

# COWELL HOMEOWNERS ASSOCIATION, INC.

Open Session Board of Directors Meeting • Thursday, December 3<sup>rd</sup>, 2020

## BOARD MEETING MINUTES

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<b>Board Members Present</b>	Mike Kindorf	President
	Mike Cannon	Vice-President
	Edward Baluta	Treasurer
	Brian Beckon	Secretary
	Rebecca D'Lima	Director at Large
	Ken Dixon	Director at Large
	George Fulmore	Director at Large

**Others in Attendance** Bill Mazza of Common Interest Management Services

**Meeting Location** Teleconference

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### CALL TO ORDER

The meeting was called to order at 7:02pm. It was determined that a quorum was present.

### HOMEOWNER'S OPEN FORUM

The Homeowner's Open Forum was held for those in attendance.

### APPROVAL OF MINUTES

A motion was made and seconded to approve the minutes from the October 22<sup>nd</sup>, 2020 Annual Meeting of the Members. **The motion carried.** Director Fulmore abstained as he was not on the Board at the time of this meeting.

A motion was made and seconded to approve the minutes from the October 22<sup>nd</sup>, 2020 Board of Directors meeting with a correction to the date of the October 21<sup>st</sup> Executive Session meeting. **The motion carried unanimously.**

### COMMITTEE REPORTS

Committee Chairman Dixon provided the Board with an update from the November Architectural Committee meeting, and the General Manager provided the Board with an update regarding ongoing maintenance and property information for the previous month.

### TREASURER'S REPORT & FINANCIAL REVIEW

#### **Item: Treasurer's Report**

Director Baluta provided the Treasurer's Report to the Board.

#### **Item: Delinquent Accounts/Record Lien Approval**

No action was taken on any delinquent accounts at this time.

#### **Item: Financials as of October 31<sup>st</sup>, 2020**

The Board received and reviewed the Association's financials dated October 31<sup>st</sup>, 2020.

### NEW BUSINESS / ACTION & DISCUSSION ITEMS

#### **Item: 2020 Financial Audit – CPA Engagement Letter**

A motion was made and seconded to approve the Engagement Letter with Levy, Erlanger, & Company to perform an audit of the 2020 financial statements and prepare the Association's State and Federal income tax returns for the 2020 fiscal year in the amount of \$3,520.00. **The motion carried unanimously.**

**Item: Landscape Care Company 2021 Contract Addendum**

The Board reviewed a requested contract addendum from Landscape Care Company effective January 1<sup>st</sup>, 2021 along with a 3% monthly maintenance fee increase. A motion was made and seconded to delegate authority to further investigate, revise, and approve this contract addendum to Directors D'Lima, Baluta, and Beckon. **The motion carried unanimously.**

**Item: Preschool Retaining Wall Repairs**

When looking into installing additional fiber around the Preschool playground, it was discovered that a tree root appeared to be lifting and damaging the retaining wall that surrounds the playground. The root was cut by an arborist and a root barrier installed, but the wall is in need of repair prior to the installation of playground fiber.

A motion was made and seconded to delegate approval authority to the General Manager to have the root removed and the retaining wall repaired with an NTE (Not to Exceed) of \$5,500.00. **The motion carried unanimously.** This expense will be paid from the Reserve account.

**Item: Common Area Tree Care & Maintenance Discussion**

The Board reviewed a proposal by the General Manager for how to handle tree care and maintenance going into 2021, involving working with a single arborist/firm to develop a maintenance plan. After a lengthy discussion of all information available, the Board directed management to schedule an executive session presentation with Arborwell, one of the tree care vendors under consideration to potentially help develop a maintenance plan.

**Item: Main Pool Remodel/Repairs Project**

The Board reviewed notes from a meeting in early November between Directors Kindorf, Dixon, and Fulmore to discuss the main pool project following their delegation to clarify the scope of work. Director Dixon has also provided the Board with a spreadsheet to be utilized for the remainder of this project to ensure that there is a fully developed and documented plan before work commences. The Board also reviewed an inspection report of pertinent pool components completed by Sun Pointe Services.

