

Minutes of the LVHA Board Meeting

January 18, 2012

Present were: Denis Ford, Dale Miller, Tim Irish and Greg Kamman. Absent Greg Stilson.

Approval of Agenda: Tim Irish moved to approve the agenda. It was seconded by Dale Miller and unanimously approved.

Approval of Minutes: Tim Irish moved to approve the minutes of the November 16, 2011 and January 10, 2012 meetings. It was seconded by Dale Miller.

Office Manager's Report: Community Center: The first and third Tuesdays a group of residents and friends is holding music rehearsals at the LVCC. The group plans to offer a free concert to the community in the very near future. **Office:** January 1st statements were sent out. If you did not receive one please call the office. Dues are due by January 31st. If you wish to pay for the full year, please remit \$640. **Pool News:** The weather has certainly been on our side so far for the pool plastering job. The plaster is expected to be shot next week (depending on weather). We had two failing heaters. At the January 10th meeting the purchase of two new heaters was approved by the Board of Directors. They have been ordered. The heaters must not be turned on for a minimum of ten days after the plaster is shot on or it will ruin the plaster and heaters. **Miscellaneous:** Kelby Jones asked that I report on the transfer switch at Dixie School. The transfer switch will allow the LVHA generator to be used at Dixie School in the event of an emergency. The contracts were delivered to a CSA 13 representative. One was chosen and then sent to Dixie School District. After some time Dixie made a few changes and it was returned to Kelby yesterday. It was then sent back to CSA 13 to approve of the changes and will hopefully be installed soon.

New Laws: A new act to amend Sections 1363, 1363.05, and 1363.2 of the Civil Code took effect January 1st. The changes include: Only two days notice need be given to the community of an executive session meeting rather than four days.

It allows the Board of Directors to consider an item at a meeting even if it has not been noticed as an action item for that particular meeting.

It states that boards of directors "shall not conduct a meeting via a series of electronic transmissions". A "meeting" is then defined to include hearing, discussing or deliberation by a majority of the board on any item of business within the authority of the board. The bill allows for teleconference meetings as long as there is one board member present at a central location in which all members can hear all board members and all board members can hear all members. The bill prohibits the board from conducting a meeting via electronic transmissions, such as email, *except* to conduct an emergency meeting. The email consent by each board member must be part of the minutes - but not the discussion.

The bill also requires that almost all records be made available to the members. Such as: Any financial document in Section 1365 or 1368, Interim financial documents, balance sheets, budget comparisons, the general ledger, contracts not otherwise privileged under law, agendas and minutes of meetings, check registers.

Also included are: Enhanced association records such as invoices, receipts cancelled checks, credit card statements, membership lists including name, property address and mailing address if conditions are met.

President's Report: Given by Denis Ford. Denis thanked Tim Irish, Dale Miller and Steve Rule for working on getting the pool plastering project started and Tim Irish for overseeing it. He noted that the PIC continues working on planning future improvements and the CC&R Update Committee continues its work on bringing the CC&Rs up to date.

Treasurer's Report: Given by Greg Kamman: Greg reported the prior year ended with a positive cash flow above what is contributed to the reserve fund. LVHA contributes \$120,000 to

the reserve fund each year and the net income for 2011 was approximately \$32,000. Greg noted that the board should be sure to keep the Finance Committee apprised of large expenditure plans. There are three homeowners extremely overdue in their HOA dues. Motion: Tim Irish moved that the Office Manager place liens on the following homes with parcel no's: 164-402-02, 164-451-11 and 164-413-04. It was seconded by Dale Miller and unanimously carried.

Committee Reports:

Pool Committee: Given by Tim Irish. Tim reported that progress on the plastering of the pool was moving along fairly quickly due to great weather given the fact that there were two major holidays in recent weeks. There have also been a few change orders added to the project including; three extra skimmers replaced and the addition of auto-fill and auto-overflow valves. The ladder steps had to be reset to new measurements to meet code, two cracks across the pool must be repaired with epoxy injections and a tile line across the pool at the 4 ½ ft depth had to be added to meet code. One homeowner has had many concerns about the project such as the type of drill bits used and was the plaster removed properly. All the concerns were discussed with the contractor and explanations given to the homeowner.

One heater has failed completely and a second one is failing and difficult to keep going. Two new HiE2 heaters have been ordered and will be replaced shortly. The old heaters have lasted ten years when the average lifespan of this type heater is about five to seven years. This is thought to be in part due to proper monitoring of chemicals. The heat must not be turned on for a minimum of ten days after re-plastering or it will damage the heaters and will crystallize the plaster.

