



Timber Cove Homes Association  
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**TIMBER COVE HOMES ASSOCIATION**

**REGULAR MEETING**

**January 21, 2017**

**Lyon's Court Office**

**10:00 am**

**MINUTES**

**Present:** T.McKusick (President), JP (VP), SEMcCann (Treasurer), S. Moulton (Secretary/Parliamentarian), E. McConn, R. Wells

**Absent:** L.Moretto

**Guests:** Chris and Diane Fedderson,); N. Lee (Security); C. Howland (interim AA); J. Rea, A. Vernon, S. Todd, B. Todd, B. Leichtner, E. Tamm

**Action Taken:**

- Minutes of October 15, 2016 and November 21, 2016 approved.
- Interviews of candidates for Administrative Assistant/Office Manager

replacement underway.

- Forest Management collaboration with Cal Fire. Timber Cove residents whose roadside foliage will be cleared will receive permission forms for the work to be done.
- Commendation for Sylvia Todd for her Timber Cove Board and community service.
- Authorization of TCHA credit card for ordering office supplies.

Executive Session (9:08) Called to order by TMcK

1. Personnel review: SL resigned and some things are still incomplete. We will turn everything over to CPA to rebuild things. We will have all things cleaned up once we take care of the bookkeeping details. Discussion of current employee contracts which are only effective for 2 years. Interviews underway for permanent Office staff. Our Security contract must be redone.
2. Status of insurance and IRS: Appointment only. TMcK will sign as contact person for the IRS.
3. Declaratory Relief: Can proceed once our IRS suspension is removed.

### **Call to Order (10:00)**

**Approval of Agenda:** RW moved we approve adding his policy statement regarding the CC&Rs. 2<sup>nd</sup> TMcK unanimous approval. Item included under New Business.

**Approval of Minutes:** October 15, 2016 SM moved, TMcK 2<sup>nd</sup> RW abstain; all others aye; November 12, 2016. TMcK moved, SM 2<sup>nd</sup>. All ayes.

#### **1. President's Report (T.McKusick)**

1. Executive Session Summary  
(see above)
2. IRS status; Have been suspended because for a year and a half our IRS tax requests were not forwarded to us by a previous Administrative Assistant who is the person of record for the HOA. TMcK is taking care of this with the IRS office in Santa Rosa and it should be resolved by early next week. We do not owe taxes and have regularly paid our employee taxes.
3. Forest Management Collaboration with CalFire and TCCWD Update: Good things are happening. The HOA handed off Forest Management and Fire Abatement to the Water District which as a county agency has the authority to enforce abatement. With County and Fire Department endorsements we are forming the Timber Cove Fire Safe Council. Sea Ranch has a Fire Safe Council and they are helping us draft ours. This will facilitate our grant writing efforts. We need to clarify whether chipping program for TCHA has been extended. Cal Fire will abate the fire threats along our roads for us and will go 50 feet into the property. TMcK will get those forms out to property owners. Grants will help us clean up the forest and find ways to get rid of the biomass TMcK suggested we consider a co-generation plant to run the TCCWD. Grant cycles begin in March so we will know by April if we have received outside funding. Many folks are cleaning up their properties and the abatement process seems to be working.
4. Thanks to Sylvia Todd for her prior work on the Board, including Dispute Resolutions, Personnel, policy development, facilitating Town Halls and drafting policies, etc. Her contributions have been invaluable and we look forward to collaborating with her in the months ahead. She offered an addendum to our IDR policy which we will discuss at the next meeting.
5. Welcome to Cleone Howland, interim Administrative Assistant.

## **2. Administrative Assistant Report (CH)**

2.1 Correspondence: Question from Russell Wells about the mailboxes at the weir. Letter from AV regarding hiring. TC Resort is renting out 22133 Umland Circle and have been problems with parties. The resort replied that the rental will be over at the end of February. Letter from Tim re. Timber Cove Fire Safe Council.

Request for drive by to the Sheriff who will patrol cars that are blocking roads or easements. NL had another complaint from cars in the road at the same Umland address.

