



Timber Cove Homes Association
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**Timber Cove Board of Directors Meeting
Monday October 19, 2015
Lyon's Court Office 9:30 am**

MINUTES

Present: Tom Giacinto, Tim McKusick, Sylvia Todd, Sal Culcasi (left 11:30), Joe Pearson, Susan Moulton;

Absent: Sue Ellen McCann

Guests: Anne Vernon, Katie Seymour, John Rossen, Lisa Crikos.

SUMMARY OF ACTION TAKEN

- Newly elected members: Joe Pearson, Sue Ellen McCann, Susan Moulton.
 - Officers for this year: Tom Giacinto, President; Tim McKusick, VP; Susan Moulton, Secretary; Sue Ellen McCann, Treasurer.
 - Presentation by Lisa Crikos, Pacific Union Property Management
 - Clarify and begin abatement of unapproved trailers and storage containers
 - Fire Abatement notices have been sent out; owners who have not responded or who are not cleaning up their properties will receive another notice before the HOA/TCCWD acts to clean up the properties and bill them for the work.
 - Codes to locked Gates must be available to all property owners and kept updated and on file in the HOA Office and with our Security Personnel, Nicholas Lee.
 - Our Trail Committee has located all the easement stakes and bids for a formal survey of our easements will begin
 - Joe Pearson will be in charge of this year's Signage committee.
- Next meeting: Monday, November 16, 9:00 am. Ex Session; 10:00 meeting at Lyon's Court Office.

•Executive Session (9:00 am)

1. Commercial equipment and business conducted out of a TC property is a violation of our CC&Rs and County Code. Owner has been notified by letter and by our attorney. Owner has refused to meet for Dispute Resolution with the board. The issue is in the hands of the HOA attorney.
2. Discussion of disposition of disputed trails. The HOA has spent close to \$8000

on attorney's fees past and present. A county hearing regarding vacation of the easement won't be until January.

3. Time for an annual personnel review. Employees will be informed and it will take place after 30 days.

•CALL TO ORDER 9:30

•Approval of Agenda : MSP unanimous approval.

•Approval of Minutes: September 5, 2015: ST moved, JP seconded, all ayes. SC abstain. Motion Passed.

•President's Report

1. Welcome Newly Elected Members: Joe Pearson, SueEllen McCann, Susan Moulton
2. Summary of Executive Session (see above)
3. Summary of Annual Meeting: Good turnout; positive feeling; break out session at end of meeting didn't work because people left. Some of the reports could have been briefer.
4. Election of Officers: **•TG moved to postpone to end;** SM second, SC no, all else ayes. Motion passed.

•Time Certain (T.C. 10:30) Lisa Crikos, Pacific Union Property Management

•Reports:

1. **Correspondence** (S. Lynn) . Written concerns: a) Trail issue for a homeowner who wants to get rid of a trail by their property. TG noted that legally, the Board cannot vacate any trail in the HOA. B) Caroline Apps is concerned about Board and personal interactions.
2. **Nicholas Lee Safety Report:** there are a number of trailers parked on driveways and properties. (List handed out). ST suggested we have a "trailer storage area." TG reported the Water Board is considering lots to be donated to Water District for boats, RVs, etc. TMcK: Are house trailers allowed if they are covered? Need to define this. Confusion around trailer parking and camping. There are many interpretations of the CC&Rs. ST and JP will review the CC&Rs and County Code. TG will talk with property owners on Ninive. Lots #1-20 are never allowed to have trailers. One Koftinow owner rents an RV parked on Koftinow for Inn workers. TG will speak with the property owner. Other trailers or RVs or storage containers are located on Umland (2), Ruoff (2), Koftinow (3), Ninive (2), Lee (2), Ansel (1) and Timber Cove Road (2). A number of complaints about the renters in RVs on Koftinow speeding, traffic, littering and being excessively noisy. There was concern about fires in the area, particularly on September 8 when a small ground fire at the corner of Umland and Umland Circle, a small fire east of Ft. Ross Road, and a three acre fire on King Ridge Road were started. Any fire is of grave concern given our high fire danger and overgrowth; one on Umland may have been started by a cigarette. Discussion of existing "hut" and new studio policy. JP noted we need to address what happens to non-compliant buildings when property is sold. These need to be brought into compliance or removed. Sharon Lynn will send those with non-compliant buildings a letter.

