

PLA-VADA COMMUNITY ASSOCIATION/PVCA BOARD OF DIRECTORS MEETING
Approved Minutes – May 1, 2010, 2010 - 9:00 AM Donner Summit PUD

Board of Directors: Present

Chik Brenneman – CB

Mike Anderson – MA

Jim MaGee – JM

Brian Gebhart - BG

Eric Lombardi - EL

Jerry Keen – JK

Steve Headen – SH

Board of Directors: Absent

Bob Wagenman – BW

Sunnie Skiles – SS

Staff Present: Terri McGuigan - TM

Brian Silsby - BS

Call to Order: 9:02

Review of the Minutes from March 23, 2010 – Motion to approve BG, 2nd MA
Motion Passes

Additional Agenda Items:

Except as described in paragraphs (2) to (4), inclusive, the board of directors of the association may not discuss or take action on any nonemergency item at a nonemergency meeting unless the item (s) were placed on the agenda included in the notice that was posted and distributed pursuant to subdivision. CC 1363.05 (h) (i) (1). Emergency items may be considered.

INFORMATION/VISITOR PRESENTATIONS:

The board of directors of the association shall permit any member of the association to speak at any meeting of the association or the board of directors, except for meetings of the board held in executive session. A reasonable time limit for all members of the association to speak to the board of directors or before a meeting of the association shall be established by the board of directors. Members have 5 minutes to present information. Additional time may be granted by the Board. CC 1363.05 (h)

This subdivision does not prohibit a resident who is not a member of the Board from speaking on issues not on the agenda. The board may not take action, unless an emergency exists on any item presented. Time restriction may apply. If possible, please notify the Board President or Board Secretary in writing prior to the meeting if you wish to testify. CC 1363.05 (h) (i) (1).

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Communications/Discussion:

Finance Committee (Claudia Hatfield, Connie Allison, Mike Downs, Art Newman)
3/13/10 – No report **5/1/10 – Will want to reconvene via conference call or in person meeting prior to June general meeting. CB to facilitate communication**

Access road to well - Carry over from 9/12/09 – Some property owners are concerned about increased OHV traffic along the road on the power lines. Dust and noise being the most notable concerns as well as unintended access to member's properties from the road. This will be addressed in the spring after snow melt, and all agreed that is was a valid discussion item, but no action could be taken as yet. CARRY till snow melt spring of 2010. **5/1/10 – If any trees are removed during the construction process for phase two, it was suggested that we chip the trees on site and save for potential erosion control in various locations of the project.**

Staff Reports:

General Manager (10 Minutes) – Terri McGuigan.

Currently there is \$8100 in our operating fund. Project billings will exceed that amount until next fiscal billing start to come in. Board moved (BG/EL) to transfer \$40,000 from the Raymond James Cash reserve account to cover operating expenses. The loan will be repaid when cash flows from billings arrive or since these are project related expenses, from the loan or special assessment.

TM suggested that we move towards electronic invoices for upcoming fiscal year. Board discussed that we will invoice by US Mail and inform membership that they can opt for electronic invoicing next year.

TM working to get 09-10 Fiscal year figures to accountant for the year end review. Report will go out with upcoming mailing.

Request for report regarding association expenses. CB will have report sent out ASAP.

Request for number of delinquencies on dues. TM reported that there are currently 12 properties late in payment for dues. Two properties are in bankruptcy. Others have arranged a payment plan. A discussion on delinquencies and the negative affect on association cash flow.

We have approximately \$36,000 left in the general fund

Caretaker – (10 Minutes) - Brian's Silsby –

Water Usage –

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March Well 3 841,000
 Well 4 105,400

April – Well 3 696,200
 Well 4 111,100

There was one significant leak on Conifer. The Board discussed whether a fine for significant water loss was warranted. While the break was on the owner's side of the valve, in order to protect water storage levels, association equipment was used to expose the valve, which was under 15 feet of snow to turn off. No fine levied.

Sewer Inflows –

March 1,274,400 Daily Average 41,110

April – 1,641,600 Daily Average 54,720

Director's Report (40 minutes total)

President – CB- To be covered under project update.

