
MINUTES OF KONO TAYEE HOMEOWNERS ASSOCIATION BOARD MEETING
January 9, 2016

Held at the Lucerne Senior Center, 3984 Country Club Drive, January 9 at 10:00 am.

PRESENT AT MEETING

Board Members (Pres.) Bob Sullivan, (VicePres.) Jim Hiss, (Sec.) Beth Shaver, (Treas.) Debbie Pryor, (Dir.) Tony Marchese

Members: Becky Hiss, John Cormack, Debi Cormack, Brenda Reyes, Joe Ramhorst, Jennie Courtemanche, Craig Courtemanche, and John McCloskey

1. CALL TO ORDER

Pres. Bob Sullivan called the meeting to order at 10:09 am.

2. OPENING OF MEETING AND WELCOME

Bob Sullivan welcomed those in attendance and led the Pledge of Allegiance. With all Board members present, he announced we have a quorum.

3. APPROVAL OF PREVIOUS MINUTES

Bob Sullivan motioned to approve the minutes of the previous meeting and it was seconded by Jim Hiss, and passed by all.

4. TREASURER'S REPORT Debbie Pryor

Debbie Pryor gave the current financial report from July 1 to December 31 2015. The total in all accounts is \$104,809.29, with \$13,138.35 in checking, \$159.82 in petty cash, and \$91,511.12 in reserves as of December 2015.

Our income increased by \$5,797.93 which consisted of the collection of homeowner's dues, interest on our MM (reserve account), late charges, tax refund, and the sale of garbage bags. Our expenses were \$6,733.06 which consisted of miscellaneous association expenses (room rental), donation to Sheriff's Office, insurance payments for business package and umbrella, lake encroachment permit, maintenance (Jason Brown), office supplies, postage & printing, professional fees (for work on Davis Stirling documents), signage, tax preparation, water & PG&E and we replenished the petty cash by \$200.00.

Bills paid after 1/1/2016: \$400.00 to Miguel Aguilar (new landscaper) for November and December 2015 work.

\$15,947.50 was transferred to the reserve fund on 9/16/2015.

Our Fictitious Name Statement was filed with the state. It is to be filed every 5 years. Filing it protects our Homeowners of Kono Tayee Estates name.

We have been asking for copies of the actual deed from the title company when ownership changes on Kono Tayee properties. The deed reflects the actual names of ownership that

legally define membership in the Association. New owners should fill out the Kono Tayee information form (available on the website) so we have up-to-date contact information for them.

The Budget Committee will meet the end of February to recommend the next year's budget to the Board. Committees need to put in their requests prior to this time.

5. FRIENDS AND NEIGHBORS COMMITTEE Debi Cormack

Since the meeting of October 24, 2015:

Get-Well cards were sent to Ken Gehrkins for injuries from robbers and Tom Penn for leg surgery.

Sympathy cards were sent to Tony and Claudia Marches and Joe and Brenda Reyes for loss of beloved pets.

A Thank-You card was sent to Joe and Brenda Reyes for hosting the annual Christmas party.

Just a reminder to please contact Debi Cormack at 707-274-6680 if you know someone who is ill, has lost a loved one, or is new to the neighborhood so she can send out a card on behalf of Kono Tayee's Friends and Neighbors Committee.

6. PRESIDENT'S REPORT Bob Sullivan

Presidents Comments:

a) An Executive Session was held on January 8, 2016 concerning a legal matter. Per Civil Code 4935 Executive Sessions of the Board may be held without member attendance for matters of a private nature (to include legal issues).

b) The Board received a letter from Doug Kues, real estate broker, yesterday concerning lots 8 and 9. It is currently in review.

c) The Architecture Committee has approved the request for the Frederick family to remove yucca trees on their property. Brenda Reyes noted that a tree limb has fallen on 138 Kono Way that needs to be cleaned up. Jim Hiss asked what was happening with the shed on 7791 Alston. There was an issue with the location of the shed, but the county granted a variance for the shed to be located closer to the property line. John McCloskey mentioned that the overhang on 7876 Aston does not meet the setback requirements and was built without a county permit. The Architecture application for this overhang was rejected but the structure was built anyway. It was agreed that the Architecture Rules needs to be clarified per Davis-Stirling and updated with the rest of our documentation.

d) The Roads Committee is working on recommending to the Budget Committee to assign extra funds for fixing the private roads. These roads need concrete footings on the approaches to the houses to stop the asphalt from breaking.

