

COWELL HOMEOWNERS ASSOCIATION

Open Session Board of Directors Meeting • Thursday, December 5th, 2019

BOARD MEETING MINUTES

Board Members Present	Mike Kindorf	President
	Mike Cannon	Vice-President
	Edward Baluta	Treasurer
	Brian Beckon	Director at Large
	Rebecca D'Lima	Director at Large
	Ken Dixon	Director at Large
	Peggy McCurdy	Director at Large

Others in Attendance Bill Mazza of Common Interest Management Services

Meeting Location Cowell Homeowners Association Business Office
4498 Lawson Court, Concord CA

CALL TO ORDER

The meeting was called to order at 7:01pm. 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 24th, 2019 Board of Directors meeting with several changes. **The motion carried unanimously.**

The updated copy of the October 24th, 2019 Board meeting minutes has been appended to these minutes.

FINANCIAL REVIEW

A motion was made and seconded to approve the Association's financial statements dated October 31st, 2019. **The motion carried unanimously.**

NEW BUSINESS / ACTION & DISCUSSION ITEMS

Item: Introduction of Common Interest Management Services

Bill Mazza, the new Cowell Homeowners Association General Manager, gave a brief introduction and statement to all in attendance regarding the Association's new HOA management company, Common Interest Management Services.

Item: Interviews and Voting/Appointment for Two Vacant Board Seats

The Board of Directors interviewed four candidates who expressed interest in being appointed to the Board of Directors, as there are currently two vacant seats. Following the interviews, a motion was made and seconded to appoint the following individuals to the Cowell Homeowners Association Board of Directors:

- **Ken Dixon** | Term Expires September 2021
- **Margaret (Peggy) McCurdy** | Term Expires September 2020

The motion carried unanimously.

Item: Holiday Party Update

The Board discussed the upcoming Holiday Party scheduled for December 8th and requested that management send an update through eSignal reminding residents of the party's time and location.

Item: Discussions Regarding Pickle Ball Court Lights

The Board discussed the possibility of adding lights to the existing Pickle Ball court. Management will continue working with multiple lighting/electrical vendors to obtain bids for the Board to review at a future meeting.

Item: Discussion Regarding New Year's Eve Party

A motion was made and seconded to delegate a spending authority of \$4,500 as well as full decision-making authority for any item related to the HOA's New Year's Eve Party to Director Baluta. **The motion carried unanimously.**

Item: Swim Team Lawsuit Resolution Update

Director Kindorf provided all in attendance with an update regarding the recent Swim Team lawsuit. As of this meeting, a settlement between Cowell Homeowners Association and the Walnut Country Swim Team has officially been agreed to, as follows:

- (1) Cowell Homeowners Association has entered into a renewable three-year lease with the Swim Team. This lease agreement is similar to the agreement the Association currently has with the Preschool. The cost to the Swim Team for renting the pool for summer practice and swim meets is based on the previous season's fees and is structured similarly. As part of the lease, the swim team will make a lane available during practice sessions to homeowners who wish to conduct lap swimming. The child wading pool will also be available to residents for use during practice sessions.
- (2) The Walnut Country Swim Team has established a separate legal entity to reduce any associated liability risk to the Association. The Swim Team is now a non-profit business and is no longer a Committee of the Association. They have their own tax ID and their funds have been transferred to their own bank account.
- (3) The Swim Team previously paid for their own liability insurance through the Association's insurance broker. They will now carry their own policy and must provide proof of insurance to the Association.

This update will also be provided in the Association's monthly newsletter, The Signal.

MOTION TO ADJOURN

There being no further business and no objections, a motion was unanimously carried to adjourn the meeting at 9:13pm.

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 December 5th, 2019 prior to the Open Session Board Meeting, and approved waiving outstanding violation fines for two homeowners. An update was also provided by Common Interest regarding the management transition and the current status on several outstanding items, including payroll, contracts on autopay, the HOA website, domains, and emails, and further documents/information to be provided by Collins Management.

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 KINDORF

Director's Name

M. Klij

Signature

PRESIDENT

Office / Position

23 JAN 2020

Date

COWELL HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
Thursday, October 24, 2019
CHOA Clubhouse

MINUTES

Present: M. Kindorf; M. Cannon; E. Baluta; B.Beckon; R.D'Lima

Also Present: Linda Kinsey of Collins Management

1. CALL TO ORDER - ROLL CALL/ADOPT AGENDA

At 7:01 PM the Board meeting was called to order. It was **MSC** to approve the agenda.

2. MESSAGE FROM THE PRESIDENT

M. Kindorf opened with an apology for his omission to thank Mark B for his service on the previous board. He will publish his apology and thank you in the next Signal.

3. HOMEOWNERS OPEN FORUM

Homeowners in attendance brought the following concerns and comments to the Boards attention: Why wasn't the homeowners involved in the selection of the new Management Company. Homeowners thanked the board for their good work in getting the issues under control. Homeowner spoke about her previous board experience and her desire to fill one of the open positions. Discussion continued around the selection process. Homeowner asked that no children should be allowed at the board meeting. Homeowners eluded to secret meetings versus execution session meeting and discussion around the lawsuit.

4. Committee Updates

Ad-hoc rules; add house numbers

5. APPROVAL OF MINUTES

It was **MSC** to approve the September 26th, 2019 regular session as amended.

It was **MSC** to approve the September 26th, 2019 executive session minutes.

6. COMMITTEE REPORTS

None

7. FINANCIAL REVIEW

• **Treasurer's Report**

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

• E. Baluta provided an update to the Board regarding the new 2019 Financial review requirement for California.

• Noted a large variance in the pool supplies budget but wanted to do more research to resolve overage issue.

8. NEW BUSINESS/ACTION & DISCUSSION ITEMS

• The Board worked on developing a new process for the selection of two open director positions.

• It was **MSC** to approve the new director selection process was approved.

9. DIRECTOR COMMENTS

Mike K gave an update on the mediation conference that was held on October 23, 2019. The judge over the case highly recommended for the two sides to come to an agreement and not let this go to trial. He assured the homeowners in attendance that the attorney would prepare a summary document outlining the resolution which will be sent to the homeowners when the judge completed his review of the resolution.

10. MOTION TO ADJOURN

It was **MSC** to adjourn to regular Session at 9:06 PM.

11. EXECUTIVE SESSION SUMMARY

The Board met in Executive Session on September 26th, 2019 to discuss ongoing litigation and

homeowner discipline.

The Board met in Executive Session on October 2nd, 2019 to discuss ongoing litigation and contracts.

The Board met in Executive Session on October 7th, 2019 to discuss ongoing litigation and contracts.

The Board met in Executive Session on October 15th, 2019 to discuss ongoing litigation and contracts.

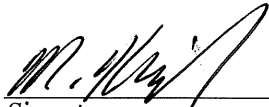
The Board met in Executive Session on October 15th, 2019 via teleconference to discuss ongoing litigation and contracts.

The Board met in Executive Session on October 23rd, 2019 to discuss ongoing litigation and to attend a mediation session.

BOARD CERTIFICATION

I, MIKE KINDORF PRESIDENT
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 October 24, 2019 as approved by the attending directors.

 23 JAN 24 2020
Signature Date