



COPPER COVE ASSOCIATION

Board Minutes of the Board of Directors Meeting on June 23, 2022

PRESENT: Mary Braly, Denise DeMartini, Andrew Bunch, Kevin Gause, Sheldon Toso

Flag Salute

Call to order at 6:07 PM

OPEN FORUM:

Lot Number 0868: Member mentioned his comments at the last meeting. He was a Kiva employee and stated that he was assaulted by another employee. Explained the circumstances of this altercation. Stated that there is a criminal case. Has had zero contact by any association Board member. Offered 2 opportunities for an apology by the other employee. Member will no longer pursue any legal action.

Lot Number 1672: Wants to get a \$300 fine dismissed (his son's offense) Father-in-law missed the meeting because he was out of town. Kids no longer use the Kiva. Mary asked member to submit a request in writing for an executive meeting. Member would like to get this taken care of before next week.

Mary motioned to reinstate member's Kiva access until the executive meeting can be held.

Sheldon seconded.

Further Discussion: None

5 aye 0 nay 0 abstention

Motion carried

Lot Number 1071-5: Been a member for 20 months. Appreciates the park and Kent's work in keeping the park beautiful. He has a medium sized dog. There is a stretch of star thistle and member is requesting that it gets cleared. (1/4 mile) Feels it's a hazard to animals.

APPROVAL OF PRIOR MINUTES:

Denise motioned to approve the following minutes

May 26, 2022 Executive Meeting Minutes

May 26, 2022 Board Meeting Minutes

Andrew seconded the motion

Further Discussion: Denise to fix the abstention to 0 as Sheldon was not present

Approved: 5 yes 0 nay 0 abstention

Motion carried

EXECUTIVE MEETING WAS HELD ON JUNE 23, 2022

Agenda items: Violations, Fee Waivers, and Easements

FINANCIAL REVIEW: May 2022. Sheldon questioned Governance (YTD \$20,000) Andrew explained that this was discussed last meeting. (Sheldon was not present) Some legal bills were from 2021 and posted in 2022.

DIRECTOR'S REPORTS:

Andrew: Disc golf course is getting a lot of use and we are looking into expanding it to 18 holes.

Sheldon: Would like to commend Pat and Kent for their hard

Kevin: Kevin would like to get the ACC board back. He feels that the lack of an ACC can lead to “quid pro quo”.

Kevin motioned to start up the ACC board again

Sheldon seconded

Further discussion: Andrew reminded the audience that we disbanded the ACC board because they only make a recommendation for the Board to make a final decision. Eliminating the ACC speeds up the process. If an application doesn't get approved within 45 days, then it's an automatic approval. Sheldon stated that he was on the ACC board before he was on this Board. Denise reminded the Board that the ACC was disbanded during COVID and that the Chair resigned. Mary explained that the Chair was absent multiple times. It had become a burden and she chose to resign. Sheldon disagreed that the Chair resigned and then said perhaps it “was after the fact”. Denise stated that she witnessed when the Chair resigned at a Board meeting. Kevin asked if anyone ever checked when items were completed. There are no checks and balances. Mary explained that the Board does their best to get business done. We are volunteers and are not paid.

Approved: 2 aye (Kevin and Sheldon) 3 nay (Mary, Denise and Andrew) 0 abstention

Motion did not carry

Andrew motioned to carry this over to the next meeting

Sheldon seconded

Further discussion: None

Approved: 5 aye 0 nay 0 abstention

Motion carried

Denise: Denise commended the Kiva staff and the implementation of the new Kiva Rules. She utilized the overnight docking for the entire week and had absolutely no problems. The process ran smoothly and efficiently. Feels that the new rules overall have had a positive effect on the Kiva disruptions (so far)

She also stated that a member/prior employee through his own admission on social media admitted to being a felon. She strongly urges the Association to run background check on any and all hires. Feels that we need to protect our members and especially our children.

She also encouraged the Office staff to disallow access to members files by board members unless office manager is present. These files should remain confidential to all.

Denise read the following letter of resignation.

To Mary Braly, President, and the Copper Cove HOA Board:

Please consider this correspondence my letter of resignation effective July 7, 2022.

I've made the very difficult decision to give up my seat on the Board. When I was originally elected three years ago, I wanted to give back to my community, I wanted to meet people, and I wanted to accomplish good things for the membership. I did not make the decision lightly to run for the Board. And I was not uninformed. I sat in the audience for two years listening and learning before I decided to run.

