

RIO BUENA VISTA HOMEOWNERS ASSOCIATION BOARD OF DIRECTORS OPEN SESSION MINUTES

June 10, 2012

9:00am

Rivers Edge Golf Course Conference Room

Rio Buena Vista

Telephone conference center call in information:

1-888-557-8511

Access code: 4999919

- A. **Establishment of quorum:** It was determined that a quorum of the Board was present. Mark Bantle, Alan Baker, Allen Lyon, John Harrington and Rick Medina were present. Management was represented by Judith Stalder.
- B. **Call Meeting to Order:** The meeting was called to order at 9:02am.
- C. **Report of Executive Session:** It was noted that there was an Emergency Executive Session to discuss a possible legal matter.
- D. **Homeowner open comments:** IT was agreed that meetings going forward homeowner open comments would be available at both the beginning and end of each meeting. Homeowner open comment session was held. Comments were made that could be presented to the Board for action at a later meeting.
- E. **Special Presentations:** Richard Nogales gave the Board a presentation on the situation with the sewers. Upon a unanimous consent action the Board agreed to authorize up to \$3,000.00 to further investigate why the sewer gases are still present by running cameras through the sewer. They also requested that Redhawk Engineering double the amount of water being dumped into the sewer every night.
- F. **Board Education:** This is an article that HOA Homefront posted on FaceBook. Credit was given to Richardson, Harman, and Ober PC a homeowner association legal firm located in Pasadena, and Palm Desert.

Open Forum is NOT a drudgery for boards and management to endure. It is an opportunity to learn from the owners about matters which may have not been known by directors or the manager. Open Forum should be before the meeting gets going on agenda action items. While some associations reserve it for the end of the agenda, this sends a message to members that their input is unimportant.

Educate members that it is the time for them to speak and the directors to listen - Do not interrupt or otherwise respond during Open Forum, as that is the members' time to speak.

It is difficult to train directors to refrain from interrupting or responding, but that is critical to allow members their time and also to keep the meeting organized.

After Open Forum is concluded, the directors and manager, having listened to the various comments, can discuss whether anything needs to be referred to management or a committee for investigation, or whether a specific question asked can be answered at that time.

Open Forum should NOT be a time to interrogate the directors, or to debate.

Once Open Forum is concluded, the tables turn. It is then the members' time to listen quietly, and the directors' turn to speak (to each other).

Open Forum can be reopened during the course of the meeting, if it becomes clear that member information/input is needed.

One way to educate members and directors about this important subject is to include it in reasonable meeting rules.

G. Committee Reports:

1. **ARC:** The Board requested that this be added to the next agenda to appoint new members to the ARC committee. A member of the ARC committee in attendance asked if the homeowner applying for a change through ARC could be copied on all correspondence with the Board. The Board agreed.
2. **Rules:** No report was given.
3. **Landscape:** The Board requested that Redhawk Engineering be asked to complete the rocks at the pool, move the valves away from the pool bathrooms, check the lights more frequently and clean up both sides of the entrance outside the community.

H. Administrative Issues:

1. **Approval of Minutes:** Upon a motion made and seconded the Board approved the minutes of the March 2012 Open and Executive sessions as submitted.
2. **Homes in Escrow:** Management reported they are not aware of any open escrow accounts at this time.
3. **Walk through Reports:** No walk through report is included in this package.

I. Financial Issues:

1. **Review of Bank Statements:** The Board reviewed the reconciled bank statements without questions or comments.
2. **2012 Profit and loss to date:** The Board reviewed the year to date profit and loss without questions or comments.
3. **2012 Balance sheet to date:** The Board reviewed year to date balance sheet without questions or comments.
4. **Homeowner list:** The Board reviewed the current homeowner list without questions or comments.
5. **Aging Report:** The Board reviewed the current aging report without questions or comments.
6. **Collection issues:**
 - a. **040-069-02:** Upon a motion made and seconded the Board approved the lien process on this account.
7. **Annual Review:** Upon a motion made and seconded the Board approved the 2011 review as presented.

J. Correspondence: There was no correspondence with this package. As soon as all the letters are complete they will be provided by email for the Boards information.

K. Architectural Processing:

1. **1143 Marina:** Ground level AC/Heating unit:

2. **1114 Beach:** Iron gate at walkway between units 36 and 37
3. **1114 Beach:** Patio Cover

Upon a motion made and seconded the Board approved the ARC requests above. Alan abstained from the vote.

