

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

Held Saturday, March 17, 2022
Via Zoom Meeting due to COVID 19

Attendees:

Directors Present on Zoom:

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

There was a delay with participants signing into the meeting due to technical issues with Zoom

Call to Order

Ron Case called the meeting to order at 10:06 a.m.

Per Davis Stirling, the meeting is recorded to assist the Secretary with the minutes. The recording will be deleted once the minutes are approved.

Review and Approval of the Agenda

Upon motion duly made and seconded, the current agenda was approved by the Board 5-0.
Richard Mogford and Bob Leichtner were delayed signing in.

Review and Approval of Previous Minutes

Upon motion duly made and seconded, the January 8 minutes were approved 7-0.

Community Report – Ron Case/Melany Collett

Ms. Collett will be processing the annual billing this week. If you don't received your annual dues bill by March 23, please email her at timbercovehomes@gmail.com.

Ron Case noted there are 3 new houses that will be built in Timber Cove later this year.

Public Comment

A member warned that residents need to be aware that he caught 3 mountain lions in his gamecam on Gordon Court and also caught a lone mountain lion on another camera. They

seem to be around at 3:30 am, 6:00 am, and 8:00 pm. The member warned anyone walking around to be aware of their surroundings.

Business Items

Treasurer's Report – John Gray

Mr. Gray delivered the Treasurer's Report and Budget for January/February. He also presented the proposed budget for 2022-2023. The PowerPoint presentations of the Report and Budgets are available on the timbercovehomes.org website.

Highlights – Treasurer's Report and Budget:

- Total Operations and Reserve Accounts Total - \$131,960.167
- Past due amount received as a result of the certified collection letters sent out by Melany Collett - \$8,129.22
- Accounts Receivable - \$41,169. Previously the A/R was approximately \$61,000. Most of the properties who paid were significantly behind by multiple years. Seven properties are in danger of foreclosure procedures. In the past 2 months around \$20,000 had been collected. Good progress was made in collecting old debt.
- Lee Drive repair will probably cost more than anticipated since the contractor that we retained went out of business and we have to get new bids. Mr. Gray hopes to get this done before the end of the year, but doesn't know if that will happen.

Bills for January:

- Frontier office phones - \$136.11
 - Intuit - \$129.00
 - Chase card - \$469.09— Staples office supplies, postage on collections accounts
 - Payroll - \$4,178.63
- Total - \$4,912.83

Bills for February:

- HOA Election Experts - \$944.28
 - Brett Chairez - \$3,290.00 -CPA for annual review and taxes
 - Walls Law - \$870.00
 - EDD - \$1,300.98 (Reevaluation from 2018)
 - IRS - \$4,770.15 (Annual and 1st quarter 2022)
 - CA Tax - \$1,059.83 (Annual and 1st quarter 2022)
 - Payroll - \$2,497.97 (Includes Christmas bonus)
- Total - \$14,733.21

Expected Bills for March

- Frontier office phones - \$138.00 approx.

- Intuit - \$129.00
- Postage/supplies for 5300 report and annual dues mailing approx. - \$1,100.00
- Payroll TBT on hours

Upon motion duly made and seconded, the Board approved paying the bills 7-0.

Bob Leichtner asked if there were trailing expenses expected that would gobble up a chunk of the \$60,000 collected, or would we end the year strong and be able to replenish our Roads Reserves? John Gray stated we should end the year strong and would be able to replenish our Roads Reserves.

Proposed Budget 2022-2023

Highlights:

- Change to Budget Format
 - Our CPA suggested that we note the annual dues amount considering all 215 properties, and not note the amount based upon the number of properties that we expect will pay, which generally is less than the 215 properties.
 - Currently, the payroll line on the budget is listed as the amount of the checks and the withholding is listed on the taxes as the amount of withholding and the TCHA share. Going forward the amount will be broken out.
- We expect to collect \$118,469 for membership dues.

