

DOUGLASS RANCH PROPERTY OWNERS ASSOCIATION

Minutes of the Board of Directors

Call to Order: Regular meeting of the Board of Directors was called to order on October 21 by President, Aaron Reilly, at 7:06pm.

Location: Meeting took place virtually via Zoom.

Attendance

Board Members Present:

Aaron Reilly	President	512-769-6400	drpoa.president@gmail.com
Veris Simms	Vice President	720-220-5631	drpoa.vicepresident@gmail.com
Andréa Swenson	Secretary	612-201-0289	drpoa.secretary2020@gmail.com
Randy Jensen	Treasurer	303-8385117	drpoa.treasurer2020@gmail.com
Mark Ferguson	Roads & Grounds	720-403-3939	drpoa.randg@gmail.com

Others Present:

Advisory Committee Member: Tricia Jensen

Members at Large: Mike Rheinberger.
Cathy Rheinberger
Dallas Ostrom
Cairon Moore-Simms

Absent: None

I. Approval of the Agenda

- Approval of the Amended June 29 Minutes and approval of July 6, 2020 Minutes.
- Review and Discuss Community Feedback on Draft Ballot
- Finalize Draft Ballot
- Discuss next steps moving forward with DRPOA Attorney
- Discuss speaking assignments for Annual Meeting

II. Additions to the Agenda

- Declaration of Candidacy for DRPOA Board of Directors.

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III. Declaration of Candidacy for DRPOA Board of Directors.

- Randy Jensen announced his withdrawal from candidacy for the Board of Directors
- Tricia Jensen announced her declaration of candidacy for the DRPOA Board of Directors

IV. Approval of Minutes From June 29 and July 06

- June 29 minutes were amended and approved with addition of the following electronic votes:
 - i. **June 12** vote via email authorizing Mark Ferguson to obtain bids to excavate and repair the drainage ditch on Baldwin Court.
 - ii. **June 24** vote via email authorizing approval of expenditures to move forward with the aforementioned repairs and DR roads repairs.
- **Motion I:** Aaron Reilly moves to approve amended June 29 Minutes.
- **Motion Second:** Randy Jensen
- **Motion I Passed:** Unanimously.
- **Motion II:** Aaron Reilly moves to approve July 06 minutes.
- **Motion Second:** Randy Jensen
- **Motion II Passed:** Unanimously.

V. Review and Discuss Community Feedback on Poll Results

- Poll results for **Issue 4** of acceptable percentage increase for dues were finalized and discussed. The calculated averages from community response came to 12%.
- **Motion III:** Aaron Reilly moves to enter 12% for Question 8 on the draft ballot
- **Motion Second:** Randy Jensen
- **Motion III Passed:** Unanimously.

- VI. **Finalize Draft Ballot** – The following indicates quality check, amendments made in the draft ballot, or comments intended to be submitted to DRPOA attorney, Kim A. Porter, **Ballot Questions 1 through 27**. Upon submission, Kim A. Porter is authorized to determine legal merit and craft appropriate and clear language. Questions which had no commentary, needing no further amendments, or did not require additional commentary were marked “OK.” The final product will be sent to the Douglass Ranch community for final vote language preferred for amending our CC&Rs. For intended purposes here, only the question number is indicated. Please refer to attached draft ballot the subject of the question. All references stating, "attorney" from this point forward means DRPOA attorney, Kim A. Porter.

