

Draft

To Be Approved at the September 6, 2011 Board Meeting



**Regular Session Minutes
of
The Board of Directors
Canyon Lake Property Owners Association
Tuesday, August 2, 2011 - 7:00PM
CLPOA Holiday Bay Room**

Draft

To Be Approved at the

President Chenette called the meeting to order at 7:06 PM. Directors present were Paul Chenette, Larry Neigel, Sean McDonald, Chuck Newsom. A quorum was met. Also present were the General Manager, Jovan Grogan; Director of Finance, Christopher Mitchell; Operations Manager, Paul Johnson; Compliance Manager, Kathryn Rich; Corporate Administrator, Susanne Cordeiro; Corporate Administrative Assistant, Kathleen Wheeler.

Pledge of Allegiance was led by Director Newsom

Invocation was led by Ruth Martin

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SPECIAL PRESENTATION AND CERMONIALS – There were none.

APPROVAL OF MINUTES

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A. *Regular Session* - July 5, 2011

MSC (Newsom / McDonald) Moved that the Board of Directors approve the minutes as submitted.

Motion carried unanimously.

REPORT ON EXECUTIVE SESSION ACTIONS

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The Board held an Executive Session Board meeting on August 2, 2011 at 2:00 PM at which litigation, member discipline and personnel matters were discussed. The Board instructed legal counsel on certain litigation, potential litigation and assessment of related matters. Received and considered legal advice on litigation and potential litigation issues. The Board considered three delinquency compromises or payment plan offers and motioned to have all three items carried over to the September 6th, 2011 board meeting.

COMMUNICATION FROM ASSOCIATION MEMBERSHIP

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- Travis Montgomery 3863-010
Why has it not been mentioned that the Board with Skyblue Investments? Why was this not reported? Why was the lodge item not mentioned at the July 20th board meeting?

- Sonny Banisch 3716-410
Why are we building within the community when the economy is in an economic downturn? Proposed community building in the tennis facility? Approval of funding of the community building adjacent to the tennis courts?

- Nancy Horton 3868-149

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Item 5 is for the communication of members for items not on the agenda. Please speak at that time for your non agenda items. If members are speaking on an item on the agenda they need to wait until that item is up for discussion to speak.

- Scott Larsen 1287-017
Introduced the new board members of the CLPOA clubs.

GENERAL COMMENTS FROM BOARD MEMBERS

- Sean McDonald
Gave recognition for the board meeting set-up.
Sand rail stolen from the community.
New policy for registration of a vehicle
Received a high bill from prior legal counsel
- Larry Neigel
Gave recognition for all the members that attended.
Gave recognition for the board meeting set-up.
Chamber – scholarship pageant August 20th and on August 19th is a talent contest.
August 31, 2011 is the mixer.
Investigation is moving forward.
Acknowledged Chris Mitchell.
- Paul Chenette
Recognition to the staff for the board meeting set-up and special recognition to James Trask for his hard work in making sure that the IT systems are functioning.
Lodge – the brunch is doing well and the presentation is great.

COMMITTEE UPDATES

Chuck Newsom went to the Senior meeting. He encouraged the community to go and investigate the Senior Center.

COMMUNICATION FROM PUBLIC OFFICIALS

- Nancy Horton
911 Public Service Announcement. For emergencies call 684-0911.
- Mary Crayton
Regional Task Force on Autism. The Task Force is asking for families in the Canyon Lake community with autistic children to contact them. The Task Force has made arrangements with local restaurants for families with autistic children where there will not be a long wait time to be seated and served.
Bass Masters fishing derby is on August 13, 2011. Every child will receive a prize.
Animal Friends of the Valley is having a 100k contest. The goal for the community is to obtain the greatest number of adoptions

STAFF REPORTS

1. GENERAL MANAGER, JOVAN GROGAN

The POA has a new text messaging program that will update you on boating and golfing conditions.

- Two workshops this month
 - August 18 community structure
 - August 24, fine, fee and collection process
- Members that paid their assessments in full will receive a refund of \$180. For those members that paid the assessment by electronic transmission of credit card the refund has already been applied.
- YMCA program called Mommy and Me will be ending on September 1, 2011. Jovan has asked the community to set-up and take this program over. Asked for volunteers.
- Quagga inspection program has been implemented on August 1, 2011. Inspections are \$20. The funding is paid for out of the general assessment funding.
- Taco Tuesday is successful. August will be the last month for our Taco Tuesday.