5. VICE PRESIDENT'S REPORT Jim Hiss

The action of The Davis Stirling Committee is to update our documents to be in compliance with the Davis Stirling Act as updated in 2014. The documents include: Articles (the legal foundation that established the Board), CCRs (property owner rights), By-Laws (defines directors, committees, operating rules), and Rules (to include Architectural Committee rules, Canal rules, etc.)

The process is that the Board receives recommendations from the Davis Stirling Committee and will review, discuss, and vote for the draft changes to be submitted to the attorney. This process of Committee recommendations, community input, and the Board voting for changes will continue at Board meetings so the final draft can be presented to the association. To pass and be implemented the redrafted document has to receive 2/3 positive members' votes for adoption.

In December the committee supplied the Board with redlines to the By-Laws as written by the lawyer for approval. At the meeting the Board agreed to the following redlines:

Bylaw's: Referenced by page number, section, line, word.

1. Section 1.03 pg 1, line 2, OUT "shall be", ADD after "Association" line 1, "is to maintain property values, adherence to and enforcement of our CCR's", continue with "to ownin common".
2. Section 1.05 Definitions, line 2, "meanings specified in Second Restated Declaration of CCR's," go back to CCR's and ADD "County roads are Richard Drive, Cora Drive, and Milos Court. Private roads are Harry Way, Kono Way, Alston Way, Richard Drive extension which are owned by individual property owners and are maintained by the Homeowners Association of Kono Tayee Estates." as new section "n" under 1. Definitions. Parcel B is on (e) pg 2 and will be further defined in the Rules.
3. Section 3.03, pg 2, line 2, OUT "provided, however.....purposes of voting". OUT "Accordingly" in next line. Continue with "If more than one person....."
4. Section 4.02, pg 2, line 4, OUT "provided, however ... purposes of voting".
5. Section 4.04 (b) pg 3, line 1, OUT "or by proxy".
6. Section 4.04 (c) pg 3, OUT all of (c).
7. Section 4.04 (d) ADD as new (c).
8. Section 4.05 Proxies, OUT all of Section 4.05.
9. Section 4.06 (j) pg 7, 2nd paragraph, (ii) line 7, OUT all of (ii). Change next 6 references (iii) to (viii).
10. Section 4.07 pg 8, line 9, OUT "or at large director position". Out "after shall be elected".
11. Section 5.03 (c) pg 9, line 4, OUT "or by proxy."
12. Section 5.04 (f) pg 11, line 2, OUT "or the Assistant Secretary".
13. Section 5.05 (i) pg 11, line 2, OUT "represented in person or by proxy".
14. Section 5.05 (ii) pg 11, line 4, OUT "or by proxy".
15. Section 5.05 (b) pg 11, line 2, OUT "or by proxy".
16. Section 5.06 (a) pg 12, line 4, OUT "or by proxy".
17. Section 5.07 (a) pg 12, line 5 OUT "or by proxy".
18. Section 5.07 (b) pg 12, line 1, OUT "or his or her proxy holder". Line 3 OUT "or proxy holder."
19. Section (vi) (2) pg 15 line 2, OUT "resident who," REPLACE WITH "owner".
20. Section (b) pg 15, OUT all of (b).
21. Section 7.02 pg 16, line 4, OUT the sentence "The Board may in its discretion...." through line 10. Continue with "All directors shall be....".