L. Landscape Issues:

1. **Landscaper:** PJs Landscaping from Bullhead City was hired under Redhawk Engineering to do landscaping for the HOA. The Board asked that a walkthrough be completed after the meeting to address their concerns.
2. **Rocks at Pool:** This matter was released by management to the new landscape company.

M. Property Maintenance Issues:

1. **Sewer Issues:** Directions to management and Redhawk Engineering were given during the special presentation period.
2. **Pump:** **By a unanimous consent action the Board ratified the expenses for the lift station repairs.** The matter of the new back-up lift station was tabled.
3. **Keys:** **Upon a motion made and seconded the Board approved an expense NTE \$400 to change all locks to a single key and purchase a lockbox for visiting vendors.**
4. **Pool Issues:**
 - a. **Pool Maintenance:** No concerns were noted.
 - b. **Pool Lights:** No concerns were noted.
 - c. **Pool gate controller:** **Upon a motion made and seconded the pool gate controller in the amount of \$142 was approved.**
5. **Fence Maintenance:** The bid to complete the fence painting project will be available at the next meeting.

N. Old Business:

1. **Small claims action against C&D Construction:** The paperwork is filed and the courts will serve them.
2. **Towing Contract:** The Board asked that the towing company be sure to complete sweeps through the community routinely on the weekends.
3. **Bathroom door locks:** This matter is still pending.
4. **Who uses the lift station:** The Board authorized this action to be investigated.
5. **ARC recommended changes:** This matter is on hold for the time being.
6. **Gate:** This matter should be removed from all future agendas.
7. **Website:** No concerns were noted.

8. **Newsletter:** This matter should be removed from all future agendas.
9. **Road/sewer Maintenance agreement with non-HOA homes within RBV:** The Board asked for a plan of action on this matter at the June meeting.
10. **Submission of the lease application to State Lands Commission:** The Board reviewed the following letters from CA State Lands Commission.
 - a. **April 13, 2012:** Legal counsel does not recommend signing this at this time.
 - b. **June 1, 2012:** The Board asked this letter be sent to homeowners in an email blast.
 - c. **Mary's letter to homeowners:** No action was taken on this matter.
 - d. **Conversation with Earl and Adam about the developer installed stairs:**
 - e. **April 24, 2012:**

Upon a motion made and seconded the Board authorized all information from CA State Lands be forwarded to association legal counsel. Association legal counsel should be directed to write a letter to State Lands informing them that the HOA lease will be only for lot 39 and will not be completed until negotiations are complete with the owners of lots 37 and 38 concerning the developer installed stairs.

O. New Business:

1. **Grant Deed:** The Board reviewed the current Grant Deed on APN: 0186-281-32-0000.
2. **New agenda:** The Board agreed to shift to a consent calendar agenda for the next meeting.
3. **New Committee:** No action was taken on this committee at this meeting.
4. **Agendas:** The Board asked for agendas to be provided about 10 days before the meetings for review by the Board. Final agendas should be distributed 4 days before the meeting.

P. Date of Next Meeting: The next meeting was set for July 28, 2012 at 9am.

Q. Recess to a walk through: The meeting recessed so a walkthrough could be completed at 11:48 by unanimous consent.

R. Community walk through: The following items were noted on a community walk through:

1. **Back wash at pool equipment area:** Ask Richard to drain directly into sewer rather than in gutter.
2. **Battery back-up for all timers:** Inquire as to cost. The irrigation timers should be checked at least weekly.
3. **1197 Marina:** Send letter to clean up yard
4. **1195 Marina:** Send letter to trim tree away from street.
5. **1201 Marina:** Send letter to clean up yard
6. **1220 Marina:** Send letter to clean up yard

7. **1206 Marina:** Send letter to clean up yard
8. **1184 Beach:** Send letter to clean up yard
9. **1169 Beach:** Send letter to clean up yard
10. **1126 Beach:** Send letter to clean up yard
11. **Survey for lot 40:** Inquire about cost to complete this.
12. **Fire Lane issues:** Put on next agenda
13. **1139 Marina:** Send letter to trim tree away from street.

S. Adjournment: The meeting adjourned by unanimous consent at 1:15.