Continuing Business

Legal Update – Legal Committee

Bob Leichtner stated that we are addressing some issues with our lawyer that aren't appropriate to be addressed in the General Session. They are potential legal issues of minor organizational impact and do not involve any significant legal expenses. We are looking at a few things, which includes enforcing the CCRs.

Roads Update – Roads Committee

John Gray discussed the Lee Drive repair. He noted we had a bid for \$30,000 from a startup guy, which was the lowest bid we received. The repair was scheduled, but the rain hit, and he had to postpone it. Mr. Gray followed up with the contractor (Hickey Earthworks) since he hadn't heard from him and found out he was no longer in business. John Gray has contacted two new contractors to get bids from both of them on this project.

Speed Bump - Ruoff off Timber Cove Road – Cindy Culcasi

Ms. Culcasi has a call into a contractor for a bid but is still happy to receive any additional comments. It appears that the speed table (flat on top and not too high) is the best option.

Ms. Culcasi spoke to a resident about ensuring a wheelchair can get around or over the speed bump. At the least, a speed sign (most likely 15 MPH) will be posted and a stop sign at Ruoff and Timber Cove Road. She wanted to remind members that these are private roads so CHP will not enforce the speed limit or stop sign, although the signs may make a difference anyway. Bob Leichtner added that even though California law enforcement may not enforce the speed limit or stop signs, if they are reasonable and intended to alert people to dangers and unsafe conduct, if someone was injured because a person ran a stop sign or was driving 30 mph in a 15-mph zone, the signs would make a difference for an injured party to collect against a reckless party. The signs are still there to warn people about their speed and the other is to provide sanctions if they fail and there is an accident. These are easy things to do that remind people to be careful. Cindy Culcasi agreed.

Tree Cutting Policy – Architectural Oversight

Ron Case said it doesn't seem anything changed with the County. There is an ongoing discussion with the County. Wednesday, Mr. Case participated in a Zoom Meeting with the County led by Caerleon Safford. Cindy Culcasi noted that all members should have received a letter from Wildfire Adapt (a copy of the letter is available on timbercovehomes.org under the Board of Directors/Board Meetings tab). Permit Sonoma will assess each lot. Members do not need to schedule an appointment; someone will come to look at your home or lot. A copy of the review will be left on your front porch with the contact information of an expert. Members can also sign up for a structure hardening assessment. Please see the Wildfire Adapt letter posted on our timbercovehomes.org website for more detailed information including contact information.

Margaret Grahame noted that it is becoming increasingly difficult to get homeowners insurance in our area. Insurance companies are looking closely at the defensible space around our houses, and this is an important program for our community.

Update CCR Violations – Ron Case

Letters are being sent out to the community notifying members of any violations. We have been receiving many complaints about members not following the CCRs. Most people are following the CCRs, but there are a few that are not. We are surveying the community and looking for violations.

Sonoma County Coast Municipal Advisory Council (CMAC) Meeting/Local Coastal Plan – Cindy Culcasi/Margaret Grahame

A link to the Sonoma Coast MAC website is located in timbercovehomes.org

Cindy Culcasi gave members some highlights of the January Meeting which is referred to as the CMAC (Coast Municipal Advisory Committee)

Some highlights from the January Coastal MAC Meeting:

- Marti Campbell (Sea Ranch) is the new Chair and Brian Leubitz (Bodega) is the new Vice Chair. Ms. Culcasi said both are terrific, as was Scott Farmer, the previous Chair.
- There was a presentation by Bradley Dunn regarding the Permit Sonoma Event process, e.g., bike rides, fairs, etc. Specifically, there was lots of discussion about the Kings Ridge Bike Event scheduled for Sunday, March 27. The event will run from Duncans Mills up Hwy1 to Stewarts Point, to Tin Barn Road and back down various roads to Duncans Mills. There will be about 500 bike riders. The roads will be open. The discussion points included:
 - These types of events are ministerial and approved with little discussion
 - Concerns of sharing Hwy1 and other winding country roads with 500 bike riders
 - Possibility of slowing an ambulance or first responder
 - Notification of the public of future events in a timely manner
 - Keeping an online public calendar updated with events in Sonoma County
 - Damage to the eco systems

Rosemary Gorz asked about who to contact to complain. She told a story about an hour delay due to bike riders slowing and blocking traffic on a past trip to Timber Cove. Ron Case noted he likes these types of events but wants to know the dates and the times so he can avoid them.