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22. Section 7.02 pg 16, line 8, ADD “or be a designated individual by a member to be eligible to run for office” after “All directors shall be Members”. Make a new sentence of “Members must be in good standing.....” Line 10 ADD “or designee” after Member.
 23. Section 7.04 (a) pg 17, line 8, OUT “signed”, ADD “or a verbal commitment “ by the nominee. Line 8, OUT “Association Secretary”, ADD “nominating committee.”
 24. Section 7.04 (b) pg 17, line 5, OUT “signed”, ADD “or a verbal commitment “ by the nominee. Line 8, OUT “Association Secretary”, ADD “nominating committee.”
 25. Section 7.04 (c) pg 17, line 2, OUT “Secretary”, ADD “Treasurer”.
 26. Section 8.03 pg 19, line 2, OUT “at least...infrequently as”.
 27. Section 8.06 (ii)(2) pg 22, line 1 and line 3, after “or staff” ADD “or Directors”.
 28. Section 9.01 pg 24, line 6 OUT “and to do...in common”. ADD after Declaration “of CCR’s and the Rules”. (Note that everywhere Declaration is stated we’d like to replace with Declaration of CCR’s.)
 29. Section 9.02 pg 25, Add “(g) The members of a committee shall be entitled to reimbursement for reasonable expenses with preapproval from the Board.”
 30. Section 10.01 pg 25, line 4, OUT “(who may also be directors),” REPLACE with (one of whom may be a director except if the committee is short of volunteers for that committee), Line 5 ADD after shall “report to the Board and” have all the authority...
 31. Section 11.01 pg 26, line 2, ADD “and Director at Large” after “a Treasurer”. OUT “and” in line 2 just before “Treasurer”. OUT the next sentence “The Association may.....provisions of Section 11.03”.
 32. Section 11.04 pg 27, line 4, OUT “Usually vested in the office of president of a corporation”
 33. Section 12.03 pg 28, line 7, ADD “or Director at Large” after “Treasurer”.
 34. Section 12.04 pg 28, line 10, After “5520” ADD ,”CCR’s Section 8k (i)(iv))”
 35. Section 12.04 pg 28, line 14, Add “or Director at Large” after “Treasurer”.
 36. Section 12.07 pg 29, line 1, OUT “At least every three years” REPLACE Annually,. Line 4 OUT “if the current...for that period.”
 37. Section 14.02 pg 35, line 3, OUT “only if the Member.....as a Member”. OUT next line completely “If the Association.....access to the list”. OUT in next line “Notwithstanding the foregoing”. Continue with “Member may opt out...”

The committee acknowledged that the following needs to be added to the Rules:

1. Dogs must be leashed at all times per Lake Co Ordinance.
2. Camping and use of recreational vehicles.
3. Storage of Boats and Trailers on lots.
4. Road access on non county roads.
5. Parking in the association.
6. Trailer parking on roads.

The next Davis Stirling Committee meeting will be held on Feb 1. The committee will review the Rules and submit them to the Board prior to the next Board meeting on Feb 27. The goal is to have the lawyer redo drafts of the document with our provided redlines so that a complete package can be reviewed by the Board at the April Board meeting.

8. RESIDENTS QUESTIONS, INPUT AND/OR COMMENTS

Brenda Reyes has 2 items left from the Christmas party: an aqua tea towel, and a plate with red and green stripes with a hole in it. Please see her to collect your items!

Debi Cormack asked when CalTrans plans to put the berm back on Highway 20 above us. Bob Sullivan answered that there was no estimate, but there are sandbags there.

9. OLD BUSINESS

None.

10. NEW BUSINESS

John McCloskey said we have a safety issue and that guardrails need to be put on Highway 20 to protect the community. He stated that there have been at least 4 accidents in the last 10 years where cars have come down into Kono Tayee properties. Bob Sullivan asked Brenda Reyes to work on starting a petition for guardrails. She accepted the assignment.

11. ADJOURNMENT

The meeting was adjourned at 12:36 pm.

The next Board meeting is slated to be held February 27, 2016.

Respectively submitted by Beth Shaver, Secretary