

**Board of Directors General Business Meeting Minutes - DRAFT**  
**Wednesday, July 24, 2024, at 6:00 p.m.**

**Meeting held in-person at the Caughlin Ranch HOA conference room & virtually via GoToMeeting**

**Board Members in attendance in-person or via teleconference and/or telephone:**

Al Dennis, President	Michael Ginsburg, Vice President	Michele Attaway, Director
Drew Naccarato, Secretary	Steve Bremer, Treasurer	Allen Black, Director
		Thomas Keiffer, Director

**Others in attendance in-person or via teleconference and/or telephone:**

Lisa Nunley, General Manager	Shawn Oliphant, Legal Counsel
Sandy Wheeler, Asst. Manager/CAM	

**Guests:**

Don Collier & Tammy Crawford, Erlach Computer Consulting (virtual)

4 Homeowners, In Person

- 1. Call to order and establish quorum:** President Dennis called the meeting to order at 6:07p.m. A quorum was established with seven (7) Board Members present either in person, via teleconference and/or telephone.
- 2. Member Comments.** President Dennis provided the information and guidelines regarding Member Comments to the Homeowners present. This item permits homeowners to give comments regarding items on the agenda.
  - Two Vista Pointe HOA homeowners spoke to the Board about the trees along McCarran (on Vista Pointe property). Because Caughlin Ranch HOA (CRHA) planted the trees many years ago, they believe CRHA should continue to pay for the irrigation and maintenance regardless of who owns the property. A copy of their letter to the Board is attached per their request.
- 3. Minutes:**
  - 3.1 Review & Approve May 22, 2024 Board of Directors General Business Meeting Minutes**

The May 22, 2024, Board of Directors General Meeting Minutes were provided to the Board for their review and approval.

**Motion:** Director Black moved to approve the Board of Directors General Meeting minutes from May 22, 2024, as presented. Treasurer Bremer seconded. Motion unanimously carried.

**\*\*\*At this point in the meeting, Items 7.6 and 7.7 were moved up on the agenda to accommodate the guests from Erlach Computer Consulting\*\*\***

**7.6 Review & Possibly Approve 2024 Server Migration Project Proposal from Erlach Computer Consulting**

Don Collier and Tammy Crawford with Erlach Computer Consulting attended virtually to provide information and answer questions regarding the proposed 2024 server migration project. The current servers located in the HOA office are outdated and no longer supported. Erlach and staff recommend taking this opportunity to move existing remaining data from onsite servers to the cloud. Don explained that CRHA already has cloud-based services such as VMS, SmartWebs, etc. By migrating other programs and files to SharePoint online, they are auto-saved and protected. Backup redundancy is local with infinite retention (no additional cost). Secretary Naccarato provided a list of questions in advance of the meeting. Some items were reviewed and discussed and a follow up email from Don will be provided and attached to these minutes. Planning would start one month out before going live.

Other notes included: Data will be more secure and, per the Association's insurance agent, is preferred by the cyber insurance carrier. The proposal in the amount of \$9,907.00 is primarily labor, as this will be a many-faceted project.

This is a reserve expense. The servers were slated to be replaced this year per the current reserve study at a budgeted amount of \$15,892.00

**Motion:** Director Black moved to approve the 2024 Server Migration Project Proposal from Erlach Computer Consulting in the amount of \$9,907.00 as presented. Treasurer Bremer seconded. Motion unanimously carried.

#### **7.7 Review & Possibly Approve Two-Year Managed Services Agreement renewal from Erlach Computer Consulting**

Erlach Computer Consulting is the Association's vendor for all things related to computer systems and operations. The Board was provided with their proposal for a two-year renewal of their Managed Services Agreement at a monthly base rate of \$1,912.00 effective 10.01.2024. Attorney Oliphant has reviewed and recommended two revisions which were agreed to by Tammy Crawford of Erlach.

**Motion:** Director Black moved to approve the Two-Year Managed Services Agreement renewal from Erlach Computer Consulting at a monthly base rate of \$1,912.00 effective 10.01.2024 as revised. Treasurer Bremer seconded. Motion unanimously carried.

**\*\*\*The meeting returned to its regularly scheduled Agenda.\*\*\***

#### **4. Finances:**

##### **4.1 Review & accept (un-audited) Financial Reports dated April 30, 2024, and May 31, 2024**

Treasurer Bremer presented the following report which was provided to the Board of Directors. The report includes bank balances for the operating and reserve accounts:

- 2024 CD Schedule is enclosed.
- Treasurer Bremer has been provided with a copy of all the bank/investment statements and associated reconciliations along with the supporting financial reports.
- The Board was provided copies of the GL Balance Sheet by Fund and the Statement of Revenues and Expenses as of April 30, 2024 and May 31, 2024.
- The bank statements are reconciled and the financial reports reviewed and adjusted as needed monthly by the GL Accountant and Assistant Manager Wheeler to ensure CRHA is reporting on a true accrual accounting basis.
- The Association's cash position through May 31st: Operating cash = \$1,271,018.  
Reserve cash and Investments/CD's Total: \$1,035,361. Breakdown is as follows:
  - CRHA = \$495,054
  - Whispering Canyon = \$183,419
  - Caughlin Creek/DeerCreek = \$123,734
  - Mountainshyre = \$233,154
- Through May 31st on an accrual basis, Total (Operating) Income was \$1,117,945; over YTD Budget by \$11,262. Currently, all reserve transfers are being deposited on a quarterly basis due to the positive cash flow.
- Total (Operating) Expense was \$1,081,577; under YTD Budget by \$6,209.25.
- Expense recap: Office Expense is \$6,741.75 over budget (due to legal expenses); Payroll is \$8,164 over budget; R&M is \$19,959.88 under budget; Utilities are \$12,327 under budget.
- Total Reserve Income was \$175,567; over budget by \$2,121.
- Total Reserve Expenses were \$419,588; 2024 Reserve Expense Budget = \$549,863.

