



**Board Minutes of the Board of Directors Meeting on October 27, 2022**

**PRESENT:** Andrew Bunch, Denise DeMartini, Sheldon Toso

**ABSENT:** Bert Soske, Greg Wilson

Call to order at 6:04 PM

Flag Salute

**OPEN FORUM:**

**Lot Number 662:** Member read the following statement into the record:

Instead of taking the time to properly rebuild the foundation and governance of Rocky Road so that the CSD doesn't fall in the same disarray that the previous board let happen – they are wasting time focusing on responsibilities that belong to the HOA. First and foremost their goal should be administrative:

- Setting up a solid functioning board – 1 board member has already resigned
- Creating a working budget
- Retaining and consulting legal counsel to determine if assumed responsibilities are viable and then work with the membership and the HOA to create a description of duties that facilitates their main responsibility of road maintenance, instead of creating conflict and confusion
- Creating a SOP – Standard Operating Procedures with those duties and responsibilities
- Be transparent with the membership on their function and purpose by providing information in as many ways as possible and create membership involvement

After the foundation is complete then Rocky Road can focus on their #1 priority and responsibility – the ROADS! To accurately assess and determine wear and provide maintenance and improvements. Not HOA easements, bus stops etc.

With the complete disruption of Rocky Road in 2020 and the shambles it was left in, it needs to be completely rebuilt as if it were a new CSD.

By not doing so, Sheldon Toso, as president on the Rocky Road Board and a director on the HOA Board, through his actions and inactions is bringing confusion instead of clarity to the membership. I feel Sheldon Toso is a liability to the HOA and should resign from one or both boards immediately.

**APPROVAL OF PRIOR MINUTES:**

**Denise motioned to approve the following Executive Meeting minutes:**

**June 23, 2022 Executive Meeting minutes**

**July 28, 2022 Executive Meeting minutes**

**September 29, 2022 Executive Meeting minutes**

**Andrew seconded the motion**

**Further Discussion: None**

**Approved: 3 yes 0 nay 0 abstention**

**Motion carried**

**Denise motioned to approve the following Board Meeting minutes:**

**July 28, 2022 Board Meeting minutes**

**September 16, 2022 Board Meeting minutes**

**September 29 2022 Board Meeting minutes**

**October 18, 2022 Special Board Meeting minutes**

**Andrew seconded the motion**

**Further Discussion: Sheldon stated that there are missing and/or extra pages in his minutes. After much investigation it was determined that after removing the staple from the packet, he mixed up the pages. He had no changes or remarks.**  
**Approved: 3 yes 0 nay 0 abstention**  
**Motion carried**

**EXECUTIVE MEETING WAS HELD ON: October 27, 2022**

Agenda items: **Violations were processed and Personnel was carried over to next month**

**FINANCIAL REVIEW: September 2022**

Sheldon spoke regarding the deposits into Reserves (months went by when CID did not transfer funds into reserves. When it was discovered, a large amount was deposited at once.) Negative number in "replacement adjustment". Denise suggested Board members should contact Rebecca when they see discrepancy(s) before the meeting so that it can be researched and reported on at the meeting.

**DIRECTOR'S REPORTS:**

**Denise:** Denise thanked the Board and the members for supporting her return to the Board. Also encouraged the Board to return to the previous procedure of allowing members to have Open Forum in the beginning and end of the meeting. Member input would be accepted if asked a clarifying question by a Board Member. She looks forward to serving the community once more. Bert asked her to welcome everyone to the meeting and to apologize that he is missing this meeting. (he is on a previously scheduled vacation to Greece)

**Andrew:** Treasurer's report for September: Andrew explained our operating budget. There was a large transfer of funds due to the pavement/asphalt projects.

Operating Account Columbia Bank (Checking)

Beginning Balance: **\$81,672.15** Ending Balance: **\$267,781.57**

**Debits: \$86,339.68 Credits: \$272,449.10**

Reserve Account Columbia Bank (Reserve)

Beginning Balance: **\$321,133.33** Ending Balance: **\$56,156.51**

**Debits: \$265,000.00 Credits: \$23.18**

Reserve Account Mechanics Bank BUSINESS INVESTMENT MONEY MARKET

Beginning Balance: **\$154,004.30** Ending Balance: **\$154,016.96**

**Debits: \$0.00 Credits: \$12.66**

Reserve Account PNC Bank BUSINESS PREMIUM MONEY MARKET

Beginning Balance: **\$257,165.16** Ending Balance: **\$257,171.30**

**Debits: \$2.00 Credits: \$6.35**

**Sheldon:** None

**MANAGER'S REPORT:** Becky thanked Denise for coming back on the Board and reported that the treadmills are now up and running.

**OLD BUSINESS:**

Sheldon is requesting that the Board Meetings be changed to the third Thursday of the month. November's meeting will be November 17<sup>th</sup>. December meeting date to be revisited in November.

## NEW BUSINESS

### Architectural Review:

**Lot Number 0858:** Member is in the process of installing a fence around the perimeter of his property. (Mostly completed). He is asking the Board to fund the remaining north end of the fence to match the three-rail fencing he already installed. The North end of the fence is along the P&E Trail. The Board approved the 6-foot allowance in January 2021. (M. Braly clarified: agreement with Board to receive a variance was granted. This request has nothing to do with this previous agreement.) Member is requesting the HOA to pay for the fencing to match the rest of his fencing. Member clarified his fencing request is to finish his existing fencing. He is requesting the HOA to pay for it due to safety issues.

