

Rainbow Bend HOA

Board of Directors Meeting Minutes

April 26, 2022

Board Present

Eric Hartmann - President
Beth Philpot – Vice President
Jennifer Agnew – Treasurer
F. Jay Harrell – Secretary
Dave Hart – Director

Management

Terri Kenyon – Supr CAM

Membership

List on file

Call to Order

The Board of Director's meeting was called to order at 6:03 p.m. by President, Eric Hartmann. The meeting was held via gotomeeting.com, as well as in person, in the Rainbow Room, 500 Ave de la Bleu de Clair Sparks, Nevada.

Pledge of Allegiance

Recited.

President's Report

None.

Membership Open Forum

A homeowner stated that he served on the ARB and felt that the paint colors should be grandfathered in, even if not a color that would be approved now.

A homeowner asked if the Board would be using a contractor if they decide to xeriscape the common areas and was told yes.

A homeowner asked about the bridge going out of the community onto I-80 and was informed that the bridge was in Washoe County.

A homeowner asked what was happening with the effluent pipeline. This will be addressed later in the meeting.

A homeowner also asked about the effluent pipeline and felt the Association could get much more money from the TRI-GID than the \$25,000.00 currently offered.

A homeowner asked what the violation process was. It was explained that there is a first notice sent, then a 2nd notice and then a hearing notice at which time the Board can fine. He questioned why a fine is noted on the first notice and he was told that NRS116 requires that the potential fine amount be noted on the violation.

A homeowner also asked about violations.

A homeowner asked to move their hearing (which is on the agenda) to the beginning of the meeting. This will be addressed after open forum.

A homeowner stated that a lot near his is a fire hazard with the debris and weeds in their back yard. He was told that we only send violations for things we can see from the street. He will meet with one of the Board members so that a picture of the back yard may be taken, and the violation addressed.

A homeowner stated that if owners would vote for a DA that would do something, these issues would be addressed.

A homeowner asked if a member not in good standing could serve on the Board. He was told that yes, they may serve on the Board but may not attend the executive session if they have been declared a member not in good standing.

A homeowner asked about violations.

A homeowner stated they had tried to refinance their home but was unable to as the underwriter told them their HOA payment history wasn't good. Terri Kenyon stated she would look into it for her.

Management Report

Executive Session Report

Terri Kenyon reported in the last two executive sessions the Board reviewed delinquencies per the collection policy, approved executive minutes, reviewed violations, held hearings and assessed fines as per the rules & regulations, and also reviewed personnel matters.

Litigation Update

None.

Unanimous Consent Matters Approved by Board for Ratification

None.

Expenses Approved Since Last Board Meeting

Jet Drain was called to repair a leak in a sink in the men's locker room.

Other

Management presented the Board with a revised proposal from T&T Lawns Plus, LLC in the amount of \$50,910.00 annually (\$8485.00 monthly through the season). After discussion, *Jennifer Agnew made a motion to retain T&T Lawns Plus, LLC. Dave Hart seconded, and the motion carried unanimously. Dave Hart made a motion to rescind the motion from the prior meeting to retain Elite Hardscapes, F. Jay Harrel seconded, and the motion passed unanimously.*

Board /Committee Reports

Patrol Report – Eric Hartman read the patrol report – loose dogs, dog returned to the owner, suspicious persons in the community reported but not found, speeding issues and cars parking in the streets which are all red zones.

ARB Report

Bob Holleman reported 16 new ARB requests and all were approved.

RV Committee Report

Merilee Miller reported all was well.

Approval of Minutes

Jennifer Agnew made a motion to approve the March 2022 Board of Directors meeting minutes as corrected. Eric Hartmann seconded the motion. The motion carried with all in favor.

Financial Reports

Jennifer Agnew made a motion to approve the financials through March 2022. F. Jay Harrell seconded the motion. The motion carried with all in favor. Jennifer Agnew contact John Spears regarding the Edward Jones account and is in the process of updating the authorized board member signers. Jennifer Agnew is also discussing FDIC limits and current CD options with Mr. Spears.

Review of Bank Statements

The Board received bank statements in their board packages.

Unfinished Business

Reserve Projects

Jennifer Agnew provided the Board Members with a preliminary draft for the RFP for the Pool/Locker Room area remodeling project.

Association Website

Jennifer Agnew reported that the Association had been offered a website that had been set up prior by a homeowner at no cost to the Association. *Jennifer Agnew made a motion to over the website including the domain name and webpage and have the future communications*

Committee oversee the website and update as needed. Eric Hartmann seconded, and the motion carried unanimously.

Effluent Pipeline Construction

Terri Kenyon explained that the Association's attorney had reported that the TRI-GID had run the effluent pipeline to the Long Valley Creek and tie into the area that there is already an easement for utilities. The Association's attorney had reported that where the TRI-GID tied in the Long Valley Creek is property that belongs to the Association and not the Canyon GID as had been thought prior by both the HOA and the CGID. The TRI-GID has not responded to the Association regarding whether they will extend the time frame for the Association regarding getting sufficient ballots returned to allow an easement. The TRI-GID is also researching if they can get past the HOA requirement to have the membership vote on an easement by showing that there is a current easement through the Long Valley Creek, or that "Waters of the US" may allow them to circumvent the Association. At this time, the Association is waiting on the TRI-GID.