2. DIRECTOR OF OPERATIONS, PAUL JOHNSON

Study of association assets is underway. Reviewing key staff and cataloging assets. Final approval from board in October.

The street sign replacement project is underway and the signs are in. A couple of signs need to be replaced but nothing major.

Sea wall drainage plan; staff is working with committee and talking to City to look at plans and go out to bid.

Operations department has made repairs at Steelhead Park.

Happy camp issued 579 permits and grossed \$46,366 in sales.

Operations has set up 243 functions serving approximately 7,900 guests.

3. DIRECTOR OF FINANCE, CHRISTOPHER MITCHELL

The audit by Nigro & Nigro will be completed by August 12, 2011.

The Board of Equalization's preliminary report has indicated that the CLPOA has paid the proper taxes based on revenue.

BOARD CONSENT CALENDAR

None.

BOARD ACTION ITEMS AND OTHER NON-CONSENT ITEMS

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1. **Facilities Review Committee Recommendation for Engineering Services (\$1,195,470) – MSC** (Neigel / Newsom) moved the Board of Directors authorize the General Manager to enter into an agreement with Albert A. Webb & Associates of Riverside, CA in an amount not exceed \$1,170,470.00 including tax for development of road improvement plans and specifications, engineering services, survey, construction staking, construction management and associated work related to improvement of the Association’s road system as outlined in the Pavement Management Program. **Also moved** that the Board of Directors authorize the General Manager to enter into an agreement with Inland Foundation Engineering Inc. of San Jacinto, CA for Geotechnical specifications in an amount not to exceed \$25,000.00 including tax and **moved** that funding shall be drawn from the Repair and Replacement Road Reserve Account #11603. Motion carried unanimously.

Public Comments

Vito Raso 3779-016; Would like to know total cost? He stated that it is a great deal of money. Why has the cost gone up?

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2. **Fuel Management System for Association Fuel Tracking (\$45,950) – MSC** (Neigel / Newsom) moved that the Board of Directors authorize the General Manager to enter into an agreement with Western Pump Inc. of San Diego, CA in an amount not to exceed \$45,950.00 including tax for the purchase and installation of a fuel management system. Motion carried unanimously.

Public Comments

Travis Montgomery 3863-010; Nothing is broke so why do we need to spend 50K to fix something.

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3. **Tennis Facility Committee Recommendation Architectural Conceptual Design Proposal Community Building Lodge Parking Lot (\$17,000) MSC** (Neigel / McDonald) moved that the Board of Directors authorize the General Manager to enter into an agreement with Vineyard Valley Interior Design of Canyon Lake, CA in an amount not to exceed \$16,720.00 for the development of conceptual and architectural plans for a community building to be located adjacent to the tennis courts. Motion carried 3 yes, 1 no by Newsom.

Public Comments

Rick Houser 3868-321; Thanked staff for support and guidance. This is just not a tennis facility but it is a club facility. There is a huge need for a facility to help the clubs encourage membership and participation.

Dale Sparks 3868-289; Feels that this money should not be spent on the new facility

Valerie Montgomery 3863-010; What is the square footage of the new facility?

Max Battaglia 3863-248; Why are you putting up 17k for a proposal but do not have a plan?

Diana Olson 3868-661; What is the cost of the entire building?

- 4. Establish a Formal Policy Prohibiting Stallions at the Equestrian Center (30-day reading)**
No motion. The item was held over to the September 6th meeting.

Public Comments

Steve Young 3868-110; Young gave packet of information to the board for review. Young stated that at the last meeting he was under the impression that there were to be guidelines set for boarding stallions. There are no guidelines and rules for boarding stallions. There have been many misquotes and comments taken out of context. Another member was upset about him riding his horse cart around the equestrian facility. Why is it that we are not able to have stallions? Why is it when there is a question or problem regarding the equestrian center the board is unwilling to deal with it.

Travis Montgomery 3863-010; The CLPOA has an equestrian committee so why has the stallion issue not gone to this committee for recommendations?

Beverly Miller 4001-082; Miller had visited an outside riding area and where there were some stallions making a ruckus. Sierra Meadows Ranch asked the owners to remove their stallions.

- 5. Purchase of Live Broadcasting Equipment (\$9,614) MSC (Neigel / Newsom)** moved that the Board of Directors authorize the General Manager to purchase live broadcasting equipment for installation at the Lodge from Streambox, in an amount not to exceed \$9,614.00. **Further moved**, that funds shall be drawn from the Community Facilities Development Fund. Motion carried unanimously.