2.2 Escrow reports: No new escrows.

2.3 Listing of merged lots: No response from SL.

2.4 Reorganization of Office: storage needs; white board: CH suggested we digitize things, files we don't need to keep. Many files can be condensed and saved on an external hard drive. CH will look into scanning options. Will develop a filing system that is easy to access. Blackboard; bulletin board for outside; mailbox for outside.

2.5 Insurance status for vandalized signs; signs in general: SEMcC reported SL submitted an insurance claim and we need to verify its status.

3. **Architectural** (J.Howland): Reviewed the Carter Knapp Residence at 22206 Umland Circle.

3.1 **Definition of Shed vs. Artist's Studio:** JH sent information to SL and ST regarding definition of this. County website has detailed information. 22171 Ruoff has a shed that is out of compliance; trailer is illegally there. Any shed has to be brought into compliance. Both sheds and artist's studios have to go through design review. The Coastal Commission said they do not weigh in on this. ST had been gathering information from the county regarding when you do and don't need permits. A check list with CC&R language will be developed for each. ST will continue to work on this language with JH.

3.2 **Language clarification in Architectural Guidelines:** for conforming mailboxes and costs included; when a building permit is required; when

Camping policy comes into play vs. use of shed/studio; lapsed construction bonds.

JP noted it will be \$100 and will be included in the plans for construction. We need two more sets of boxes which conform to the ones we already have. He has a price list from Eric Linn \$1750 for materials; last week he got a hold of Jason O'Donnell who rents on Frost Ct. but is a contractor. Jason will donate his time in return for a mailbox. JP will get a firm bid for the work.

#### **4. Security Report (N.Lee)**

Nov. 13, 2016: complaints about Umland parties; tree service people out in November trimming trees over power lines; 22<sup>nd</sup> 3 loose dogs on Umland; 23<sup>rd</sup> vehicle accident TC Road; December: more complaints about parties. He spoke with Margaret G. at TC Resort who spoke with renters who are leaving at end of February. Quite a bit of rain; many trees down. 9<sup>th</sup> : tree down on TC Road. Small trailer parked on Ansel and TC Road has been there for a month in the driveway. 17<sup>th</sup>: dead deer on TC Road; 19<sup>th</sup> : call from Christopher Wrenn on Koftinow complaining about tents on his property. D. French's renters were camping there, for some time. French straightened things out. January: 2 trees down on Lee Dr., 11<sup>th</sup> : Signaigo, Umland and Smith trees down; John Gray on Lee complained a tree was blocking his driveway. The property owner where all the trees are coming from has been contacted. 18<sup>th</sup> : Lee Drive another tree down. Power out at least 2 days on the coast due to fiasco at bottom of Ruoff. Trees ripped out the utilities. PGE had been asked to have those trees removed by TMcK. Power lines and phones ripped out. HWY 1 closed a couple of times by Ninive. Telephone on upper end of Umland had tree fall which stretched the cable. NL complained to Verizon at the time. With last rain cable has stretched even more. Large vehicles could not get through. He mentioned it to phone person. TMcK will send word to Frontier.

#### **5. Fire Abatement Report/Water Board Report (B. Todd); Status of receipt of permissions for CalFire to partner with us to do fire abatement.**

BT reported he has been gone since December but has spoken with Cathy Schezer. From an administrative standpoint the Fire Abatement program is in flux, but a lot of people are cleaning their properties. Regarding standing pines,

they are a short-lived tree (40-50 years). Those are the ones that are coming down in the storms. They have flash fuels and shallow roots. PGE and Frontier need to get rid of the trees as a high priority. He is pleased with the pace of cleanup and what people are doing. Will coordinate County Chipping program with our clean up.

