

**Rio Buena Vista
Board Meeting Minutes
August 29th, 2020**

The Board Meeting was called to order at 9:00 A.M. In attendance were Board Members Mark Bantle, Allen Lyon, Otto Hinderliter, Jeff Marsden, and the Community Association Manager Amy Telnes. Owners present were asked to sign an attendance sheet which will be kept on file with these Minutes.

The Board reviewed the June 13th, 2020 Annual Meeting and Organizational Meeting Minutes.

Action: Upon motion made and seconded, the Board unanimously approved the Minutes as written.

The Board reviewed the July 2020 Financial Statements.

Action: Upon motion made and seconded, the Board unanimously approved the Financial Statements as presented.

Allen Lyon read the list of 74 homeowners that signed the 2nd amendment. The reason we are doing this is at the last Board Meeting owners that signed the amendment stated they never signed it. The Board is trying to get to the bottom of how this amendment passed. It appears the amendment was stuck in with purchase documents and people may not have realized they signed it. Allen Lyon provided a timeline of the events:

- 7-3-2002 is the date of the recording of the first CC&R's.
- 8-1-2002 is the date of the 1st amendment which corrected items required by the Dept. of Real Estate.
- 10-24-2003 is the date of the amendment that removes the line that required the 60 day minimum rental. Developer had super majority votes for the first 3 filings.
- 9-12-2006 is the date the final consolidated CC&R's were recorded after what appears to have been the appropriate number of owner approval signatures.

The final recorded CC&R's that we use today does not allow for transient rentals.

Action: Upon motion made and seconded it was unanimously agreed to get a legal opinion of the definition of a transient rental as it relates to that revised paragraph of the final recorded consolidated CC&R's at a cost not to exceed \$1500.

Prior to the vote, owners were allowed discussion. Some owners supported hiring the Attorney. Some owners expressed concerns the Attorney will have a bias opinion. Some owners supported a committee of owners be formed and they can decide the rental rules. There was discussion on what it takes to change the CC&R's and requests for that to be added to the opinion. The Board will allow owners to submit questions for the Attorney to Mark Bantle so he can try to address everyone's concerns and get an unbiased opinion. **Vote 3-1**

A group of owners volunteered to be on the Rental & Rules Committee:

Volunteers that Rent their Homes:

Jeff Marsden 1174 Beach Drive
Kevin McCorry 1183/1187 Marina Drive
Aaron Juarez 1107 Marina Drive
Roxy Johnson 1117 Marina Drive
Cima Johnson 1115 Marina Drive

Volunteers that do NOT Rent their Homes:

Rusty Deisbeck 1132 Beach Drive
Shelby Faulhaber 1200 Beach Drive
Patrick Howard 1194 Beach Drive
Vince Coburn 1198 Beach Drive

The Committee will be comprised of an equal amount of 4 owners that rent and 4 owners that don't rent, and Jeff Marsden volunteered to Chair the Committee as a Board Member and the 9th Member.

Action: Upon motion made and seconded, the Board unanimously appointed all owners listed above to the Rental Rules Committee. Vote 4-0.

The Legal Committee reported a complaint was filed with the City of Needles to formally request they take ownership of the utilities and pay us back for our cost. The City has 45 days to respond. Non-HOA homeowners within Rio Buena Vista joined the complaint.

The Association Manager Amy Telnes reported that she had contacted the City of Needles to object to the trash pick up day changing to Friday. The Board requested the Manager object to the change since this is primarily a week-end use Community and the trash will sit around all week. The Board prefers to keep the Monday pick up day. The City responded that we need to give the new day a try and give it time and then let them know if there is a problem.

Allen Lyon purchased and installed solar lights in the Community entrance.

Action: Upon motion made and seconded, it was unanimously agreed to reimburse Allen Lyon \$120.66 for the cost of the solar lights. Vote 4-0. (Allen Lyon abstained from voting)

The Board will hold the Regular Quarterly Meeting on October 24th, 2020 at 9:00 A.M.

Action: Upon motion made and seconded, it was unanimously agreed to adjourn the Board Meeting at 11:40 A.M.

Signed this 2 day of July, 2021
By: Frank Padilla
Frank Padilla, Secretary