

# Rainbow Bend HOA

## Board of Directors Meeting Minutes

### July 25, 2023

#### Board Present

Leroy Predmore – President  
Eric Hartman – Vice President (absent)  
Jennifer Agnew – Treasurer  
Diana Vick – Board Member  
F Jay Harrell – Secretary

#### Management

Terri Kenyon – Supr. CAM

#### Membership

On file

#### Call to Order

The Board of Director's meeting was called to order at 6:16 pm by President, Leroy Predmore. 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. With four Board members in attendance a quorum was established.

Pledge of Allegiance - Recited.

Membership Open Forum – A homeowner asked where Eric Hartmann was. He was told that Eric was sent to Carson City for his job today and is on his way but may not make it in time due to traffic issues.

A homeowner asked about the status of the clubhouse project and was told that the were here this week to take measurements.

#### Management Report

Executive Session Report - Terri Kenyon reported in the executive session the Board discussed personnel documents; scheduled a drive through; and a potential violation was discussed.

Litigation Update - None.

Unanimous Consent Matters Approved by Board for Ratification – The Board approved placing the sign-up sheet for the Waste Management Luncheon at the landfill in the clubhouse.

Expenses Approved since the last meeting – Management approved irrigation repairs in the common area.

#### Board /Committee Reports

##### ARB Report

Lisa Holleman stated that sixteen ARB requests have been approved.

##### RV Committee Report

Lisa Holleman reported that there are six new rentals that start on August 1<sup>st</sup>; three commercial vehicles were removed from the overflow parking area, that the weeding and spraying for weeds is still going on.

Budget Committee Report – None.

##### Community Landscape Committee

Lisa Holleman reported that the drip lines are completed; that \$68.00 was spent on new sprinklers that were installed; that the dead junipers had been removed from around the overflow parking area; that some lots were sprayed for weeds on houses that were empty or had a elderly resident that needed assistance.

F. Jay Harrell reported that the landscape committee had met with Reno Green to fine tune our expectations including the process for red and green dots, which Reno Green will now be taking care of to eliminate the confusion as some owners had painted their own and some homes had both a green and red dot. If a home needs their dot color changed, they are to notify management who will then notify Reno Green.

Communications & Event Committee Report – Janice Kraft reported that the newsletter was

almost done; that the Games & BBQ event will be held on August 26<sup>th</sup> in the Rainbow Room and that the flyer for this event will be going out soon.

**Clubhouse Int/Ext & Recreation Area** – None.

**Governing Documents** – The Committee is meeting regularly to work on the governing document revisions.

**Approval of Minutes**

*Jennifer Agnew made a motion to approve the May 23, 2023, minutes as corrected. Leroy Predmore seconded the motion which was carried unanimously. Diana Vick made a motion to approve the June 27, 2023, minutes as written. Jennifer Agnew seconded the motion which was carried unanimously.*

**Financial Reports**

Postponed.

**Review of Bank Statements** – Postponed.

**Unfinished Business – Action items**

**Reserve Projects** – The Board is waiting for the Design Architect to submit the renderings.

**Reserve Study Update** – Postponed.

**NVEnergy natural gas conversion project** – None.

**Consulting Attorney regarding Lots A&B** – F. Jay Harrell stated that there is a current attorney's opinion on the HOA's relationship with lots A&B and our ability to use lots A&B. The attorney's opinion is currently classified as privileged and cannot be legally shared with the homeowners of Rainbow Bend who paid for it. *F. Jay Harrell made a motion to request our attorney issue a non-privileged version of the legal opinion on lots A&B so that the residents can benefit from her expertise. Diana Vick seconded the motion. The vote was F. Jay Harrell and Diana Vick yes and Jennifer Agnew and Leroy Predmore no. The motion did not carry. Jennifer Agnew made a motion to have the attorney prepare a non-privileged version of the legal opinion that the Board has received after they meet with her to discuss the opinion that has been received. Leroy Predmore seconded the motion. F. Jay Harrell, Jennifer Agnew and Leroy Predmore voted in favor and Diana Vick abstained.* The Board is scheduling a meeting with the Attorney to discuss it in more detail and also ask the attorney to prepare a non-privileged version that all homeowners may review.

**Key Card System Upgrade/Update** – Postponed – waiting on a proposal.

**Storey County Request to use Lots A&B** – Stacy York is the contact for Senior Services. This is still being discussed.

**Sports Court Resurfacing & Painting** - Postponed.

**Volunteer Appointments to various Committees** – Postponed as no applications have been received.

**New Business** –

**National Night Out 8.1.2023** – Summit Fire will be attending; Crumbles Cookies will be donating some cookies; various other organizations will be in attendance. The Board will take turns at their table, and it is not necessary to purchase any giveaways at this time.

**Discussion of owner allegation that the Board breached its fiduciary duty** – In 2012, the Association foreclosed on a home in the Association for non-payment of assessments. The Association took ownership of the home at the foreclosure sale by credit bid because there were no other bidders. In 2014, the Association offered that home for sale and Ms. Austin (use her name if she has revealed herself during owner comment period; otherwise just refer to her an individual who already owned property in the Association) purchased the home through a sealed bid auction for less than \$15,000. The Association deeded the property via quit claim deed, which provides no warranties as to title. The Association's foreclosure sale did not extinguish the first deed of trust and the lender completed its foreclosure on the property nearly 8 years after her purchase from the Association. She is demanding that the Association refund what she paid to purchase the home in 2014. The Association has no obligation to refund her money on a property she held for 8 years and denies that the conduct of the original foreclosure sale, its sale of the property to her or its refusal to refund her money is a breach of its fiduciary duty.

**ASP Proposal** – Jennifer Agnew made the motion to accept the proposal from ASP to replace the heater display membrane; repair the leak in the spa plumbing; replace the spa timer and also replace the spa keypad in the amount of \$1,9983.24. F. Jay Harrell seconded the motion which was carried unanimously.

**Correspondence**

None.

**Next Meeting Date & Agenda Items**

The next meeting is scheduled for August 22, 2023, with the Executive Session being held prior. The next hearing executive session may be held August 15, 2023.

**Community Announcement Forum**

**Rainbow Bend Country Club** – Dave Hart reported that bingo is scheduled to be held on August 12th, 2023, and the ice cream social event is schedule to be held on August 19th.

**CERT** – No meeting will be held in August.

**Other** – None.

**CGID meeting** -


**Membership Open Forum**

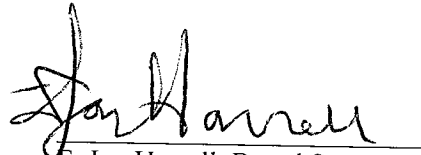
A homeowner read a statement regarding her position that if you are unable to serve on a committee or the Board and don't have time to be at every meeting, you should resign.

A homeowner asked about the fee that AppFolio would be charging for online payments and was told that this fee had been waived.

**Adjournment** With no further business to discuss, *Leroy Predmore moved to adjourn the meeting Jennifer Agnew seconded the motion. The motion was carried with all in favor at 8:03 pm.*

Respectfully Submitted,

  
Terri Kenyon, Recording Secretary

  
F. Jay Harrell, Board Secretary