The first two years I feel that our Board was on the right track. I feel that we were cohesive, transparent, and open to the membership. Even during Covid we were able to keep the association running and accomplish many things.

That being said, the past year has been very difficult and combative. I don't feel we are accomplishing anything. I feel that there are people that have run for the Board with the wrong intentions. It has become a personal vendetta towards members on the Board. And to be honest, I can't leave these meetings anymore with a knot in my stomach.

After the last meeting as our president tried to run the meeting according to Robert's Rules, a member was asked to stop talking about personnel issues and was ignored and disruptive. He disrespectfully continued to ignore her instructions. Our president attempted to adjourn the meeting as is her right and responsibility and instead of another Board member supporting this decision he spoke up and said let him talk. We lost total control of that meeting which is unacceptable.

I feel that there are some members on our Board that want our meetings to go back to the old way of the Wild Wild West where chairs were thrown and sheriffs were on call. I will not be a member on that type of Board.

After the last Board meeting, we returned to closed session to take care of the remaining agenda items that we could not get to during the executive meeting. Things got very heated, the meeting was adjourned and it spilled out into the parking lot. I have to say I'm very embarrassed that we brought our differences out into the public. For this I apologize to each and every member.

I further believe there are members of our association that listen to untruths and consider them facts and then post them on social media as fact. These members sometimes very seldom even attend a meeting. I feel that social media is out of control. Just because a member says something does not mean it's true.

There is a member on this Board that ran only to give his personal vendetta against another Board member traction. It has become so personal and disruptive that as Board members we are losing sight of what we are here to accomplish.

This same member on our Board resigned from the Rocky Road District Board after a few short weeks and said that he would not have anything to do with the "Gestapo" HOA. That means us.

This Director also stated after he was elected to the HOA Board that he would resign as soon as he got all his answers. He was given answers in special meetings with lawyers and CID etc. But see if he doesn't get the answer, he believes is correct then it is not a valid answer.

To give you an example we had a meeting with legal to discuss the statute of limitations regarding the easements. We were told by our lawyer that there is a five-year statute of limitations to force members to open up their easements. That was not what he wanted to hear and to this day is moving forward to attempt to force these members to do something that a court cannot enforce. This Director has an agenda and it is not for the betterment of the HOA.

I do stand behind every decision that I have voted for or against. I acted with integrity and listened to only facts.

So, with great sadness I tender my resignation and would like to nominate Mr. Bert Soske to replace me.

Thank you for allowing me to serve you and I look forward to sitting in the audience as I did before I was on the Board.

Denise motioned to appoint Bert Soske to her seat.

Andrew seconded

Further discussion: Sheldon feels we should wait for the election. Kevin told the audience that Board Member Denise was speaking of him in her resignation. She replied that she was being “classy” by not using his name specifically. Kevin stated he never intended to run for the board. He ran for the Board because he disagreed with the Airola litigation. He is against the president’s position on the P&E trails.

Approved: 3 aye (Mary, Denise and Andrew) 2 nay (Kevin and Sheldon) 0 abstention

Motion carried

Mary: Kevin has been on the board twice. Legal has been consulted when necessary. All Arriola decisions went through legal. Why weren’t the trails addressed when he was on the Board years ago? She also stated the obvious that we were a “split board”.

MANAGER’S REPORT: None

OLD BUSINESS:

Reserves: Sheldon and Rebecca are looking into the asphalt and dock reserve expenditures. They will report back with quotes next meeting.

NEW BUSINESS:

MEMBER REQUEST:

Lot 2057: Member is requesting the use of the hall on 8/6 and 10/8 to educate the community on the Measure A Initiative. She is requesting the fee be waived.

Mary motioned to approve member’s request to use the hall on 8/6 and 10/8 with fees waived.

Andrew seconded the motion

Further discussion: Sheldon stated if this request is approved, we would have to give the opposition equal access if requested.

Approved: 5 yes 0 nay 0 abstention

Motion carried

Lot 0383: Member would like to reserve the upper part of the Kiva for a birthday party (up to 30 participants) on June 25, 2022.

