 properties remain with unpaid balances: 12 have 2017 unpaid dues and late fees; 8 have unpaid late fees; and 4 are in the collection process with BAC's collection firm. Two accounts that had been turned over to the collection firm have been paid.
- The late dues procedure is: 1) After May 16 of the first year they are unpaid, BAC adds the 10% late dues assessments and sends out letters in an attempt to collect late dues and fees. After May 16 the second year they remain unpaid, BAC performs water meter lock-outs and/or assessment liens with associated charges, and then turns the accounts over to the collection firm. Upon receipt of unpaid balances, the firm initially reimburses itself for its overhead, then pays the full amount that is due BAC, and then recovers its fees.
- Steve stated that the collection procedure and process is becoming more effective. The past due amount has been reduced to \$9,907.50.

New Business

Water System – Jim Albu

- Jim gave a presentation using data of water usage the last two years. In June of this year, usage averaged 140,097 gallons per day (up 24% over last June). Single well capacity is 129,600 gallons per day. He discussed the problem of one well failing during periods of high usage. The current two wells have the same pumping capacity. Remedy: Add a third well, decide on water conservation measures, or read water meters and charge for usage (not wanting to do that).
- Jim presented two options for an additional well. Estimate for a second well at the upper well site is \$70,000.
- A question and answer session with Jim continued at length. Jim stated that we are getting close to maximizing capacity - we are going to have to have a 3rd well. The aquifer is big enough. Our upper well is 750 feet deep and the lower well is 600 feet deep.
- Ted asked about the status of the pressure tank on the lower well that was put in in the '60's. Jim said two years ago that it was cleaned and painted and that it is in good condition.
- Ted also asked about additional costs of operating a third well. Jim responded that operating costs will stay about the same but maintenance costs will go up some because of the added pump and electrical equipment.
- There was more discussion on how we will pay for the well: taking out a low interest loan verses asking for a special assessment of about \$400.00 per property. Jim and Steve stated that a failure of one pump during high usage isn't a matter of "if", but a matter of "when" and recommended that BAC proceed with planning a time table for the special

assessment, for the well drilling and equipment installation. Jim stated that he would like to see the new well on-line by early summer of 2019.

- There was no voting on the third well, but the consensus of members present was agreement with Jim's proposal.
- Jim will proceed with finalizing detailed drawings, plans and costs of the well.
- Steve, Jim and Denise will plan and send out water conservation requests for periods of peak usage next year.
- David suggested making up a call list to notify members of austerity measures when a pump fails.
- Next board meeting, after reviewing the detailed plans, a vote will be taken on proceeding with the special assessment and well installation.

Paving a section of Cliffview Road

- The members discussed a proposal by a homeowner to personally pay for and pave with asphalt a section of Cliffview Road by his home to reduce dust and noise of people driving up the hill. He would personally pay for the paving and maintenance of the section.
- Steve stated that he had discussed this with the individual and had told him that he would bring it before the board for discussion. He also stated that if approved, BAC would bear no costs in relation to the section of road.
- Board members felt that long term maintenance would be a costly problem, that the asphalt installation was not a good precedent to set because other members may like to pave sections of BAC roads adjacent to their properties. Members felt that was not the intent of the statement in BAC Road Policy, "The dirt roads are considered part of the overall charm of the community, providing a sense of remoteness and privacy. There are no future plans to change the type or condition of the roads."
- Brian suggested that along with the two inch dirty screen material and the one inch cinder material being used on other BAC roads, that we spread and compact a basaltic mix on this section of road because it compacts and holds up very well and is easily repaired. He stated the material costs about \$35.00/ton, but that we would not need a lot of material for the road section discussed. Steve is agreeable to installing the material.
- There a vote was not taken on the subject, because the homeowner was not able to be present to make his presentation, Steve will speak to him of the board's discussion and proceed from there. He may still want to present his proposal personally to the board, or he may agree to drop his proposal in lieu of BAC installing the basaltic material.

Justification and procedure for denying the use of Artists Draw Road

- Brian and Steve discussed an incident of abuse of the road by the upper gate, Brian's discussion with the individual and then the discussion that he and Steve had with a Sheriff's deputy. The deputy has told the individual to not use the road until we contact him after this meeting.
- The following are highlights of the board's discussion:
 - Surveillance cameras were suggested to be placed in the two gate areas. Frank Davis offered an inexpensive system he has for BAC to use.
 - Steve stated the cameras have to be of the quality to produce high resolution pictures.

