

**Virginia City Highlands Property Owners' Association**  
**Minutes: Monthly Meeting, Tuesday, February 12, 2013**  
**Fire Station 2 Training Room**

**Present:** Dave Thomas, Mary Tallent-Stewart, Patrick Flanagan, and Karlyn McPartlin

**Absent:** None

**I. Call to Order, Declaration of a Quorum, and Approval of Meeting Agenda**

President Thomas called the meeting to order at 7:04 pm and declared a quorum present. A motion by McPartlin, seconded by Flanagan to approve the agenda as published was approved unanimously.

**II. Approve Minutes December 11, 2012 Meeting**

A motion by Flanagan, seconded by Tallent-Stewart to approve the minutes as submitted was approved unanimously.

**III. Appointment of New Board Member**

The matter remains on the table until the next regular meeting.

**IV. Review of Financial Statements**

**A. December and January Financial Statements**

Thomas reviewed the financial statements for the months of December and January. Total expenses for December were \$653; income was \$20,192. The cash balance at the end of December was \$222,124.

Total expenses for January were \$7,744; income was \$64,600. The cash balance at the end of December was \$278,979.

Thomas noted that annual dues collections were below budget in December and greater than budget in January. The short sales and foreclosures of homes in the Highlands due to the poor economy have helped with the collection of past due accounts of dues and assessments. Transfer fees are realized with each of these sales as well.

Equipment maintenance fees for January were high, approximately \$6,300. The trucks and plows range in age from 11 to 15 years old. One transmission had to be replaced and several other problems occurred during the snow plowing during the past two months. New parts have been order to repair the plow blades.

The complete financial statements are available on the web site at <http://www.vchpoa.org/Financials.shtml>

A motion by McPartlin, seconded by Tallent-Stewart to accept the financial report was approved unanimously.

**B. Review and Approval of 2012 Audit**

The annual financial audit required by Nevada statute has been completed and reviewed by the board members. The audit did not identify any significant issues.

A motion by Flanagan, seconded by Tallent-Stewart, to accept the audit was approved unanimously.

**C. Association Tax Return**

Thomas reported that the association's 2011 tax return was filed last week, having been extended until March 15, 2013. No money was owed.

**V. Comments by Association Members (NRS 116.31083.5)**

An owner complained that non-residents are entering the development and there are no signs preventing it. He said there are Internet sites directing people to come through the Highlands to get to the petroglyphs. It was pointed out that Lousetown Road is a public county road, granting that access.

Another owner questioned why the deputies present in the area late at night rather than during high traffic periods and questioned why they are here at all. The county accepted jurisdiction for traffic control in the Highlands in 1991 by way of an offer and acceptance of dedication limited to that purpose.

**VI. Committee Reports**

**A. Architectural Committee**

Rita Lumos reported that no applicants appeared at the February meeting. The Building Department notified Chairman Bill Lewis that the house that burned on Graves Road is being rebuilt to the exact same plans that were previously approved. No further review is necessary.

**B. Road Report**

Steve Morrow reiterated that the December snow plowing resulted in a lot more equipment maintenance than normal. He reported that the crew is working on improving response times and has decided to get out when there are 2-3 inches of snow rather than the previous standard of four inches. The plow crew has been augmented with the addition of Dave Thomas and Jay Carmona. Training is being conducted on methods of plowing, increasing road widths, and being prepared for big snows.

Al Drake complained about the handling of first big snowfall. He agrees that plowing needs to be done earlier, as is now planned.

Dave Thomas says he has over 200 hour of plowing in the Highlands and has seen it worse. Part of the problem in the last major storm was execution and part was due to equipment failures.

Several owners complained about the poor quality of the plowing and the conditions of the roads. There were complaints of a lack of proper construction and the application of mag chloride to the roads. Some complained that there had been a lack of communication between owners and road personnel when there are problems. Some owners stated that they had construction and equipment experience and would be willing to work on the road crews if needed.

Al Drake asked if the motor grader would be available for plowing deep snow on major roads and was assured that it would be.

**C. Park Committee**

McPartlin reported that the park fund situation remains unchanged. She intends to conduct an audit of building permits and records for every house that has been built in order to determine the amount of impact fees that Storey County should deposit into the park fund.

**VII. Old Business**

**A. Response from Commission on Judicial Ethics**

Thomas reported that a letter had been received from the Commission stating that they would not alter their advisory opinion JE 12-011. This is a response to the board's letter to the commission accepting the opinion and asking that it stand.

**VIII. Unfinished Business**

**A. Condition of Roads Between VCHPOA and HRPOA**

There is no further action required on this matter.

**B. New Signage for Entrance-Legal Review**

McPartlin stated that she has talked to DA Maddox about statutes involved in installing signage at the entrances to the Highlands. The signs would indicate that the roads in the development are private property. The areas where they might be installed are

however on publicly dedicated roadways. She has scheduled a meeting with him next week to further discuss the issues.

An owner asked who enforces trespassing even if there are signs. It was suggested that if someone believes there is a case of trespass happening they should take pictures and report the incident in writing to the sheriff. Thomas stated that the law in Nevada states that it is a post-out state. Trespassing is only illegal if the property has signs declaring that no trespassing is allowed.

**IX. New Business**

**A. Records Storage**

All of the associations past records are kept in plastic bins in the equipment shed. There is a need for them to be sorted out, a records storage plan developed, and filing cabinets purchased for future storage. These cabinets can be kept in fire station training room. Currently each year's financial records are in a plastic box that is easily transported to the CPA for audit. Other records such as vehicle titles, minutes, legal documents, and previous years' financial records need to be taken care of.

**B. Bookkeeper Status**

The current bookkeeper has resided in California for an extended period of time and would like to turn over her duties at the end of the fiscal year. Thomas has talked to a couple of local bookkeepers about taking over the job at that time. Flanagan warned that thefts from homeowners' associations have been a problem in Nevada and feels that care needs to be taken to ensure the person hired is honest and qualified. He praised the work that Lydia Hammack has done for the association.

**X. Any Other Matters which the Board Members Wish to Discuss**

McPartlin thanked those in attendance for coming and airing their grievances.

Flanagan stated that he had promised Judge Daniels that he would apologize to Karlyn publicly for sending an inappropriate email to her, which he did.

**XI. Comments by Association Members (NRS 116.3108.3(c))**

No further comments were offered at this time.

**XII. Executive Session to Discuss Possible Violations of the CC&R's, if Necessary**

The regular meeting was recessed and the board went into executive session.

In accordance with Nevada Revised Statutes the proceedings of executive sessions are kept confidential. Full minutes of the executive session are available upon request.

**XIII. Adjourn**

There being no further business the meeting was adjourned at 9:25 pm.

Respectfully submitted,  
Rita Lumos  
Recording Secretary