

CLRCA Board Meeting 4/19/18

Attendance: Tom Nixon, Tim Hobbs, Jim Howell, Barbara Nuckols, Robert Tellez

Call to Order - Hobbs at 6:05 p.m.

Pledge of Allegiance

Introduction and Presentation: Lisa Black from law firm, Berding & Weil regarding governing documents rewrite

Lisa began summarizing the need to update/rewrite CLRCA's three main documents; Articles of Incorporation, Bylaws, and CC&R's. She explained the purpose of each document and how they differ in scope. She emphasized that a great deal of the rewrite was needed to bring CLRCA in compliance with state law and regulations. She also stated that the rights, as well as the responsibilities of our members were being 'compartmentalized' into one document (CC&R's) differing from the current CC&R's. She focused on the CC&R's explaining that this was the document most concerning to members but stated that she would also touch upon the Bylaws afterwards. She did a broad oversight of Articles 1-4 with little audience comment. At Article 5 (Use Restrictions) she began taking questions and generating discussion. Audience member, Donna Moeller had concerns regarding (section 5.8 Unlawful Conduct;; Nuisances; Noise) and wanted the word "shall" removed from the sentence; "Residents shall take responsible steps to work with each other to resolve their differences..." She wanted something that was less of a requirement by the residents. Linda Tellardin had a concern regarding (section 5.15 Outbuildings) and wanted it to include people living in trailers on vacant lots. Tom Nixon mentioned that trailers are vehicles and there are provisions already in the new CC&R's prohibiting them from being parked on vacant lots. Donna Moeller had a comment for the BOD (not Lisa) regarding how the BOD was going to enforce Article 6 (Renting Or Leasing) for renters. Linda wanted 'solar panels' (section 7.2.4) added to the list of items requiring approval of the BOD. She was informed that CLRCA is already enforcing that under the old documents but there are also provisions under the new documents as well. Donna wanted 'landscaping' (section 7.1) removed from requiring authorization. She was given examples where this will still need to be required. Linda thought that '60 days' was too long for approval under (section 7.12). It was explained that most applications are approved within days. All this does is give CLRCA more time in complicated approvals. There was a general discussion regarding Article 8 (section 8.7.1). Article 9 (section 9.3 Right of Entry) was discussed at length. Article 14 (section 14.5 Enforcement Rights Are Cumulative) was explained to Linda.

Lisa then briefly addressed the Bylaws with a summary. There was a discussion of what constitutes a 'quorum.' Finally there was a discussion about 'filing vacancies.'

Lisa finished up after her presentation and left the meeting.

Motion to Approve Agenda: Barbara; seconded by Jim approved 5-0

Motion to Approve Minutes From Special Meeting : Jim; seconded by Robert 5-0

Financial Report: Jim (see attachment) Jim indicated the bank transfers were completed in March bringing all of our accounts under the FDIC limits of \$250,000.

Manager's Report: Cindy has been working diligently getting ready for the election. It's very time consuming. The fire inspections are about half way completed with the eastern half of CLRCA being finished. At this point approx. 484 lots have been accounted for with 380 lots being in compliance or rated low. 140 are currently rated medium to high. This is an improvement over last year. Several hearings are due this month and next. She briefly brought up the idea of creating an incentive program for those lot owners who regularly are in compliance. She discussed gift certificates at Richmond Park and Weed Eaters as possible prizes. She indicated that we have 6 applicants for the 3 openings on the BOD.

ACP Report: Tom reported that there are several applicants for ACP committee positions. Currently Anita McKee is moving out of state and will not be able to continue on the committee. He made several proposals regarding filling Anita's position for the BOD to consider. ACP meets tomorrow (4/20/18) at 10:00 a.m.

Social and Recreation Committee Report: Barbara reported on the May 5th "Night of Music & Coffee," that is approaching soon. She passed around a flyer that has been posted at several locations in the community. Kudos to Bruce Hollander for his help in putting it together.

Open Forum: Doug Herren informed the group that he and his wife Lori had just purchased a coffee shop in Council, Idaho and were just beginning their future relocation and move there. CLRCA owes a great deal of gratitude for all their commitment and volunteer work with committees and the Trunk Or Treat Halloween event. They will be sorely missed but Doug will still be around and involved from time to time as he slowly completes his job commitment with the City of Clearlake. Carl Hilsz expressed his frustrations with his attempts to receive information on the developing election candidates list. There was a lengthy discussion about his comments by most of the BOD. The BOD discussed some options but decided that it would need to be placed on a future agenda.

Unfinished Business: Pool Negotiations. Tim gave his summary of his unsuccessful attempts to contact the Gilberts regarding the BOD's concerns. He left e-mails and phone messages but no attempt was made to return his communications. Cindy made it clear that, in her conversation with Mrs. Gilbert, Mrs. Gilbert only wanted to deal with Cindy. Cindy recapped that conversation again for the BOD's benefit. Tom stated that he had real issues with the Gilbert's not responding to CLRCA's

President's attempts and dictating to us her own agenda and with her only wanting to speak through our office manager. Robert stated that he wanted to move forward and do something that gave our community a needed amenity. He expressed concerns about crime and bad behavior. Jim also wanted to move forward and was not overly concerned with Cindy dealing with the Gilbert's. He indicated he wanted to use the fee formula used in 2015 that the finance committee had earlier recommended. Barbara sees lots of problems including inappropriate behavior, fighting, checking passes etc. She stated that it was "incredible" that the Gilbert's won't negotiate. She sees an accident waiting to happen. She's against any contract. Tim believes there need to be some amenities available in spite of some of the recognizable problems. He believes \$23,500 is a reasonable sum for the agreement. Tom stated he will only vote for the contract if the passes are upped to \$125/membership that includes 6 people per family as indicated by the contract.

Motion by Jim seconded by Robert to approve the contract for the pool for \$23,500 for 2018 and selling passes as per recommended by the finance committee based on the 2015 model. IN FAVOR 3 OPPOSED 2 (passed)

Meeting adjourned at 9:30 p.m.

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