

Lake Forest Glen Homeowners Association
Regular Meeting of the Board of Directors
March 19, 2011
8:30 a.m. held at Lake Forest Glen Association Office
3101 Lake Forest Road
Tahoe City, California 96145

MINUTES

1. **CALL TO ORDER BY** President, Mark Pierpoint, a quorum was established with 8 directors. Directors present were, Nikki Aronhalt, Jim Cochrane, Brian Kane, and Mike Robinson. Marshall Jackson, Doug O'Neal, and Steve Vanni attended by phone. Staff present, Alan Miescke, General Manager, and Carol Rainville, Admin. Asst.
2. **APPROVAL OF REGULAR MEETING MINUTES** – A motion was made by Mike Robinson to approve corrected minutes of January 22, 2011. A second was made by Jim Cochrane. The motion was passed unanimously.
3. **HOMEOWNER HEARINGS/CORRESPONDENCE** - Alan Miescke, general manager gave a brief over view of letters that we had received from homeowners about their late fees. The board agreed to let Alan make the final decision to waive or impose a late fee according to their past payment history. This will be done case by case.
4. **MANAGER'S REPORT**
 - A. **ACTION ITEMS**
 1. Alan created questionnaire for other associations with pools.
 2. Alan called Charles Fong about relevant common use law for pools.
 3. Alan composed a letter to HO recommending replacement of electrical panels in all Units, with mandatory compliance by Jan. 1, 2013. The letter was reviewed and the board agreed it will need minor changes. Alan has talked with several contractors to nail down a good price to do the work on the electrical panels. Alan will also contact county about permits if need be. The goal is to get the panels replaced and make them safe. Alan will put together the quotes from the contractors, figure out the permit issue, attach the letter from March of 2010 and include all this info with the final letter that will go out to the homeowners by the end of May 2011.
 4. Alan researched which units have already completed their electrical panels and composed a letter that will be mailed to the homeowner.
 5. Alan reviewed information from PUD concerning leakage testing and will compose and send a letter explaining how to test for leaks, explain about toilet flappers and possibly provide some sort of kit to make the process easy. Mark Pierpoint will look into the type of kit his HOA uses.
 6. Alan purchased a parking line sprayer for \$800.00 on sale.
 7. Doug O'Neal will continue researching Storm Door alternatives for the future.
 8. Nikki Aronhalt checked with the law firm she works for about relevant common use law for pools.
 9. Nikki & Doug did not meet about pools.
 10. Alan Nelson - Cross check Infraction Codes vs. Rules & Regulations. This issue will be put

on the next agenda under old business.

11. Alan Nelson - Review and update Infraction Fees – to be continued.
12. Mark emailed framework for the LFGHOA pool use project to Carol.
13. Carol sent the board members current committees & updated board & staff directory and sent Doug O'Neal a colored copy
14. Carol provides information on current travel expense amount allowed for reimbursement per mile.
15. Carol will put travel expense reimbursement on April Agenda for discussion
16. Carol emailed the Agenda packets to all board members except *Jim Cochran and Steve Vanni*
17. Carol put the pool issue on the agenda for March 19th 2011 meeting, under Old Business
18. Carol corrected Annual Meeting Minutes and put the draft on the LFG website.
19. Carol and Mike need to work on Delinquency & Dues Analysis Graphs. Currently there are not many delinquencies.
20. Carol put a message on HO statements reminding them to use Blue Recycle Bags.
21. Marshall checked the realtor's legal hotline for relevant common use law for pools.

B. OLD BUSINESS

1. Pools - All board members have received the framework from Mark Pierpoint for the Pool Project. The objective is to find cost effective solutions to the issues through research. The first step will be to review the findings and determine any legal constraints about pool usage. Nikki Aronhalt provided us with excellent summary notes of her research.

Alan Miescke put together a questionnaire for other associations with pools and it has become evident that now we don't need to use it. The association's lawyer, Charles Fong response was good. Nikki's research turned up the same cases as Mr. Fong, about pool law suits in other homeowner associations. The HOAs lost all their cases and were sued. We cannot discriminate facilities (pools or spas) based on age (children) as stated in the Unruh Act, age discrimination referenced by the Sterling- Davis Act. According to the attorney Nikki spoke with in her office, we are done. Marshall Jackson found no insight from the realtor angle.

The board will look at other avenues for pool use. There are no mandatory laws from the county or the health department to keep small children out of the hot tub.

For the last part of the review there are four ideas.