Denise motioned to approve member’s request to reserve the upper part of the Kiva for a birthday party (up to 30 participants) on June 25, 2022. (4-5 hours) 11:30 am

Mary seconded the motion

Further discussion:

Approved: 5 yes 0 nay 0 abstention

Motion carried

Lot 1821: Member would like to reserve the upper part of the Kiva for a birthday party (up to 20 participants) on July 30, 2022.

Andrew motioned to approve member’s request to reserve the upper part of the Kiva for a birthday party (up to 20 participants) on July 30, 2022.

Mary seconded the motion

Further discussion: Sheldon requested that the participants be ferried in if possible due to the lack of parking.

Approved: 5 yes 0 nay 0 abstention

Motion carried

Alderson Fencing: Received a bid from Alderson Fencing to close approximately the 175-foot opening from the existing chain link fence to the split rail fence where ATVs are coming in at night.

Sheldon motioned to approve the chain link fencing and for the cost to be taken out of the reserves account. (Not to exceed \$6000)

Andrew seconded the motion

Further discussion: none

Approved: 5 yes 0 nay 0 abstention

Motion carried

Rocky Road: Mary stated that since the Rocky Road Board has been deemed to be illegal by the County Office of Elections that they should no longer utilize the Black Creek Hall for meetings. Once application process has been approved by the County, they can resume their meetings at the hall. Sheldon explained that the Board is recognized by the supervisor. The Board that is currently in place will operate until July. When quorum was questioned, Sheldon stated that he is a "quorum of one". Mary questioned that the Board is a legal board and that applications will need to be submitted. Meetings cannot be held at Black Creek Hall because they are not a valid Board. They can meet when certified. Mary asked previous Board member Marty DeMartini to explain the process of certification and why this Board is not a legally seated one. Records will not need to be removed from the office. Kevin repeatedly interrupted the President saying that Rocky Road is of "no concern" to these proceedings. Mary repeatedly stated that Rocky Road is definitely the HOA's concern because they service our Association, and they are meeting on HOA property without a legally seated Board.

Andrew motioned to disallow the Rocky Road Meetings at Black Creek Hall until Board has been certified by the County

Mary seconded the motion

Further discussion: none

Approved: 3 yes (Mary, Denise and Andrew) 1 nay (Kevin) 1 abstention (Sheldon)

Motion carried

ARCHITECTURAL REVIEW:

Lot 0921: Member is requesting approval to add an addition to the existing garage and build up to a two story for a shop and storage.

Sheldon motioned to approve member's request to add an addition to the existing garage and build up to a two story for a shop and storage. (Subject to County Permits)

Andrew seconded the motion

Further discussion: none

Approved: 5 yes 0 nay 0 abstention

Motion carried

Lot 0279: Member is requesting approval of new construction for a single-family home 1 bedroom/1.5 bath, 1200 square feet. Member is asking for a variance of no garage but will have a car port to house 3 vehicles and a variance for living in a RV on property while under construction. Property is currently under construction.

Sheldon motioned to approve member's request of new construction for a single-family home 1 bedroom/1.5 bath, 1200 square feet. Member is asking for a variance of no garage but will have a car port to house 3 vehicles and a variance for living in a RV on property while under construction. (Subject to County Permits)

Kevin seconded the motion

Further discussion: none

Approved: 3 yes (Mary, Kevin and Sheldon) 2 nay (Andrew and Denise) 0 abstention

Motion carried

Lot 0662: Member is requesting an easement variance of 8 ft at the narrowest and 15 ft at the widest due to the Airola fence movement.

Sheldon motioned to approve member's request of easement variance of 8 ft at the narrowest and 15 ft at the widest with the stipulation if the member submits any future ACC requests that the fence will then be moved to 15 ft continuous, and the HOA will pay for the move and replacement of the fence at that time.

Denise seconded the motion.

Further discussion: none

Approved: 3 yes (Denise, Sheldon, Andrew) 1 nay (Kevin) 1 abstention (Mary)

Motion carried

OPEN FORUM:

Lot #2158: Thanked the Board for the "entertaining" meeting. Suggested using boulders at the opening of the Black Creek fencing instead chain link. Member feels that electronics should be used during meetings responsibly. HOA is responsible for Rocky Road because members use roads to access meetings. Member also thanked Denise for her service.

NOTE: Sheldon requested the names of Board Members be listed during voting on motions.

ADJOURNED: 8:03 PM

NEXT MEETING: July 28, 2022 - 6:00 PM

Secretary Signature: Bert Soske