**Denise motioned to approve his fencing request. HOA will not pay for it.**

**Andrew seconded the motion**

**Further Discussion: none**

**Approved: 2 yes 1 nay (Sheldon) 0 abstention**

**Motion carried**

**Lot Number 1016:** Member is requesting approval to build a fence around the perimeter of his property.

**Denise motioned to approve fencing with 15-foot easement with a 10-foot allowance by the Cal Tel box**

**Sheldon seconded**

**Further Discussion: none**

**Approved: 3 yes 0 nay 0 abstention**

**Motion carried**

**Lot Number 1017:** Member is requesting to build a 3110 square foot home (4 bedrooms 3 ½ bath with 3 car garage attached) A variance request is needed for RV living while building the house.

**Andrew motioned to approve the 3110 square foot home (4 bedrooms 3 ½ bath with 3 car garage attached) Variance for RV while building is also approved. (Contingent upon County Permit)**

**Denise seconded the motion**

**Further Discussion: none**

**Approved: 3 yes 0 nay 0 abstention**

**Motion carried**

**Lot Number 1019:** Member is requesting approval to build an oversized garage (16 x 30). Currently there is no home on the property. Member states that a 10 x 12 wooden shed is the only structure on the property. The setbacks are 30 foot around the property. Member will submit house plans to ACC.,

**Andrew motioned to approve the oversized garage (permits provided). Member will submit house plans to ACC. Home to be completed in one year.**

**Sheldon seconded the motion**

**Further Discussion: Member will submit house plans to ACC.**

**Approved: 3 yes 0 nay 0 abstention**

**Motion carried**

**Lot Number 1075:** Member is in violation for building a fence around the property without approval. Fence is completed.

**Andrew motioned to approve fence**

**Sheldon seconded**

**Further Discussion: none**

**Approved: 3 yes 0 nay 0 abstention**

**Motion carried**

**ACC COMMITTEE:** Denise explained the process for moving the ACC responsibilities to the Board. (COVID) Since the Board has to review the ACC recommendations, we feel the process is working very well. Denise and Andrew are against starting up the ACC. Sheldon explained the previous ACB process. Only variance requests were approved or rejected by the Board.

**ETC COMMITTEE:** Committee Update. Mary Braly stated that she held an ETC meeting. She is recommending that the ETC Committee meet every other month. Since maintenance has been maintaining the trails, it is unnecessary to meet more often. 2 culverts need to be installed on deeded easements. Would like these to be done before the rains come. It is our responsibility to maintain these easements. Sheldon is requesting legal counsel. Mary replied that she has already checked the CCRs.

**Andrew motioned to install the 2 culverts before the rainy season. Black Creek staff will perform the construction. Rebecca to send a letter to the members to notify them of the pending construction.**

**Denise seconded the motion**

**Further discussion: Rebecca to send a letter to the members to notify them of the pending construction. Sheldon is requesting legal advice. It is an improvement to their property at no cost to the member.**

**Approved: 2 yes 1 nay (Sheldon) 0 abstention**

**Motion carried**

**BIO SOLID COMPOST COMMITTEE:** Member/Community update. (Lot 1909-1910). Don Jensen reported. He thanked the HOA for their support (facility use, signs and monetary). Signs are reusable. Over the past two months the committee has met with every stake holder involved. Phase One has been completed. Phase Two: Volunteers are needed for petition/stations. Fact sheet: The PROS were supplied by CCWD. The Board of Supervisors were unaware that CCWD was proposing Copperopolis. The type of facility has never been built on public lands. Petition will be given to CCWD, Calaveras County Planning Department and the City Council. Don does not want any misinformation out there. That is why the fact sheet was created. Petition stations will be manned M-F, approximately 3:30-6:30 pm. Don has been in contact with or plans on getting in contact with other Copperopolis communities. Chris Dorn stressed that we possibly have 3 members on CCWD in agreement with us. He also thanked the committee for their dedication. Chris is surprised that our representative (Follendorf) hasn't committed to "NO IN COPPEROPOLIS". He suggested that she be invited to one of our meetings. Zoning has not been changed as of today's date. Board President was instrumental in getting BioSolids on their agenda. Denise suggested leaving a petition here at Black Creek.

**PRELIMINARY BUDGET:** CID has submitted the 2023 budget for review. Assessment will increase 3% to \$271 per year.

**Andrew motioned to approve the 2023 proposed budget**

**Denise seconded the motion**

**Further discussion: Sheldon wants this budget to be balanced. Andrew stated that it does not need to be balanced. Member in the audience questioned "taking away everyone's Social Security raise. Denise reminded him that the increase to Social Security is MONTHLY and our assessment is YEARLY.**

**Approved: 2 yes 1 nay (Sheldon) 0 abstention**

**Motion carried**

#### **OPEN FORUM:**

**Lot Number 858:** Clarified his fencing request. He is requesting fencing proposal for the "face". He will clear the debris. Andrew stated that Rocky Road does not have any authority over fencing. Rebecca to send a clarifying letter.

**Lot Number 1019:** Member submitted his permits for his manufactured home. He will submit to Rebecca.

**ADJOURNED:** 8:04 PM

**NEXT MEETING:** November 17, 2022 - 6:00 PM

Secretary Signature: Denise DeMartini