**The Board is required to review the Association’s financial information in accordance with NRS 116.31083. The Association is following paragraph (b) of subsection 2 of NRS 116.3115 and confirms that reserve funds have not been used for daily maintenance.**

**Motion:** Director Allen moved to accept the Association’s unaudited financial reports dated April 30, 2024, and May 31, 2024, as presented. President Dennis seconded. Motion unanimously carried.

**4.2 Review & approve Bad Debt write-offs**

None for this meeting

**5. Reports & Updates:**

**5.1 Finance & Budget Committee (F&B); Treasurer Bremer**

The Finance & Budget Committee is scheduled to meet to review the proposed 2025 Annual Operating Budget on Thursday, August 22, 2024, at 2pm. Chairperson, Mike Heffner, has provided the following report to the Board which was presented by Treasurer Bremer:

The preliminary cash flow projections discussed in the April 23rd F&B meeting (included in the Board packet) described the possibility of requiring substantial assessment increases next year to maintain adequate operating cash. Invariably the question of inflation will arise, and, indeed, the overall CPI inflation is down. As we noted in April, this is misleading. Here’s why:

Discussion of future inflation inevitably refers to the CPI. It was argued in the meeting that CPI is almost completely irrelevant to operating expenses in Caughlin Ranch. Why?

- The “big five” in CR are landscape salaries and wages (\$1067K), office salaries and wages (\$425K), insurance (medical and liability) (\$294K), paving (\$170K - see calculation below) and water (\$225K). The big five represent 72% of total 2024 budgeted operating expenses. These five areas are where our inflation attention should focus.
- The CPI, on the other hand, is 75% dependent on housing, transport and food. Inflation in these areas has almost zero impact on CR opex.

Committee Chairperson, Mike Heffner, was in attendance and provided additional comments and expectations for discussion at the August 22<sup>nd</sup> Budget Workshop. Specifically, projections for 2025, CRHA Big 5 CPI which has been determined to be 6.24%, and a recommendation for the Board to consider at their September meeting.

**5.2 Landscaping & Maintenance Dept.; L&M Superintendent Lisenby  
Miscellaneous Projects / Weekly Maintenance**

In Superintendent Lisenby’s absence, President Dennis provided the following report:

- Maintenance crew is on normal summer schedule.  
(Mowing, weeding, irrigation and defensible space along with small projects)
- Sheep have completed their grazing and are heading home today.
- Crews are working on defensible space.
- Second fertilization of turf is complete.
- Trees have been planted to replace fruit trees that were cut down in the winter.
- Rock-wall repair work on small walls throughout the ranch.
- Fence repair in a few areas.

- Village Green Park playground equipment repair parts received and repairs to take place next Monday.
- Summer flowers planted.
- Caughlin Glen bridge project / completed.
- Graffiti removal throughout the ranch is ongoing.
- All three (3) Parks are inspected and cleaned on a daily basis.

### **5.3 Architectural Control Committee (ACC); Secretary Naccarato**

Seventy (70) applications were reviewed from 05/01/2024 through 06/30/2024. Of those, sixty-three (63) were approved with the standard conditions, five (5) were denied, and two (2) were returned with a request to resubmit with more information. The ACC meets twice per month on the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays, except for November and December when they meet once per month. (A copy of the detailed list of submittals was provided to the Board in their Executive Session packet.)

### **5.4 Community Events; Director Attaway**

The Events/Caughlin Rancher Committee met on July 9<sup>th</sup> to review potential topics and articles for the September/October edition of The Caughlin Rancher. Also discussed were upcoming events and related planning. Specifically, the July concerts, the CRHA Annual Residents' BBQ, and Oktoberfest. A copy of the updated 2024 CRHA Community Events Schedule was provided to the Board. Information on all events are also located on the website.

The July concert series was very successful. There was record attendance at the last concert (Beatles Flashback). Thank you to Lisa Ericson for her support in obtaining a record number of sponsors, and thank you to all staff who made the concerts a success.

### **5.5 Branding / Signage Ad Hoc Committee; Director Attaway**

The new logo is gradually being incorporated into CRHA. Office stationery, the For Rent/For Sale signage, banners, Landscape/Maintenance uniforms, CRHA vehicles have been updated, and HOA office building signage is partially completed with one remaining sign to be installed by Julie's Signs. The Board was provided with an updated list.

The Board approved the Caughlin Creek and Seasons signage proposal at the last meeting. Julie's Signs had some difficulty procuring the materials, but the Seasons signage is installed (masonry repairs will be completed soon). Temporary banners are installed at Caughlin Creek/DeerCreek and signs are expected to be completed and installed by the end of July.

The Board did not approve the YESCo proposal for the front entry signage at the last meeting and directed staff to send the project out to bid. That is in process, and it is hopeful there will be sealed bids at the next meeting.

### **5.6 Strategic Plan Update and Confirm Next Meeting Date; Drew Naccarato**

The Board last met on Thursday, April 25<sup>th</sup> to conduct an overview of the status of the 2020-2024 Strategic Plan.

- A meeting date has been scheduled for Tuesday, Oct. 22<sup>nd</sup> to create a new plan for 2025-2029.
- Another meeting date will be scheduled in the first quarter of 2025 to complete the 2020-2024 plan. That date will be set as it gets closer.

Secretary Naccarato provided a brief overview of the Strategic Plan process and that, going forward, a rolling 5-year plan will be established.

### **5.7 Executive Session Summary and Pending Legal Action against the Association; Attorney Oliphant**

The following items will be reviewed during the last Executive Session Meeting held on March 22, 2024:

- Approval of the 05.22.2024 Executive meeting minutes.
- Pending legal action notices as follows:
  - Discussion of the status of a homeowner complaint/dispute involving CRHA and Washoe County regarding potential easement deed associated with recent spur road abandonment.
  - Discussion of license to use common area by homeowner(s).
- Review the Violation Report & fines.
- Review the most recent Architectural Control Committee Report.
- Review Homeowner disputes, appeals and alleged violations.
- Review the Accounts Receivable Aging Report.
- There were no bad debt write-offs to review.
- Discussion of Personnel items.

