



**The Ranch at Prescott
HOA Council Special Meeting Minutes
July 10, 2008**

ATTENDANCE

Council Members in attendance were: Michael Peters – Unit VII, Joan Petty – Unit I, Mike Enders – Unit IV, Scot Lee – Unit IX, Russ Parker – Unit III, and Doug MacArthur Unit – VI. Unable to attend Kent Robinson – Unit V, Billie Powell – Unit II, Henry Lenhart – Unit VII. Two alternate members Chris Brown – Alternate VI, Rosalie Naigle, and Unit IV were in attendance. Also in attendance were Gaye Morgan, Association Manager, and Judy Connick, Recording Secretary.

CALL TO ORDER

Council Chairman Michael Peters called the meeting to order at 3:00 p.m. A quorum was established.

DRAINAGE EASEMENTS IN UNITS V & VI

The Council met to review the latest information regarding the matter of the Association's responsibility to maintain the drainage easements in Units V & VI, and specifically the concerns of Ron & Barbara Knudsen owners of Lot 521 in Unit VI.

Michael Peters reported to the Council on the meeting that he and Doug McArthur had with Ron & Barbara Knudsen immediately following the June 26, 2008 Council meeting. He reported that they had advised the Knudsens that in light of the coming monsoon season and in the spirit of goodwill that there was an offer to supply large rip rap to the Knudsens with the understanding that they would incur the cost of spreading the rip rap.

Doug MacArthur advised the Council that Ron Knudsen had contacted him and advised that they were declining the offer of the rip rap and would wait for the Councils' final decision in the matter. Gaye Morgan advised that the Knudsens were requesting a copy of the engineering report, the attorney's decision, and the bids that the Council had obtained regarding the matter.

The Council reviewed the plat maps for Units V & VI, highlighting the areas that are designated on the maps as drainage easements. It was noted that the following questions need to be resolved.

1. Will the Homeowner Association accept responsibility to maintain the drainage easements for Units V and VI?
2. If responsibility is accepted, what is the standard and/or definition of maintain?
3. If a drainage easement has been altered is the Association required to correct a problem?

The Council also reviewed the request by the Attorney for additional funds as a retainer to further examine documents that have recently come to light in this matter. After some discussion the Council decided to table additional legal review at this time.

The Association's Manager Gaye Morgan advised the Council that their governing documents specifically gave the Council the authority to decide what constitutes maintenance. Should the Council decide to accept the responsibility to "maintain" the drainage easements, she suggested that the Council prepare a Resolution which would define "maintain". Once a Resolution was adopted a copy would be provided to the membership.

Mike Enders moved that the Council address each question on a case by case basis. Concerns were raised with this approach and the motion was withdrawn.

It was decided that Michael Peters, Scot Lee and Mike Enders would meet, on behalf of the Council, with the engineer hired by the Association to address this matter.

The Council decided that a brief letter to the Knudsen's should be sent acknowledging that the Council had been advised that they would not be accepting the rip-rap as discussed and that it would get back with them.

Russ Parker moved that the Association accept responsibility to maintain the original drainage easements as platted on the original plats in Units V and VI. Doug MacArthur suggested that the motion be amended to add "subject to Sections 1.23 and 7.1 of the CC&R's which sets forth that the Association shall be the sole judge as to the standard of maintenance."

Russ Parker accepted the amendment; the motion was seconded by Joan Petty and it was unanimously approved.

ADJOURNMENT

There being no further business to come before the Council the meeting adjourned at 4:30 PM.

Respectfully submitted,

Henry Lenhart, Secretary