

**Fairways at Fieldcreek Ranch Homeowners Association  
Board of Directors Meeting  
October 6, 2014**

| <b><u>Board Present</u></b>            | <b><u>Management</u></b> | <b><u>Members/Guests</u></b>   |
|--|--------------------------|--------------------------------|
| <b>Mike Vonada – President</b>         | <b>Tracy Jones</b>       | <b><i>See Sign-in List</i></b> |
| <b>Gary Fornfeist – Vice President</b> |                          |                                |
| <b>Lisa Martin – Treasurer</b>         |                          |                                |
| <b>Kathy Braband – Secretary</b>       |                          |                                |
| <b>Dennis Bryan – Director</b>         |                          |                                |

**Call to Order/Establish Quorum**

The meeting was held at Equus Management Group, 5480 Reno Corporate Drive #100, Reno, NV 89511 and was called to order at 5:30 p.m. by President, Mike Vonada. With all 5 Board Members present, a quorum was established.

**Homeowner Comments**

Rinaldo Bullentini asked about the garage door panels that are white at 1255 Springer Court and if the Association will be able to re-coup the expenses. Mike Vonada explained the receivership action and also that the bank has not foreclosed at this time but did pay what was owed to the Association. Other than the garage door repairs and the landscape cleanup, no other repairs will be made.

**Discussion/Approval of Minutes**

Lisa Martin had a change to the meeting minutes of August 18<sup>th</sup> on Page 2 sub-section c) needs to read “*ARC Non-compliance change*” in the first sentence. Dennis Bryan had not read the minutes yet and proceeded to do so. ***Kathy Braband made a motion to approve the August 18, 2014, meeting minutes with above-mentioned change. Lisa Martin seconded the motion. The motion carried with all in favor.***

**Financial Review**

Lisa Martin stated that she had reviewed the August 2014 Financials and approved of them. President, Mike Vonada asked for a motion to approve. ***Lisa Martin made a motion to approve the August 2014 financials. Gary Fornfeist seconded the motion which carried with all in favor.***

**ARC Report**

Lisa Martin reported that 4 small projects and 1 new home have been approved recently. The Board members then reviewed the ARC Procedures that were reviewed by Gayle Kern as per the last Board meeting. As the Board reviewed the procedures, Cathy Bullentini asked if the homeowners get to see them as well. Lisa Martin stated that once the ARC Procedures are adopted, they will be posted on the website. Mrs. Bullentini stated that she does not go on the website and Lisa explained that it will be mailed out to all of the homeowners once it is adopted. As Lisa was explaining this, Alex Bullentini started to become agitated and said to

Mrs. Bullentini “Why would I want to see it if it is already adopted?” The Board and Tracy Jones tried to explain to Alex that the Board is reviewing and adopting the procedures right now. President Mike Vonada attempted to calm Mr. Bullentini down and explain that we talk about these things. We don’t get excited. He continued to explain that these procedures are what is being suggested to put into use. Alex Bullentini wanted to know if they (homeowners) get to vote on the ARC Procedures and Cathy Bullentini wanted to see them. Rinaldo Bullentini explained to Alex that the Executive Board of Directors is who votes on these procedures. Kathy Braband then explained that these are procedures to assist in following the CC&Rs. Mike Vonada said that this way everyone knows the rules that need to be followed. Lisa Martin and Kathy Braband explained that these items are already in the CC&Rs but now they are on one page and easy to refer to. Mr. Vonada asked if there were any questions. There were not and he asked for a motion to approve. ***Lisa Martin made a motion to adopt Policy for ARC Procedures. Gary Fornfeist seconded the motion which then carried with all in favor.***

### **Old Business**

#### **Update on upkeep of secondary road access from Springer Court to Arrowcreek Pkwy.**

Tracy Jones explained that she had spoken to Mr. Kunze who owns the adjacent vacant lot next to the road. Mr. Kunze said that he had the day off on Thursday and would find the paperwork that shows that he is not responsible for maintenance of this road and get it to her. As of the time of the meeting, Mrs. Jones had not received a return phone call or email from Mr. Kunze. Mike Vonada and Tracy Jones discussed the fact that the weed abatement had finally been done on his lot and that they even removed a few of the tumbleweeds that were growing out of a crack on the access road. At this point, Mr. Kunze states that he is not responsible for the access road but has yet to prove it and the Board states that it is his responsibility. Tracy Jones stated that she pulled a copy of Mr. Kunze’s Deed but there is nothing on it referring to the access road. Dennis Bryan wanted to know if we are giving him a deadline to prove this. Mike Vonada stated that his suggestion is that the Board should have legal counsel review this issue to get it resolved. Mike Vonada stated that he would contact Gayle Kern.