### **5.8 Community Information & Possible Future Agenda Item(s); GM Nunley**

In addition to the items on this agenda, below are some other highlighted items and projects being addressed by management and staff since the last meeting (the list is not all-inclusive):

- New Homeowner Orientation is held (currently virtually only) on the 2<sup>nd</sup> Thursday of each month.
- CAI Classes attended since the last meeting:
  - 1) 1-hr. CAI Class – Emotional Intelligence (Lisa);
  - 2) 3-hr CAI 2023 Legislative Update, taught by Donna Zanetti (Lisa);
  - 3) 3 hr CAI Law Class: Reputable and Properly Licensed – Putting Association Vendors to Work the Right Way (Lisa, Sandy, Kim, Al and Drew).
- GM Nunley is a member of CAI’s Education Committee and CAI’s Legislative Action Committee for Nevada and attends monthly meetings for each committee. At the recent LAC meeting, an update was provided on the status of the Corporate Transparency Act. CAI is actively taking steps to advocate on behalf of HOA’s nationwide to eliminate the requirement for HOA’s or, at the very least, to postpone the implementation of this act for one year. You can read a complete update at: <https://www.caionline.org/Advocacy/Priorities/CTA/Pages/default.aspx>. As of right now, all HOA’s need to be prepared to submit the required documentation by 12.31.2024. Attorney Oliphant will research the potential cost to the Association.
- Erlach Computer Consulting continues with their on-going Cyber Security Training Program. Regular emails have been sent out with training videos. Please let us know if you have questions.
- Lisa and Sandy met in June with representatives from Erlach Computer Consulting to review current operations and proposals provided for this meeting.
- Staff have continued their efforts to support summer events. Caren has designed flyers and oversees their distribution, signs are being ordered as needed, and staff will be attending/supporting events. Sandy has been the primary point person.
- The sheep grazing project has been going well and should be completed the week of July 22<sup>nd</sup>.
- RFP’s were sent out to painting contractors, and job walks were held so that all contractors understood the requirements.

- Follow up street sweeping in Caughlin Creek/DeerCreek and Mountainshyre (from the slurry seal projects) was conducted on July 2<sup>nd</sup>. Whispering Canyon will be scheduled soon.
- Additional surveillance cameras have been installed at Village Green Park per the Board's approval.
- Lisa and Al attended a recent Caughlin Crossing Commercial Center board meeting (the first one held in many years). Discussion topics included landscaping items (trees, landscape contracts), annual budget, management contract and the possibility of CRHA separating itself from the subassociation.
- Bella Ramon with Alpha Tree has agreed to step in as the Association's arborist for occasional tree assessment consults.
- The Annual Association Registration is being completed and will be sent/paid to NRED by the due date of July 31, 2024.
- Possible Upcoming (non-routine) Agenda Items:
  - CRHA Office Bldg: Possible Window Replacements; Possible wireless mic system for large conference room
  - Policies: Events, Advertising and Caughlin Rancher Content Policy; Employee Handbook review/revisions

## **6. Old Business:**

### **6.1 Review & Possibly Approve Easement and other Documents to Permit Construction of Sierra Front Trail Construction on Caughlin Ranch HOA Property and/or Progress Report**

Joanne Lowden with the County provided a draft of the Public Use Trail Easement Deed and Agreement for review. Attorney Oliphant has reviewed and provided revisions which were accepted by Ms. Lowden. Below is her email for the Board's information.

Hi Lisa, I wanted to give you an update on the Sierra Front Trail and provide a draft of the Public Use Trail Easement Deed and Agreement for your review.

All of the resource surveys for the Sierra Front Trail between the Michael D. Thompson (Hunter Creek) and Ballardini Ranch Trailheads have been completed and the proposed alignment has been finalized. We are in the process of finalizing the maps and reports for the project. The Forest Service should be able to issue a NEPA decision approving the project once the reports are completed.

As you know, the deed corrections for Caughlin Ranch were recorded so we were able to move forward with creating legal descriptions for the trail easement. We included language in the agreement addressing liability and insurance. I also attached a copy of Nevada Revised Statute (NRS) 41.510 that limits liability to landowners allowing recreational use on their property.

Please review the draft agreement when you get a chance and let me know if you have any edits or proposed changes. Thanks, Joanne Lowden, Natural Resource Planning Coord. (Washoe County)

**Motion:** Director Blacked moved to approve the Public Use Trail Easement Deed and Agreement as presented. Director Keiffer seconded. Motion unanimously carried.

### **6.2 Review and Consider Request from Eaglesnest HOA to Install Locked Gate at Pedestrian Path** Per Eaglesnest HOA Attorney Donna Zanetti, attempts have been made to schedule a meeting with the County. She and the ENA Board are still waiting for a response (many County employees on vacation this month).

**Motion:** President Dennis moved to postpone this item to the next regularly scheduled General Board Meeting. Secretary Naccarato seconded. Motion unanimously carried.

**6.3 Discuss & Consider Revision to Rules & Regulations: Flags/Signs/Yard Art, etc**

At the last meeting it was decided to wait and combine these revisions with any further rules changes as well as revisions to the ACS&G's. Those changes/revisions have not been completed yet, and GM Nunley recommends postponing this item to the next meeting.

**Motion:** Secretary Naccarato moved to postpone this item to the next regularly scheduled General Board Meeting. Treasurer Bremer seconded. Motion unanimously carried.

**6.4 Review & Possibly Approve Revision to ACS&G's (to update various items) \***

**Motion:** Secretary Naccarato moved to postpone this item to the next regularly scheduled General Board Meeting. Treasurer Bremer seconded. Motion unanimously carried.

**6.5 Update on Status of Management Agreement from Caughlin Crossing Commercial Center (CCCC) and Possibility of Disengaging from CCCC**

Attorney Oliphant provided a brief recap of the status of the management agreement with CCCC. He had provided CCCC with recommended revisions. They accepted some, but not all of them. The management agreement was approved by the majority of CCCC members. He will be continuing to research the process of how CRHA can be removed from the subassociation.

**Motion:** President Dennis moved to postpone this item to the next regularly scheduled General Board Meeting. Treasurer Bremer seconded. Motion unanimously carried.

