



LAKE SHASTINA PROPERTY OWNERS ASSOCIATION

MINUTES

April 9, 2008

**Lake Shastina Golf Resort Banquet Room
REGULAR MEETING 6:00 p.m.**

- Item 1.** CALL TO ORDER AND ROLL CALL:
 LSPOA BOARD: CHARTER DILLEN EVERHART SARASON WETTER
 Also present were GM Lea, OM Bains, CC&R CO Bullington, Dir. of PW Thompson, PC Alves and AA Charvez. There were approximately 12 people in the audience.
- Item 2.** CLOSED SESSION: Called to order 5:30 p.m.
 No report out from Closed Session.
- Item 3.** REGULAR MEETING: Called to order at 6:08 p.m.
- Item 4.** PLEDGE OF ALLEGIANCE: Pres. Charter led the Pledge of Allegiance.
- Item 5.** APPROVAL OF AGENDA:
A. Regular Meeting April 9, 2008: Added Item 13.C. Application for fence adjacent to Golf Course property – Unit 5 Lot 207 and Item 13.D. Request – LSPD use of Hoy Park – August 2, 2008.
Motion by Dir. Sarason second by Dir. Dillen to approve Regular Meeting Agenda of April 9, 2008, as amended.
Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None
- Item 6.** APPROVAL OF MINUTES:
A. Regular Meeting March 12, 2008
Motion by Dir. Wetter second by Dir. Everhart to approve Regular Meeting Minutes of March 12, 2008.
Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None
- Item 7.** PUBLIC COMMENTS: Karen Dixon (Board directed staff to add Superior Court Judge candidate endorsement to the May agenda.
- Item 8.** BOARD MEMBER COMMENTS: None
- Item 9.** CORRESPONDENCE:
**consent* A. *May Calendar of Events* – Received and Filed
**consent* B. *April Shastina News* – Received and Filed
- Item 10.** TREASURER'S REPORT: Dir. Sarason
**consent* A. *Cash Flow Report: February 2007* – Received and Filed
**consent* B. *Budget Comparison 2007/2008 (Accrual)* – Received and Filed
**consent* C. *Income Report 2007/2008* – Received and Filed
**consent* D. *Budget Line Item Adjustments (as needed)*
**consent* E. *Acknowledgement of Volunteers* – Received and Filed
**consent* F. *Lien Status Report* – Received and Filed
- Item 11.** REPORTS:
 A. ECC Report.....CC&R CO Bullington
**consent* 1. *ECC Minutes – March 6 and 20, 2008* – Received and Filed
2. CC&R Compliance Officer's Report – Received and Filed
**consent* 3. *ECC Special Meeting Minutes – March 6 and 26, 2008* – Received and Filed
**consent* 4. *Reappointment of ECC Member Lee England: term through October 2008* – Received and Filed
Motion by Dir. Sarason second by Dir. Dillen to approve reappointment of ECC member Lee England, term through October 2008.
Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

- B. Administration – Status Report GM Lea
 - *consent 1. *CC&R Distribution Report* – Received and Filed
 - *consent 2. *Title Transfer and Fees Report* – Received and Filed
- C. Director of Public Works – Status Report GM Lea
 - *consent 1. *Written Status Report* – Received and Filed
- D. Fire Safe Council Dir. Wetter
 - 1. **Verbal Report:** Nothing to report, no FSC meeting in April.

Item 12. OLD BUSINESS.....Pres. Charter

A. Status: Unit 8-2 Parcel 'A' Park (Hoy Family Park) – Received and Filed: The Hoy Park Ribbon Cutting Ceremony has been scheduled for Thursday, May 15, 2008. OM Bains reported that donations have been received since a notice was mailed with the April billing.

B. Status: Shasta River Total Maximum Daily Loads (TMDL) Action Plan by the North Coast Regional Water Quality Control Board (NCRWQCB) – Received and Filed

1. **Weather Station Grant Request**

2. **RWQCB Workshop and Board Meeting in Weed – April 23 - 24, 2008**

Lisa Faris, MWCD Clerk, gave a brief presentation to the Board regarding what issues the MWCD will address at the RWQCB workshop and meeting being held on April 23 and 24, 2008 in Weed.