**6. Roads Report (B.Todd):** BT checked the roads today and has reviewed every road. Do we continue with widening Ruoff? To preserve work done already, a lot of roads with chip seal weren't completed. They needed additional fog seal to keep aggregate in place: Davis, Hudson are examples of where we could put down additional fog seal. Schedule this for this year or next so we don't have deterioration of what we have done. It is actually pretty cheap. He suggested paving turnarounds at end of Rust. Paving works better than chip seal. RW reported someone on Hudson was sweeping gravel which had just been put down, off to the side. Trowbridge Ct. is a cul-de-sac and needs to be either widened or paved properly and drained properly. BT hopes we can do this within a year; it would cost about \$500,000 to do all the roads. Mark Mann will finish Signaigo the next time he has his equipment out here. We should widen Signaigo given the increased traffic to the office. BT will get an estimate out for that.

**7. Treasurer's Report (SE.McCann)** No report; still waiting for SL to deliver final files for us.

After the books are up to date we will be going through an audit with a CPA. There were a couple of expenses: phone and credit card. We need an HOA credit card for things like stamps.com— we have been using the TCCWD credit card She will check into this. Need one for office supplies, etc. Can link this to Credit Union. SEMcC suggested anything over \$200 should have Board approval.

•TMcK moved, JP seconded we get a credit card through our Credit Union. All ayes. SM re-affirmed the earlier Board decision that the signatories on the HOA account with Redwood Credit are JP, SM, TMcK, SEMcCann. We also need a phone line for the TCCWD who shares ours right now. They have a line at the water plant that can be connected here.

8.1 **Budget Update:** deferred

8.2 **Payment of the Bills: Law Office:** \$200; regular payroll needs clarification regarding active checks.

8. **Trail Report** (H.Clayborn) (emailed)

9. **Communications** (S.Moulton, Sylvia Todd--Facebook) Requested information about outside activities to be included. ST requested things posted to website be included on Facebook. She has tried to keep the Coastal Bulletin there which she cuts and pastes. CH will take over the Facebook postings. DF will provide a link to the Coastal Bulletin for our webpage and Newsletter.

10. **PUBLIC COMMENT (Please limit comments to 2 minutes on agendized topics)**

AV doesn't think the membership is aware of volunteer Fire Dept. which needs younger members. They provide free education on Wednesday nights. One can get an EMT certification through this. DF noted membership also could do baking or food for guys who have to go out in early hours. SM suggested they also work with the schools. JR reported there is a cadet program with the Fire Dept. ST suggested Amazon deliver things we buy. Camping Policy on p. 7 of minutes on Oct. 15: we had worked out all the forms and policy, etc. Town Hall: recording only received two days ago. ST has transcribed 15 pages. SM will complete the summary next week. DF believed she was misunderstood when it was assumed she would draft guidelines for rentals.

## **OLD BUSINESS**

11. Policy requiring decorum at meetings and compliance with Civil Codes: SEMcC referred to posters with core values. As Parliamentarian SM reiterated the need for proper, respectful behavior at our HOA meetings. SEMcC referred to our Core Values and Strategic Plan in which this is now approved HOA policy. People who cannot conduct themselves respectfully will be asked to leave; if

they do not leave the meeting may be stopped.

12. **Davis-Stirling Requirements regarding recording of meetings** (S. Moulton)

C. Feddersohn suggested it would be helpful because so many from outside the area couldn't attend meetings. BL believed video taping meetings would be a good way to be informed. Discussion of Civil Code (handout). SM read the Negative Aspects of Recording: "Owners who bring audio or video recorders to board meetings often do so because they are threatening litigation or wish to intimidate participants into silence. Sometimes, they will have a lawyer sitting at their side as they record the meeting. Under those conditions, meeting participants are reluctant to speak freely for fear of being dragged into litigation or having their voices appear on internet websites. As a result, members' free speech rights are suppressed by the person doing the recording. Moreover, even though owners attending a meeting may not have an expectation of privacy within the community, they have a reasonable expectation that their conversations and likeness are not going to be posted on YouTube or other websites open to the general public outside their community. For these reasons, many boards prohibit private recordings, whether audio or video." Davis-Stirling, Open Meeting ACT, Civ. Code 4925(a). "Neither the Brown Act nor the First Amendment...gives owners the right to record private meetings...the First Amendment does not apply to private meetings. CH noted teachers are doing webcam lectures. JR suggested getting a Security System for the Office.

