

## **PLA-VADA COMMUNITY ASSOCIATION BOARD OF DIRECTORS MEETING**

**Saturday, May 16, 2020 via ZOOM internet**

**Conference call , Access code**

Call to order at 9:01 am by Kate Helfrich, President

Present: Kate Helfrich, Craig Doty, Eric Lombardi, Jeff Davenport, Bob DeHuff, Kayla Woods, Brian Silsby, Claudia Hatfield

Members Present:

Members on ZOOM Internet & Phone: Brian Gebhart, Paul Wheeler, Nancy Costello & Bill Kenny, Anne Flore-Dwyer, Rich Poppoff, Mike and Chris Anderson

### **Minutes**

Approval of Minutes: April 18, 2020 Board of Directors Meeting

Move to Accept: KW, Seconded: JD ; Motion carried.

**Owner Comments:** Anne Flore-Dwyer said that with restarting the fire-wise committee we need to set and document a plan and to provide an easy way for members to document the work they have done in cleaning up their lots. This would include the time taken for leaf and pine needle removal. Anne-Flore said she would set up a committee meeting.

Another member asked about a second emergency exit. This will also be covered in the planning stages.

The owner of Lot 44 said that curbs by their driveway were damaged during snow removal. BS will investigate and report back at the next meeting.

Paul Wheeler asked if we were going to do wood chipping. BS said yes, twice, in July and October.

### **Reports:**

**Management** - Claudia Hatfield.

Operating: \$135,534.78

Reserves: \$356,243.53

Building Fund: \$74,774.05

Assessments will be sent out 6/1 and are payable by 8/1/20 and delinquent 11/1/20.

We received an invitation to join the Donner Summit Association. After a brief discussion we felt it would be good if we joined as a small business and pay \$250. BD moved and KW seconded to join. Motion carried.

CH suggested that we start to digitize our files as we currently have over 20 boxes of files. Paul Wheeler offered to do it. CH will coordinate with Paul. A big job and grateful for the offer.

Michael Wilkes is looking for someone to be responsible for our website and our Facebook page. KW said that she would be willing to handle the Facebook page but would not be able to handle the website.

Pine needle dumpsters will be available @ two each on July 10 and on Sept 11 to be paid by Nevada County Fire Division.

Facilities - Brian Silsby

Water Usage for April: 1,246,940 gallons  
Total Usage CYTD: 4,808,670 gallons

Sewer for April: 1,669,800 gallons  
Average daily: 55,660 gallons

Cal Trans usage for April: 149,200 gallons  
Total Usage Measured 2nd quarter: 149,200 gallons

Shop cleanup and the installation of LED lighting is ongoing.

We started work on the deck and rock wall of the PVCA house.

We expect to have the PVCA Entrance shop lot (prior lot 59) cleaned-up by June 1.

The water leak in front of lot 223 has been patched.

On the trackless we took the blower off and put the sweeper unit on.

We ordered new signs for speed bumps and the sewer ponds.

There is a drainage situation at lot 203 with the water going over the driveway and not through the culvert. CH will send a letter and BS will review on site and talk with the owners and instruct them in what they can do.

We started road painting speed limits, line markers, speed bumps, water valves.

BS identified places to put dog stations: Juniper & Jeffrey Pine, Juniper & Tamarack Crescent, Conifer & Bristlecone, Tamarack Crescent & Aspen Court.

President-KH: nothing to mention

Treasurer-EL: reported that Bank of the West was still not taking new applications for the PPP program.

Secretary-BD: nothing to mention

Communications: talked about Facebook and Next Door Neighbor.

Architectural Review Committee: EL and BS had a very productive meeting with the owner of lot 210.

Had a good meeting with Rich Poppoff about his drainage and all is good.

OK for a shed on Lot 89.

Will give the owner of lot 115 till June 30 to complete the coverage of his storage container. CH will send a letter.

## Discussion Items, New Business, Updates

Water tank permit: JD is handling. Offices are currently closed due to covid-19.

Employee benefits: We talked about various options related to how to handle the health benefit plans.

Election update: Self nominated candidates are: Al Faccinni, Bob DeHuff, Kate Helfrich, and Eric Lombardi. Since there are four candidates for four positions, we will have the election by acclimation.

Common Area Cleanup: They will be on the 2<sup>nd</sup> Sat in June, 6/13 and on the 2<sup>nd</sup> Sat in September, 9/12.

### Shop Lot/ Lot 59:

KW moved and BD seconded to accept a gift from Jeff Davenport of land that encompasses the shop and well 3. Motion carried with much thanks to Jeff. All future taxes and other liabilities are understood to be the responsibility of PVCA.