Margaret Grahame – Highlights:

- The Planning Commission has finished their initial review of the Local Coastal Plan (LCP). There were and continue to be some contentious issues. The next step is a final review of the LCP by the Planning Commission and then on to a Board of Supervisors approval. A lot of the area of Timber Cove has not been depicted or has been represented incorrectly. There has been a lot of feedback to the County, but Ms. Grahame believes it has been ignored. She said it has been a disappointing process and has left many of the residents disillusioned. Ms. Grahame suggested that people use their voice and speak to the many issues, e.g., fire abatement, vacation rentals, events, etc. She said to attend the CMAC Meetings because that is an avenue to share our voices with Supervisor Hopkins.

Cindy Culcasi added that she is the Clerk for the CMAC and takes the minutes. When Scott Farmer, the previous CMAC Chair trained her, he instructed her to keep in mind that the Public Comments need to be written so that they can be shared with County Agencies if needed.

Fuel Management – Permit Sonoma/Next Steps – Cindy Culcasi

This agenda item was discussed during the Tree Cutting Policy agenda item earlier in the meeting.

Pampas Grass Problem – AdHoc Committee - Anne Vernon/Richard Mogford/Lane Wade

Richard Mogford said that he and Anne Vernon have been touching base often. Ms. Vernon has been researching and found a pamphlet from UC Davis that talks about the types of grass and the various ways to eliminate the grass. The pamphlet could be sent out to members to make them aware and give them options when removing pampas grass on their property. Anne Vernon and Richard Mogford also discussed creating a pampas posse to help get rid of the pampas grass. This would be a community effort and the posse could help on various properties if members choose not to use herbicides. There are about 5 people willing to help on the pampas posse. The posse would spend 2 or 3 hours helping remove the grass. Ms. Vernon is researching tools to help remove the grass and suggested the HOA give about \$300 to pay for the tools.

New Business

Architectural Review of Proposed Construction Plans

1. **22144 Umland** – The Architectural Oversight Committee reviewed the plans for a new home and recommended the plans be approved.

Upon motion duly made and seconded, the plans were approved 6-0 (Richard Mogford was frozen in Zoom) based upon all fees being paid.

2. **22087 Ruoff** - The Architectural Oversight Committee reviewed the plans for a new home and recommended the plans be approved.

Upon motion duly made and seconded, the plans were approved 6-0 (Richard Mogford was frozen in Zoom) based upon all fees being paid.

3. **21950 Timber Cove Road** – A variance has been requested.

There is a request to allow a variance of 9 feet beyond the buildable area to avoid a rock outcropping. The only adjoining property that would be impacted has not responded to the variance request. The owners asked to move forward with the variance as is.

Bob Leichtner asked about the history of past variances and if there were other variances with such a big difference in the past? Ron Case said he has been involved for the past 4 or 5 years and he isn't aware of all the past variances. In this case, if the variance is granted, the adjacent owners can actually see over the new home better. The house could be moved forward, and the rock could become part of the house. The deck in the front could be reduced a bit or the rock could become part of the deck.

Bob Leichtner asked if Ron Case met with the owner and the architect about dealing with the rock prior to the design of the house. Mr. Case called the owner and the architect to discuss this issue. He also discussed the requirements of the CCRs and the design requirements. He noted it is a very nice house but believes we might expose the HOA to litigation with the adjacent landowner if the Board approves the variance. Bob Leichtner would like a path forward that wouldn't burden the property owners or their neighbors. If a waiver is obtained from the neighbors, we can let it go. There may be opportunities to reposition the house, as Ron Case suggested, without hurting the overall design.

