

COWELL HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
Thursday, August 22, 2019
4498 Lawson Court, Concord, CA

MINUTES

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

Also Present: R. Harris, CCAM and S. Sulyma of Collins Management and A. Andersen and L. Sprenkel of Angius & Terry LLP.

1. CALL TO ORDER - ROLL CALL/ADOPT AGENDA

At 7:03 PM the Board meeting was called to order. It was **MSC** to approve the agenda.

2. HOMEOWNERS OPEN FORUM

Homeowners in attendance brought the following concerns and comments to the Boards attention: main pool remodel on the agenda with the approving of the site plan. The swim team wants to have a say in the planning of the main pool remodel. Pickleball now has two groups playing regularly. The pickleball groups have been receiving positive feedback from the community. A homeowner would like to see **MSC** go away and would like the minutes to reflect all of the indivial board members names and voting decisions as well as having any amendments to minutes highlighted. Concerns with the cost the association is spending on legal fees. Homeowners are upset with what is going on in the community. There is a huge divide in the community now. A WCST Committee member read aloud a prepared statement for the swim team and provided copies to each of the Board members and attorney's present. There were questions regarding the HOA Bylaws vs civil codes regarding the open meeting act violations. Comment that there was disappointment at the July meeting when the Board approved the ballot after those in attendance voiced their concerns. A homeowner stated they did not like some of the terms/words that were being used by the WCST on social media. Esignal communications make the swim team look bad and feels like the Board has been putting out misinformation. Homeowners expressed their appreciation for the Board allowing extended time during homeowner's forum while speaking and the open communication and explanations to their questions. A homeowner stated this meeting was very informative and clear up a lot of questions and concerns. There were questions brought up regarding the recall quorum requirements and what the process would be.

3. APPROVAL OF MINUTES

It was **MSC** to approve the amended regular and executive session minutes of July 2, 2019.

It was **MSC** to approve the executive session of July 16, 2019.

It was **MSC** to approve the executive session of July 23, 2019.

It was **MSC** to approve the amended regular and executive session of July 25, 2019.

It was **MSC** to approve the executive session of July 30, 2019.

4. COMMITTEE REPORTS

It was reported the volunteers who signed up for the Fall BBQ planning have not been showing up to the scheduled planning meetings.

5. FINANCIAL REVIEW

• **Treasurer's Report**

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

- It was **MSC** to have Management write-off all account balances with a balance of \$20.00 and lower. List of account will be provided to accounting.

- It was **MSC** to approve the 2020 Reserve Study with an annual reserve contribution amount of \$321,388.00.

- It was **MSC** to approve the 2020 draft Budget.

6. NEW BUSINESS/ACTION & DISCUSSION ITEMS

- It was **MSC** to leave all three pools open through the month of September. Pool closure date will be revisited at the September Board meeting.
- The main pool site plans and layout for the remodel were tabled to the September Board meeting.

7. LEGAL

Legal provided an update on the lawsuit and advised those in attendance the association will be filing responsive pleadings by the September 11th deadline.

It was **MSC** to approve in open session the Litigation Committee consisting of M. Weinmann, T. Peterson and D.Glover.

8. MOTION TO ADJOURN

It was **MSC** to adjourn to Executive Session at 10:21 PM.

9. EXECUTIVE SESSION SUMMARY

The Board held Executive Sessions on August 6, 2019 for legal counsel to provide a recap of the July 31st court hearing; discussion to have legal send a cease and desist letter to the WCST Committee for the continual incorrect procedural check writing by the WCST Treasurer; direction to management to send the annual invoice for insurance to the WCST Committee to be paid to CHOA. The Board held an Executive Session on August 15th to review the draft 2020 budget and updated reserve study. The Board held an Executive Session on August 20th with legal counsel to discuss discussions related to appointment of counsel as well as the Board approving to file a motion to disqualify the judge.

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 August 22, 2019 as approved by the attending directors.

Signature

Date