Vice President – JK Annual notification of the building/remodel guideline needs to be distributed in upcoming mailing per Davis-Sterling. Requested that policies posted to the Association website be in .PDF format so that formatting is not lost when posting. There are two copies of the Builder's handbook on the website. Requested that the Construction Handbook be retained and the former deleted. The settlement with lot 235 has been prepared and is being reviewed by property owner's counsel.

Secretary – SS No Report

Treasurer – EL Covered in the General Managers report

Caretaker Supervisor – JM – General Maintenance of Equipment and snowplowing has been the norm for Brian and Doug. The Board recognized their efforts in keeping the roads open and clear.

Heavy Equipment – BW No report

Roads – BG. – Will assess road conditions after spring snowmelt and recommend repairs

Architecture/Compliance – MA A 1) discussion on compliance issues was held. Action item MA to work with committee on Lots 62 and 312. MA to research how best to tie in permits taken out by members for remodel work, for proper notification and approval of the ARC and Board. Currently there is no system in place. This does not apply to new construction, which is already covered with the builder's handbook. 1/23/10 – Carry.

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5/1/10 – The County will not hold a building permit based on association rules on construction and building. Association will need to request information from homeowner regarding remodels. New contraction that may trigger placement of a water meter or sewer lateral testing. 2) There are cars that have been parked and are impeding snow removal. MA to draft a letter to be sent to the owners, or determine another method of parking enforcement. Wants to make sure we do the parking enforcement correctly. Nyack will set their signs. Parking is going to be addressed or let it go. **5/1/10 – See New Business.**

Sewer – SH - No Report

New Business:

Trackless Repairs – 5/1/10 The Board moved that the trackless repairs be completed, but also that other equipment options should be explored. (JK/BG)

CC&Rs/Bylaws Revisions - -5/1/10 A general discussion was held. Board will request formation of a policy committee that will meet periodically to review and recommend revisions of association policies. Will be introduced at the general membership meeting.

Old Business:

Well 3/Easements on 15 ac parcel. The adjoining land owner, (and PV member) proposing to give the legal access and rights to own well 3, extend the easements to actually encompass the well, and resolve some wording for easements to the sewer line that crosses his property in exchange one sewer and water hookup to the 15 acres. . The zoning on the property is currently ‘forest’. Currently the association has vested rights to the well per association counsel. The issues behind the original proposal in 2004 have now changed. Both parties wish to resolve the wording. CB will work with counsel to determine current ownership rights to the well. The owner mentioned that lack of a legal document could be an issue in that if permission to use the well is not granted, the owner of the property can ask for the well to be removed. Counsel has opined on this in the past. The owner does not have that letter any longer. 11/14/10 - CB to send a copy of the letter to owner and work with counsel on ownership. .1/23/10 CB received communication from Counsel regarding possible course of action. Some clarification needed. CB to contact property owner when clarification received. 3/13/10 move to closed session. Report out of closed session. The Board recommends offering the property owner a sewer and water hookup for the sum total of \$10000 in exchange for clarification of the easement language. The property owner will pay the fee at the time of hookup The Board will go to council on the legalities of clearing the existing easement language. **5/1/10 – Property owner has accepted. Association counsel to draft agreement. Board discussed annexation of properties that the association is providing services to in order to ensure water /and or sewer provided is for residential sue only.**

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Architectural Review Committee -MA – See the discussion in the committee reports. Clarify role of the ARC with respect to compliance and ability to levy fines. Carry item to next spring for dust control. 1/23/10 Carry, 3/13/10 Carry 5/1/10 – **Consolidated with New Business item.**