Grass cutting deadlines should be part of fire abatement. Homeowners are responsible for clearing gutters along the road. Fire issues are primary relative to screening. This will be included in the management report. Tree cutting policy hasn't changed. Need approval from Tunheim or Matt Green to cut redwoods or large or indigenous trees. If they are in the approved building envelope they can be removed. SL clarified: Construction plan check: Plans go to SL then to J. Howland. TCHOA is the

subcontractor for fire prevention for the Water District. SC believes Unit 1 should pay NL for his security patrol of their area.

•**SC moved NL not do fire assessment for Unit 1. JP seconded. Discussion.** Water District will pay to clean up the properties and the property will be liened. ST felt it was efficient to have NL review Unit 1 since a fire anywhere in the subdivision affects us all. We need to consider the actual cost for NL to do the assessment. She suggested we find out what it really costs. TMcK reminded we brought the Water District into the fire abatement because they have the clout.

•**SC moved to table his motion in order to get the numbers. ST second. Discussion. TG no; all others, aye. Motion to table passed.**

Discussion of handling roads and trailers. A Roads Committee is in Management Plan. We will request owners remove abandoned trailers and storage containers. Violations will be referred to our attorney for action.

SL clarified that an answering machine will be in the Office. A policy will be developed for using the building and access. (to be discussed under New Business)
NL needs a key or some way to shut off water when he finds a leak on his tours of the community.

The gates on Ninive and elsewhere are locked. Codes and access need to be available for emergency purposes and to all members of the association. We need a policy for granting access. (to be included under New Business) SL or NL will have up to date codes.

Property owners should be notified they must keep the codes updated and on file with SL, our security and the TCWWD.

BREAK (2 minutes)

Lisa Crikos presentation on Property Management. ST introduced Lisa Crikos of Pacific Union. She was invited in response to decades of the same problems being repeated. The ideas that came out of the Annual Meeting and other brainstorming sessions included Property Management. ST interviewed Lisa who has been doing this for 30 years. LC: what is interesting is that regardless of the type of the community the same kinds of things are consistent between all communities. Her goal is not about selling Pacific Union. She is most interested in finding out what we as a community want; our needs and vision for the future. They have the knowledge of CA Civil Code and make sure that community members follow the law and are treated fairly and consistently as we move into the future. TG explained there are about 63 full time; 57 part time residents, or a total of 120 households. Build out is around 212. There is a need for consistency and how to avoid director burn out from the amount of work involved. Our CC&Rs don't have penalties associated with violations. LC replied that their management company has an increasing fines policy. She suggested an addendum to the governing documents. It requires a commitment, updates and amendments to insure it meets the changing needs of the community. Documents need to be managed. If there is a rule it needs to be enforced equally for all. ST asked about contracts. LC noted it depends on size and nature of the contract. They check for proper license and insurance to protect for liability; verifying that contractor is performing the quality of job s/he hired to do, so it is enforcement of contract. Road contracts are generic, but managing that job depends on what the Board's expectations are. TG noted we need a certified project manager for big jobs. This adds a layer of cost to projects. TG asked about costs to manage: monthly meetings; not appropriate to hold meeting without manager in attendance; accounting? Bookkeeping—dues, collections, etc. would probably be handled by those currently employed. LC didn't believe that initially

we should ask only for those things we need. Any management company will want to do the books. Logistics of where we are (geographically) factors in. Full management: \$25 per homeowner per month (\$65-70,000 per year for whole package.) LC's billable rate is \$95/hour.