- Brian Pope, Ken Pope's son stated that the HOA can file an injunction protecting the rights of homeowners.
- Ted stated that a complaint reported to the Sheriff's office would be received and recorded and acted on by dispatch.
- Steve asked Jim Albu, Brian Kennison and Frank Davis to work together and proceed with surveillance camera installation and use at the upper gate.
- Following discussion, the board agreed on the following procedure:
 1. The member who witnesses an incident of abuse (excessive speed, noise, etc.) will get as much information as he/she is able on the incident, the vehicle involved, license plate number, the time of day, etc., and then call a Road Committee member as soon as possible to report the incident.
 2. The Road Committee member will contact the Sheriff's office dispatch and the BAC president or vice-president with the information.
 3. The Sheriff's Deputy involved will contact the BAC road committee member and the BAC president/vice president involved for verification and details of action to be taken related to the individual(s) involved in the incident.
- Steve will follow-up with a written procedure for incident verification and reporting for approval by board members.

Board Meeting Attendance

- Steve briefly discussed a recent history of board meeting attendance. Several board members came on board solely because of the Artists Draw Road and gate issue. There are now 23 members. There have been two board meetings in the last year that have not had enough attendees to constitute a quorum, and no HOA business was able to be conducted. Of the eight board members not in attendance at this meeting, only three had called Steve and explained their not being able to attend. Steve stated that fewer board meetings are being called because there is no need for a meeting until enough agenda items are in place to make the meetings long enough, and because of the difficulty and personal cost of many of the members that don't permanently live in the area to travel and attend. He appreciates the diversity of members on the board which better represents the HOA membership, but wants to be able to conduct HOA business. He would like to have members on the board who truly want to be involved with all issues facing BAC.
- Board members made the following recommendations:
 - Dismiss members from the board if a certain number of meetings were missed. Use the statement in the BAC bylaws, "board members can be dismissed for cause," to include lack of attendance. Jim stated that members have been previously dismissed using the bylaw.
 - Reduce the percentage required to constitute a quorum so that HOA business can be done. An amendment to the bylaws can be made by the board.
- A motion was made by Frank Davis to reduce the percentage of board members present at a meeting to constitute a quorum to one third. Jack Haenichen 2nd the motion. Vote was unanimous.
- Steve will write an amended bylaw and send it to board members for approval, and then have it recorded.
- Jim and Steve will follow-up on the member dismissal for cause recommendation.

BAC Newsletter

- Steve stated that the newsletter discussed in previous meetings should be created and sent out to all members. He asked that each committee complete a write-up related to their area of responsibility and submit them to Denise by September 15. Steve will also write a letter for inclusion and will have Charlott contacted for other items. Denise will work with Sue Conner who will put the newsletter together, have it printed and sent out. Tentative date for the mailing will be the end of September.
- Maggie Dahlgren made a motion to create three newsletters per year. Jack Haenichen 2nd the motion. Vote was unanimous.

CC&R Discussion Item – RV's (trailers) in BAC

- Board members discussed CC&R's p. 24, Paragraph 10 related to trailers, equipment, etc. having to be parked in a garage or other Architectural Committee approved structure.
- The discussion involved how the item became included with the original CC&R, from 1960 (it was probably a copy/paste from a housing development CC&R template from an urban area); how it has not been enforced in the history of BAC because of our country, forest, horse property, outdoor activity environment; how the County has regulations in place related to RV placement and use (BAC is not an enforcement arm for the county); and that the CC&R needs to be changed to reflect the living environment that is valued in BAC.
- Diane and Jack stated that the CC&R committee will meet and then submit a recommended change to the board. Suggestions for changes were made by Gary Kessinger, an attending BAC member.

CC&R Discussion Item – Signage control in BAC

- Board members discussed CC&R's p. 25, Paragraph 11 related to signs, unsightly objects, and etc. on BAC properties..... that may unreasonably disturb other HOA members. A recent issue was detailed where an unsightly, inappropriate sign appeared and was removed from the Deer Hill Road right of way.
- Steve mentioned the 18 pages in the Navajo County Zoning Ordinance related to signage approval and control.
- Steve stated that he will be more involved in sending letters to those in BAC who do not follow the CC&R requirements.

Other Business

- Steve asked the board for approval to research and possibly buy equipment required to keep weeds mowed and controlled in BAC maintained road bar ditches. It was suggested that someone in the area may be contracted to do the job. An e-mail will be sent to members detailing the findings and asking to proceed.

Mark Hullinger motioned that the meeting be adjourned. Doug Eddy 2nd the motion. Vote was unanimous. Meeting adjourned at 12:20pm.