

## Executive Board meeting minutes

14 Apr 2015 8pm

Present: Robert Thomas, David Ziller, and Bryan Willis

At the beginning of the meeting, the question was raised as to whether this meeting was subject to any open meeting rules. Based on previous research regarding open meeting rules it was generally understood that meetings about a single individual were private. The meeting continued. Following the meeting, the attorney was consulted to clarify this understanding.

The issue at hand was whether the plans presented for construction on lot 15 meet the criteria for square footage set forth in the ARC guidelines.

The executive board received a letter from Steve Dwyer, Douglas County Building Official, regarding the Douglas County Building Division's position on the construction plans for lot 15. It indicated that if the house and grading were done as shown on the documents presented, the Douglas County building division would classify the structure as a 2 story house. The document presented showed the intended grading and the proposed main floor and lower floor elevations.

The Douglas County Building Division uses the International Building Code to determine construction standards, however the Douglas County Assessor's office uses ANSI standard Z765. The Assessor's office considers any livable space below grade to be a basement. Both Robert Thomas and an attorney from Bryan Willis' office spoke with a person at the Assessor's office and confirmed this.

Everyone agreed that, going forward, the ARC guidelines should be modified to better define a basement, or get rid of the term altogether.

The board discussed the potential legal liabilities both from denying the application, and approving it.

It was brought up that all houses currently in the preserve, built after the HOA was created, meet or exceed the standards for square footage in the ARC guidelines.

After approximately 2 hours the board agreed that they were still split on the issue and the decision was made to bring up the square footage requirement for a vote at the next member meeting which is May 28<sup>th</sup>.

The meeting adjourned.