C. Annual Meeting (August 16, 2008, 10:00 a.m. Community Center Building) – Received and Filed:

Motion by Dir. Wetter second by Dir. Sarason to approve moving the 2008 Annual Meeting location to the Lake Shastina Golf Resort Banquet Room.

Ayes: Directors Charter, Dillen, Sarason and Wetter

Noes: None

Absent: None

Abstain: Director Everhart

D. Discussion / Possible Action: Approval of Pro-Forma Budget 2008/2009 and Capital Purchases – Received and Filed

Motion by Dir. Wetter second by Dir. Dillen to approve Pro-Forma Budget 2008/2009, dated 3/31/2008.

Ayes: Directors Charter, Dillen, Sarason and Wetter

Noes: Director Everhart

Absent: None

Motion by Dir. Wetter second by Dir. Dillen to approve Capital Improvement #1, memo dated April 3, 2008, replace existing 1992 F250 truck, estimated cost \$29,703 (LSPOA 60%, LSCSD Water 20%, LSCSD Sewer 20%).

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter

Noes: None

Absent: None

Motion by Dir. Wetter second by Dir. Dillen to not fund replacement of existing 1998 Ford Ranger until 2009/10, Capital Improvement #2, memo dated April 3, 2008.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter

Noes: None

Absent: None

Motion by Dir. Wetter second by Dir. Dillen, regarding Capital Improvement #3, memo dated April 3, 2008, to not fund the replacement of wood play station at the Community Center, to take out existing play area structures, except for the swing set (area to be locked up until removal of structures), and focus on funding the Hoy Park play area structures.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter

Noes: None

Absent: None

Motion by Dir. Wetter second by Dir. Sarason to approve Capital Improvement #4, memo dated April 3, 2008, to repair/replace existing Boat Ramp and Dock, estimated cost \$41,000.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter

Noes: None

Absent: None

Motion by Dir. Wetter second by Dir. Dillen to approve Capital Improvement #6, memo dated April 3, 2008, Chip Seal, next 1/3 section of the LSPOA roads, estimated cost \$400,000.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

Motion by Dir. Wetter second by Dir. Sarason to approve Capital Improvement #7, memo dated April 3, 2008, replace existing Ford truck used by CC&R CO and Administration, estimated cost \$14,000 (LSPOA 75%, LSCSD General Fund 25%).

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

Motion by Dir. Wetter second by Dir. Sarason to approve Capital Improvement #8, memo dated April 3, 2008, purchase and installation of new lighting at the Community Center, estimated cost \$7,500.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

Motion by Dir. Wetter second by Dir. Dillen to approve Capital Improvement #9, memo dated April 3, 2008, painting interior and exterior of the Community Center, estimated cost \$7,500.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

GM Lea stated that Capital Improvements # 5, 10 and 11, memo dated April 3, 2008, required no action by Board.

E. **Status: Association Meeting Act** – Received and Filed: Pres. Charter reported that guidelines for meetings between LSPOA Board and ECC members have been provided to the Board and ECC.

F. **Status: Administration Building reconstruction** – Received and Filed: Dir. Wetter read a list of suggested items/improvements for consideration due to the reconstruction of the Administration Building. The list will be further summarized and costs will be obtained for Board consideration.