New Business

Employee Fuel Card for Employees

F. Jay Harrell provided the Board with paperwork from Interstate Oil Company. Interstate Oil Company requires payment of the bill every 15 days and also charges California regulation fees of \$14.30 monthly. The paperwork requires two Board members to personally guarantee payment of any fuel cards.

Community Charters

Jennifer Agnew made a motion to adopt the Committee Charters Policy Resolution. F. Jay Harrell seconded the motion. The motion carried with all in favor.

Budget Committee Charter – *F. Jay Harrell made a motion to adopt the Budget Committee Charter. Jennifer Agnew seconded, and the motion carried with all in favor.*

Landscape Committee Charter - *F. Jay Harrell made a motion to adopt the Landscape Committee Charter. Eric Hartmann seconded, and the motion carried with all in favor.*

Clubhouse & Amenities Charter – *Eric Hartmann made a motion to adopt the Landscape Committee Charter. Jennifer Agnew seconded. F. Jay Harrell proposed an amendment to the Clubhouse & Amenities Charter of deleting the words "direct contact or" from item number 7. After discussion, Eric Hartmann rescinded his motion and Jennifer Agnew rescinded her second. F. Jay Harrell made a motion to adopt the amended Clubhouse & Amenities Charter. Eric Hartmann seconded, and the motion carried unanimously.*

Communications Committee Charter – *Jennifer Agnew made a motion to adopt the Communications Committee Charter. Eric Hartmann seconded. Eric Hartmann, Beth Philpot, Jennifer Agnew and David Hart voted yes; F Jay Harrell voted no. The motion carried.*

Volunteer Application Form – *Jennifer Agnew made a motion to adopt the volunteer application form. F. Jay Harrell seconded, and the motion carried unanimously. Jennifer Agnew made a motion to deliver the applications along with a cover letter to the tubes and to mail it to those owners that do not have a tube. Eric Hartmann seconded the motion which carried unanimously.*

Xeriscape of the Common Areas

After discussion, it was decided to remove this from the agenda and to assign this item to the landscape committee once it is formed.

Common Area Trees – Memorial Plaques

This item will be removed from the agenda and forwarded to the landscape committee.

Sexual Harassment Policy

The Association is required to adopt a sexual harassment policy per HUD due to a complaint they had received and as part of the settlement of the HUD issue. The policy presented to the Board was prepared by the Association's attorney after communication with the Attorney assigned by the insurance company to defend the Association regarding the HUD complaint. *Eric Hartmann made a motion to adopt the sexual harassment policy. Jennifer Agnew seconded. Eric*

Hartmann and Jennifer Agnew voted yes; F. Jay Harrell, Dave Hart and Beth Philpot voted no. After discussion, the Board instructed management to set up an appointment with the Association's attorney regarding the sexual harassment policy.

Agenda Procedure

F. Jay Harrell made a motion to have future agendas distributed in the tubes as well as copies left in the clubhouse lobby at least 10 days prior to Board meetings. Dave Hart seconded, and the motion passed unanimously.

Open Hearing lot 239 - Austin

Rosie Austin read a statement but did not provide a copy for the minutes. They told those present at the meeting that they had received two violations for leaving their trash can out, one for having debris visible and also one for painting their trim. She stated that the first violation for the trash can, and debris was while they were working on the home. Rose Austin felt that since two Board members are not in compliance with the governing documents, that she should not be receiving a violation from the Board. She provided management with a written request to exclude two Board members from her hearing result deliberation as she feels they have a conflict of interest and that one made a threatening comment on Facebook. She also provided management with pictures of Board member lots, that she says are not in compliance.

Rainbow Bend Correspondence

None.

Next Meeting Date & Agenda Items

The next meeting is scheduled for May 24, 2022, with the Executive Session being held prior. The next hearing executive session will be held May 17, 2022. Agenda items to be added include committee appointments, and board liaisons to the committee appointments.

Community Announcement Forum

Dave Hart reported that RBCC bingo will be held May 7th and the Veteran's potluck will be held May 21st.

A homeowner reported that the Mother's Day pancake breakfast will be held on May 7th.

A homeowner reported that neighborhood watch meeting will be April 28th at 6 PM.

A homeowner reported that the garage sale will be held on June 11th & 12th.

A homeowner reported that the elementary school children will be going through the community for their spring fund raiser.

Membership Open Forum

A homeowner was upset that they had received a violation.

A homeowner asked about committee appointments.


A homeowner said that the Board should apologize for sending a violation to a homeowner who was doing something for the community when their cooler was left in their driveway.

A homeowner said they would like to see the CCRs rewritten to create more of a sense of community and less of telling members what they are doing wrong.

Adjournment

With no further business to discuss, *David Hart moved to adjourn the meeting at 8:28 pm. Eric Hartmann seconded the motion. The motion carried with all in favor.*

Respectfully Submitted,


Terri Kenyon, Recording Secretary


F. Jay Harrell, Board Secretary