

**Minutes of a Meeting of the Board of Timber Cove Homes Association  
In General Session**

Held Saturday, November 14, 2020 at 10:00 a.m.  
Via Zoom Meeting due to Covid 19

**Attendees:**

**Directors Present on Conference Call:**

Ron Case, President  
Russell Wells, Vice President  
John Gray, Treasurer  
Cindy Culcasi, Secretary  
Bob Leichtner  
Margaret Grahame  
Rosemary Gorz

Russell Wells arrived at 10:39 a.m.

**Call to Order**

Ron Case called the meeting to order at 10:05 a.m.

**Review and Approval of the Agenda**

Upon motion duly made and seconded, the Agenda was approved by the Board 6-0.

**Review and Approval of Previous Minutes**

Upon motion duly made and seconded, the Reconvened Annual Meeting Minutes and the General Session Minutes of October 3, 2020 were approved 6-0.

**President's Report – Ron Case**

Mr. Case stated that four items were discussed during Executive Session: Roads maintenance, contracts, insurance, and a new collection agency.

**Office Manager's Report - Melany Collett/Board**

Ms. Collett was not present, and John Gray gave the update. Mr. Gray mentioned there were three escrows that closed in the last month.

**Public Comment (3 minutes allowed) – Ron Case**

A member thanked Ron Case for all his help with the Frontier issue. Mr. Case elaborated on the issue for the members: A member had brought to Mr. Case's attention that someone was stringing wires across property along Timber Cove Road. After some phone calls to neighbors, other locals, and Frontier, it was determined that Frontier was installing the new lines. The

lines were unsightly and lower than required by the local code. After some discussion between President Ron Case and Frontier, the lines will be removed, and new lines will be placed underground (early next year). Frontier has some concern that the roads within the subdivision are narrow and that may be a problem for installation. Frontier received an \$8 million grant to improve the internet in rural communities. Mr. Case said we need to be diligent and watch how Frontier is installing the lines. The good news is that our internet will be improving.

Cindy Culcasi added that [Starlink.com](http://Starlink.com) is a new internet satellite company founded by Elon Musk and they are looking for beta testers. If you are interested, please sign up. If Frontier does not improve their service, this could be another avenue to good internet. This information was also announced in the Sonoma Coast MAC during the September meeting.

Chris Feddersohn mentioned that while taking down the old mailbox at Lyons Court, he found two envelopes from two residents that contained stainless steel metal parts. He believes they are left over from Bill Seymour's sweeping of the roads. There were 30 of these stainless-steel brushes that residents picked up off the road. These could cause a flat tire and he wasn't sure if Mr. Seymour was aware. Mr. Feddersohn stated if this is common shedding, we need to pick these metal parts off the road after sweeping so they don't cause a flat tire. John Gray said he has already spoken to Bill Seymour. This is a rented piece of equipment that Mr. Seymour had not used before and won't use again. There were also a couple of checks that were stuck in the mailbox and not found until the envelopes with the metal pieces were removed.

### **Business Items**

#### **Treasurer's Report – John Gray**

Mr. Gray delivered the Treasurer's Report for November. The PowerPoint presentations of the Report and Updated Budget will be available on the [timbercovehomes.org](http://timbercovehomes.org) website.

- Caufield Law - \$3,420.00
- Intuit/ QuickBooks - \$61.50
- Frontier office phones - \$135.64
- National Partners insurance - \$1,929.15
- Payroll - \$3,734.80

Total \$9,281.09

**Upon motion made and duly seconded, the Board approved paying the bills 6-0.**

Mr. Gray is in the process of working with our insurance broker to obtain new insurance. The broker told Mr. Gray he should have a bid around Thanksgiving. He believes that we should have a reduced rate this year. The new bylaws, other responsible actions (e.g., Policies and

procedures), and the fact we don't have any new claims could all have a positive impact on the cost of insurance.

We continue to have some members who don't pay their bills. We have a new collection agency that is coming on shortly. It will cost members who are in arrears a lot more in the future once liens are put on their property by the new collection agency. Pro-Solutions went out of business.

Mr. Gray gave a brief overview of the budget. The budget is in pretty good shape.

