

Wild Horse Ranch Landowners' Association Meeting Minutes

Board of Directors Meeting

Thursday, March 7, 2024

Meeting called to order by Pres. Dugan

Those in attendance: Jim Feehan, Steve Malvitz, Greg Bornowski, Mitch Henderson, Ron Racicot, Rachel Ponder, Pres. Dugan, Sec. Bornowski

Motion to approve agenda By Steve Malvitz 2nd by Ron Racicot

Approval Regular Business Meeting Minutes from: February, 2024 Motion for approval Rachel and 2nd by Steve, all were in favor

- Secretary's Report – None
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- Treasurer Report – Carmen Bronowski: See attached. Motion by Jim Feehan 2nd by Steve Malvitz, all were in favor

Committee Reports

- Maintenance – Jim Feehan Started with discovering the lock missing. He replaced with one old lock and bought three new ones. The mailbox locks have been ordered by the postal services with no timeline for install. As for moving the lower boxes, to move the lower boxes we must get owner approval for each box. Talking with Melissa, to see where we can place the new box. If she approves were good, if not we will need to get postal approval. Motion to approve the report by Steve Malvitz 2nd by Ron Racicot all were in favor.
- Roads Committee- Steve Malvitz No Report

Old Business:

- HOA SOP: No Report Remover from Agenda by Jim Feehan, 2nd by Rachael Ponder All were in favor
- Election Procedure: Jim did Nomination forms approved with no input for changes. We have another month and need a secretary. Forms to be returned by April 15. Ballot written to go to vote at May's meeting and be mailed by Mat 15th. Motion to approve the nomination form and send out Rachel and Steve all were in favor.

- Card Reader System No report. Waiting for meter list. Need to decide when to submit the change forms to state, requires \$75.00 fee. They then set deadline to when we need to install meters.

New Business:

- Removal of Board Member(s): Removal of Mitch as a board member Greg made a request to remove Mitch based on violations of several ethics rules. Line items 1 and 5, Mitch states that he was elected to represent certain constituents, who voted for him, not the board as a whole. Line item 2, Our decisions need to be based on sound judgements for the whole group, not specific individuals. Line item 8, bringing up items that have already been approved and acted upon by the board. We are to speak in unity once the board has acted. Line item 15, misrepresented information about the wells. 17 and 18, Making multiple personal attacks to myself and others, with the implication of personal harm. Line 19, letter by Noah Henderson, implication some information was shared by BOD correspondence. Mr. Henderson said he did not like, and would not adhere to certain rules of the BOD. Greg stated we must be factual and correct when representing the board. Make the best decisions for the community and speak as a unified board. Based on all that information I (Greg), would like to put forward a motion to remove Mr. Henderson from the board. Before we go any further, Mitch gets five uninterrupted minutes to address these concerns. Mitch 1st of all no ex post facto prosecution was to happen under this rule, so I brought no evidence on Steve Malvitz did before the passing of the rule. 2nd, all the info I gave on the wells I believed to be accurate and correct. I did not try to mislead the board. Next, If my son gives you a trespass warning, that does not mean he knows anything that was going on with the board. The first thing we need to address is the ex post facto, are we going to do that or not? Greg stated he would like to address that. And stated “ The ex post facto is if a rule were changed after the fact, and there was an infraction after the fact, we can’t change rules and hold you to something that was changed and we can not hold you to a punishment that was not in place, prior to that, both of those things, not changed in the code of ethics and at the bottom of the code of ethics that you did sign, it states that any board member who does not adhere to the codes of ethics can be removed by the board. So if you want to try to say the clarification, somehow falls under ex post facto, I believe you are incorrect. All of the