**6.6 Review & Possibly Approve Easement Agreement for common area adjacent to Lot JT-449**

This item has been moved back to Executive Session for the Board's review and possible action.

**Motion:** Secretary Naccarato moved to postpone this item to the next regularly scheduled General Board Meeting. Director Allen seconded. Motion unanimously carried.

**7. New Business:**

**7.1 Open & Review Bids & Possibly Select Vendor for Caughlin Cottages Exterior Fence Painting**

At the May General Board Meeting, the Board approved the Scope of Work for the Caughlin Cottages Exterior Fence Painting project. The Scope was provided for the Board's reference.

Four (4) RFP's were solicited from the following contractors:

APS Construction, KPro Painting, MP Garcia Painting, and RC Painting. In response to the RFP, three (3) sealed bids were received from APS Construction, KPro Painting and RC Painting.

A copy of the bids without the prices was provided to the Board for their review prior to opening the sealed bids.

Bids were opened and the bid amounts are as follows:

- APS = \$28,080.00
- KPro = \$18,995.00
- RCPainting = \$14,716.22

Discussion ensued regarding qualifications and experience with the vendors.

**Motion:** Director Black moved to approve RC Painting's proposal in the amount of \$14,716.22. President Dennis seconded.

Discussion ensued regarding RC Painting's bid limit (per State Contractors Board) and missing documentation in bid packet.

Director Black withdrew his motion.

**Motion:** Director Keiffer moved to approve KPro Painting's proposal in the amount of \$18,995.00 as presented. Treasurer Bremer second. Motion unanimously carried.

**7.2 Review & Possibly Approve Annual License Agreement with Smartwebs Software Service (for Architectural and Compliance Use)**

The Annual License Agreement with Smartwebs Software Service has not been updated since 2018. Smartwebs has upgraded their platform systems and programming since then and, subsequently, has increased their pricing. CRHA currently pays 11¢/door, or \$250.00/month = \$3,000.00/year.

The proposed agreement is 25¢/door, or \$575.00/month = \$6,900.00/year.

This is an essential piece of operations which supports ACC and Compliance efforts for CRHA.

Discussion ensued regarding ACC requests and whether the Association should charge a fee to owners for their applications. This may be discussed in more detail at a later meeting.

**Motion:** Secretary Naccarato moved approve the proposal from Smartwebs Software Service in the amount of 25¢/door or \$6,900.00/year as presented. Treasurer Bremer seconded. Motion unanimously carried.

**7.3 Review & Possibly Approve Agreement with Padovan Consulting for scheduled Rockery Wall Inspections**

The original rockery wall mapping and inspection report was completed in 2019. In the reserve study, walls are scheduled to be inspected every two years (as well as every six years) but have not been inspected since the 2019 report. Seth Padovan, Engineer, has provided a proposal to conduct an inspection and update the original wall inventory for a lump sum amount of \$6,400.00. (The current reserve study shows this item at \$1,716.00 for every two years, and \$2,790.00 for every six years. The next reserve study update will be revised to reflect a more accurate cost.)

Attorney Oliphant recused himself from discussion since he drafted the contract for Seth Padovan.

**Motion:** President Dennis moved to approve the proposal from Padovan Consulting for wall inspection and inventory report update of the common area rockery walls in the amount of \$6,400.00 as presented. Treasurer Bremer seconded. Motion carried by majority vote. (President Dennis, Treasurer Bremer, Secretary Naccarato, VP Ginsburg, Director Black and Director Attaway in favor; Director Keiffer opposed.)

**7.4 Review & Possibly Approve Irrigation Reimbursement Agreement for Vista Pointe HOA**

The trees on the Vista Pointe HOA (VPHOA)-owned parcel on the east side of McCarran (APN 041-310-05) are currently being irrigated via a CRHA water meter and the water paid for by CRHA. It is recommended that an agreement be put in place whereby CRHA is reimbursed by Vista Pointe HOA for this water usage, similar to the agreement with Caughlin Creek HOA for reimbursement of irrigation for the landscaped islands. (The Community Manager for Vista Pointe HOA has been notified of this potential change so she can inform the Board.)

Attorney Oliphant relayed that he was asked to draft an agreement to separate irrigation currently provided by CRHA from VPHOA. He has provided a rough draft for the Board's review. Discussion ensued regarding the Caughlin Creek HOA process to separate the irrigation. Other discussions included whether to ask VPHOA to pay for the clock/meter and whether to ask VPHOA to reimburse for past water usage. Also discussed were comments previously made by VPHOA to remove the trees (this would be an ACC request if they still wished to do so), and whether VPHOA could transfer the parcel to CRHA.

**Motion:** VP Ginsburg moved to postpone this item to the next meeting and authorize GM Nunley and Attorney Oliphant to get with VPHOA Board to discuss details so that a final draft of the agreement can be presented to the CRHA Board for review/consideration. Secretary Naccarato seconded. Motion unanimously carried.



**7.5 Discuss/Consider the Installation of additional “Leash your Pets” and “No Motorized Vehicles” Signs – Director Keiffer**

Director Keiffer asked for this item to be on the agenda. He would like to assign this to the “Signage Committee.” It was noted that there is no ad hoc signage committee at this time.

He would like to see additional signage along Alum Creek and the Steamboat Ditch trails, possibly every 50-100 yards reminding those using the trails about leashing their pets and no motorized vehicles. He estimated an approximately budget of \$10K for this project.

**Motion:** Director Keiffer moved to direct staff to propose a draft budget, schedule and design for a signage plan to be presented at the next meeting. Director Attaway seconded. Motion unanimously carried.

**7.6 Review & Possibly Approve 2024 Server Migration Project Proposal from Erlach Computer Consulting**

This item was addressed earlier in the meeting.

**7.7 Review & Possibly Approve Two-Year Managed Services Agreement renewal from Erlach Computer Consulting**

This item was addressed earlier in the meeting.