#### **Update on the Retention Pond and Drain Cleaning**

Tracy Jones stated that she met with Signature Landscape and the bid was \$1,892.00 to clean out the bottom of the retention pond and leave the Sagebrush on the sides for erosion control. This does not include the hydro-flush. Tracy stated that she was told by Mike Vonada to hold off on this project. Mike Vonada explained to the homeowners that the drain comes across Silver Wolf Road and into a kind of concrete collection area and then goes into the pond. The silt has built up several feet and the hydro-flush would just be adding more silt to it so the area needs to be dug out and then do the hydro-flush. Rinaldo Bullentini stated that it had been cleaned out approximately 3 years ago. Dennis Bryan asked if the drain was plugged right now and Tracy explained that it was about half way full. Mike Vonada explained to everyone how this should be done. Mike then questioned the fact that Signature Landscape said that they could not get equipment into the pond so it will have to be done by hand. Mike said that an

excavator needs to be brought in. Rinaldo Bullentini said the only way to get equipment in is on the equestrian path behind the houses on the west side of Silver Wolf. However, at this time, no vehicle could make it through there because it is completely overgrown. Mike then suggested cleaning out the settling pond first and then have the drain hydro-flushed so they don't have to wait for things to dry out. Dennis Bryan asked what would happen if they did not do it this year. Everyone explained that White's Creek could flood that area out. Mike would like to talk to a company about getting an excavator in there. Rinaldo explained that the path is so overgrown that you can't walk through there and the guy won't clear it. Mike Vonada stated that he would take this project on now and also still thinks that the vegetation should be removed first. Rinaldo Bullentini then said that he will help Mike with this project. Mike Vonada asked for a motion to approve \$6,000.00 for this project. ***Kathy Braband made a motion to allow \$6,000.00 for this project. Gary Fornfeist seconded the motion which then carried with all in favor.***

## **New Business**

### **Equus Management Contract**

Mike Vonada explained that the HOA has been on a month-to-month contract with Equus since February and that the Board has looked at other management companies. Mike said he had Lisa Martin get bids from other management companies and that they would like to review those bids now and make a decision. Lisa Martin then explained that she got 3 sealed bids from other companies. Lisa began to hand out bids from Kenyon & Associates, Inc. Tracy Jones stated that she was going to leave the room for ethical reasons. Mike wanted Kathy Braband to record the management companies for the minutes. Mike then stated that the Board should not make a decision tonight. Mike would like Lisa Martin and Gary Fornfeist in on the decision as he owns an HOA Management Company in California. Mike asked for a recommendation from them and Gary stated that they would like to interview the companies. Lisa explained that a lot of these companies nickel and dime on copies and supplies so when they entered into their agreement with Equus, they asked to pay a flat rate. Mr. Vonada then explained to everyone that they have been with Equus for 2 years and that they went with a low bid when they chose Equus and that with choosing the low bid that it was not the best choice and feels they are not getting the service they asked for. He is not happy with the level of service that they have been receiving. Alex Bullentini asked Mike why he thinks that paying more money would get them better service. Mike explained that there is no guarantee. Lisa then stated that she told each of the companies that she got bids from that no decision would be made tonight and that they want to interview them. Mike Vonada again stated that he would like Lisa to enter the bids and have Lisa and Gary interview the companies and be prepared to make a recommendation at the Annual Meeting. A homeowner then asked if the performance from Equus was based on their expectations of the amount that they would be reimbursed and if Equus was paid more money would the additional services be provided? Mike Vonada then stated that the first year of service with Equus was dismal at best so he met with the owner