Architectural Review Committee: Given by Ron Marinoff for Terry Bremer. Ron noted that the Arc continues to process applications and suggested that the Committee reviewing the CC&Rs may want to raise the number of members allowed on the ARC. Shelley Munson volunteered to be on the committee.

Public Improvement Committee: Given by Shelley Munson. Shelley reported that April Phillips, a homeowner on the committee with a landscape design background is working on a draft proposal format for landscaping improvements.

Old Business: ExteNet Update: Tim Irish reported that ExteNet had submitted their proposal to T-Mobile to install poles in the County right-of-way on the south side of Lucas Valley Road and that they are amending their proposal to the County to reflect that.

Rocking H Ranch Development Update: No update.

Grady Ranch Development Update: Greg Kamman reported that a number of deficiencies were identified in the CEQA guidelines for the Grady Ranch Development and a number of questions were submitted to the County regarding the project by concerned residents. To date there has not been a response from the County. Greg thought that perhaps a letter from the Board or the Legal Committee would carry more weight and be more likely to receive a response to their questions. He was concerned that the homeowners might not get a response soon enough to react before the February 27th hearing and feels that the Board has a responsibility to protect the community and be sure that CEQA guidelines are being followed. Ron Marinoff was asked for his opinion, having served on the Planning Commission. He noted that most likely the County was awaiting a report from a consultant hired by the County and he volunteered to check with the County on an expected response date. **Motion:** Dale Miller moved that the Board *not* have David Bremer, chair of the Legal Committee write a letter to the County. Tim Irish seconded the motion. Tim Irish and Dale Miller voted in favor of the motion. Greg Kamman was opposed. Motion passed.

FM Radio Band: Some months ago LVC requested that they be allowed to drop the FM Radio Band from the contract. There was concern as to why there had not been a Cable TV and Internet Committee meeting in quite some time. A member of the audience recommended that the Board replace the Committee Chair. **Motion:** Dale Miller moved that the Board begin discussions with LVC about the FM Radio Band. It was seconded by Tim Irish and unanimously carried. Dale Miller recommended that the Board meet in Executive Session to discuss the contract.

New Business: Committee Member Approval. Keith Cunningham, a fairly new neighbor to the valley submitted an application to be on the Cable TV and Internet Committee. **Motion:** Tim Irish moved that Keith Cunningham be approved to the Cable TV and Internet Committee. It was seconded by Dale Miller and unanimously approved.

Visitors at LVHA Meetings: Dale Miller noted that recently guests have attended some of the Board meetings and even spoken. Dale feels that the meetings are for the benefit of LVHA and its members and that the Board should consider a policy regarding visitors unless specifically invited. The Board agreed to let all other Board members know in advance of inviting someone to a meeting. A member of the audience reminded everyone that LVHA is a corporation and as such the Board has the authority to control who attends the meetings. Motions from the floor can only be entertained at the Annual Meeting of Members, usually held in May.

Rental of the CC: Dale Miller recommended that LVHA enforce the policy as set-up of only renting to and charging homeowners for the use of the CC. Denis Ford noted that he had sanctioned a meeting including Lucas Valley Estates to discuss the Rocking H Ranch Development as it affects both communities and he felt it was a good neighbor gesture.

2012 Committee Member Renewals: There was discussion as to whether or not members of committees were willing to continue serving on their committees. It was suggested that the Board Liaisons contact their committees to find out which members want to commit to the year. It was also suggested and will be encouraged that committees meet a minimum of once each quarter.

Tennis Contract with Marinwood: Marinwood CSD submitted a proposal to continue using LVHA courts for tennis lessons after school from Feb 6th to April 4th, 2012. **Motion:** Dale moved that the Board renew the contract as written. It was seconded by Tim Irish and unanimously carried.

Swim Team Contract: There was discussion as to whether or not there had been a contract prepared for the swim team for this coming season beginning in March. Also questioned was the method of billing for use of the pool. At present a complicated system of dividing up expenses for various items such as PG&E, water, pool cleaning, etc. is used to determine the cost. At issue also is the time of year depending on whether or not heat is used in the building. It was decided that the Pool Committee would convene and discuss the issue to determine if there was a way to calculate a per hour fee.

ECHO Seminar: Dale Miller reminded the Board that there is a seminar in San Rafael on February 4th sponsored by the Executive Council of Homeowners (ECHO) and that at the January 10th meeting the Board approved the purchase of tickets should any board member wish to attend. They should let Janice Cunningham know by this Friday (January 20th). Dale has opted to attend.

Items from Homeowners: The Board was reminded that a Reserve Study is due in 2012. Janice will contact the company used in the past to schedule it.

Adjournment of Board Meeting: The Board meeting was adjourned at 9:10 PM.

.