#### **Legal Committee**

John Gray talked about the \$3,480.00 in legal fees that was spent to retain Mary Derner. The cost was a result of the lawsuit that was recently settled by TCHA. A defendant in the lawsuit named another member as having helped with downloading the emails which were the basis of the lawsuit. The member was added to the lawsuit during the summer, and when served, the member requested that TCHA indemnify them stating that they were an employee at the time of the claimed wrongful acts. As a result, TCHA had to get the insurance company who had defended the Association in the lawsuit to defend the member against the claim, or if necessary, defend TCHA from the member's claim for indemnity. The issue now appears to have been resolved but TCHA still incurred legal fees as a result. Bob Leichtner added that one of the reasons TCHA had to pay \$100,000.00 attorney's fees to defend the original primary lawsuit in the past was because a past Board failed to provide timely notice to the insurance company of that claim and we wanted to be sure we were extra diligent this time so the membership would not be similarly harmed again.

#### **Roads Update – John Gray**

John Gray spoke to Lee Drive and the state of the road. Mr. Gray received two bids, but they could not be compared since the repairs included were not the same. The new bid to patch Lee Drive from Bill Seymour was \$7,500.00. Mr. Gray also received a bid from Hickey Construction for \$21,000.00. This bid included the use of chip seal to cover the road vs. just patching the road. There was a discussion regarding the best option, patching early next year, or waiting a year and fixing the road. The Board decided it was best to wait until next year to fix the road, not just fill the holes. The repair of the road (vs. patching) will be put out to bid next year when we have more funds. Both contractors believed we could go another year before repairing.

#### **Continuing Business**

##### **Architectural Guidelines and Proposed Changes – Architectural Oversight Committee**

The Oversight Committee is working on the Guidelines and will be getting back to the Board with their recommended changes.

### **Tree Cutting Policy Update – Architectural Oversight Committee**

The Tree Cutting Policy is also in the process of being updated.

### **Sonoma County Coastal Plan – Timber Cove Description – Cindy Culcasi**

There has been a delay completing the Coastal Plan due to the fires. It will probably be January or February of 2021 before we have an update. Ms. Culcasi said she would keep members updated. Ms. Culcasi feels confident that Timber Cove will have a correct and adequate description going forward.

Margaret Grahame recently attended a Coastal Plan (LCP) meeting that included the Board of Supervisors, a presentation, and public comment. More focus workshops will be scheduled in the future. One of the big topics discussed during the recent meeting was vacation rentals. Vacation rentals are not regulated on the coast, although they are inland. Ms. Grahame believes there will be a strong push for more regulations on vacation rentals. The second topic focused upon was fire abatement. John Gray asked Ms. Grahame to elaborate about fire abatement. Ms. Grahame stated that technically anyone along the coast falls under the Coastal Commission and people recognize that their regulation may be at odds with completing fire abatement measures. It needs to be determined how to complete fire abatement without a coastal permit (e.g., research the existing regulations). A member asked if this discussion applies to dead trees. Ms. Grahame said she did not know the answer but believes it is reasonable to remove dead trees. We are talking about longer term policies. Ron Case answered and said many members of the community cut down dead trees on a regular basis. Bob Leichtner suggested that a member take pictures of the standing dead trees before cutting them down to help address any questions later.

### **Architectural Oversight – Architectural Oversight Committee**

Ron Case spoke to two issues to discuss:

1. Storage Shed on Vernon/Rea Property - The Architectural Committee went to the property to view the area. Stu Drake, a neighbor, also sent a letter stating he had no issues with the shed. The Committee recommends the project be approved.

**Upon motion duly made the seconded, the Board approved the project 7-0 (Russell Wells was not in attendance).**

2. The second project is a conceptual house plan on Ruoff and Koftinow. The Committee will recommend some items that the member needs to be aware of before building. There is no information on height, materials, and other items. Bob Leichtner doesn't believe we should vote on this project yet since we lack essential information. We don't want to cause the member to spend money on a conceptual plan that is not defined yet. He suggested the plans be sent to all Board Members prior to a vote since some Directors have not seen the plans yet. Mr. Leichtner stated that this is still conceptual, he doesn't believe the Board needs to vote on the project since it is a consultation with the Committee. The Board would be voting on concepts and not actual plans. It was determined by the Board, there would be no vote at this point in the project. Melany Collett will email the plans to all Board Members.

### **Roads Committee – John Gray**

Road issues were discussed during the Treasurer's Report.

