Three Canyons Ranch Master Homeowners Association
Board Meeting Minutes - June 8, 2005

Members Present:

Sue Dobis, Carl Bromund, Richard Holzer & Vicki Rupel, Don & Uta Penney, Steve Allanson, Joseph Armstrong, David Brown, Dorothy Brown, Jane Holland, Ron Slyter, Judy Slyter, Larry Leach

Board Members Present:

Tom Pickering, Jim Dobis, Paul Holland, Jerry Chouinard, Rich Frederici, Chris Carson David Paris, and Evans Guidroz.

Call to Order - 5:35 p.m.

Attorney's Report

Due to another engagement, the Attorney's report was presented at the start of the meeting. The Attorney reported that the case involving Wild Horse membership in the Three Canyons Homeowners Association continues. The motion for Summary Judgment was denied and the Association has been approached to consider working out a settlement. The Board plans to hold an Executive meeting in the near future to discuss settlement options with the Attorney. The schedule for this meeting will be worked out and publicized once the date is set

The Attorney also reported that there would be some tax consequences for owners who have not deeded over property involved with Three Canyons Road. Those owners will be liable to the county for the road portion as a personal improvement to their property. Once the land is deeded over to the association, the association pays the taxes to the county for the road improvements. The annual assessment process is in progress; collection statistics will be provided at the next meeting.

Adoption of Agenda

A motion was made and seconded to adopt the draft agenda with one change to add discussion of a change in gate regulations; the motion carried unanimously.

Call to Membership

There were no issues raised by the members at this time.

Presidents Report

The President provided a brief history overview of the gate situation, noting that it took approximately 2 years between starting to plan and activating the west gate. Funds for construction of the east gate have been budgeted, but planning and design issues still need additional work.

Treasurer's Report

The treasurer was not present at the meeting, but the President noted that assessments are due July 1st and late fees, including a 10% penalty, accrue after July 10th.

Committee Reports

The Master Design Committee reported that 5 new constructions were approved in April and 6 were approved in May.

Old Business

There was no old business.

New Business

Three items were covered under New Business at this time: gate remote controls, relocation of the west gate and the La Pradera Estates Village Declaration.

A motion was made to amend the procedures for issuing remote controls for the gate. Instead of limiting the number of remote controls to 2 per household, the motion would allow up to 2 additional remote controls to be issued, at the rate of one remote control per vehicle, providing the owner furnished proof of license and registration for all vehicles. After discussion, the motion was seconded and carried unanimously.

A motion was made to make relocation of the West Gate a priority over construction of the East Gate and to authorize the Gate Committee to spend up to $5,000 from the Capital Budget for preliminary analysis and design work on relocation of the West Gate. After discussion, the motion was seconded and carried unanimously.

A motion was made to approve the La Pradera Estate Village Declaration subject to review by the Board's attorney. During discussion, it was noted that the Village declaration was the same as one recently approved for Silver Conchos. After discussion, the motion was seconded and carried unanimously.

Some discussion occurred concerning possible settlements for the Wild Horse litigation. The Board indicated that it was willing to consider options.

Appeals

An appeal was presented by from Mr. Armstrong concerning a $500.00 fine for failing to obtain approval from the Master Design Committee prior to commencement of construction. Mr. Armstrong admitted that the infraction had occurred, and that once he became aware of the problem, he promptly took corrective action to resolve the issue. He indicated that no harm was done and that the actions were unintentional. He also spoke about what he felt were inconsistencies in his fine compared to other similar cases that resulted in fines by the Association. During discussion, the circumstances of the other fines were explained, including the fact that the fine schedule was recently amended. The Board noted that although the old schedule allowed for a higher fine, the proposed fine had been set at the lower rate now in effect. After discussion, a motion was made to reduce the fine to $250.00 due to extenuating circumstances; it was further moved that the fine be made payable by August 1st. The motion was seconded and passed by a vote of 6 to 2.

An appeal was presented by Mr. Leach. The appeal included the following items.

- Mr. Leach requested exemption from the 100 foot setback required by the CC&Rs. He wants to maintain the location of a shed as currently sited, 50 feet from the property line. He claimed that there were other residences, guest houses and sheds within Three Canyons that did not comply with the setback standards. After discussion, the board failed to take any action that would change its action from the last meeting that resulted in a denial of the appeal.
- Mr. Leach requested that his assessment be calculated to exclude an area in the center of his U-shaped residence. The Board asked if Mr. Leach would allow an on-site inspection to verify the size and design of the area. After some discussion, Mr. Leach indicated that he would allow the inspection and would work with the Committee to schedule a convenient time for the inspection.
- Mr. Leach requested that billing of his assessment be adjusted based on what he felt was incorrect information on when the slab was poured. He provided some documents to substantiate his claim, but was unwilling to leave the documents with the board so that they could be reviewed by the Master Design Committee. Mr. Leach indicated that he would submit the documents in a letter.

Call to Membership

There were no issues raised by the members at this time.

The President reminded the attendees that the annual meeting will be held July 23rd

A motion was made to adjourn. The motion was seconded and carried unanimously. The meeting adjourned at 7:50 p.m.

Carl Bromund
Acting Secretary