

**PLA-VADA COMMUNITY ASSOCIATIONPVCA BOARD OF DIRECTOR MEETING
Preliminary November 14th, 2009 - 9:00 AM Donner Summit PUD**

Board of Director Present:

Chik Brenneman – CB
Jerry Keen - JK
Eric Lombardi
Jim MaGee - JM
Brian Gebhart - BG
Sunnie Skiles - SK
Steve Headen - SH
Bob Wagenman - BW
Mike Anderson – MA

Staff Present

Terri McGuigan - TM
Brian Silsby - BS

Members Present

Dick Carter - Lot 59
Roger and Claudia Hatfield - CH Lot 192

Call to Order: Meeting called to order @ 9:00 by Chik Brenneman

Review of the Minutes from September 12, 2009

Motion to Approve

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:

Bank of the West – Matt Dixon – The presentation/discussion regarding Bank of the West was continued. The loan documents are not completed, and still have to be reviewed by the bank and association legal teams.

Truckee Fire – Chuck Thomas (CT) - The purpose of this presentation was to have an open discussion with Truckee fire on ways to improve fire protection in the community and to work to reduce insurance premiums for members. CB began by giving a brief overview of the system. CT then elaborated in that some insurance companies will accept the current stand pipes as adequate fire protection, but some won't. In most areas we are classified as ISO9. Which is defined as having fire protection, but not having a hydrant within 1000 feet. If you are within 1000', the property is classified as ISO 5.

In a new subdivision, water supply is from 8" water lines and hydrants are placed every 500 feet. Our systems has mostly 4" main, and depending on pressure, will allow 400-800' gpm. One

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hose off engine would take 200 gpm. The excising standpipes would allow 50 gpm. Our water system was designed for smaller homes. In general, in the area, and around PV, homes are getting bigger. With 8" main fire flows, TFD has a better chance of protecting the structure. TFD will not require us to upgrade to 8" lines, CT feels we can install fire hydrants on our system, even though it is 4", and get flows that are better than the existing standpipes allow, which would reduce insurance costs to those homes serviced by the hydrant. The Board will look at this as an option in the next budget planning cycle. When the new hydrant on Jeffery Pine comes on line, we will look at the output and determine if this is feasible to do in other areas of the community.

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).

Communications/Discussion:

Sierra Pacific Letter – PV received a letter from SPI in reference to members have been misusing/trespassing on their property. The Board discussed that enforcement should fall to the responsibility of the individual property owner. JK to draft a response. 11/14/09 JK provided update; JK will have a draft of the letter ready for the next meeting.

Timber Trumpet – JM requests to address TT mailings/money saving measures. Minor savings compared to the water project. But we should encourage members to submit their emails to the office for TT distribution when possible. It should investigate as to the feasibility of this request and should be presented at the next meeting.

Finance Committee (Claudia Hatfield, Connie Allison, Mike Downs, and Art Newman) Reports and comments were submitted to the Board by CH, committee chair.

CH summarized the meeting. The costs of the water project should be shared across all members. Summarized to 6 points. Tiered assessment -2 or 3 tier, Special assessment, Incremental increase in annual due, emergency assessment, change the structure of the annual assessment. Once the final costs are in, how will we structure the repayment period. CH recommended that the board aggressively move forward to continue to inform the membership of the potential for increased fees. The water project should be structured across all users of the water project, Taffy, CT, service. CB recommend for a budget workshop outside of the regular budget meeting in January. The purpose of the meeting is to review the options as presented by the committee. The committee has been instructed to proceed with developing a list of advantages and disadvantages to each point.

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CH reminded the actual cost of the project will not be known until the project is complete. That figure will not be known until March 2011

Discussion on property values was entertained. CB stressed that PV has a plan and that values should not be affected greatly by the project. If we didn't have a plan, than that would be cause for concern. Property values now are the result of the poor economy.

Thoughts and comments should be in place for the January 23rd meeting. Propose budget workshop meeting for 1/9/2010. Location TBD.

Access road to well - Carry over from 9/12 – 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 after snow melt, and all agreed that is was a valid discussion item, but no action could be taken as yet.

Staff Reports:

General Manager (10 Minutes) – Terri McGuigan

Most of my time has been spent on Construction and Loan issues. Working on Vouchers, getting copies of contracts to the banks legal depart and the voucher departs.

Our Statement for Reserves stands at \$553,769.03 of which cash is \$102,017.42. PVCA is required by our commitment letter from Bank of the West to transfer the cash and the government securities to BofW.

In our general operating accounts we have a total of \$105,000.00Caretaker (5 minutes) –

We spent a lot of time with contractors as they work to tie into the system. We have placed the snow poles, worked on the trackless, the brown truck's water pump went out, and part was ordered and picked up on Friday. The truck was repaired on Friday.