Public Comments

Nancy Horton 38618-149; There have been four instances so far during this meeting that an attorney needed to be present. Why is the attorney not here? The room set up is nice and has allowed a large attendance to be present. It is great that the equipment is working properly. The equipment from the board room has been used here today and that is a problem. The city needs to have meetings in a public place and when that equipment is taken it could cause issues. There was no prior approval to have the meeting in the lodge. The cooperative effort is not present between the CLPOA and the city. This meeting didn't need to happen in a 30 day period and there was no vote. Horton would like to see better communication in the future.

Travis Montgomery 3863-010; Stated that Sean said that this is one of his campaign promises and he didn't need approval. Why can the board just choose to have a meeting anywhere?

- 6. Project Authorization to Replacement the Accounting and Association Management System (\$250,000) MSC (Newsom / McDonald)** moved that the Board of Directors authorize a project budget to replace the Accounting and Association Management System for an amount not to exceed \$250,000.00. **Further moved**, that the Board authorize the General Manager to enter into a contract with Team Soft Solutions for software and conversion services for their Village Management Software and that the funds shall be drawn from the Repair and Replacement Reserve. Motion carried unanimously.

Public Comments

Rich Moline 3831-221; Working on the project for over 18 months. The current system was developed over 30 years ago. Moline would like to have Microsoft compatible software that will take the POA well into the future. Web services will communicate seamlessly. Micros will integrate with it seamlessly. The proposed software can communicate on-line through the web. The new software will be implement September 1011 and be completed by June of 2012.

Public Comments

Vito Raso 3779-016; What is going to happen in June of 2012 when the project will be completed. Will we continue to have extra staffing to support the system or will we require less staffing.

Jack Wamsley 3831-040; Thinks the new software is a God send. The finance committee did not receive the information they needed in a timely manner. With the new system information can be accessed when needed in a timely manner.

John Guzman 3720-173; What about the interfacing of the program for the software? What modules need to be created?

7. **Rules & Regulations Review Ad Hoc Committee Appointments.** MSC (Newsom / McDonald) moved that the Board of Directors appoint members: Bruce Yarbrough, Ernie Masson and Joe Walshe to the Ad-hoc Rules & Regulations Review Committee, effective immediately. Motion carried unanimously.
8. **Golf Cart Committee Appointments.** MSC (Newsom / Chenette) moved that the Board of Directors appoint member: Michael Rutter, Dan Birch, and Brian Kouroubacalis to the Ad-hoc Golf Cart, Modified Cart and Insurance Review Committee, effective immediately. Motion carried unanimously.
9. **Department of Public Safety Feasibility Committee Appointments.** MSC (Neigel / McDonald) moved that the Board of Directors appoint member: Frank Opp, Patrick Colleary, Steven Del Castillo, Webb (Tom) Green, Roger Skougard, Mickey France, and Ellen Dyer to the Ad-hoc Public Safety Feasibility Committee, effective immediately. Motion carried 3 yes 1 one by Newsom.

Public Comments

Bob Cline 3716-317; Is Colleary consistent and stable enough to be on the committee?

John Guzman 3720-173; We need a rounded committee. I would like to see the Board pick seven and have two alternates.

Bob Whiteside 3716-346; Pat Colleary was removed from prior committee.

Jay Carroll 3716-081; Adding his support to Joe Kamashian

10. **Approval / Rejection – Establishment of Variance for Enclosing Balconies or Porches in the Setback.** (McDonald / Chenette) Motion withdrawn. Put out for a 30 day reading.

Public Comments

Lori Moss City Manager; Read city ordinance on single family residence. Canyon Lake was designed for single family dwelling. Stated that there is one single family dwelling per lot.

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Spoke on negatives of what can happen if balconies and porches are enclosed

Travis Montgomery 3863-010; If a variance is filled out does it still go before the committee for approval?

- 11. Establishment of a Set-up and Linen Charge for Club Events.** MSC (Newsom / Chenette) moved that the Board of Directors approve a 30-day reading for the establishment of a set-up and linen charge for non-revenue producing club events, whereby sanctioned Clubs are provided with a \$100.00 annual credit and that a \$1.00 charge for each chair and table be added to the fee schedule and that lined rentals will be charge on a full-cost and that an amendment be added that charity and children's club fess will be waived. Motion carried unanimously.

Public Comments

Terry Murphy 3718-220; What rooms are you talking about setting up? Is the fee \$1.00 per chair and table?

John Guzman 3720-173; Would the multi purpose room activities be charged? Emergency preparedness committee uses the Bluebird Hall, will they be charged?