rules and information, rules and the punishment or the consequences are spelled out and you signed that.” Mitch, “Once again, everything that Steve did will fall under the same thing. Everything he did is against the code of ethics also.” Greg stated “this is about you now.” Mitch replied” are we willing to say that my complaint against Steve would also go for what happen before last meeting? President Dugan Stated” That’s fine Mitch, that absolutely can happen that same way, because he did sign the same document, but right now, we are dealing with your situation.” Mitch” well I know this is going to the ex post facto thing, in that I did not bring all the evidence, well, actually I do have it in the car. I didn’t bring all the emails that apply to Steve making threats to me and Becky. Because I was under the impression it would fall under the ex post facto, because the process for removing a board member had not been approved.” Greg stated “the process is just a technicality and has nothing to do with the rules and the infractions of the rules.” Pres. Dugan stated” right now we have to deal with your situation and that is what we will deal with now. Does any body have any other comments? Mitch, do you have anything else? “Mitch “no, I do Not.” Pres. Dugan “Having given Mitch his time, I will call for a secret ballot vote. It must pass by two thirds, I have a motion by Greg, I need a second from the floor to remove Mitch as a director.” I have a second by Steve Malvitz. This is a secret ballot vote. I am going to ask Jim to pass out paper. I want them folded in half after you have written your answer on it. Rachel and Greg, will have to text them to me as you are not at the office. All the voted have been texted to me and the vote is 4 to remove to not to remove. The motion carries by a two thirds majority. Mitchell Henderson is removed from the board of directors. So at this time we will need to look for another direct to take his spot. So, In being fair about this, Mitch, even though you have been removed from the board, you can present you case against Steve. If you need to go to your vehicle to retrieve what you think you need.” Mitch replied” I have it. At the Jan. 6th meeting when every one came in, he complained, in front of everybody, about me passing him on a public road and he was going to have a problem. On Jan. 11 he sent me an email that says a hermit and a recluse don’t ask a community to pay for their way of life. Im telling you Mitch, keep my name out of your mouth. I’m not a convicted felon, I’m F...ing smarter than that. I won’t ask you again, I saw it. The next email, was on Jan. 15th, as I am the closest to Rachal, maybe some one should ask me. I am so proud of her and how far she has come you stupid people don’t understand she has taken three of her sisters’ children off the streets and adopted tow of them. You should be ashamed of yourself so shut the F**K up. You

have pissed me off and I have promised the Lord, I would not return to the life.. If you want it, f**king bring it. You are both cowards. And that I believe is referring to me and Becky” “And at the last meeting, he took the crumpled up piece of paper, the trespass warning, and threw it at me. Let me make clear the difference between an assault and a battery. If he threw it at me and did hit me that is a battery. If he missed me, that is an assault. He said in anger, I don’t want your letter and he threw it at me. I told him at the time, that is simple assault. So, he has got a temper and is violent. Are you going to enable and be co-dependent with him or hold him to the same standard? I make a motion to remove him from the board.” Pres Dugan, my first question Mitch, is did you file a police report as I ask you to? Mitch, “I filed a criminal complaint with the county and a criminal complaint with the south judicial district court. I also reported him to Homeland security as a possible threat to me.” Pres. Dugan Asked if any actions were taken by any of those agencies? Mitch says NO. One last thing I want to say, I sent emails to Steve and asked him to apologize via email that I would drop it all the criminal and board action. He could not even do that.” Pres Dugan, “he has five minutes to address the complaint so, at this time, go ahead. Steve states he chooses to have a little conversation. “As far as the violence, what proof do you have that I am Violent? Mitch replied the threatening emails that you sent and the assault of you throwing the paper at me. Steve stated that he is finished with his statement. Pres Dugan, at this time, I have a motion by Mitch to remove Steve from the board and I need a second. Jim Feehan, stating he was not in agreement with Mitch, made the second to facilitate the vote. Pres Dugan, I have a second and in the same manner as we did with Mitch, cast your votes. The vote was 4 to 2 to retain Steve on the board.

- New Secretary: No applicants were received
- New Board Member: Jerry Fowler was appointed to the board. Motion by Jim Feehan, 2nd by Steve Malvitz to appoint Jerry to the board. All were in favor.
- Maintenance committee roll over of funds from prior fiscal quarters: Jim made a motion to approve rollover of funds. Second by Steve Malvitz all were in favor.
- Postal service:
- Options to interact w/ community members to avoid rumors and misinformation: Greg is there any interest in having some board members meet with residents at the pavilion to answer

resident's questions. This is a way to get the community more involved. Jerry suggested maybe a mailer or email blast. Jim suggested maybe on online forum.

Public Comment: five minutes per person: Zina gave an update on the county road and that she is going to the county to address the horrible condition of the county road. She stated Jerry is a good choice for the board.

Mitch read a letter from Sarah Emory

Becky addressed the board

Next Meeting Date and Time: Thursday April 4, at 6:00pm

Adjournment: Jim Feehan motion to adjourn, 2nd by Steve Malvitz all were in favor

Adjourn Meeting Time:7:17pm