3. **Architectural Report (S. Lynn; T. McKusick)** Two houses closed escrow. SL has been contacted by another homeowner whose place is in escrow. She received an email praising and thanking the Board for the Newsletter.
4. **Treasurer's Report:** Road funds and fire abatement will come out of our Reserve Funds once the projects are fully identified. We are within our budget for the year.

a. **Payment of Bills (Handout)** Our phone lines are being sold. No new hookups are being granted. So our internet hookup is coming. The Water Plant has internet; we will share access. Verizon is selling to Frontier. Verizon won't repair lines or respond. The sale doesn't close until March. There may well be problems over the winter. •SM moved we pay the bills; TG seconded. Unanimous approval.

5. **Trail update and survey status (T. McKusick, Hannah Clayborn):** HC sent a report out via email. The trail committee has found the stakes and we are ready for a formal survey. JP believed we need a formal survey for legal purposes. TG will call Steve Brown and set up a time line and get an estimate for a formal survey. It will cost much less now that the trail committee has finished its work. SM formally commended the Trail Committee for their hours of labor and time and having done an amazing job which has saved the HOA hundreds of dollars.
6. **Status of Fire Abatement (T. Giacinto, T. McKusick, S. Lynn):** TG reported it has taken way too long to get this in motion. 52 letters have been sent out. NL has been noticing more people. He wants guidelines and time lines about timing relative to the fire season and how to approach for next year. TG suggested the proposed new security/management position would notify property owners of all violations of policy. NL will do this now. First by email, including a copy of the Fire Abatement policy; clarification of the 30 day response; must give a date of when they will start and finish the work. A registered letter will come one week after the email notice was sent. Properties in violation will have a notice posted on their lot. All fire abatement personnel will be contacted by Security; will have 2 weeks to bid both cutting and burning. If homeowners don't respond, Security will contact crew to do the work. 30 days after registered notice sent, absent property owner response, job can be awarded to the lowest bidder. (See Management proposal). Fire Abatement Personnel will bill the owners for the work. Security person will be in this office at specific times and days to send out notices and receive questions. Fire Abatement Policy should be on the website. It has been reinstated by the Water Plant.
•SM moved we reaccept the Fire Safety Policy 96-16 and post it on the web page; ST seconded. All ayes. Motion passed.

PUBLIC COMMENT (3 minute limit, please) Katie Seymour: noted BS did not attend the Annual meeting and should be removed from the list of those attending in the minutes.

OLD BUSINESS

1. **Status of Outside Grants and Contracts (T. McKusick):** TM reported the grant

committee is still working. He spoke with Matt Green about funding from the community program. Some of properties on Highway 1 will be very expensive to clean up. It would be nice to help the owners out with the high costs of clean up.

Anything within the district can be accessible to these grant funds.