- 12. Eliminate Homeowners' Responsibility for Traffic Citations Incurred by Vendors and Contractors.** MSC (Chenette / Newsom) moved that the Board of Directors approve the rules change to allow for a procedure that holds contractors/vendors/business and others responsible for citations and fines while entering the community on a business call-in permit and be it further resolved that such companies, business, contractors and vendors be notified of such fines and that failure to pay the fines will result in future denial of access into our community until such fines are paid. Motion carried unanimously.
- 13. Realignment of Community Facilities Development Fund and Establishment of a Contingency Fund.** MSC (Newsom / Chenette) moved that the Board of Directors direct the General Manager and the Director of Finance to revise the use of the Community Facilities Development Fund and establish a Contingency Fund. Motion carried unanimously.

Public Comments

Travis Montgomery 3863-010; The revised former budget indicates that the fund was to accumulate over 850k for the year. This makes sense that there is only 190K in the fund since we are only two months into the new fiscal year.

- 14. Eliminate Lake Use Fee Refunds.** MSC (Newsom / Chenette) moved that the Board of Directors direct the General Manager to eliminate the Lake Use Fee refunds, unless a Member sells their boat and purchases a replacement boat and further amended that if a Member sells their boat and purchases a replacement boat, the decal from the old boat must be returned within ten (10) days of ownership transfer (as per R/R: Section VII: A6) Upon presenting the appropriate documentation to register the new boat, the member will be issued a new decal at no additional charge. Motion carried unanimously.
- 15. Discussion – Realignment of CLPOA Committee Structure**

Create a checklist for each park to go through once per month by operations and give to the committee. This would be more efficient on the care of the parks.

Workshop August 18th, 2011

16. Discussion – Eliminate Annual Golf Membership Refunds for Medical Issues

Jovan Grogan, General Manager spoke – the POA has a practice to refund if a doctor’s note is issued. Questions of abuse since members bring in notes after the summer. This will be looked into with other golf clubs and an analysis will be done.

17. Discussion – Member Recommendation Process for Ideas to the Board of Directors

Sean McDonald, Board Treasurer spoke – The purpose of the process is for anyone in the community that has an idea can submit it. The member could get two directors to have it placed on the agenda.

18. Property Liens for the month. MSC (Chenette / Newsom) moved that the Board of Directors authorize Corporate Counsel, the General Manager and/or the appropriate personnel to record the liens against each of the attached Assessor Parcel Numbers in accordance with Civil Code 1367.1 in order to secure the debt owed to the Association. Motion carried unanimously.

	APN NUMBER		APN NUMBER
1	355-212-009	44	355-033-014
2	355-391-027	45	355-122-011
3	353-041-044	46	355-121-005
4	355-412-001	47	355-350-003
5	355-211-011	48	354-120-022
6	355-211-009	49	354-173-008
7	355-231-014	50	354-152-002
8	355-212-001	51	354-142-001
9	355-222-030	52	354-141-008
10	355-232-023	53	355-063-006
11	355-223-005	54	355-072-039
12	355-223-002	55	355-072-047
13	355-162-001	56	355-391-014
14	355-261-003	57	355-392-028
15	353-172-004	58	351-154-011
16	353-171-016	59	355-043-004
17	353-141-008	60	355-031-023
18	353-153-002	61	351-131-014
19	353-104-007	62	351-131-031
20	353-132-028	63	351-131-037
21	353-112-028	64	351-141-007
22	353-112-025	65	351-163-001
23	353-112-007	66	351-155-012
24	353-222-016	67	351-183-008
25	353-223-005	68	354-242-009
26	353-232-018	69	354-220-025
27	353-231-046	70	353-060-056

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28	354-051-015	71	353-060-014
29	354-091-006	72	353-021-004
30	354-093-002	73	353-041-036
31	3531-941-009	74	353-041-032
32	353-182-013	75	353-052-012
33	353-182-010	76	351-052-008
34	353-202-016	77	353-074-008
35	355-141-010	78	353-081-006
36	355-144-007	79	354-192-016
37	354-102-005	80	355-281-007
38	354-062-025	81	353-241-001
39	355-023-033	82	353-242-045
40	354-042-001	83	355-420-013
41	355-042-003	84	353-161-019
42	355-041-005	85	355-301-008
43	355-111-001	86	355-113-010

ARCHITECTURAL APPEALS

There are none

CLOSING COMMENTS

ADJOURNMENT AT 10:35 PM

Respectfully Submitted,


Chuck Newsom, Director