The Board discussed a proposal received by the construction management company Avelar to have a structural engineer inspect the retaining wall along Lawson Court in the amount of \$2,650.00. The Board directed the General Manager to follow up with Avelar and see if the scope of the work could be revised to unequivocally confirm the condition of the wall, as the current bid is only for a visual inspection. The Board also directed the General Manager to discuss this inspection with General Contractors for feedback regarding getting this wall inspected.

The Board also reviewed a proposal by Director Dixon to reconfigure the clubhouse exercise room by relocating the exterior door and fence to permit access to the gym without being tied to the pool or clubhouse operating hours. The Board will continue to discuss this proposal as the scope of work for this Main Pool project moves forward.

**Item: Association Key Policy Discussion**

The Board discussed a modification to the Association's policy regarding key fobs. The Board directed management to prepare a draft of an updated Association Key Policy for review at the next Board meeting with the following potential changes:

- Clarification regarding how to handle the cost of replacement keys for new owners who were not given existing keys by a previous owner. The Board would like the draft to state that replacement keys for a new owner who was not given existing keys will be provided by the Association at no additional cost
- Increased limit of gate key fobs per residence from two to three

Management will work on a draft to this updated policy for the Board to review at the January Board meeting.

**Item: 2021 Reserve Items Discussion**

The Board reviewed potential upcoming reserve projects for 2021. The Board directed management to create a Reserve Project Spreadsheet, to be included in Board packets for review, and for this spreadsheet and list of reserve projects with updates to be included in agendas as a Standing Item moving forward.

STANDING ITEMS

**Item: Rental Requests**

A motion was made and seconded to approve the following Lot Rental Requests:

- 4487 Wildberry Court

**The motion carried unanimously.**

**Item: Association Committees**

A motion was made and seconded to appoint Tim Delony to the Architectural Committee. **The motion carried unanimously.**

**Item: Late Fee Waiver Requests**

No action was taken at this time.

**Item: Good of the Order / Director's Comments**

The Good of the Order / Director's Comments portion of the meeting was held for those in attendance.

MOTION TO ADJOURN

There being no further business and no objections, a motion was unanimously carried to adjourn the meeting at 10:08pm.

EXECUTIVE SESSION SUMMARY

*Per Civil Code § 4935(e), any matter which was discussed in Executive Session must be generally noted in the minutes of the immediately following open Board meeting.*

The Board of Directors met in Executive Session on November 5<sup>th</sup> and approved a proposal for tree trimming throughout the greenbelt area with an NTE of \$40,000. The Board also reviewed a reimbursement request for tree damage and discussed the Association's Tennis Pro relationship.

The Board of Directors met in Executive Session on November 12<sup>th</sup> and discussed the Preschool Lease agreement, set to expire on July 31<sup>st</sup>, 2021. The General Manager will begin drafting an updated Lease agreement, to be reviewed by the Board at a future meeting. The Board also modified the existing security patrol contract with Allied Universal Security Services and reduced the patrol schedule to three nightly patrols on Monday through Thursday, and four nightly patrols on Friday through Sunday.

The Board of Directors met in Executive Session on November 18<sup>th</sup> and held multiple disciplinary hearings for non-compliant homeowners. The Board also approved taking further action for several non-compliant owners where disciplinary hearings had already been held.

The Board of Directors met in Executive Session on December 3<sup>rd</sup> and approved a violation fine waiver as well as the purchase of holiday gift cards for Association employees. The Board also reviewed two accounts in collections and directed the General Manager to schedule an Executive Session meeting with the Association's collections vendor for guidance. Additionally, the Board discussed the current contract with Landscape Care Company.

BOARD CERTIFICATION

I do hereby certify that the foregoing is a true and correct copy of the Minutes of the Cowell Homeowners Association Board of Directors meeting as approved by the attending Directors.

MIKE KINDERT  
Director's Name

M. Kindert  
Signature

BOARD PRESIDENT  
Office / Position

17 FEB 2021  
Date