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- **Questions 1 – 7 – OK**
- **Question 8 -** Amended to indicate 12% dues increase per year. Advise attorney of board approval to amend to 12%.
- **Question 9 and 10 – OK**
- **Question 11 –** Added note to attorney for opinion if the restriction of “*excessive traffic*” is enforceable. Also request to add a ballot measure prohibiting the production of marijuana with the intent to sell. Require attorney advise on zoning, language structure, and enforceability.
- **Questions 12 through 18 - OK**
- **Question 19 -** Present to attorney the following clause, “***and therein require prior written approval from the Design Review Committee,***” for review, determine its merits, and whether or not it is in violation of ORTARD (Over-the-Air Reception Device Rule), nor pose any undue restrictions to DRPOA residents.
- **Question 20 and Its Subgroups. –** Under “**Construction Equipment**” the clause, “***...or Sub-subcontractors for use in accomplishing the work or owned by a Member.***” – Request attorney re-word the clause to exclude the itemized prohibited equipment owned by a contractor who is in progress of an active work-for-hire project at a DR residence. Qualify distinction between owned by contractor versus a DR Member.
 - i. On this issue, the McKnight residence (Lot 2), have consistently been in violation of the CC&Rs by openly parking their construction equipment on property. The Board of Directors determined it appropriate to send another notice of violation to McKnight about this and the sign advertising the electronic pet fence, which is also in violation of the CC&Rs.
 - ii. Request attorney to create a violation form letter, itemizing fines for non-compliance, and craft similar language in our CC&Rs.
- **Question 21 -** The following were proposed for amendments
 - i. Change wording from “*up to*” to “**maximum of.**”
 - ii. Change “*outside on private lots,*” to, “**on approved driveway or parking apron.**”
 - iii. Change “*three (3) passenger vehicles...*” parked outside a resident’s driveway to “**four (4) passenger vehicles.**”
- **Motion IV:** Aaron Reilly moves to vote whether to change wording from “Three (3) passenger vehicles” to “four (4)...”
- **Motion Second:** Andréa Swenson
- **Motion IV Passed:** 3-2 (Voting yes: Mr. Simms, Mr. Ferguson, Mrs. Swenson; Voting no: Mr. Reilly, Mr. Jensen.)
- **Number of passenger vehicles is changed in the draft ballot.** Request attorney to determine its legal value, then craft language, and create a two-part question on the subject. The Board of Directors are aware the vote will require a majority

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of 51% to approve. If the vote ties, the result goes to the *least* restrictive of the two choices.

- **Question 22** – The following amendments were proposed:
 - i. In the body of Question 22's definition, after "*Concealed: ...*" include, **"...that is harmonious with the natural environment, and in compliance with the Design Review Standards."**
 - ii. Strike "*(not to include a recreational trailer).*" Does not follow ODP
 - iii. Define the difference between "*concealed*" versus "*screened from public view.*"
 - iv. Overall, have attorney write clear and concise language and include "[as] approved by the Design Review Committee."
- **Question 23** – Recommend insert, **"public view"** and insert frequency to read **"temporary parking in public view [no more than] two times per calendar month."**
- **Questions 24 and 25** – OK
- **Question 26** – Upon approval of attorney's opinion, included a requirement that potential candidates must have no unresolved or outstanding compliance issues.
- **Question 27** – Submit to attorney for review the merits of the question and whether it meets the standards for non-profit organizations.

VII. Other Business - Contractor Bids for Snowplowing.

- **Member at Large**, Mike Rheinberger, requested status report. Mark Ferguson reported the bid requests yielded one available bidder. The contractor is \$75 higher. Given the limited available contractors, the Board agreed to give plowing contractor, Wyatt, a trial run then decide whether to obtain other bids. This avoids a binding contract, but covers plowing for the anticipated storm.

VIII. Future Action Steps –

- **Randy Jensen** will provide a report on the DRPOA reserve study to support poll results to question 8 in the annual Treasure's report.
- **Mark Ferguson** will provide a road reserve study which demonstrates the need for \$88,000 in reserves for repair and maintenance of DRPOA private roads, and the drainage ditch above the augmentation pond. The 5-year road plan will be presented during the annual meeting.
- **Aaron Reilly** will email the draft ballot to the DRPOA attorney, Kim Porter, and schedule a meeting with all board members present as schedule allows.

IX. Discuss Speaking Assignments for the Annual Meeting

- **Motion V:** Andréa Swenson moves to table this agenda item at a later date to be discussed via email.
- **Motion Second:** Aaron Reilly
- **Motion V Passed:** Unanimously

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- X. **Next Official Meeting:** DRPOA Annual Meeting is scheduled for **October 28, at 7pm.**
Meeting will be held virtually via Zoom.

XI. **Meeting Adjourned at 11:07pm.**

- **Motion VI:** Aaron Reilly move to adjourn
- **Motion Second:** Veris Simms
- **Motion VI Passed:** Unanimously

Respectfully Submitted by Secretary, Andréa Swenson.