

COWELL HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
Thursday, July 25, 2019
4498 Lawson Court, Concord, CA

MINUTES

Present: M. Weinmann; T. Peterson; R. Ellenson (Resigned and left at 7:15pm); D. Stelter; B. Collins; M. Buchanan

Absent: D. Glover

Also Present: R. Harris, CCAM and S. Sulyma of Collins Management

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 amended agenda. Motion carried.

2. RESIGNATION

The Board Secretary Rich Ellenson read aloud a brief statement resigning from the Board of Directors effective immediately.

3. HOMEOWNERS OPEN FORUM

Homeowners in attendance who completed speaker cards brought the following concerns to the Board's attention: Feels there is a lack of communication some members think some of the people on the Board are being silenced. Some members feel there is only one side of the story and would like a second legal opinion. Opinions legal should not have been used for the WCST matter, that it is a waste of HOA money. WCST members stated they spoke with other attorneys but only had consults. Historical minutes provided Board names with their individual votes not MSC (motioned, second, carried). A homeowner requested his comments be included in the June 27th meeting minutes. A homeowner felt if amendments are made to minutes those amendments be highlighted. Concerns open meeting act continues to be violated, legal matters should not be discussed in executive session. The Board was asked if the HOA was in litigation. The Board was thanked for their hard work and keeping the monthly dues under \$100. A member voiced the recall was a poor and expensive decision the Board members do not deserve. The nastiness on social media is disgusting and the vote of the homeowners for the grant of exclusive use is necessary. A homeowner wanted to know if the entire board consulted in the approval of having the guards armed at the June 27th meeting and that they do not agree with the "angry mob" comment. Concerns if the preschool and tennis teams will also be affected by this exclusive use situation. Comments that the backlash from board comments has been horrible. The WCST is blowing things up and there is no conspiracy. A homeowner stated they support having a swim team but the WCST attacks on the board are crazy. A former WCST committee member stated they were on the committee when the non-residents were added to the team. The reason for adding non-residents was to fill the DSL league requirement the goal was never to have 200 if the non-resident numbers grew too big, they would need to go. The board was asked to amend the May 23, 2019 minutes where they stated the WCST declined to meet, homeowner felt that statement was incorrect. A statement was read aloud regarding the grant of exclusive use item on the agenda and request the ballot measure be removed from the agenda. A homeowner requested to delay the general election until after the recall election has closed. It was a homeowner's opinion the petition took too long to be reviewed and the reference to tragedies was not appropriate. Comments were said WCST members do not want to take their children to another pool to swim. A homeowner read aloud a statement stating the district five councilman offered to help mediate the WCST issue and the special meeting requirements are incorrect. A homeowner read aloud a prayer they had posted to Nextdoor. Comments that the social media comments being made are awful and needs to stop.

4. APPROVAL OF MINUTES

It was **MSC** to approve the Emergency Executive Session Minutes of June 5, 2019

It was **MSC** to approve the Amended Executive Session Minutes of June 13, 2019

It was **MSC** to approve the Joint CHOA/WCST Executive Session Minutes of June 21, 2019

It was **MSC** to approve the Amended Regular Session and Executive Session Minutes of June 27, 2019

5. COMMITTEE REPORTS

T.Schreck reported to the Board that the Tennis Captain at the June board meeting who stated they were not aware fees are to be paid was not correct in their statement. The agreement that non-residents are subject to paying fees regardless of using the courts or not has always been the policy and all tennis captains are aware of this. There has always been a process and procedure in place. The outstanding fees that particular tennis captain did not collect should still be paid to the association.

6. FINANCIAL REVIEW

• **Treasurer’s Report**

The June 30, 2019, financials were included in the Board packet and accepted by the Board. It was **MSC** to approve the financial statements dated June 30, 2019.

7. NEW BUSINESS/ACTION & DISCUSSION ITEMS

- It was **MSC** to approve B. Whysong to the Architectural Committee.
- It was **MSC** to approve the Meet the Candidates night to be held on Sunday, August 25th in the Clubhouse from 3-5pm.
- The Board approved the exception of the recall election candidate statements to be no more than 2 pages of normal sized font and the general election candidate statements are to not exceed 100 words.
- It was **MSC** to approve a ballot go out to all 1062 homeowners of the Cowell HOA to vote on the grant of exclusive use of the main pool to the WCST member who reside in the Cowell HOA with access and use in line with the 2019 season.

8. MOTION TO ADJOURN

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

9. EXECUTIVE SESSION SUMMARY

The Board held Executive Sessions on July 16, 2019 to review the WCST counsel’s letter to the Board and review and approval of the associations counsel to respond to the WCST counsel. Review of the financial cost due to the WCST use of the main pool over the years. The Board approved counsel to prepare a cease and desist letter to the WCST Treasurer for continuing to ignore CHOA Financial policies and procedures while continuing to write unauthorized checks. The Board held another Executive Session on July 23, 2019 where the Board approved for the closure of the CHOA/WCST bank account due to N. Washmera not following CHOA financial policy, committing fraud and ignoring the directives of the Board while continuing to write checks.

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 July 25, 2019, as approved by the attending directors.

Signature

Date