and expressed his concerns and said that now that you have had a year's experience with us, your bid may be too low and we (the association) would be fine with a higher level of payment for the next year as long as we get that level of service. Mike Vonada stated that Rick Gardner said no. That what we bid was all we need to bid. He gave a new manager but the service never went up. Lisa then stated that she had only got to the second management bid and that the first one was \$650.00. The second one was MKJ Company and he is \$750.00 per month but wants a \$1,000.00 start up fee up front. Tracy Jones then came back into the room and explained that the Board had asked her to put Review and Discuss Equus Management contract on the Agenda. Nothing was ever said about opening sealed proposals for new management. Tracy explained that this item must be put on the next meeting agenda. Mike Vonada stated that he heard what Tracy was saying but was going to continue with opening the bids. Tracy Jones told Mr. Vonada to clarify that into the recorder. Dennis Bryan then spoke up and stated that there was Open Meeting Laws that need to be followed. Tracy Jones agreed with Mr. Bryan and that is what she was trying to tell the Board. Tracy then explained to Mike that he told her via e-mail to put Equus Management Contract – review, discuss and decide whether to proceed. Mike Vonada argued the point and tried to pass it off as an error on Tracy. Mike Vonada then wanted to make it clear that at the next meeting they will be making a determination on a new management company and that includes Equus if they would like to put in a new bid. Tracy Jones then clarified that this item must be put on as an agenda item for the next meeting. Mike Vonada said that the problem he has with it is the problem he has with Equus as being the ones who put together the agenda. Tracy Jones stated that she put exactly what Mike Vonada via e-mail, asked her to put on the agenda and that she has the e-mail to prove it. Dennis Bryan said that this item should be tabled until the next meeting and Tracy agreed. Mike then wanted to agendize the topic for the next meeting but continue opening bids. Tracy Jones, Kathy Braband and Dennis Bryan all stated that the sealed bids could not be opened at this meeting. Tracy explained that it is as simple as Choose New Management being put on their next agenda. Mike then stated that he was fine with that and Lisa confirmed that it would be on November 10<sup>th</sup>. Mike Vonada then stated that if Equus would like to bid that they may do so. He wanted to remind Tracy that they are on a month-to-month contract so it would only take 30 days to end the contract. Tracy stated that she understands but wanted to make sure that everyone was in compliance. Dennis Bryan stated that the item of reviewing bids needs to be agendized to comply with the open meeting laws. Kathy Braband stated that Board needs to get more information on the proposed management company bids and get new sealed bids. Tracy stated that the bids need to be sealed. Lisa Martin claimed that Tracy Jones wrote the topic different that what she was supposed to. Tracy then stated that she wrote exactly what Mike Vonada asked her to put on the agenda from his e-mail. Dennis Bryan asked what was on the e-mail. Tracy stated that the e-mail said Review Equus Management Contract and discuss. Mr. Vonada's e-mail did not mention anything about opening and reviewing new management contracts. Gary Fornfeist said that they will interview the companies before the next meeting. A homeowner asked Mike Vonada what was in the Equus Management contract that is not being performed.

Mike stated that he is trying to be nice about this but they have reached a point where they need to part ways with Equus because they don't feel they are getting enough service. Mike feels that they need a full-time manager and Tracy agreed. Mike again stated that he has spoke to Rick Gardner and Rick did not feel he needed to charge more money for their services. Mike said that Tracy is overloaded with work and cannot give their association the attention that they need. Tracy agreed and explained that her feelings are not hurt by the Board's decision to search for other management. Dennis Bryan said they need to make a motion to put the review and discussion of a new management company on the agenda. Mike explained that they are discussing the Equus contract right now and that Mike and Lisa deal with Equus on a daily basis and that Tracy is unable to provide the amount of time necessary to manage everything that is going on in their community. Tracy agreed with Mike and he further explained that they need to find a management company that can provide the time to manage things properly. Jeanne Fornfeist asked how much time does Tracy spend on their association? Tracy Jones explained that she spends at least half of her work week on their association and that she has 5 associations and the others are suffering due to the amount of time spent on their association. Lisa Martin stated that she has been to the office a few times to help Tracy catch up and that she was working on other associations while she was there. Tracy said she didn't realize that she needed to be working on their association when Lisa was there filing. The room became noisy and Tracy explained that this is totally unnecessary. Mike Vonada then called for order and explained that things are not being done in a timely manner and they need someone who can dedicate more than 20 hours a week to them. Dennis Bryan asked if their association was different than most. Tracy Jones said yes they are. Tracy got upset and said she was sad and Lisa said don't be sad. Tracy stated that she tried really hard to provide them what they wanted and feels that she failed them. Mike stated that it wasn't personal and it is not Tracy's failure. Mike also explained that things have started to fall through the cracks and Tracy stated that everything snowballs from there. There was a brief discussion and Mike Vonada called for a motion to go out to bid. Lisa Martin made a motion to go out to bid with other management companies. Gary Fornfeist seconded the motion which then carried with all in favor. Jeanne Fornfeist asked if the Board was telling the management companies that will be providing bids what the association wants or are the management companies telling them what they will provide. Lisa stated that she is informing them of the Boards expectations. Tracy clarified the topic to be put on the agenda as Open and Review Sealed Bids / Choose New Management Company. Mike Vonada wanted to make it clear that the association is currently on a month-to-month contract with Equus and it would take a 30-day notice to end the contract. Tracy Jones suggested that they stay with Equus through the end of the year so that way Equus can close out the fiscal year with them instead of changing management companies a couple weeks before the end of the fiscal year. Alex Bullentini wanted to know if they would be on a month-to-month with new management company. Mike explained why they are currently on a monthly contract with Equus.