### **New Business**

#### **Welcome Packet – Cindy Culcasi**

Ms. Culcasi worked with Bob Leichtner to help create the package and process. Carolyn Abst and Diane Feddersohn, the Welcome Committee (new name to be determined) will be the greeters for new members. They also helped create the process. The welcome packet will contain information such as a general welcome, fire abatement information, the Annual 5300 Report (includes HOA Board Meeting details, the annual budget, some policies, and procedures, and other TCHA information), required address signage information and other important community details.

Margaret Grahame suggested we add a map to the welcome packet and a sample of the required signage. She was also concerned about offering a list of contractors, chimney sweeps, etc. and any legal implications to TCHA when sharing the names. Bob Leichtner made some suggestions regarding this resource list. One suggestion was soliciting the community to submit names of contractors, etc. who they had used and were happy with the work. It is hard finding people who will come up to Timber Cove to do work. Mr. Leichtner suggested that we might note that members should ask for references and the details of any projects in Timber Cove that they have done in the last couple of years. Ms. Culcasi stressed this was never intended to be a recommendation, but rather a list of companies that will come to Timber Cove to do work.

Margaret Grahame asked about other members who might want to be on the Committee. Cindy Culcasi stated that we have two members on the Committee. We are open to suggestions and comments, but at this point, the two members will consist of the committee. Mr. Leichtner added the Welcome Committee represents the Board. At times they may bring back questions to the Board that are asked by members. We want accurate information to be shared with new members.

### **Appointing New Committees – Ron Case**

#### **Legal Committee**

The Legal Committee will remain as John Gray, Cindy Culcasi, and Bob Leichtner.

**Upon motion duly made and seconded, the Board approved the committee members 4-0 (John Gray, Cindy Culcasi, and Bob Leichtner abstained)**

#### **Architectural Oversight**

The Architectural Oversight Committee will remain as Ron Case, Chris Feddersohn, and Margaret Grahame.

**Upon motion duly made and seconded, the Board approved the committee members 4-0 (Ron Case, and Margaret Grahame abstained)**

### **Roads Committee**

The Roads Committee will be John Gray, Ron Case, and Sal Culcasi. Sharon Bonelli was not present in the meeting, but she will be contacted to determine if she is interested in remaining on the committee.

**Upon motion duly made and seconded, the Board approved the committee members 5-0 (Ron Case and John Gray abstained)**

### **Meet and Greet Committee**

The Meet and Greet ("welcome") Committee will be Cindy Culcasi, Carolyn Abst and Diane Feddersohn.

**Upon motion duly made and seconded, the Board approved the committee members 6-0 (Cindy Culcasi abstained)**

Bob Leichtner commented on how the committees were set up (with the guidance of our HOA attorney) in the past. The Committees are set up by the Board and function at the Board's direction. For the most part the committees provide recommendations to the Board although in some cases the Board may authorize the committee to make a decision on behalf of the Board, but that is on a case-by-case basis. Mr. Leichtner asked the Board if they all agreed and they confirmed they were all in agreement.

### **Review and Approval of the New Election Rules – Cindy Culcasi**

Cindy Culcasi spoke to the approval of the new Election Rules.

Highlights of the process:

- There were significant changes to the election rules per Davis Stirling in January 2020
- Per the new changes, an HOA must create and implement Election Rules. In the past, specific election rules were not required
- The TCHA Board must formally approve their Election Rules. Members will have 28 days to review the rules and make comments. It is at the discretion of the Board whether any suggested changes are implemented.
- The TCHA Election Rules were drafted by Attorney Peter Walls to strictly follow the letter of the law. Nothing was added specific to Timber Cove.
- The Board will vote on approval of the Election Rules in the January Meeting.
- Melany Collett will send out an email with this information and the Election Rules will be attached. Copies of the Draft Election Rules will also be available on the Community Bulletin Boards and the website.

Bob Leichtner added that we did comply with new Draft Election Rules for the recent election, although they were not formally adopted.

**Adjournment**

A motion was made to adjourn the meeting. President Ron Case adjourned the meeting at 11:28 a.m.

The next meeting is January 9, 2021

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cindy Culcasi". The signature is fluid and cursive, with the first name "Cindy" and last name "Culcasi" clearly distinguishable.

Cindy Culcasi,  
Secretary

**Sign-in/Participant List****Members who identified themselves on Zoom/Conference Call:**

1. Keith Thompson
2. Anne Vernon
3. John Rea
4. Linda Soldana
5. Chris Feddersohn
6. Diane Feddersohn
7. Stu Drake
8. Lane Wade
9. John Rosen
10. Carolyn Fiorri
11. Raul Da Silva