

## SROA BOARD MEETING MINUTES

October 9, 2010 at 7 PM at Ranch Headquarters

Board Members: Chuck Bettis, John Grods, Monte Keating, Lucky Leide, and Jan Moyer.

Officers: Chuck Bettis, President; Lucky Leide, Vice-President; Debbie Keating, Treasurer; and Lynn Taylor, Secretary.

By-Laws Committee: Jesse Brown, Tina Dennis, \*John Grods, and Jan Moyer.

The Meeting was called to order at 7:05 PM. All Board Members and officers were present except Lucky, who was unable to attend. One SROA member, Steve Hunt, was in the audience. John made the motion to approve the August 7<sup>th</sup> Board Meeting Minutes as posted on our website, Jan seconded the motion, the Board voted unanimously in favor of his proposal, and his motion was passed.

Debbie provided us with hard copies of the Treasurer's Report of Consolidated Expenses 6/1/10 through 10/7/10. During this time, she paid expenses totaling \$8,067.42; \$5,620.00 of this amount was for legal fees resulting from the Fezzey lawsuit. As of October 7th, we have \$11,604.64 in our savings and \$500.87 in our checking accounts. We have collected \$16,626.00 in membership dues. Payment for 46 lots, or \$4,974.00, remains outstanding; of these 46 lots, 20 owe more than one year's dues, and we have no valid mailing address for five of them.

We have 12 snow removals budgeted for this winter; six for Cape LaBelle roads and six for Lyman Lake roads. John confirmed he is authorized by the Board to request snow plowing for the Cape LaBelle roads and Larry Burks is authorized to request snow plowing for the Lyman Lake roads of Sun Ranches. The names and phone numbers of our snow removal contractors are listed on our website, [www.sunranches.org](http://www.sunranches.org). Any Association member can contact one of these contractors for personal plowing requests (not SROA requests), but keep in mind that you are financially responsible (not SROA) for your personal snow removal or clearing, and your payment is expected upon the contractor's arrival.

Obviously, snow plowing is not our only annual expense. We are also responsible throughout the year for legal fees, shower house/grounds maintenance and repair, property taxes, newsletters, insurance, food for the potluck, bank fees, the webmaster, and our Post Office Box. The margin between our income and our expenses is thin, at best.

At this time, we have no funding available for nap weed spraying or another phase of road repair. Road maintenance continues to be a priority to this Board, and we will assess their conditions again after the winter season so we can prioritize what needs to be done and determine what we can accomplish. Chuck asked for and received approval from the Board to speak with Randy Nyholm about the deteriorated condition of Lower Lyman Lake Rd resulting from our last heavy rains, and he will provide us with Randy's recommendations at the next Board Meeting.

As many of you know, Frontier Church leases the caretaker's cabin at Ranch Headquarters at the fixed monthly rate of \$25.00, or 50% of its electrical usage. This five-year lease provides for review of this rate at the end of its first year (October 2010), to be adjusted accordingly. Debbie provided a written comparison of 2009 (580 kilowatt hours) versus 2010 (874 kilowatt hours). During the last 12 months, these PUD bills totaled \$867.99. Monthly average cost for the year is \$72.33, and 50% of this cost is \$36.17. Chuck made the motion to adjust the Church's monthly lease rate from \$25.00 to \$36.00, Jan seconded his motion, the Board voted unanimously in favor of it, and the motion was passed. Debbie will contact the Church to let them know about this change and send them a confirmation letter explaining the same comparison provided to the Board tonight.

John provided us with a written recap of the By-Laws Committee's first meeting, held on September 6th. John, Jesse, and Jan were present, but Tina was unable to attend.

- The purpose of their meeting was to:
  - 1) Determine the relationship among the By-Laws, the Articles of Incorporation, and the Covenants,
  - 2) Determine the proper procedure(s) for amending or supplementing these documents, and
  - 3) Review the past amendments and supplements to these documents, to determine their validity of Item 2.
- Reviewed documents:
  - 1) Face of Recorded Plats of Cape LaBelle Ranches of Sun Ranch dedicated on April 1, 1970,
  - 2) Face of Recorded Plats of Lyman Lake Ranches of Sun Ranch dedicated on September 30, 1970,

- 3) Declaration of Covenants, Conditions, and Restrictions executed on March 23, 1970,
- 4) Supplemental Declaration of Covenants, Conditions, and Restrictions executed on August 11, 1980,
- 5) Articles of Incorporation of Sun Ran Owners' Association executed on December 3, 1969, and
- 6) By-Laws of Sun Ranch Owners' Association as amended up to June 1997.
- Their summary of discussion:
  - 1) The Articles of Incorporation and By-Laws are regulated by the Secretary of State.
  - 2) We can change the By-Laws without sending the changes to the Secretary of State. They do not confirm the operation of SROA. However, by the SOA accepting the Common Lands (Ranch Headquarters, Lyman Lake, beaver ponds on the Cape LaBelle plat, the flat bottom of the Lyman Lake plat, and the Starr Barn), it is obligated to certain requirements in the Covenants.
  - 3) We can amend the By-Laws (by 50% +1 membership vote) but we cannot change the Covenants.
- Their conclusions:
  - 1) The Committee Members agreed it would be counterproductive for them to look at By-Law improvement and direction until a solid base can be established.
  - 2) John asked the Board for approval to contact the SROA attorney to ask questions regarding the Covenants, Supplemental Declarations, By-Laws, and Rules and Regulations. Chuck suggested this be tabled until we have available funding for attorney consultation, and all Board Members agreed with him.

Chuck contacted Okanogan County to discuss the possibility of them improving the access to the gate on Main Rd. Unfortunately, their budget restraints prevent meeting this request, but we will follow up with them in 2011 when their new budget is in place.

Monte received a copy of the cattle lease agreements in an email from Jim Platt's office on October 6th. The State land lease is owned by Jim Platt, who subleases to Ken Montanye. Monte replied on October 7<sup>th</sup> that the SROA has not subleased this land from Jim and sees no obligation on the part of SROA to get involved in it. He invited Jim to attend tonight's meeting, should he wish to discuss this matter further but received no further communication from him or his office.

The Board recently sent four letters to members as follow up to concerns expressed at our July Annual Meeting. Three were sent via certified mail with proof of delivery, and one was sent via regular mail. Certified letters sent to the owner of Lots 72 & 89 and the owner of Lot 179 regarding the possibility that their constructed fences may encroach onto the Common Area of Cape LaBelle Creek. The owner of Lots 72 & 89 has contacted one of the Board Members and will schedule a walk of his fence pins during his next visit. We have not heard from owner of Lot 179 yet. The third certified letter was sent to the Owner of Lot 374 regarding complaints about housekeeping on his property. We have not heard from him. The fourth letter sent regular mail was to the owner of Lot 118 to let him know we confirmed the recreational vehicle parked on Lot 119 is not abandoned and no further action is necessary.

On Monday, September 13, 2010, in Okanogan County Superior Court in the Summary Judgment Hearing in Fezzey versus SROA, all counts were dismissed and Summary Judgment was awarded in favor of Sun Ranch Owners' Association. Following this Hearing, Mr Fezzey filed a Request for Consideration, and this court date is scheduled for October 27<sup>th</sup>.

Our next Board Meeting is scheduled at the Frontier Church on Saturday, December 4<sup>th</sup> at 7 PM. Members are welcomed as audience. As always, if you want to bring something to the attention of the Board or request discussion on a topic, please feel free to send us an email at [www.sunranches.org](http://www.sunranches.org), and our webmaster will forward it to us.

The Meeting was adjourned at 8:30 PM.