**7.8 Review/Possibly Approve Easement Agreement for common area adjacent to Lot ER 1-32A**

The homeowners of Lot ER 1-32A received Board approval for an Easement Agreement based on the Association’s Common Area Encroachment Policy and contingent upon their complying with the requirements needed to create the Agreement (land survey and legal description of the common area encroachment area).

The Board was provided with the final Easement Agreement for consideration. The agreement is signed by the homeowners and they will pay an easement fee of \$18,657.63 prior to Board signature.

**Motion:** Treasurer Bremer moved approve the Easement Agreement for Lot ER 1-32A, with an easement fee of \$18,657.63, as presented. Director Keiffer seconded. Motion unanimously carried.

**7.9 Review/Possibly Approve Easement Agreement for common area adjacent to Lot DCRK-633**

The homeowner of Lot DCRK-633 received Board approval for an Easement Agreement based on the Association’s Common Area Encroachment Policy and contingent upon their complying with the requirements needed to create the Agreement (land survey and legal description of the common area encroachment area).

The Board was provided with the final Easement Agreement signed/notarized by the homeowner for consideration. The homeowner will pay the easement fee of \$2,923.80 prior to Board signature.

**Motion:** Director Black moved to approve the Easement Agreement for Lot DCRK-633, with an easement fee of \$2,923.80, as presented. Treasurer Bremer seconded. Motion unanimously carried.

**7.10 Review & Possibly Appoint Two New Members to the Finance & Budget Committee**

A vacancy exists on the Finance & Budget Committee (Vince Ames) and the Board has been informed that Mike Heffner (F&B Chairperson) is looking to reduce his involvement on the committee.

In response to the notice in the Rancher about the F&B vacancy, four (4) applications were received and have been provided to the Board. Applicants are: Peter Broughton, Russ Ruiz, Annette Kurtz-Seidenfuss, and Martin Kwitek.

It is recommended the Board appoint two (2) new members, but may, per the Charter, appoint up to three (3).

Mike Heffner was in attendance and encouraged any homeowner and applicant to attend the August 22 Budget Workshop. GM Nunley will extend the invitation.

After discussion, the following motion was made.

**Motion:** President Dennis moved to postpone the decision to appoint new F&B Committee Members until the Board has had a chance to meet the applicants in person at a meet and greet on September 18<sup>th</sup>. Director Keiffer seconded. Motion unanimously carried.

**8. Member Comments: This time is devoted to Association Members who have comments and/or concerns regarding any association matters.** The Board has the authority to limit the time for individual comments. A time limit of two (2) minutes per member has been allotted. No member can give away his or her allotted time to expand another member's time. In consideration of other members who may wish to present comments and/or concerns, please avoid repetition.

- Two homeowners from Vista Pointe HOA requested the Board reconsider its January 24, 2024 decision to require Vista Pointe HOA maintain its own landscaping. A copy of their statement is attached per their request.

**9. Announce Future Meeting Dates & Adjourn/Recess:**

- **Finance & Budget Committee, Budget Review Workshop, Tuesday, August 22, 2024 at 2pm.**
- **Board Agenda Workshop on Monday, September 23, 2024 at 4:00 p.m.; Executive Session Workshop will immediately follow.**
- **Board of Directors Executive Session on Wednesday, September 25, 2024 at 5:00 p.m. and General Business Meeting at 6:00 p.m.**

**Motion: Secretary Naccarato moved to recess the meeting at 7:49p.m.; Treasurer Bremer seconded. Motion unanimously carried.**

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Drew Naccarato, Secretary Board of Directors  
Caughlin Ranch Homeowners Association

Attachments (3)

**From:** [Don Collier](#)  
**To:** [Lisa Nunley](#); [Tammy Bratt](#)  
**Cc:** [Sandy Wheeler](#)  
**Subject:** RE: Draft Questions/comments for Board mtg items 7.6 & 7.7  
**Date:** Wednesday, July 24, 2024 4:19:51 PM

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Hi Lisa,

I'm glad Drew asked these questions and values the security of your data. We take these matters very seriously and appreciate inquiries like this. Please review the information below and let me know if you or Drew have any further questions or need additional clarification. I will also review this information in the Board meeting.

#### GENERAL QUESTIONS:

1. How long will the conversion/move take? I understand it will take place during the business hours, so what will the business interruption be and for how long?
  1. Data will be moved overnight to minimize disruption. Users will experience individual interruptions of up to two hours while their devices are joined to Azure AD the day following the data migration.
2. What will the affect on data entry/access/update response be?
  1. Access to shared files will be unavailable during the overnight transfer. Post-migration, users may experience a brief adjustment period. Files are synced locally to devices from SharePoint/OneDrive and will be readily available.
3. Will we have server(s) dedicated to CR in the offsite location or will our data be comingled on shared server(s) with others organizations?
  1. Your data will be stored in Microsoft's cloud infrastructure, specifically within a multi-tenant environment. This means your data resides on shared physical servers but is logically separated from other organizations' data, ensuring security and isolation. Microsoft employs robust security measures, including encryption, access controls, and continuous monitoring, and complies with industry standards and certifications such as ISO 27001, HIPAA, and GDPR.
4. Will our data physically remain in the state of Nevada? Lisa, does NRS require our data to be kept in our state? Some states require their data to be kept in state.
  1. Data will reside in the US west coast. If additional regulations apply, this can be adjusted.
5. After conversion to the cloud will access to our be 24X7X365?
  1. Yes, once migrated to SharePoint Online and OneDrive, your data will be accessible 24X7X365, provided you have internet connectivity.
6. Who is responsible for recovery if our data get corrupted our lost in transition or after conversion to the cloud?
  1. The data is copied, not moved, ensuring the original data remains intact. After copying, data integrity is verified through logs, which are reviewed for discrepancies. In case of any issues, Datto SaaS Protection provides

robust recovery options.

7. Does this include all of our operating data, including scanned images past and ongoing?
  1. Yes, all operating data, including past and ongoing scanned images, will be hosted in SharePoint Online and OneDrive. Exclusions apply to other hosted environments and platforms not included in the migration.