Water Project update & Phase 2. CB Contractor has missed the 12/5/10 completion deadlines and is subject to fines. A letter will be drafted to the contractor to urge the completion of the project in a reasonable timeframe once the weather permits. The board will consider the response of the contractor in its decision as to whether to levy fines at a later date. 3/13/10 – Phase 2 plans were submitted to the county. We are awaiting comments back from California Department of Public Health so that design plans can be finished and we can submit for a building permit. Will be going out to bid for project soon. Pre-bid meeting scheduled for 4/1/10, bids will be opened at 3 pm, 4/16/10. The board reviewed and approved (BG/SH) the Kennedy Jenks addendum for consulting and engineering services for phase 2. The board generally questioned why the increase was necessary and it was explained that much of the increases in engineering costs were the result of additional county and state requirements. The amendment covers additional permitting support, design and construction management services. The board approved the amendment increasing the engineering costs by \$143,290. The current not-to exceed budget of engineering costs is now \$697,015. We are still on schedule to comply with the EPA administrative order on arsenic treatment. Association counsel has reviewed easement agreement for the new tank site and appurtenant pipelines. CB and the property owner have agreed to general terms. After discussion, the board approved the easement agreement. (BG, SH) 5/1/10 – **Use permit for lot where arsenic treatment plant has been granted. The State has reviewed the plans submitted by engineering as has the county. Plans have been submitted to the County for our building permit. Contractors bid have been submitted. A total of 5 bids were received. Bid range was \$461,874 to \$619,000. Bid was awarded to Hansen Brothers for the lower bid. (MA/BG)**

Low Pressure Area – Carry per JK 1/23/10 – Carry until well and water tank are on-line 3/13/10 General discussion. No significant resolution. The board should look at potential causes. 5/1/10 – **JK states wait for new tank to come on line to see if there are any changes. Would like to repeat the pressure tests in summer.**

Parking/Towing Policy – 3/13/10 No draft policy for Board to review; not enough information to proceed. Issues are how we accommodate members who park for a reasonable period of time and don't impede normal association business versus members who apparently leave their vehicles in vulnerable situations that impede association business. Carry CB 5/1/10 - **Consolidated with New Business item. Carry until CCR and bylaws reviewed.**

Pla-Vada Office – 3/13/10 A letter was received from the County that a building permit was for work that was done 2 years ago. If PV goes for a permit for the office we will be required to be compliant with the American Disabilities Act (ADA). PV staff looked into potential solutions – The current location of the office would be very difficult to make

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ADA compliant. Our options are; a) build a new office on the lot next door to the caretaker's cabin - cost estimate of \$160,000. b) Mobile Trailer on the lot next door \$35,000.00. c) GM will working home office. At a minimum, we will be required by the county to get a permit for storage space in the re-fitted area, but we cannot use the site as an office. After discussion the board moved that the current 'office' would be made into storage area and the general manager would work from home in Colfax. (BW/BG) PV office hours would remain the same. For a personal appointment with the GM, an appointment would be needed. **5/1/10 – Plans for the storage space will be submitted to the county. MA feels an office is necessary for PV. aera**

Closed Session

5/1/10 – Board member conduct – The Board discussed that official communication on Association policy should be by Board action alone. No director can unilaterally direct policy. Individual directors can gather facts as part of any investigation that will be presented to the entire Board.

Project Update: CB

3/13/10- - Aspen letter has been drafted and will go out to the board for review. SH recommends that Association call a meeting with Aspen to set reasonable timeframes for Phase 1 project completion. **5/1/10 – Waiting for weather and snow conditions to improve.**

Pending Items:

- **Cul-de-Sac conditions** (an issue of parking and snow removal) pending report from BS & BG. 1/23/10 – 3/13/10 Carry **5/1/10 – BG and BS to look at cul-de-sacs and potential for parking/turnaround problems this summer and report.**
- **Directors Duties** At the organizational meeting the duties of the directors. 11/14/10 Action draft of director's handbook by next meeting. 1/23/10 Carry 3/13/10 Progress made. Should have draft for general review for next meeting. **5/1/10 – Draft briefly presented and discussed.**

The minutes, minutes proposed for adoption that are marked to indicate draft status, or a summary of the minutes, of any meeting of the board of directors of an association executive session, shall be available to members within 30 days of the meeting. The minutes, proposed minutes shall be distributed to any member, who request and upon reimbursement of the association's costs for making that distribution. CC 1363.05. We try to make these available on the website. They are posted on the maintenance-building bulletin board.

Adjourn: Motion to adjourn (JK, BG)
Next Meeting – June 26, 2010

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