

Loma Linda Subdivision Homeowner's Association
Minutes of the Board of Directors Meeting
September 11, 2017
Revision 3

Directors present: Mark Douglass, Bill Trimarco, Don Haywood

Members present: Kent and Sharon Jennings, Jo Myatt, Lisa Jensen, Annie and Sam Pack, Wen Saunders

Mark called the meeting to order at 6:01 pm and asked for a moment of silence in remembrance of those who lost their lives on September 11, 2001.

Minutes of the June 5 Board meeting were approved as corrected. Minutes of the June 19 special Board meeting were approved as recorded.

Open Forum:

1) Lisa Jensen informed us that all of the landscape flags they'd posted on their property, meant to notify the Metro District where not to spray pesticide, were pulled up by an unknown person. She also advised property owners to be aware of work that contractors or others might do which affect your property (a contractor, looking for a water tap, dug extensively and ended up filling their drainage ditch with dirt).

2) Don Haywood reported a resident heard gunshots that seemed extremely close to Loma Linda property. Discussion: Advise Loma Linda property/home owners and their renters about the gun policy and post a notice on the mailstop bulletin board; Bill informed us that Echo Canyon HOA does not have a gun restriction within their development. Mark will send an email to all LL homeowners about the LL HOA gun policy.

3) Annie and Sam Pack expressed disappointment about the excessive delay in being notified that their appeal request was heard and approved, stating they had started the initial ACC process in May and it wasn't until today that they got the paperwork they needed to present to the County. The appeal was approved by the Board on June 19th and sent to them by email. The situation was discussed thoroughly by the homeowners, members, and Board. The Board decided that an "appeal" form would be developed. When an appeal was heard, the form would document the Board's decision. It could be used to present to the County by the property owner.

Treasurer's Report: Don reviewed the Balance Sheet (current assets are \$54,566.61) and Budget vs. Actual Statement (outstanding Receivables is \$3,335.00 resulting from unpaid dues). A list of homeowners who have not paid was given to the Board. Trish, the CPA, told Don that in the past letters were sent. Per our CC&R's, a reasonable late fee can be assessed and a penalty for non-payment is appropriate and notice of this should encourage payment. Mark read Article 11 from the Bylaws which sets up the process for setting penalties for late/none payment of assessments. Bill made a motion to put delinquent property/home owners on notice by sending each a letter. Discussion: The specific wording from the Bylaws 'Assessment' section should be used in the letter; the Covenants prevail over the Bylaws if there is a conflict; the Board has the right to change the Bylaws though they must be approved by the membership; and whether a lien should be put on any properties delinquent after one year as has been the practice in the past. Don seconded the motion and it was approved by the following vote (Mark-Yes, Bill-Yes, Don-Yes). Don will talk with the CPA about setting up a mailing to those affected. Mark will create the letter to be sent.

ACC Report: Jo Myatt presented a report of current actions taken by the ACC and reported that Luann Fritz has resigned from the ACC committee. The report will be posted on the website.

FireWise Report: No committee members were present; Jo noted that on August 22nd a community chipping day and BBQ was held and that Peggy had communicated with all those participating to send pictures and their chipping invoice to her.

Nominating Committee Report: Mark restated and confirmed that no Board member should be on the Committee any longer due to the newly approved Bylaws.

Metro District Report: Bill said this month's meeting had to be postponed until October 11th.

Posting Draft versus Final Minutes: Don suggested a summary of Board meetings, listing only bullet points of actions taken by the Board and topics tabled until a future meeting, be posted as soon as possible after a meeting rather than a draft or preliminary version. It would contain facts only...not discussions or other specifics; a "headline" version. It is a long time between meetings for members to wait for information on what has been done by the Board. Don would use the Draft minutes to prepare the Summary and forward it to the Board for review before being disbursed to the membership. This would be done on a trial basis to see the response. Don made a motion to amend the procedure to indicate that a Summary of business activities be emailed rather than the Draft minutes. This was approved by the following vote (Don-Yes, Bill-Yes, Mark-Yes).

ACC Procedure: Don said an inquiry was received at the LL HOA email address, but not quickly replied to. He asked if there was a good definition of the procedure on how the ACC is to perform their duties, who is responsible for getting those duties done, and how the ACC relays information to the Board. Mark suggested that the pertinent section of the Covenants be 'cut and pasted' into an email response to any prospective buyer inquiring. Jo said her recent inquiry determined that county could not find the most updated version of Loma Linda documents because of the way the County files the documents (though it was finally found). In her opinion, the Covenants on our website are not as easily accessible as they should be for potential users. Correspondence procedures need to be clarified. ACC matters should continue to be sent to the ACC, for which the Chairman will respond in a timely manner. If it is a HOA matter, it will be handled by the President. If the President is unavailable to respond timely, he will give advance notice to the remaining members of the Board that he will be unable to respond timely and, in that event, the Secretary will handle the email correspondence. Wen Saunders suggested that when a copy of the Covenants is sent, the committee should not try to interpret the document; leave that to the buyer or homeowner. Lisa Jensen asked what a reasonable response time would be and the Board determined that 24-72 hours would be appropriate under normal conditions. No specific written procedures or practices for the ACC exist though a draft fee structure was created by a prior ACC; the ACC will ensure the Board has a copy of that. The form homeowners use to submit building requests to the ACC for approval has places for the ACC response and signatures. Jo will send Don a copy of that form. Don will create a Board appeal document for the Board's use should they override a decision taken by the ACC after a homeowner appeal is filed; it will show the Board's decision, date of action, and signatures. Any Board member can sign the appeal decision form as long as it was approved at a Board meeting.

Old Business: Don asked that the Declaration Amendment Process discussion be tabled.

ACC Committee Candidates: Jo Myatt is the only person presently on the ACC committee. Resident Bob Carpenter expressed interest in serving. He had served previously on the committee, but resigned. Bill is concerned about his interest now and would like the opportunity to discuss his new appointment. Discussion: Though there needs to be more people on the committee, the Board must ensure candidates agree to uphold the Covenants and Bylaws and not just fill a seat. Mark feels Jo is a good counterpoint on the committee to ensure communication with the Board; any committee member would be asked to step down if they were not following proper protocol. Jo said there were no other volunteers coming forward. Concerns about candidates need to be resolved before approving any new person for the committee. Candidates should meet with the Board members to ensure they understand the importance of following Covenants and Bylaws and working with the Board.

New Business: Don made a motion that the LL HOA Board reestablish a relationship with the legal team of HindmanSanchez...HOA lawyers. LL HOA does not have certain HOA policies in place that were required by law over ten years ago. We can then purchase 'canned' policies (approximate cost \$600 total) and modify them to fill our HOA needs. Discussion: Bill wasn't impressed with their past performance and suggested the decision be tabled for now. Don felt using an HOA specialist would be better than a general lawyer who would charge us for time to research HOA policies. Mark said we should move forward with someone; obtain the document package and get them in use so we are in compliance with the law. He had reviewed HindmanSanchez previously; if their efforts are deemed not beneficial we can elect to leave them. Don said to get started we complete their

document and select “non-retainer agreement”; buy the canned programs and tweak them. If Hindman is called, we will be billed for the time so we should only go to them as a Board...not individually. Mark seconded the motion which was approved by the following vote (Mark-Yes, Bill-Yes, Don-Yes).

Next Board Meeting: Monday, October 9th at 6:00pm at the Ross Aragon Center.
Meeting adjourned at 8:05pm.

Sharon Jennings/Minutes