#### SECURITY:

1. What is the Physical Security at the offsite location where the server(s) will be located?
  1. Microsoft data centers have extensive physical security measures, including biometric access controls, 24/7 surveillance, and security personnel. More details can be found here [Cloud data security measures in SharePoint & OneDrive - SharePoint in Microsoft 365 | Microsoft Learn](#)
2. What are your Data security procedures and Redundancy procedures?
  1. Data security includes encryption, multi-factor authentication, and regular security audits. Redundancy is achieved through data replication across multiple geographic locations. Additionally, Datto SaaS Protection provides cloud-to-cloud backup.
3. Backup procedures; How often?
  1. Backups are automated, performed three times per day and verified daily.
4. Will our data be Mirrored, active or passive? Onsite and Offsite?
  1. Data is actively synced to devices via OneDrive, providing real-time access and updates. Offsite redundancy is maintained through Microsoft's cloud infrastructure.
5. How long will backups be retained? Onsite and offsite?
  1. Microsoft – Recoverable for 30 days for deleted files.
  2. Datto SaaS – Infinite retention.

#### CONCERN:

The use by ECC of DATTO Software as a Service Protection or DATTO Software as a Service Defense product account, where ECC is the Administrator, has many disclaimers. My concerns center around the wording in: Direct Use, Indemnification, and Limitations of Liability. Where does this leave CR if a data attack, corruption, or loss of data occurs?

Datto's standard disclaimers are typical for SaaS providers. ECC will ensure comprehensive data protection and recovery measures. In the event of a compromise, data corruption, or loss, ECC will recover your data and/or coordinate with Datto to recover and restore your data. Our service agreement outlines our commitments and the steps we will take to mitigate risks and handle any data-related incidents.

**Don Collier**

## IT Consultant

### Erlach Computer Consulting

[www.erlach.com](http://www.erlach.com)

**Help Desk: (775) 284-2252**

Main: (775) 332-3282

8545 Double R Blvd. Ste 103

Reno, NV 89511

\*\*\* Please enter replies above this line \*\*\*

---

**From:** Lisa Nunley <GMNunley@caughlinhoa.com>

**Sent:** Tuesday, July 23, 2024 2:17 PM

**To:** Don Collier <Don@erlach.com>; Tammy Bratt <Tammy@erlach.com>

**Cc:** Sandy Wheeler <sandy@caughlinhoa.com>

**Subject:** FW: Draft Questions/comments for Board mtg items 7.6 & 7.7

**Importance:** High

Hi Don and Tammy,

The Board has been reviewing your proposals in preparation for their Board Meeting tomorrow evening.

Below is an email from the Board Secretary, Drew Naccarato.

He has several questions, comments and concerns which I am forwarding to you so you can review and be prepared for the meeting.

The log in information for the meeting is:

**Board of Directors General Business Meeting**

**Wednesday, July 24, 2024, 6:00 PM**

**If joining remotely, please join the meeting from your computer, tablet, or smartphone.**

<https://meet.goto.com/275405157>

You can also dial in using your phone. United States: +1 (571) 317-3122

Access Code: 275-405-157

Get the app now and be ready when your first meeting starts:

<https://meet.goto.com/install>

We have moved up your item on the agenda to right before Item 4 (financials).

The meeting starts at 6pm.

Please let me know if you have any questions. Otherwise we will see you tomorrow evening.

Thank you!

Lisa

Lisa R. Nunley, CMCA, AMS, PCAM

General Manager  
Nevada Certified Supervising Community Association Manager

Caughlin Ranch Homeowners Association  
1070 Caughlin Crossing  
Reno, NV 89519  
Phone: 775.746.1499 / Fax: 775.746.8649  
[www.caughlinhoa.com](http://www.caughlinhoa.com)

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**From:** Drew Naccarato <[drewnacc@caughlinhoa.com](mailto:drewnacc@caughlinhoa.com)>  
**Sent:** Tuesday, July 23, 2024 12:43 PM  
**To:** Lisa Nunley <[GMNunley@caughlinhoa.com](mailto:GMNunley@caughlinhoa.com)>  
**Cc:** Allen Dennis <[Al@caughlinhoa.com](mailto:Al@caughlinhoa.com)>  
**Subject:** Draft Questions/comments for Board mtg items 7.6 & 7.7

Lisa,

The following are my comments/questions you asked me, at the 7/22/2024 Board Workshop, to write up and send to you. I have thoroughly read through the Board agenda attachments for items 7.6 and 7.7 of the agenda.

Per the proposal to remove the existing servers and data from the Caughlin Ranch HOA (CR) administrative offices to an offsite location and in the cloud, and for a Two-Year Management Services Agreement renewal from Erlach Computer Consulting, here are my Questions/Comments.

I understand that Shawn Oliphant, Board Attorney, has reviewed the proposals from a legal perspective. However, my review is from a technical and functional perspective.

The following are not in any order of sequence nor importance.

#### GENERAL QUESTIONS:

1. How long will the conversion/move take? I understand it will take place during the business hours, so what will the business interruption be and for how long?
2. What will the affect on data entry/access/update response be?

3. Will we have server(s) dedicated to CR in the offsite location or will our data be comingled on shared server(s) with others organizations?
4. Will our data physically remain in the state of Nevada? Lisa, does NRS require our data to be kept in our state? Some states require their data to be kept in state.
5. After conversion to the cloud will access to our be 24X7X365?
6. Who is responsible for recovery if our data get corrupted our lost in transition or after conversion to the cloud?
7. Does this include all of our operating data, including scanned images past and ongoing?

#### SECURITY:

1. What is the Physical Security at the offsite location where the server(s) will be located?
2. What are your Data security procedures and Redundancy procedures?
3. Backup procedures; How often?
4. Will our data be Mirrored, active or passive? Onsite and Offsite?
5. How long will backups be retained? Onsite and offsite?

#### CONCERN:

The use by ECC of DATTO Software as a Service Protection or DATTO Software as a Service Defense product account, where ECC is the Administrator, has many disclaimers. My concerns center around the wording in: Direct Use, Indemnification, and Limitations of Liability. Where does this leave CR if a data attack, corruption, or loss of data occurs?