### **Review Bids for Painting of Garage Doors at 1255 Springer Court**

The bids were passed out, reviewed and discussed. Lisa Martin explained the bids and that the companies would try to match the color of the body. Mike Vonada asked Lisa to make a recommendation on the bids. Advanced Overhead Door bid \$249 per door or a total of \$747. Tamara's bid was \$500 and Accurate's bid was \$645. Alex Bullentini wanted to know why the Board keeps spending money on the home. Mike Vonada explained that the repair bills are a lien against the property and that they will get this money back. The HOA has already been reimbursed for most of the expenses thus far. Lisa recommended either Advanced Overhead Door or Accurate Painting. ***Gary Fornfeist made a motion to accept the proposal from Accurate Painting. Lisa Martin seconded the motion. The motion carried with all in favor.***

### **2015 Budget Adoption**

Lisa Martin and the Board of Directors reviewed and discussed the budget with the homeowners present. Lisa explained that they had to raise Legal Fees on the budget quite a bit. Jeanne Fornfeist asked why we had to raise it and what do the legal fees consist of. Mike explained the amount that has currently been spent and what is still expected to be spent on legal fees for this year. Mike then stated that the majority of the legal expenses, he is looking at, sitting in the back row. Alex Bullentini then stated that there will be more (legal fees) too. Rick Martin then asked if the homeowners are allowed to know what is causing so much legal expense. Mike Vonada explained that the Bullentini's challenge the Board on everything. Alex Bullentini stated that he is not done yet. Mike explained that every time the Bullentini's bring their attorney in, the Board has to call the association's attorney in to protect the HOA. Furthermore, everything that they have been challenged on, the HOA has prevailed but it costs a lot of money to do that. Cathy Bullentini stated that not all of the costs are from them. Rick Martin asked if those attorney's fees can ever be re-couped. Alex Bullentini told Mike Vonada to tell the people the truth. Mike and the Board asked Mr. Bullentini to please tell everyone what he feels the truth is. Mike explained to Cathy Bullentini that most of the legal fees are from them; not all of, but a large portion of them. It was further explained that anytime someone involves an attorney, the Board has no choice but to bring in legal counsel to defend the HOA. Alex Bullentini stated that if we all don't sit down at the table and act like human beings that it becomes necessary to bring his attorney. Alex Bullentini stated that someone has threatened his life and that will be coming up soon and he will use his attorney. Jim Beach asked if, as a homeowner, is he privy to the basis of the legal fees. He was told that it is public knowledge so he is entitled to know. Someone asked what each legal charge was for. Mike said that he did not have a list in front of him. Mike explained that right now there is legal issue with Rinaldo Bullentini's house with ARC issues. Rinaldo stated that he thought everything was done at his house. The Board and Mike stated that there is still a rock wall to go up and Lisa said the pillars were not done yet. Alex Bullentini stated that the rock wall is not constructed due to the rocks being on Alberto Bullentini's lot and there is a lawsuit