Water Numbers – September – 1,176,500 gallons
October - 1,088,500 gallons

Sewer Numbers – September - 345,000 gallons
October - 306,000 gallons

Directors Reports: (40 minutes total)

President – CB

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There has been a lot of activity with the water project and acquisition of the loan. The water project will be discussed below. The status of the loan is as follows; it was hoped that the documents would be in place at this meeting for signing, but there have been some additional requirements before PV attorneys would recommend signing. The assets of the association are being used as collateral for the loan, which has resulted in the completion of an appraisal. Part of the process also requires that all easements appurtenant to the water project be in place. Andregg has completed those documents and they were delivered on Friday evening. They will be distributed to bank counsel and Association counsel on Monday for review. Signing of the loan documents may be significantly delayed if counsel requires a formal survey, or schedules are such that the officers of the Association cannot find a mutual time to close the loan. The loan proposal was accepted by the Board on 9/12/09. Does the Board need to be present to motion to accept the final documents? Or will the Board accept the motion of 9/12/09 to allow the officers of the association to sign the documents when ready. The alternative is a special meeting, or waiting until the next Board meeting. The Board moved to allow the officers of the association to sign the documents when given the recommendation of counsel. BG/MA – All in favor. Motion passed.

Robert Sinnock (RS) – Informational only. Correspondence from Sinnock counsel informing us that Mr. Sinnock would like to renew discussions on purchase of water rights from the well. RS is aware that public water sources require other improvements than those for private use. Mr. Sinnock was to provide the current construction details for the well. The Board was poled for direction regarding Mr. Sinnock's proposal. The Board was mixed regarding this proposal and will continue to go forward with the existing water source development. The arsenic levels in the well proposed are not sufficient to dilute the current sources so therefore there is little advantage to continue, but CB will await word from RS.

Vice President – JK To be covered in closed session.

Secretary – SS No Report

Treasurer – EL No Report

Caretaker Supervisor – JM – Snow poles are set up, culverts have been cleaned. Sewer lines have been checked. There may be a problem with obtaining sand this year from Caltrans. JM will check on sand availability issues.

Heavy Equipment – BW The equipment has been worked on and at least for now, is ready for winter Water pump on the F150 has been replaced.

Roads – BG Require the motion to carry over the specified funds from the reserve study to the next year. BG/BW. Motion passes. No objection. Some discussion as to whether that would be additive to next year's allocation. This to be determined at the budget workshop in January.

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Architecture/Compliance – MA A 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.

Sewer – SH Ponds 1-3 have been scarified. Pond 4 is off. We will use ponds 1-3 for the winter. BS will monitor for odors.

New 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 can 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. ACTION - CB to send a copy of the letter to owner and work with counsel on ownership. .

Reserve Study Workshop – Set for January 9th.

Old Business:

Builder's Handbook Revision JK - Carry over from 9/12 – This was clarified in the meeting notes from 9/12/09

Erosion Control – MA Follow up on dust/erosion control. MA has access to extra wood chippings from another HOA. Would require trucking at PV expense. The Board generally felt that this is not a priority as this time given the season. Dust control will be brought up after the winter season the question of dust control come up.

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.

Pot Holing (Repair of Asphalt in Unit 6) – JM – Carry over from 9/12 - This was clarified in the meeting notes from 9/12/09

Attorney Fee's – JM - Carry over from 9/12 - This was clarified in the meeting notes from 9/12/09

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Bank of the West – Carry over from 9/12 -

Water Project update & Phase 2. CB See below

Low Pressure Area – Carry per JK

Project Update: CB

The progress of the work has slowed. Aspen has had trouble getting a clean bacterial culture sample result from the new water pipelines. It appears that those lines are now clean.

Aspen has not yet completed the construction of the pump house/booster station. PG&E fees have been paid, and are awaiting job assignment to run power to these structures

There was some delay in the tank construction due to the absence of a part. That part has been received and the tank is now complete.

We are awaiting comments on the permit application to California Department of Public Health. That application was submitted 10/15/09.

Tie in to the system is dependent on power to the well site, booster station and CDPH approval.

Bollards – It appears the bollard were installed around an air vest without approval of the change order.

KJ has submitted a revised estimate of engineering fees based on additional time required to get permitting completed for phase I of the project. It is recommended that the Board accept this proposal. There was considerable discussion on the issue. SS/EL motion to authorize the increase in budget for engineering by \$67,345. Motion passes, no objections

A meeting has been requested by Aspen but not scheduled. CB has list of questions to bring up.

Some construction delays, (samples, pump houses) may jeopardize completion of phase I this season.

Finance Committee – Claudia Hatfield, Connie Allison, and John Kirrene – staff to assist CH asked for committee direction.. The comm. will work, as described above to research the advantages and disadvantages of the points outlined above.

Construction Oversight Committee – Will keep MA informed of meeting with Aspen.

Pending Items:

- **Cul-de-Sac conditions (an issue or parking and snow removal) pending report form BS & BG. Carry**
- **Directors Duties** At the organizational meeting the duties of the directors. Action draft of director’s handbook by next meeting.

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

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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 to Closed Session:

Update on Mediation; RE: Property line/Easements

Return to Open Session:

Report out of closed session

The Board voted to accept the mediation agreement with lot 235.

Adjourn: BW/SS – The meeting was adjourned at 12:30 pm.