Respectfully,  
Drew Naccarato, Secretary of the CR Board of Directors

PS: Please forgive any typos or incomprehensive sentences as I put this email together fairly quickly.

3775 Brighton Way  
Reno NV 89509  
July 24, 2024

Caughlin Ranch Board of Directors  
1070 Caughlin Crossing  
Reno NV 89509

**Subject: Request That Caughlin Ranch (CR) Board of Directors  
Reconsider Its Decision to Cease Irrigation and Maintenance  
Landscaping on Vista Pointe (VP) East Entrance**

Introduction: We have lived in Vista Pointe (VP), a sub-association of Caughlin Ranch (CR), for over 10 years. (As you know, VP is an Assessment Class "A" community of CR). During these 10 years, we have witnessed a reduction of services provided by CR even while our dues have increased. Most recently, CR has attempted to back out of a longstanding agreement to provide maintenance and irrigation to the east entrance of VP. CR has thus caused all VP homeowners an unnecessary, unfair and significant financial burden to cover costs that other Class A communities are not required to pay.

Vista Pointe Entrance: At its January 24, 2024 meeting, the CR Board of Directors voted to cease providing irrigation and maintenance landscaping to VP's east entrance. (Agenda Item 7.3)

The meeting minutes falsely indicate the Board's position that there is no agreement in place or obligation to provide these services. However, in its meeting of February 13, 1991, as confirmed in a March 22, 1991 letter from Michael Trudell, the CR Board specifically agreed to provide these services to VP. While the letter attempts to spell out "conditions" to its agreement, the Board clearly waived any unmet conditions - if there were any - by providing the agreed upon services for over thirty-three (33) years. See *Mayfield v. Koroghli*, 124 Nev. 343, 346, 184 P.3d 362, 364 (2008) ("when a contract contains a condition precedent to a party's performance, that party may waive the condition and tender performance ....")

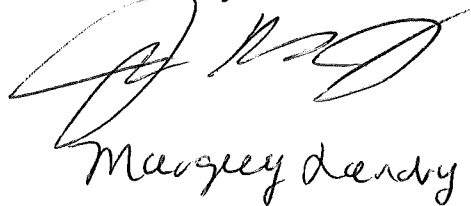


The Board's minutes of January 24, 2024, however, **do not show any discussion of the March 22, 1991 letter (attached) in which CR agreed to provide maintenance and watering of the VP entrance property.** It must be assumed, therefore, that the Board and Attorney did not have this letter available at the time the Board made their decision to discontinue this service to VP which had been provided for over 30 years. **We request that the CR Board of Directors reconsider its decision in light of the 1991 letter, and resume maintaining the VP entrance property and reimburse VP for the costs of taking over the maintenance and watering since February 2024.**

We would also note that this matter was handled poorly by CR. CR turned off the water without ensuring that the water account was transferred to VP. This action caused significant stress to the grass and plants which VP had to address. The unsightly entrance area could certainly have impacted property values for home sellers and did in fact cause a non-CR neighbor to file BBB complaints.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Margery Landry". The signature is fluid and cursive, with the first name being more prominent.

John and Margery Landry

Attachments:

January 24, 2024 minutes, Agenda Item 7.3

1991 letter

deeds and maps which, in turn, was forwarded to Attorney Oliphant who will work with the land surveyor to coordinate the recording of the deed correction. There will likely be some costs associated with the completion of this task.

**6.2 Update Status of Bridge/Creek Crossing on Alum Creek/Possibly Review/Approve Contractor Proposals**

This item was addressed earlier in the meeting.

**6.3 Review/Consider Request from Eaglesnest HOA to Install Locked Gate at Pedestrian Path**

GM Nunley has contacted Chet Mallory, Board President with Eaglesnest HOA (ENA), with a reminder that the CRHA Board is requesting a legal opinion from ENA's legal counsel on whether it is legally possible to close the walking path given the agreements with the City and County about allowing pathways/trails to remain open to the public.

Per Chet, they are waiting to hear back from the County and then the legal opinion can be completed. It is anticipated that this will be forwarded to CRHA prior to the March General Meeting.

Attorney Oliphant commented regarding the provisions of the 1987 agreements; specifically, that the agreements require the Association to keep the paths open.

**6.4 Discuss & Consider Revision to Rules & Regulations: Flags/Signs/Yard Art, etc**

President Dennis relayed that some ideas and progress has been made on moving forward with this item, but the Board is not ready to make a decision today. Attorney Oliphant agreed that this can be carried forward until the ACS&G's are also completed, then everything can be mailed out at the same time.

**Motion: President Dennis moved to postpone this item until the next regular meeting. Treasurer Bremer seconded. Motion unanimously carried.**

**6.5 Review & Approve Revision to ACS&G's (to update various items)**

There are a variety of proposed revisions to the ACS&G's, some of which still need additional work.

**Motion: Director Black moved to postpone this item until the next regular meeting. Treasurer Bremer seconded. Motion unanimously carried.**

**6.6 Review and Consider Homeowner Request to Landscape and Irrigate Floodway**

This item was addressed earlier in the meeting.

**7. New Business:**

**7.1 Review & Possibly Approve Proposal from Padovan Consulting for Bid Prep and Construction Management of 2024 Pavement Maintenance (Caughlin Creek/Deer Creek Trails/Streets & other CRHA Trails)**

This item was addressed earlier in the meeting.

**7.2 Review and Possibly Approve Proposal from KD Sound for Conference Room Acoustic Panels – Kelly Dodge with KD Sound to Attend**

This item was addressed earlier in the meeting.

**7.3 Review and Discuss how to proceed re Vista Pointe HOA Common Area**

GM Nunley reported that Caughlin Ranch HOA has been providing irrigation and regular landscape maintenance on Vista Pointe HOA-owned common areas (APN 041-311-01 and a portion of APN 041-310-05) on an annual basis. There is no agreement in place with Vista Pointe HOA for this

service; it has just been an on-going, from the beginning of time, service. Additionally, CRHA provides irrigation and once-every-3-years defensible space clearing to a portion of APN 041-310-05. All the foregoing property is owned by Vista Pointe HOA, yet CRHA has never been reimbursed for the cost of irrigation and landscape maintenance.