on Alberto's lot. Mike stated that people have offered the Bullentini's rocks for free from the lot right across the street. The Bullentini's asked who offered them the rocks and Lisa said they can have all the rocks they want from across the street. The Bullentini's said no one has offered them any rocks. A brief discussion ensued and Alex Bullentini said that he will have to bring his attorney in. Mike Vonada then explained that every time they bring in their attorney, the association has to bring in their attorney to defend the HOA. Rick Martin stated that Rinaldo's house was started July of 2010 and everything still is not done. Mike stated that it has been 4 years since that house was started and still isn't complete. Mike then explained that he is not saying that what the Bullentini's are doing is wrong and that they have every right to question everything and bring an attorney but every time that happens, the HOA has to pay for their attorney to defend them. Lisa Martin then continued to go over the rest of the proposed budget. There was a brief discussion regarding the fire hydrants and who owns them and the paint starting to wear. ***Lisa Martin made a motion to adopt the proposed 2015 Budget. Gary Fornfeist seconded the motion which carried with all in favor.***

### **Homeowner Open Forum**

Mr. Devin asked if the dumpsters would be available again for fall clean up. He was told that it is scheduled later this month. He is working on getting his entire lot cleaned up. Lisa told him that the dumpsters would be delivered the 24<sup>th</sup> for clean up on the 25<sup>th</sup> and 26<sup>th</sup> and then picked up on the 27<sup>th</sup> and then Tuesday would be the street sweeping.

There was a discussion amongst everyone in regards to requirements to be able to get a burn permit. The lot must be at least 1 acre. Jim Beach discussed the requirements to be able to burn on your property.

Rinaldo Bullentini stated that he was removed from the Board due to a conflict of interest and he is asking that Rick Martin be removed due to a conflict of interest with ARC. Rinaldo also stated that his family was threatened by Rick Martin and the Sheriff was called. Mike Vonada made it clear that no one will get him to remove Rick Martin as the Chairperson for the ARC. He values his knowledge and opinions and will not allow personal issues getting involved. Alex Bullentini feels that it is not fair and he doesn't want Rick on his property. Rinaldo Bullentini stated that what is ridiculous is the fact that Rick Martin threatened his family. Everyone began to argue and Mike called the meeting back to order and said that the ARC and it's Chairperson are doing a wonderful job and that he will not even begin to entertain the idea of removing him from the ARC. Mike stated that the only people wanting Rick off of the ARC is the Bullentini's. Rinaldo Bullentini then explained to everyone that he did not do anything. That he has a witness that Rick Martin came over to his property and threatened him saying that they were threatening his family's livelihood and he's going to give his dad another heart attack. A Board Member then explained that a conflict of interest is if Rick is building on a lot and not following the same rules that he enforces on the ARC. Alex Bullentini stated that Rick is judging his family. Lisa then let everyone know that Rick recused himself from any of the decisions made

by the ARC on the property he is working on. The Martin's and the Bullentini's began arguing and Mike again called the meeting back to order. Mike stated that this is a dispute between 2 people and he will not take action against Rick because of what Alex feels should be done. Rinaldo again stated that he had to call the Sheriff. Mike let Rinaldo know that he took this situation very seriously and looked into the details and he found that the Sheriff didn't even make a report on the matter. Mike Vonada asked the Bullentini's for tolerance because so much tolerance has been given to their family. Everyone began arguing again and Mike called for order and said he would not allow personal issues in the Board Meeting. ***Mike Vonada made a motion to not remove Rick Martin from the ARC due to allegations by the Bullentini's. Gary Fornfeist seconded the motion and the motion carried with all in favor.***

Jeanne Fornfeist informed everyone that the lot that Rick is working on has her money in it and it upsets her when accusations are made by the Bullentini's that the house is being built on the easement or is not in compliance. Rick Martin then asked Tracy Jones if the Bullentini's said that the house was being built on the easement. Tracy stated that there was concern that it was being built on the easement. Gino said to stop accusing Alex because Gino was the one who said it. Everyone was arguing and shouting again. Mike Vonada called the meeting to order again.

#### **Adjournment**

President, Mike Vonada adjourned the meeting at 6:58 pm.

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Respectfully submitted by:  
Tracy Jones, CAM

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Secretary