

Virginia City Highlands Property Owners Association
Minutes – Special Meeting, Thursday, June 26, 2008
Virginia City Highlands Fire Station Training Room – 7:00 p.m.

Present: Mary Tallent-Stewart, Bill Lewis, Rita Lumos, Mike Lupo
Absent: Steve Morrow (On Business)

I. Call to order, declaration of a quorum and approval of meeting agenda
President Lumos called the meeting to order at 7:05 p.m. and declared that a quorum was present.

II. Retain Association Attorney to Repond to Complaint Filed with Ombudsman’s Office

The complaint was regarding an information meeting that was held at the Firehouse approximately one year ago. The complaint was filed in November 2007. The Ombudsman requested a packet of information from Rita which she provided to him and a hearing will be sent at the end of this year or early next.

The allegations were made that a “secret” meeting took place regarding road maintenance and following the road plan. The meeting was not posted on the board or website but then we are not subject to open meeting law. The meeting was an informational meeting only to try to obtain information on how we might better maintain the roads in the Highlands. Anyone could have come and many did. Road Manager Bob Moore brought Kelly Rogers who was an expert in the field of road construction and maintenance. He had volunteered his time to give his opinion and knowledge to see if he could help a better way to keep the roads here in good condition. Everyone sat in a circle at the meeting and many issues were discussed, including scarifying, rolling and the use of water. no business was transacted and no decisions made. Rita was told that these kind of “workshops” were a violation of the open meeting law by the investigator from the Attorney General’s office. The Ombudsman, however, says that there is no violation and recommended that we have our attorney represent us at the Association’s expense. Rita said that the attorney doesn’t believe that this “meeting” even rose to the level of a “workshop”. The hearing will be set for next year sometime although it may be as early as this December. This falls the “Common Interest Community Commission”. One resident is concerned that if we hire the attorney we would be admitting guilt. Chris Cook told Rita Lumos that we should have our attorney present. They are using this case as a “test” case. If the Board was found guilty of violating the open meeting law then a possible fine of up to \$1,000 could be imposed. Keith Judson agreed that we hire the attorney to represent the Association.

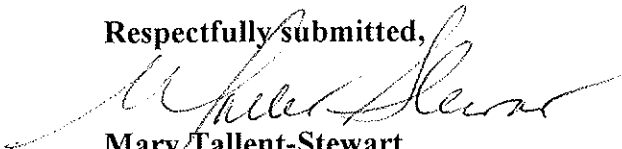
The allegations were made by former Board member Debra Gravenstein. Debbie’s husband Dan came to this emergency meeting and was very angry and addressed the group. He wanted to make sure that Debbie wasn’t blamed for doing what she felt was right and he said that was trying to represent the people.

It was discussed that the Association attorney, Jay Hampton needs to respond to the Attorney General's office in a formal manner. No response will only make things worse. Bill Lewis made a motion to have attorney Hampton submit a formal written response to the Common Interest Communities Commission. A second was made by Mary Tallent-Stewart. Motion carries.

We will wait to see what kind of response is given from the State and base future decisions on that.

Adjourn 8:00

Respectfully submitted,



Mary Tallent-Stewart
Secretary