13. Status of Gallo request: CH will follow up with TMcK to clarify this.

**NEW BUSINESS**

14. Russell Wells' Proposal: Nature of compliance with CC&Rs. SM suggested this be summarized into a motion to be discussed at the next meeting. ST reported Linda Saldana



has volunteered to put the CC&Rs into a more legible form for the community. She presented an example with Table of Contents for the CC&Rs. ST would provide us with a draft via Google Docs. It is not a rewriting, but an index and summary in layman's terms. SM moved we have Sylvia continue and include this on the next agenda. EMcC 2<sup>nd</sup> All eyes.

**15. Short Term Vacation Rental Discussion:** DF: When she looks at Claus IV in the CC&Rs regarding uses of property, there is noting that prohibits rentals; how long or short; all it says is that a homeowner or his tenant may use the property as private residences. It is meant to be read in its entirety. Number 5 talks about commercial prohibitions that would cause nuisances to your neighbors. Business on your property would require permission from the Board. She has 40 years of experience as a real estate broker of single houses, property management. She lives 150 feet away from her rental. She believes the association should stay away from this issue unless there is a nuisance. Jenner Vacation rentals manages another home on her street. Vacation Rental Website of Sonoma County has information about vacation rentals. The Kelly home owned by Burkhardt, had a tenant who fired shots; a tenant before had vicious dogs. She believed the problem was with long term rental people. SM noted this is a topic of discussion in cities across California and nationally and it would be appropriate to have a fulsome discussion since it needs clarification and is being discussed by the county as well.

14. Set date, time and Agenda for next meeting: Feb. 18, 2017 10 at Ft.Ross School.

**ADJOURNMENT:** MSP unanimously: meeting be adjourned (12:15)

FEBRUARY AGENDA:

**TIMBER COVE HOMES ASSOCIATION**

**REGULAR MEETING**

**FEBRUARY 18, 2017**

**Fort Ross School**

**10:00 am**

## **AGENDA**

### **Executive Session (9:00)**

1. Status of Personnel contracts and review
2. Status of insurance
3. Status of Declaratory Relief

### **Call to Order (10:00)**

### **Approval of Agenda**

### **Approval of Minutes:** January 21, 2017.

### **1. President's Report** (T.McKusick)

1.2.Executive Session Summary

1.3.1.3. IRS status

1.4.Forest Management Collaboration with CalFire and TCCWD Update

1.5.Status of Chipping Program

1.6.Insurance Coverage for vandalized sign

1.7.Gallo request status

## **2. Administrative Assistant Report (CH)**

2.1 Correspondence

2.2 Escrow reports

2.3 Listing of merged lots

2.4 Reorganization of Office: storage needs; white board

2.5 Frontier cable status

2.6 Mailbox status

2.7 Office storage status/digitizing records

## **3. Architectural (J.Howland)**

**3.1 Definition of Shed vs. Artist's Studio:**

**3.2 Language clarification in Architectural Guidelines: for conforming mailboxes and costs included**

## **4. Security Report (N.Lee)**

**5. Fire Abatement Report (B.Todd); Status of fire abatement.**

## **6. Roads Report (B.Todd)**

## **7. Water Board Report**

## **8. Treasurer's Report (SE.McCann)**

**8.1 Budget Update**

**8.2 Payment of the Bills**

9. **Trail Report** (H.Clayborn)

10. **Communications** (S.Moulton, newsletter; C. Howland – website and Facebook)

**PUBLIC COMMENT (Please limit comments to 2 minutes on agendized topics)**

**OLD BUSINESS**

11. IDR Policy Addendum

12. Davis-Stirling Requirements regarding recording of meetings (S. Moulton)

**NEW BUSINESS**

13. CC&R Draft Summary by Linda Saldana (S. Todd)

14. Compliance guideline proposal (R. Wells)

15. Set date, time and Agenda for next meeting

16. Other

**ADJOURNMENT**