1. We can segregate by usage at certain times for everybody and any pool. An example would be, "a lap pool" between 10 am and noon.
2. We can segregate for health issues. An example would be "all people who are not able to control bladder or bowels" would not be allowed in the pools.
3. Think about the seasons – summer and winter.
4. How do we positively give incentive by reinforcing the behaviors/usage we want to have? We can explore the different avenues to resolve the issue by

brainstorming. Without enforcement these ideas will not make a difference.

Brainstorming Ideas for Pools

1. Make the adult pool the kid's pool.
2. Make the kid's pool attractive.
3. Fill spa with cement.
4. Make the adult/quite pool less attractive.
5. Play classical music at the adult/quite pool.
6. Agree on times of day that need to be quite.
7. Put above ground spa at the kid's pool.
8. Festival atmosphere at the kid's pool.
9. Change the temperatures at the pools.
10. Make lanes for doing laps at the kid's pool.
11. Create events at the kid's pool.
12. Put in pool basketball hoops at the kid's pool.
13. Hire a certified life guard to run events.
14. Random times for the events.
15. Emphasize the playground area.
16. Make families aware of the kid's pool.
17. Rename the kid's pool – "Play Pool"
18. Advertize kid's pool at the adult pool.
19. Give prizes for going to the kid's "play pool".
20. Put nice furniture at the kid's pool.
21. Close the spa in the winter.
22. Put surveillance cameras and electronic key swipe at adult pool.
23. Do a calendar of events/ social calendar and flyers to announce events.
24. Create a beach/wading pool at the kid's pool.
25. Create more of a buffer at the fence line to keep noise down.
26. Hire a person to monitor pools.

C. NEW BUSINESS

1. Discuss use of Unit # on Board Committee List that is posted on the website.
The board agrees to have their unit # on this list.

5. COMMITTEE REPORTS – No reports

6. **INFRACTION REPORT** The March 8, 2011 report was reviewed and questions were answered. All fines have been posted to homeowners accounts. The question was asked why we don't just tow the cars involved and Alan explained that the cost is too high and that the tow company would have to be paid upfront.

7. **LEGAL** – Mr. Fong sent us a letter about associations support or opposition to political positions, just for our information.

8. ACCOUNTING

- A.** December Financials were discussed and reviewed. Mike said we came in under budget \$39,000.00 for 2010. The wiggle room we had for snow removal will be lost because of the excess snow removal expense this season. Thanks to Mike and Alan for an impressive 7.5% under budget.
- B.** January 2011 Financials were discussed and reviewed. Nothing unusual. Mike and Alan will get together when February Financials come out and update cash flow analysis to make sure we are still good to go.
- C.** Smith-Barney Statement - no discussion
- D.** Delinquency Report was discussed and reviewed. Only two units listed, one is on track with payment plan the other has been turned into collections with our attorney. We are in good shape.
- E.** Delinquency Tracking Graph - none
- F.** Dues Analysis Graph - none
- G.** Resolution to use Window Claim Funds – no discussion
- H.** Snow Removal Budget – Ginsburg statement was reviewed. We have spent the maximum. Our contract is through at the end of March. Alan would like to keep his unique agreement with Ginsburg Snow Removal and give them a gift at the end of the season. A motion was made by Brian Kane to set aside some funds for Ginsburg and crew as gratitude for their work. Brian withdrew his motion and Mark suggested modifying it. A motion was made by Mark Pierpoint for Alan to deal with keeping our fixed maximum price contract with Ginsburg and to give him leeway to go up to a maximum of \$2000.00 for a gift, preferably less because we are already tight everywhere else, but to at least show support of Ginsburg and his crew. Mike and Alan will report back in the future. A second was made by Jim Cochrane?, all were in favor and one was opposed.

9. WEBSITE - none

10. BOARD MEMBER'S COMMENTS / REQUESTS / NON-AGENDA ITEMS

We received an email from Judy Friedman about the PUD using the pools for lessons. The board had decided not to offer the pools to the PUD. Judy had more questions. Our insurance underwriter wants to know the limit of the PUD so we could be listed as additional insured. The PUD sent back a number of 2 million which is the aggregate on their policy not the per occurrence which is only 1 million. Our underwriter would definitely not accept 1 million. We are still waiting for the PUD to come up to the plate to say they have adequate coverage. We also asked for an access or umbrella policy. This whole issue is mute if they stay with the 1 million in coverage which is too low. If they do not increase their limits substantially, we will not do swim lessons. If they are willing to kick in more money to help with all the extras, such as chemical treatment, maintenance and supplies then it might be considered. All agree that it is good for the kids and the community. Mark will close the loop with Judy. We will keep options open. Alan has been in contact with Layne VanNoy, PUD recreation coordinator.

11. EXECUTIVE SESSION - None

The meeting was adjourned at 11:55 am.