

**EL RANCHO FLORIDA HOMEOWNERS ASSOCIATION  
REGULAR MEETING – NOVEMBER 15, 2022**

A Regular Meeting of the Board of Directors for the El Rancho Florida HOA, Inc. was held on November 15, 2022, at 6:00 PM at 280 Sundance Circle. Present for the meeting were:

Rex Emenegger - President  
Eric Sibelius – Vice President  
Wendy Ludgewait – Secretary  
Paul Valdez

Also present was Marsha Moreland, Administrator of the HOA. The meeting was called to order at 6:00 pm.

**MINUTES:**

A motion was made and passed approving the minutes for October 11, 2022, regular meeting. A motion was also made approving the September 13, 2022, minutes with revisions.

**ADMINISTRATIVE:**

1. Accounts Receivable were reviewed with the Board. Total A/R \$292.11.
2. Accounts Payable – Totaled \$1,843.00
3. Marsha reviewed her meeting with TBK representatives on services they could offer the HOA.
  - a) Credit Card Services: There is a charge for the service monthly plus an interest rate on transactions. It would be additional time involved for Marsha to enter from the bank's paperwork. Not interested in making 'additional' work over what we have now.
  - b) Lock Box Payments: Tried it with First National Bank and people complained that their payments were not deposited timely by the bank. Created frustration and additional work for Marsha. Not interested.
  - c) Loaning money: Could be of interest if the HOA needed one.
  - d) Representatives of TBK suggested separating \$50,000 from the O&M account into a 'Reserve' for that purpose 'stated' at the Annual Meeting – Legal Expense Reserve, should be reviewed annually. A motion was made to amend the 2015 Motion on the intent of the '\$50,000 reserve' to be a 'compliance reserve', however Tracy Cross informed Rex that it is not necessary to open a separate account, but to just account for the amount in the budget separately. The Board decided to call it a 'Special Use' reserve in the Budget. Since the HOA does not own property, the attorney said a 'reserve' fund is not required.
4. Budget 2022-2023 Discussion: The budget since 2015 has shown that \$28,000 has been spent from the reserve amount to cover annual expenses including Legal Fees. After 2023 there should not be that situation after getting through legal concerns with the PDC (Pioneer Ditch Company).

**OLD BUSINESS**

a)

**NEW BUSINESS:**

a) New Owners:

b) For Sale:

1. Hamelmann – 601 Pioneer Circle
2. Nobles – 700 Pioneer Circle
3. Juliana – 60 Pioneer Circle

c) Discussion followed on the '**Use of Lots**'.

1. **60 Pioneer Circle** – The Juliana property is listed by the Wells Fargo Group with the information that the downstairs can be rented out as an apartment. The Board will send a letter to the realtors making it clear that the downstairs cannot be rented out separately. The homes in the subdivision are 'single family' residences only. The letter will also remind the realtor that there has been a thistle problem historically with the property and that all homeowners are responsible for compliance of 'weed control' as

stated in the Covenants.

2. **A discussion regarding B & B's in the subdivision** will be added to the Annual meeting agenda for input from the membership on this issue.

3. **970 Sundance Circle** - A written complaint has been received by the Board on the accumulation of 'junk/clutter' by the Holmes on their lot (710 Ranchos Florida) creating an eyesore for the neighbor, Tober( 960 Sundance Circle). Addressed in the letter specifically are violations regarding: Removal of destroyed property; removal of construction debris; removal of junk; and the storing or 'unlicensed vehicles.' (Pictures were also sent in taken from the neighbor's property showing the view from their lot.) The Board will send out a letter to Holmes asking them to comply with the Covenants and Rules & Regulations and to mitigate the issues raised.

4. **Question of allowing 'manufactured homes' on lots in the subdivision** when there are numerous 'modulars' and the current specifications of manufactured homes and modular homes are basically the same. An inquiry came from an interested buyer of the vacant lot at 700 Pioneer Circle. The Covenants are very clear that mobile homes are not allowed but that modulars are allowed in the subdivision. Consideration of classifying manufactured homes with modular homes will be considered.

See verbiage following from the Covenants, ***DWELLINGS AND OUTBUILDINGS***, page 5:

*D3. Modular Homes. New modular homes may be allowed subject to Board review and approval. All modular homes shall be placed on permanent foundations.*

*D4. Mobile Homes. Mobile homes are not permitted.*

To amend the Covenants it takes a vote of the membership, but the Rules & Regulations are amended by the Board of Directors.

#### **IRRIGATION:**

1. Jeff Kane stated to Rex that he researched Case Law on the concerns the HOA is having with PDC (Pioneer Ditch Company) concerning records requests and maintenance not being done, lack of notices of meetings, etc..
2. He has **not** received a response from Nancy Agro on the numerous requests including request all copies of board minutes-
3. Discrimination against HOA Board members.
4. 2022 priority issues:
  - a. The HOA Board could change their point of diversion. And sever the HOA from the PDC.
  - b. HOA wants the 'percentage' of water they receive in the irrigation season to have the same consideration as any other ditch user's percentage-
  - c. Change 'standing' of HOA to a 'single user'
  - d. Could the HOA continue to use the ditch for the delivery of water.

There was lengthy discussion on the above concerns by the board.

**The meeting adjourned** at 8:10 pm.

Secretary

Wendy Ludgewart