

COWELL HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
Thursday, June 27, 2019
4498 Lawson Court, Concord, CA

MINUTES

Present: M. Weinmann; T Peterson; R. Ellenson; D. Glover; D. Stelter; B. Collins

Absent: M. Buchanan

Also Present: P. Collins, CCAM; R. Harris, CCAM and S. Sulyma of Collins Management and A. Andersen and Z. Iyer of Angius & Terry LLP

1. CALL TO ORDER - ROLL CALL/ADOPT AGENDA

At 7:00 PM the Board meeting was called to order. It was **MSC** to approve the amended agenda. Motion carried.

2. OPENING STATEMENT

The Board President read aloud an opening statement to all in attendance thanking everyone for attending and advising everyone that due to the WCST retaining legal counsel and both parties having legal representation, the matter is now a legal and potential litigation matter. Therefore, all communication on the WCST matter will take place between the attorneys and the Board will be discussing the issue in Executive Session, as allowed by Civil Code Section 4935.

3. HOMEOWNERS OPEN FORUM

There were an estimated 170 homeowners in attendance who brought several concerns to the Board related to the current issues surrounding the WCST. Homeowners in attendance spoke of their personal experiences with being involved in the WCST over the last several years. Homeowners shared their personal opinions of the current Board members and Management, and recent decisions taken by the Board regarding the WCST. Homeowners brought concerns to the Board of their confusion of the WCST situation and asked for clarification. There were questions regarding the recent rock donation made to the association by a current Board member as well as questions regarding a new driveway that took place several years ago with another current Board member. Homeowners were confused about the process and timeline for elections as well as topics approved per civil code to be held in executive session. Homeowners wanted to understand why legal was involved in the WCST matters with the Board and asked for the Board to handle the situation without legal involvement. Other homeowners in attendance thanked the Board for the work they do for the association and shared that they support the Boards actions that have taken place and would like to see the pool given back to the entire membership without limited access during the summer months. Homeowners stated they were disappointed in the swim team and asked that the abuse to the employees of CHOA stop. Homeowners asked if the Board would obtain a second legal opinion. There were comments made that homeowners fear what is happening with the swim team will happen to the tennis teams and preschool as well. The Board was asked to reconsider their decision and allow WCST to continue. It was stated that too much is being discussed in Executive Session, there are too many Executive Sessions taking place.

4. ACTION ITEM

It was **MSC** to table the ballot measure pertaining to a membership grant of exclusive use of common area.

5. APPROVAL OF MINUTES

It was **MSC** to approve the amended March 28, 2019, executive meeting minutes as amended.

It was **MSC** to approve the amended April 25, 2019 regular meeting minutes.

It was **MSC** to approve the April 25, 2019 executive meeting minutes.

It was **MSC** to approve the May 23, 2019 regular and executive meeting minutes.

6. FINANCIAL REVIEW

• **Treasurer's Report**

The May 31, 2019, financials were included in the Board packet and accepted by the Board. It was **MSC** to approve the financial statements dated March 31, 2019.

7. MOTION TO ADJOURN

It was **MSC** to adjourn to Executive Session at 9:16 PM.

8. EXECUSTIVE SESSION SUMMARY

The Board held Executive Sessions on June 5, 2019 and June 13, 2019 to discuss potential litigation and financial liability due to exclusive use operation for the private association pool. The Board held a joint Executive Session with the WCST Committee on June 21, 2018 to discuss potential litigation matters due to exclusive use operation for the private association pool and to answer and explain current concerns regarding the current WCST membership. The Board met in Executive Session on June 27, 2019 to discuss disciplinary hearings, formation of contracts for new vendors, personnel and legal matters. The Board met with legal counsel to discuss concerns regarding potential litigation with the WCST since receiving a letter from an attorney who was retained by the WCST Committee. The Board discussed schedules for holding a required Board meeting on July 2, 2019 to approve the selection of the Special Meeting due to an accepted petition of the membership.

BOARD CERTIFICATION

I,

Director's Name

Office Held

of the Cowell Homeowners' Association do hereby certify that the foregoing is a true and correct copy of the Minutes of the Cowell Homeowners' Association Board of Directors Meeting held on June 27, 2019, as approved by the attending directors.

Signature

Date