

CCEHA Board Meeting Minutes  
January 23, 2016  
Historic Train Depot

**Call to Order:** 10:55AM.

Pam Fletcher, President named off the board members in attendance as follows: Ron Wolfe, Treasurer, Dan Welch, Secretary; Rick Molitor, Director; Bob Potter, Director. Then she stated that the board would be adding Clete Jackson to fill the vacant Director position and be pursuing someone to fill the vacant Vice President position.

Six homeowners present.

**December minutes were not approved at this meeting.**

**Unfinished Business:** None

**New Business:**

Tom Quade brought up the matter of Don Underwood wanting to sell his home to a young couple. Mr. Quade said that he has looked at the By-Laws and found that the Board of Directors can vote to approve or disapprove the sale or lease of a home to under 55 persons. He feels that in order to avoid a law suit, the board needs to have a legal opinion on how this would hold up if challenged. The discussion then went on to the concern that even though the proposed buyers say they are not planning on having children, they are of that age and feasibly could have children. At that point, it would be almost impossible to evict them. Pam stated that she wanted to Underwood's to come before the board with their issue in February and that we possibly will need to have a binding legal document drawn up that as a condition of the sale the new owners will not have children.

It was decided without a vote to look into this issue further and try to come to a resolution at the next board meeting.

Tom Quade then raised a perceived issue of how the board decides to spend money. He brought up the hiring of our current lawyer with only the then President's signature without an open vote of the board to one: hire a lawyer and two: continue the ongoing legal issue. He brought up the fact that the previous board did not notify the membership of the proposed settlement offer or the counter offer that was made last year. He tried to use the "Sunshine Act" as a reason this was illegal. Ron Wolfe set him straight on that matter in that the "Sunshine Act" only applies to government entities NOT non-profit corporations. Pam then went on to state she felt that going forward, any consideration of settlement should be put up for a vote of the membership and not decided by the board in an executive session. That said, she went on to state that preferences aside, there may be times when we do not have the luxury of asking for a member vote and that the By-laws do give the board the right to make such decisions.

Pam then went on to say that her plan was to have as open board meeting as possible and try to bring the community back together and stop all the fussing and fighting. She wants us all to have a good time, go forward as a community and to work together to that end.

Pam ask Mr. Quade to look into just what it means to us as a community if the City of Deming does receive a certification as a retirement community. He said that he will find out just what it does mean if anything to us as far as home values or is it an aide to the developer. All agreed that in either case, it would seem that it will help everyone.

Then Tom Quade brought up an issue about the missing fence around the large containment pond the city dug this past summer. He called the city and was told that was Jim Reedy's responsibility. He felt that in the event of a law suit, that if Jim couldn't pay it would likely come back on the HOA. Ron Wolfe said that at one time there was a fence around the pond but that it had been removed. Gail pointed out that Bill Carl received push back from the city about the large mound of dirt they left after the enlargement project. His persistence finally paid off and the dirt is being removed by the city. He said it would be the new board's responsibility to keep pressure on the city to put up a fence since clearly they are the ones who created the problem.

Pam asked who was familiar with the city and Ron said that with Brian Reedy taking over the city Planning department he is being friendlier toward CCE and that he would have a casual meeting with Brian to address the fence issue.

Pam then brought up the concern raised by a homeowner at the annual meeting about dog waste and loose dogs. She suggested putting up signs telling people to pick up after their dogs because it is a city ordinance. Gail added that a few years back it was proposed that they install a couple of dog waste stations in the undeveloped section. It was rejected because of the problem of getting someone to volunteer to empty the waste containers. It was suggested that we install waste stations without the waste container but just with the bag dispenser. Pam thought we should ask the city to add a new dumpster in the undeveloped area for pet waste.

Ron Wolfe said that first we should put up the signs as a reminder and then we would have recourse if someone continued to ignore them. He also added that later we could add the waste bag dispensers if needed.

Pam decided to postpone any action until the February meeting.

Dan Welch informed the new board that the previous board had taken steps to add a PayPal option to our web site for members to pay their dues. He said that there would be a \$4.65 processing fee from PayPal and that it had been decided to pass that fee on to the members who used the service. He has drafted a letter explaining the PayPal process and fees. It will be included in the annual dues statement mailings.

Donna Potter ask why there was no vote at the annual meeting to approve the dues of \$150. The former treasurer apologized and said he had forgot to ask for a vote. Ron said that it makes no difference since a no vote just means the dues will remain as before.

A member (unknown) said he had tried to drop off his ballot at the PO Box location and was told that it needed to be stamped and mailed. He questioned the reason for this. He was informed that the By-laws state that ballots must be mailed back. This is so the committee has a post mark to validate rather it was mailed in time.

**No Committee Reports.**

**The December Financials were not approved at this meeting**

Before adjournment, Pam ask for a motion to accept Clete Jackson to the board to fill the last year of the open Director position. *Rick Molitor made the motion and Dan Welch seconded. There was no discussion, motion carried.*

Next regularly scheduled Board meeting is February 24, 2015 at 3:00 p.m. with open forum at 2:45 in the CCEHA clubhouse.

*Pam Fletcher motioned that the meeting be adjourned, Rick Molitor second. Motion carried.*

Meeting adjourned 11:25AM.

Respectfully Submitted,  
**Dan Welch**, CCEHA Secretary