This information is provided to the Board for their information in the event they wish to change the existing practice of providing these services to Vista Pointe HOA. Options include 1) requiring Vista Pointe HOA to arrange for their own services, 2) offer an annual Landscape Services Agreement to Vista Pointe HOA as is done with other subassociations, or 3) continue to provide services no charge.

Attorney Oliphant recommends checking to make sure there is no obligation to provide services on these parcels. It was confirmed that the parcels in question are owned by Vista Pointe HOA.

Discussion ensued regarding irrigation reimbursement method as is currently done for another subassociation; that model could be applied, or research if irrigation could be separated.

Further discussion took place regarding the 2019 settlement agreement with Vista Pointe HOA.

**Motion: President Dennis moved to notify Vista Pointe HOA that landscape and irrigation services as currently being provided to Vista Pointe HOA-owned common area parcels by Caughlin Ranch HOA will discontinue effective immediately. Vista Pointe HOA is to arrange for their own services, or Caughlin Ranch HOA is willing to provide a Landscape Services Agreement upon request, as well as a separate contract for landscape irrigation reimbursement for the McCarran hillside area. VP Ginsburg seconded. Motion unanimously carried.**

**7.4 Ratify Proposal from WESTEX for Materials Testing & Inspection Services for Alum Creek Bridge Crossing project as Approved via Unanimous Email Consent**

This item was addressed earlier in the meeting Item 6.2.

**7.5 Review/Approve Renewal of Quarterly Maintenance Agreement with Michael's Plumbing**

The Board was provided with a proposal for consideration for the Quarterly Maintenance Agreement with Michael's Plumbing for the HOA office HVAC system. Cost is \$373.00 per visit, or \$1,492.00 per year. This Agreement is for two years (through Fall 2025). There is no price increase from the last Agreement.

**Motion: Treasurer Bremer moved to approve the Quarterly Maintenance Agreement with Michael's Plumbing for \$1,495.00 per year for 2024 and 2025 as presented. Director Black seconded. Motion unanimously carried.**

**7.6 Review & Approve 2024 Rate Increase from Viloría, Oliphant, Oster & Aman LLP**

Effective 01.01.2024, Viloría, Oliphant, Oster & Aman LLP increased their hourly rates as outlined below. They have not increased their rates since 2019.

A brief discussion ensued regarding the rate schedule.

	New Rates	Old Rates
Partner:	\$425	\$350
Associate:	\$325	\$250
Paralegal:	\$225	\$150

**Motion: Treasurer Bremer moved to accept the hourly rate increase as notified by Viloría, Oliphant, Oster & Aman LLP. Director Keiffer seconded. Motion unanimously carried.**

CAUGHLIN RANCH  
HOMEOWNERS ASSOCIATION

March 22, 1991

Mr. Brian Davenport, Esq.  
2012 Brighton Court  
Reno, NV 89509

RE: Vista Pointe Homeowners Association/Common Area Maintenance

This correspondence is in response to the inquiry by the Vista Pointe Homeowners Association (VPHA) regarding the possible maintenance of the entrance to the Vista Pointe subdivision by the Caughlin Ranch Homeowners Association (CRHA).

The CRHA Board of Directors took the matter into consideration at their meeting on 2/13/91. The Board agreed to maintain common area improvements located at the entrance into Vista Pointe under the following conditions:

1. A Board appointed group will inspect the entrance to determine which areas would be appropriate.
2. The Board's representatives will determine if any additional improvements will be required in these areas, prior to acceptance by the CRHA.
3. VPHA will need to dedicate the land and appurtenant water rights, if applicable, to the CRHA.
4. Upon acceptance of dedication to the CRHA, the CRHA will maintain those portions of the Vista Pointe entrance.

I will request that the representatives from the CRHA inspect the entrance before the end of the month to give you time to prepare the necessary documentation. If you have any questions, please call.

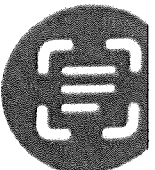
Sincerely,

CAUGHLIN RANCH  
HOMEOWNERS ASSOCIATION

  
Michael Trudell  
Manager

CC: Mr. Jellery Codeaga  
Mr. Dan McGill

1000 CAUGHLIN CROSSING • SUITE 35 • RENO, NEVADA 89509 • PHONE (702) 746-1499



July 24 Caughlin Ranch BOD Meeting, Agenda item 7.4

We are Margery and John Landry, 3775 Brighton Way, Vista Pointe homeowners. Neither of us is currently on the Vista Pointe Board of Directors. We have lived in Vista Pointe for over 10 years.

We are here to address Agenda Item 7.4, regarding a proposed agreement that Vista Pointe reimburse Caughlin Ranch for watering pine trees (which were planted by Caughlin Ranch) on Vista Pointe property along McCarran Boulevard. We believe that it is Caughlin Ranch's responsibility to irrigate the trees and thus mitigate a serious fire threat to the Vista Pointe community. The trees are planted in very close proximity to some of our homes, and Vista Pointe property owners objected to Caughlin Ranch's planting of the trees because of this fire hazard.

The fact that Vista Pointe owns the property should not exclude Vista Pointe from services provided to other Assessment Class A communities, such as Westpoint, that pay the same Caughlin Ranch dues and also have the pine trees planted contiguous to their properties. We are senior citizens and suffer financially from this practice.

There are legal mechanisms, such as a dedication of property, for Caughlin Ranch to provide these services on Vista Pointe property. Interestingly, Caughlin Ranch also maintains the path between Vista Pointe and Caughlin Crest, about half of which is on Vista Pointe property.

By planting the pine trees without a signed agreement with Vista Pointe, Caughlin Ranch is solely responsible for any fire damage incurred by any Vista Pointe resident. We request that Caughlin Ranch accept the responsibility for watering and maintaining the trees that they planted on Vista Pointe property.

We are prepared to discuss this issue with the Office of the Ombudsman for Common-Interest Communities.

We request this statement be part of the meeting minutes.