

MARTIS PEAK HOMEOWNERS ASSOCIATION
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President.....	Michele Jones	Sect/Tres.....	Paul Curtis
Vice President.....	Donna Finn	Director.....	Tom Kulczycki
Road Chairman.....	Al Hall	Management.....	Rick and Pam Gardner

MINUTES FROM Quarterly DIRECTORS MEETING
HELD ON 10/24/07

Present were directors, Al Hall, Tom Kulczycki, Donna Finn, and Michele Jones. Paul Curtis was absent. Members present were C. Wilson, the Chaney's, M. Sunnergren, T. Hiatt, J. Erickson, D. Templeton, S. Meyer, T. Kraus, the Purcell's, the Flynn's, R. Rosellen, and Eric Luster of Aspen Developers.

1. CALL TO ORDER

The meeting was called to order by President Michele Jones at 7:08 PM.

2. APPROVAL OF MINUTES.

Spencer Chaney motioned to approve the annual members meeting minutes. Sandy Korth seconded the motion. The motion passed unanimously.

** Michele moved to item 4A road report first on the agenda.

4. REPORTS.

A. Road Report.

Michele reported that the association had spent \$83,920.00 on road maintenance in the 2006-07 fiscal year that ended 8/31/07. Thus far in the new fiscal year the association has spent \$14, 540.00 to complete the road maintenance for the fall season. Tom Kulczycki stated he has a breakdown of the work that was done and that he would be happy to e-mail it to anyone interested. Tom.Kulczycki@kla-tencor.com.

Sandy K. commented on how professional the crew was that handled the road work. Al Hall said he would be happy to relay this to the crew.

C. Snow Removal Report.

Tom Kulczycki spent many hours reviewing and working on the old snow removal formula provided by previous Board members. There was a discrepancy where upper and lower started and this was investigated.

The total miles plowed was also investigated. As roads have been adopted the distance was correct but not the total amount of road. Tom is going through the formula to figure out a way that is fair to all members in payment.

The Board is working on a new spreadsheet that will identify each persons amount owed based on the section of road that each person travels on. After the Board gives the final approval it will be published to the members. Board will schedule a meeting during the week of 11/2 to review and then publish their recommendations shortly thereafter.

Marilyn Sunnergren asked if the Purcell's bill from last season would be affected. The Board stated that no it is due and payable as billed last season.

Michele read from the DRRRM the paragraph relating to snow removal. Tom stated he

has now split the snow removal into seven separate zones. Scott Meyer brought up billing all snow removal equally and Marilyn noted that the DRRRM would have to be amended to allow this.

Michele stated that the Purcell's and Flynn's had met with Tom K. and herself to review the snow removal formula and their bills.

Michele backtracked on the agenda to item 3

3. MEMBERS FORUM.

A. Tom Hiatt suggested removing the trees that had been cut down for the road easement. They are unsightly. They are on the owner's property and as such they would need to give their permission to remove them. Michele said they would add this to a future agenda.

B. Sandy Korth asked if there was any news on the Canyon Springs project. Michele had heard nothing but would put in any findings in the next newsletter. Scott M. said the Town was having a workshop on helping the public comment on the development.

Marilyn S. brought up the fact that the members own the easement that allows access to the MPHOA. Who or what gives Canyon Springs the right to move the MPHOA easement?? She asks that the Board focus on this.

Sandy K. said it was her understanding that Paul Curtis was instrumental in obtaining the Canyon Springs easement. She feels it is worrisome and a conflict of interest that he is a member of the Board. Also that, with Paul on the Board, the Town or others might feel that the Martis Peak Association, as a whole, is in favor of the Canyon Springs project.

Michele stated that she felt that Paul had been very up front in his involvement of Canyon Springs. That she had met with Paul and the developers at her home 1 ½ years ago when they explained paying for moving the Martis Peak gate.

Marilyn offered to obtain a copy of the original easement agreement and asked that it be published in the newsletter. Tom K. suggested it be reviewed by legal council before it could be published. Michael Flynn suggested that it could be determined whether it is a "non-exclusive" easement by requesting a title report at an approx cost of \$250.

C. Scott M. suggested paragraphs of the DRRRM be published in the newsletter.

4. B. FINANCIAL REPORT.

Rick stated that as of Sept. 30th there was \$33,305.86 in the Checking account, \$66,810.54 in the Money Market account and \$61,254.13 in the Paving Loan account. There are \$46,216.87 accounts receivable to the checking account and \$13,499.27 due to the Paving Loan account.

Tom Hiatt requested information on the current goals of MPHOA regarding road maintenance budget. Response was provided that we currently spend our yearly budgets.

Michael Flynn asked what the Association Insurance liability amounts were. Pam said she would e-mail to him. The association insurance was last published in the Winter 2007 newsletter. It will appear again in Winter 2008. (Summary; D&O insurance with CNA, \$1 million liability. Commercial policy with Philadelphia insurance, \$1 million liability, with a \$2 million aggregate).

5. OLD BUSINESS.

A. Changing the DRRRM to allow for reserves.

Marilyn S. feels the Board should put this to a vote of the members once again.

The association has applied for non-profit status with the State Franchise Tax Board for current year and two years in arrears. We have not heard back from them as yet.

Scott Meyer asked for clarification on the tax liability of any amounts that are not spent and carried over. SMM indicated they could not comment on this issue, and the Board would need to review this with an accountant.

Tom K. suggested the Board would meet within the next 90 days to review what actions/considerations we should explore regarding reserves.

Marilyn Sunnergren also requested that we assemble a "Policy Binder" that collects all the initiatives that are instituted by the Board, but not documented in the DRRRM.

6. NEW BUSINESS.

A. Election of Officers.

At this time Paul Curtis, via speaker phone, joined the meeting. Tom Kulczycki nominated Paul Curtis for President and Al Hall for Road Chairman. Tom K. and Paul C. voted in favor. Motion failed for lack of a quorum.

Al Hall nominated that all the officers remain the same, (Michele Jones, President; Donna Finn V.P.; Paul Curtis, Sect/Tres.; Al Hall, Road Chairman; Tom Kulczycki, Director). Michele, Donna and Al voted in favor, Tom abstained and we lost phone connection and so do not know how Paul voted. Motion passes.

B. Logging policy revisited.

At this time the policy is "a voluntary contribution of \$35 per truck load after the fifth load is suggested to help defray the wear and tear cost on the road".

Considerations as to time of year (wet or dry season), impact on paved road sections (which did not exist at time of previous policy definition).

There was discussion that there is not much timber to log anymore in the area. Scott Meyer suggested a building impact fee, (construction traffic causes as much or more damage to the roads) be put into effect. This will be added to a future agenda.

Tom Hiatt had a private contractor come in and clear brush on his property. He received funding from a USDA program called "EQUIP, and if you qualify they pay for part of the clearing. A good fire safety tip.

C. Snow removal contract up for approval.

Due to an unanswered question concerning last years contract Al motioned to approve the contract contingent on the open issue about Aspen Developers billing to be resolved to the Boards satisfaction. Michele seconded the motion. Tom and Donna agreed.

7. ADJOURNMENT.

Al motioned adjournment at 9:00 PM. Michele seconded the motion, which passed unanimously.