2. **Roads and Signage Report** (T. McKusick): JP will coordinate this committee. TMcK noted the previous plan was to remove and replace all signs. JP offered a less expensive common sense approach to improve what was here and workable and replace those that were no longer usable. The Board recognized and appreciated the hard work of the previous committee and the suggestions that their committee came up. We are staying with the classic Timber Cove look and following a more cost-effective, repair one sign at a time, approach. We will use the old letter style. TG did respond to AV and others who had contacted him regarding signage. The 2015-16 Roads/Signage Committee will consist of Joe Pearson, Tim McKusick, Tom Giacinto. Others who want to participate are welcome. Please contact Joe Pearson.
3. **Lyons Court Office Update** (T.Giacinto, T.McKusick): Need a security system for the Office. Costco costs about \$200. TG moved we implement a number of improvements; •ST moved, seconded TMCK that we purchase a security system for the office. Discussion: With the Water District we should purchase a security system; we need to install a bathroom. ST suggested the HOA pay its fair share of maintenance such as utilities and cleaning based on how much we use the building. Capital improvement expenses will be paid by the Water District. TG has renewed the use permit, etc. He is doing the work to improve the building. TMcK will speak with a tree cutter to remove tan oaks to make the lot and office more fire safe. SL will put together an MOU using TCWWD and HOA minutes.
4. **PG&E Underground Cable** (T. McKusick): TG noted since 1981 it has been the law that all lines should be underground. The Board should write an official letter to PG&E notifying them as a community response listing all fires started by down lines. The HOA and TCWWD can co-author a letter to PG&E asking for immediate response. We should copy/cc everyone from our local legislators, congressmen, Governor, etc.
5. **Emergency Response Planning** - deferred
6. **Capital Improvement Plan** (T. Giacinto/Sylvia Todd): TG noted he presented the Road Plan that identifies the sequence and cost of rotated road repair at the Annual Meeting. ST suggested we look at what we have in place in different areas and identify someone to follow through on those. Then, find a key person to help facilitate each area with costs and time line, including response to the road proposal and include request for participation in the Newsletter.
7. **Beach access** (T. Giacinto): TG spoke with the Timber Cove Inn. Our CC&Rs give us access. In the past people were getting hurt elsewhere, but claiming they were hurt on Inn property. The Board could take a stand to back up the property owners if there is a ticket for trespassing issued. He will set up a meeting with Julian Payne, the new owner of the Inn to see about access.
8. **Camping Policy** (T. McKusick, S. Lynn) TMcK went to County website and printed it out. Handout). An owner can camp on his/her lot if they give themselves written permission. ST noted the PRMD's interpretation of that code is more restrictive than what the code states. JP noted that if camping is permitted, a warming fire is legal. We should inform the property owners that they need a facility for sanitation; that they are aware of our very high fire danger and that they are responsible for paying for putting out any fire and for damages as a result of fire started by them. TG noted we used to have 30 day permits (apart from 6 month construction camping permit). ST will look at what's been done and bring a camping proposal to next meeting.

NEW BUSINESS

- 1. Property Management options:** TG discussed the *Proposed* Management Plan. (Handout) First is Roads, identifying work to be done and budget. Use of Contingency Fund. It includes a Road Manager position, paid hourly by each CI or maintenance inspection. Second is a Maintenance Position at an hourly rate: to maintain culverts and general maintenance to roads and drainage areas; repairs to street signs and maintenance; removal of trees and debris from easements from storms, or other; help remove invasive plants, help coordinate fire abatement and forest management; sweep roads once a year; prepare roads for winter. Need to look at costs and put it out for contract. SM suggested we include the Administrative Assistant position and Accounting to make the Management profile complete. ST read suggestions from proposed job descriptions. SM suggested we include language for annual and job reviews. SL reported she is at the Water Plant T, W, Th and HOA Office on M, F 10-1.
- 2. Mailboxes:** SL reported on costs of box units. One unit is \$1,400 plus \$130 shipping. We will get other estimates.
- 3. Pollution issues** (light, sound, water). SM reported a homeowner was concerned about loud music at night and excessive exterior lighting, use of materials that are polluting to our watershed and whether we should have a policy or guidelines limiting these.
- 4. Gates on Kelly and Ninive** (discussed)
- 5. Lot line adjustment 21980 Timber Cove Rd and 21982 Harriette.** TG noted anyone can do a lot line adjustment. In this case the perk is on one and building permit is on the other. These are hillside lots with no easements.
- 6. Civil Code Violations:** TMcK was concerned about the time it takes for us to respond to realtors.
- 7. Election of Officers:** It was unanimously decided to maintain officers as they are now with Sue Ellen as the new Treasurer.

Agenda and date/time/place for next monthly meeting Adjournment: Mondays work best for some members. Nov. 16, 9 am. Ex Session; 10 meeting.

•MSP unanimously to adjourn: 1:05 pm.

Public participation: Meetings of the Directors of the Timber Cove Homes Association are for the purpose of conducting the business of the entire membership of the TCHA. Members are invited to attend. Members may speak on any item on the published agenda only after being recognized by the President. If you wish to speak about a matter not on the published agenda, please make your comments during the portion of the meeting designated for Members (Public) Comments. Remarks are limited to three minutes. Please note that, with some exemptions, the Board does not engage in discussion or take action on non-agendized matters. However, the board may respond briefly to public comments, refer matters to staff, ask questions for clarification or schedule matters for future agendas. Disruptive or disrespectful members will be asked to leave. American Disability Act (ADA)

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