KW moved and BD seconded that KH be approved to sign documents associated with the gift from JD and the lot line adjustment.

Closing costs related to the gift will be \$3,393.00. The total cost over time, including the survey will be \$7,982.56 compared to a budget of \$10,000.

As a result of EL meeting with the escrow officer to sign documents related to lot 59 he had a number of concerns that he expressed to the board. After much conversation EL was advised that the lot line adjustment had no impact with his concerns and that the registering of the lot line adjustment would go forward as planned. EL was still not fully satisfied in relation to an agreement that was signed in June and July, 2017.

The board will not engage in any renegotiation of the Lot 59 agreement until the lot line adjustment is complete. The board will discuss changes on receipt of a written proposal from the owner of Lot 59. EL asked that it be noted in the minutes that he wants the lot line adjustment to go through.

Kate suggested that any proposal or further negotiation should meet 3 criteria:

1. PlaVada will continue to submit an assessment for Lot 59 as it appears in the CC&R's.
2. PlaVada cannot pay for any of the costs, court costs or other legal fees, of further adjusting future lot lines.
3. Any agreements must be reviewed by the association attorney.

Following is a summary of Eric Lombardi's comments as provided by Eric Lombardi:

*Concerning the minutes, I want it clarified that*

*1. From day 1, I have been transparent and the BOD has known that I am a silent partner in the land affected by the boundary line adjustment.*

2. That I have been involved and treated as an equal principal in this negotiation including actually writing the proposal that was agreed upon and having to recuse myself from any and all voting concerning acceptance of terms and conditions pertaining to the boundary line adjustment.

3. That the intention was always to transfer the property, according to the agreement through an exchange of valuable benefits offered by PVCA, listed on the agreement as items 4-10, which added fair and equitable value to the remaining parcel for the land and assets transferred to PVCA. These are now compromised by the actions required by the County to the remaining parcel.

4. That it was not disclosed to me, until meeting with the Title Officer that changes to the zoning of the remaining parcel will rend said valuable benefits mostly worthless as the agreement is currently written.

5. That I requested we reevaluate the agreement and make reasonable changes to retain fair and equitable value of the benefits in the agreement for moving forward with the boundary line adjustment.

6. That I offered to meet ASAP and requested that all parties ultimately involved and affected by the boundary line adjustment be invited and this proposal was rejected.

7. That it was Stated and not included in the minutes, that this transaction must be completed by Tuesday, May 19th 2020 therefore leaving no time for discussion, but the Escrow Officer handling the transaction sent e-mails out letting the involved parties know she would be out of the office until May 26th along with 8 items that must be completed prior to any of the Escrows being completed.

8. As stated in the minutes, I did say I wanted this deal to go through, but this is taken out of context as I only desire this action going through if it is fair and equitable for all parties involved. As this is not the case, I reserve the right to make it clear I am not in favor of the deal until it is made so.

9. Contrary to the minutes written, my concerns were not assuaged nor was any actual evidence offered to persuade me that these concerns would be addressed. Conflicting statements were put forward by various Board Members that only offered the chance of a possible revision of the valuable benefits, after the fact, or the absolute loss of some of the valuable benefits unless costly and time consuming and conta-benefical actions were taken to utilize them. This is 100% contrary to the spirit of the win-win deal offered, expected by all parties and originally agreed to.

10. That the GM read from the CC&Rs as to what properties are rightfully considered part of PlaVada and what properties should be considered not a member or part of PlaVada. I asked, but could not get clarification that this would be the position taken, as to the remaining parcel after the boundary line adjustment.

Finally, I want it understood that I am completely open to work with any and all parties to resolve any and all issues to allow for completion of the Boundary Line Adjustment as long as the detrimental changes made to the remaining parcel are mitigated fairly and equitably. This can be now, with the current involved parties or later with any other involved parties. I am completely open to any and all suggestions and ideas.

Parking Issues: We need to address this issue sooner rather than later. What is the best manner of resolving? We mentioned new parking placards, window clings and whether trailers would be handled the same as tow vehicles

#### **Action Items:**

Lot Maintenance Policy: It went out to the membership and there were no comments. BD moved and KW seconded that the policy be accepted. Motion carried.

At 11:59 am KW moved, CD seconded to go into Executive Session. Motion carried.

At 12:43 pm the board returned from executive session.

At 12:44 pm JD moved, KH seconded that the Board meeting be adjourned until the next General Board Meeting on 6/20/20.

Bob DeHuff  
Secretary