Item 13. NEW BUSINESS.....Pres. Charter

A. Discussion / Possible Action: Proposed changes to Covenants, Conditions and Restrictions (CC&R) – Received and Filed

Pres. Charter read two ECC proposed changes to the CC&R by way of a ballot to all members. Plan 'A' consists of taking all of Article VI: Minimum Construction Standards and have them re-named "Architectural Rules" so that the Governing Board may adopt, amend and repeal these rules as outlined in Article II, Section 3.7. Plan 'B' consists of amending Section 6.4 regarding temporary structures and outbuilding, Section 6.12 regarding eaves and overhangs and Section 6.15 regarding fences so that specifics would be addressed as "Architectural Rules" instead of "Minimum Construction Standards". The Board, ECC Chairperson Lee England and staff commented. The Board received a first for a motion to approve proceeding with Plan 'A'; no second was received; the motion failed. The Board received a first and second for proceeding with Plan 'B'; motion carried as noted below.

Motion by Dir. Wetter second by Dir. Dillen to approve proceeding with ECC recommendation Plan 'B' regarding proposed changes to the CC&R by way of ballot vote: 1) Section 6.4: Change "No Temporary Structures" to "Temporary Structures and Outbuildings." Add: "Outbuildings and sheds shall be built in accordance with the architectural rules adopted by the Governing Board."; 2) Section 6.12: Change section to read: "Eaves and Overhangs. All eaves and overhangs to be built in accordance with the architectural rules adopted by the Governing Board."; and 3) Section 6.15: In first paragraph delete "under the following conditions:" and insert "in accordance with the architectural rules adopted by the Governing Board." Also delete 6.15 (b) and (c). 6.15 (d) to become (b) by default.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

Motion by Dir. Wetter second by Dir. Dillen to set ballot voting period to begin on the date of initial ballot and end after 18 months or after 50 percent plus 1 votes are received.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

B. Discussion / Possible Action: Application for Business Use of Unit – Unit 3 Lot 37 – Received and Filed: Board received a first and second for proposed motion. The Board and staff discussed item. There were concerns regarding the inability to use the garage as intended in the CC&R and traffic/congestion at the residence during business season. The motion failed as noted below.

Motion by Dir. Wetter second by Dir. Sarason to approve application for Business Use of Unit – Unit 3 Lot 37.

Ayes: Directors Everhart and Wetter
Noes: Directors Charter, Dillen and Sarason
Absent: None

C. Discussion / Possible Action: Application for fence adjacent to Golf Course property – Unit 5 Lot 207: Item added to agenda.

Motion by Dir. Wetter second by Dir. Dillen to approve application for fence adjacent to Golf Course property – Unit 5 Lot 207.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

D. Discussion / Possible Action: Request – use of Hoy Park – August 2, 2008: Item added to agenda. PC Alves reported that the Police Department has requested the use of Hoy Park for a Bicycle Rodeo for the children in the Lake Shastina area. The Police Department is hoping that other groups will get involved so that the event can be like a children's carnival.

Motion by Dir. Dillen second by Dir. Wetter to approve request from LSPD to use Hoy Park on August 2, 2008 for Bicycle Rodeo for children in the Lake Shastina area, per memo dated April 8, 2008.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

Item 14. PUBLIC COMMENTS: Lee England

Item 15. BOARD MEMBER COMMENTS: None

Item 16. DATE OF NEXT MEETING: Next Regular Meeting is to be held on May 14, 2008, Closed Session at 5:30 p.m. and Open Session at 6:00 p.m.
Open Session was adjourned at 8:53 p.m.

Item 17. CLOSED SESSION: Called to order at 8:55 p.m.

- A. Progress Report on Current Violations
- B. Violation #484 Update
- C. Current Violations: Summary and Strategy

Board returned from Closed Session at 9:08 p.m. and reported the following:

Item 17.B.

Motion by Dir. Wetter second by Dir. Everhart to approve staff obtaining estimated cost of clean up on property and to contact County Public Health – Violation #484.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

Item 17.C.

Motion by Dir. Sarason second by Dir. Everhart to approve that staff schedules a special board meeting for disciplinary hearings.

Ayes: Directors Charter, Dillen, Everhart, Sarason and Wetter
Noes: None
Absent: None

Item 18. ADJOURNMENT: Meeting was adjourned at 9:10 p.m.

Submitted By: _____ Approval Date: _____

Sylvia Charvez, Administrative Assistant