David Levine, the homeowner requesting the variance, was attending the meeting. Mr. Levine noted he reached out to his neighbors 3 months ago when he became aware of the issue and asked for input. Mr. Levine isn't aware of any input from the neighbors, positive or negative. The variance came up when Ron Case noticed the discrepancy. Mr. Levine doesn't want to expose the HOA to legal risk. The variance is for the garage, which isn't that tall. Mr. Levine stated that he can go back to the drawing board since the Board is concerned about granting a variance of this degree. He can move the house and do what he can but prefers not to.

Margaret Grahame said if the owner seeking the variance can show there is no feasible alternative, she would consider approving a waiver. She believes there is an alternative and has discussed the issue with Ron Case. Mr. Levine noted the garage could be downsized or maybe a combination of changes would work. If a waiver isn't granted in this meeting, Mr. Levine will contact his architect on Monday morning to make changes.

John Gray suggested that Mr. Levine contact the neighbor and discuss the better view vs. how the changes will impact the view. Mr. Levine spoke with the neighbor about 6 months ago but has heard nothing since. Melany Collett, TCHA Office Manager, also attempted to contact the neighbor, but heard no response.

Ron Case requested a motion to vote on the variance. Mr. Levine suggested the matter be tabled. He will speak with his architect to determine next steps and follow up with the neighbors and request a letter confirming their support or non-support. The matter was tabled for now. The Board thanked Mr. Levine for his cooperative approach.

New Office Update – Lyons Court – John Gray

John Gray noted that the HOA is a tenant of the Lyons Court Office and not an owner. The current building on the property is only permitted as a storage unit. It was installed without a permit and later red tagged. The HOA paid \$88,000 to bring the building up to the status it is now. Mr. Gray spoke to Tony Romeo, the last contractor to work on the office.

Mr. Romeo noted that this was basically an inadequate office trailer, and it would be a mistake to sink more money into it. Mr. Gray submitted the plans to two contractors to determine the

cost of bringing the current building up to where it needed to be to serve as a legal office space. He also contacted Adobe, the soil engineers, to determine what it would take to complete the septic system, and also got an approval from the water district. There is a septic design from 2004, but it has to be updated and no permit was ever obtained. Adobe is currently updating the plans so they can be submitted for a permit. The septic system is also out to bid. Mr. Gray received one bid from a contractor for upgrading the current structure, which was exceptionally high. The result is that it probably does not make sense to renovate and upgrade the trailer to serve as an office, but it can remain to serve as a storage unit. A new office will be located on the same site. Mr. Gray is only one of 5 votes so the full Water Board will determine what the final decision will be. Mr. Gray hit the ground running and is getting bids and engaging contractors in an attempt to see what needs to be done. Once the septic permit is done, we can determine what we are going to do.

Ron Case stated that an architect needs to be engaged for the project. There currently are no drawings for the project. Bob Leichtner pointed out that previous substantial expenditure to renovate the trailer was a dubious decision made years ago in which a discarded construction trailer was gifted to the HOA for use as an office space. The prior HOA Board never put in a bathroom or an appropriate permanent foundation, nor did they get a permit as required. This is the history of the office that includes a number of bad decisions made years ago. John Gray is simply updating members on a Water Board Project. Mr. Leichtner suggested that Ron Case could share his suggestions with the Water Board offline.

There was a continued discussion regarding alternative arrangements such as working from home, rerouting phone lines to Melany Collett's home, and finding other office space in the interim. Ms. Collett said she is very appreciative she is able to work from home, but needs to be in the office at least a couple of days a week to perform her job.

Adjournment - Ron Case

Upon motion duly made and seconded, the meeting was adjourned at 11:35 am

Respectfully submitted,

Cindy Culcasi

Cindy Culcasi, Secretary

Participant List

1. Keith Thompson
2. Joe Bettencourt
3. John Rea
4. Anne Vernon
5. John Nees
6. David Levine
7. Alex Kramer
8. Sal Culcasi
9. Melany Collett
10. John Howland
11. Tom Screngi
12. Linda Willis