

THE RANCHO TEHAMA ASSOCIATION
BOARD of DIRECTORS REGULAR MEETING ORDER OF BUSINESS/AGENDA
Saturday December 7, 2019 Time: 10:00 AM
Rancho Tehama Recreation Hall

Call to Order:

Quorum Present:

Opening Ceremonies: Welcome/Pledge the Flag.

Meeting Rules: No audio or video recording allowed by attendees. However, the Secretary/ Manager may record the meeting to aid in the preparation of minutes. The recording is deleted once the minutes have been prepared. As provided in the "Open Meeting Act," members may observe the meeting but do not have the right to participate in the Board's deliberations or votes. Members may address issues during the Open Forum portion of the meeting. Attendees may not engage in obscene gestures, shouting, profanity or other disruptive behavior. If attendees become disruptive, they may be expelled from the meeting.

Announcements:

Guests: Bob Williams, Eric/Tina Varcomm, Highway Patrol, Sherriff Dept. (may or may not be present)

President Report: Elworthy – Discuss NR & PA properties. Discuss Tulare Bend properties.

Secretary Report: Wright

Treasurer Report: Gutierrez – Assessment increase and 2020 budget

Vice President Report: Price

Member at Large: Gray

Approve Intent to Lien letters: None

Adopt Minutes of Previous Meeting: November 9, 2019 and November 20, 2019

New Business (discuss and/or vote on issues relating to the following subject):

1. 10% Increase of Assessment effective January 1, 2020. New assessments will be \$60.50.
2. With the winter weather ahead - reminder to members to clean culverts and help keep drainage free of debris.

Old Business: The court hearing date for both the AT&T and the Board Election is scheduled for December 16, 2019 1:30 PM. Notices went out to all members. The Election Meeting was adjourned to January 4, 2020 at 10:00 AM.

Open Forum: During open forum, each attendee may address the board for up to two minutes; request to speak slips should be filled out and given to the president before speaking. A director or manager may briefly respond to statements made or question posed. Speakers must observe the rules of decorum and not engage in obscene gestures, shouting, profanity or other disruptive behavior. If a speaker is in the middle of a sentence when time is called, he/she may finish their thoughts before sitting down. The time guidelines ensure that others will have an opportunity to speak. Speakers may not allot their time to others. All persons must follow the Meeting Rules listed at the top of this agenda.

In accordance with Civil Code Section 4935 the Board may adjourn to, or meet solely in, executive session to consider litigation, matters relating to the formation of contracts with third parties, member discipline, personnel matters, or to meet with a member, upon the member's request, regarding the member's payment of assessments, as specified in Section 5665. Further, the Board shall adjourn to, or meet solely in, executive session to decide whether to foreclose on a lien pursuant to Civil Code Section 5705(b). Any matter discussed in executive session shall be generally noted in the minutes of the immediately following Board meeting that is open to the entire membership.

The Rancho Tehama Association (RTA) Board of Directors Open Meeting Minutes

December 7, 2019

The meeting was called to order at 10:00 AM. Quorum: Deborah Elworthy, Richard Gutierrez, Mike Wright, David Gray, Jim Price)

Guest: Jason Kersey, Management Trust to answer any financial questions

Moment of Silence for the remembrance of Pearl Harbor

Note: Several requests were made to a member to not record the meeting as it is against the Association policy and he refused.

Announcements (New Business): Elworthy – Announced increase of dues effective January 1, 2020 to \$60.50. Reminded members to clean culverts and help keep drainage free of debris.

Elworthy President's Report: Discussed NR (Natural Resources) properties and PA (Public Access) properties. President advised that one of the properties were sold by a previous board member when that person died they sold the property and when their children inherited the property they tried to sell it but could not be sold. In 2004 the Association bought it back. Properties on Tulare Bend that the Association owns will be made into NR property and Evacuation properties.

Mike Wright: Mike Wright advised that they are also doing a study to make a road evacuation through the Tulare Bend property as emergency exit off ranch.

Gutierrez Treasurer Financial Report: Thanked members for coming. Discussed the recent increase in HOA dues and reasons for it being inflation and other things. Dues are being increased to \$60.50 effective January 1, 2020. We have paperwork on the table regarding the budget and reasons for the increase.

David Gray: Thanked Richard Gutierrez and Mike Wright for time they spent in putting together the 2020 budget.

Notice of Delinquent Assessments (Lien): None

Adopt Minutes: Did not approve any minutes

Open Forum: Member discussed the increase in dues is not valid, it needs to be approved in an open meeting by the board of Directors. Noted we will discuss with our management company.

Member complained about the correction of the information about the increase from 5% when should have been 10%. Board explained this was a mistake that has been corrected and all members were notified.

Member advised that the raise in the dues must be voted in in an open meeting. After comment President said to other board members to vote it in now. Other members started asking questions and we ended up closing meeting without the vote.

Member asked about getting copies of the petition. We will be putting petition on our web page, ranchotehama.org. If you would like a copy come into office (we would need to charge for copies) or we can email it to you for free.

One Member advised he was very happy with this Board of Directors and they are doing a good job.

Member was upset at the raising of the dues but Board is also making cut backs on transfer station. Board member Gutierrez explained that everything is cost related, increase in dues amounts to .18 cents per day. The same member says he has lived here for years and has never had to take items to the Red Bluff Landfill.

Mike Wright advised that by 2024 there are all new rules/laws coming in to effect regarding trash and it may be very likely that we will not be able to operate the transfer station at that time. Currently Green Waste is doing a study here in Rancho Tehama to see if it is possible to get curb side service.

The Association needs to clean these properties to get them sold and that money goes back into the budget. Member suggested that the Association get a smaller dumpster. President advised that we pay \$800 for a 40 yard bin and \$600 for a 20 yard bin. The Association has a contract with Green Waste and because we are a business we get charged more.

Member advised that if we don't allow certain things at the transfer station people hold that property and it stays on that property till it's sold.

President advised that we saved \$30,000 for limiting the things we accept at the transfer station.

Member was angry that we do not put financials out on table at every meeting. Board noted and will see if they can get those out.

President explained that she is human and apologizes to everyone and says she is not perfect but does her best. She explained that we need members to help in forming committees. Budget committee, etc.

Member complained about raising the dues, why should she be punished for others not paying their dues.

Member asked how many properties does the association have and why don't we sell them. President advised that the Association has a year to pay the collection agency fees on properties that are not sold. Our properties are with Better Choice Realty in Corning, we have clean titles on all properties and they are working to sell our properties.

Member asked what fee is paid to sell a property and president said there is a Transfer fee that new owner must pay.

One member says all HOA's have transfer fees.

One member recommended that the property manager be certified and is trained properly. Member states that we cannot change the quorum based on civil code 4275, it must go to a member vote first. President advised that based on the advice of our attorney, they can get the quorum changed and we will let judge decide.

Member wants to see the Association eliminating excessive mailings, keep the dump open that's how the association makes money, sell the Tulare Bend properties, and see law suits, fire employees. President explained that 2 vehicles were purchased by last board not this board. So far this board purchased a used truck for maintenance as the last truck was sold. Yes her boys are employees and they were hired to tear down dump trailers that are picked up from the ranch.

One member says all this complaining is getting out of hand.

One member wants to know if we asked the people who live near Tulare Bend what they want. Member alleges that we association will bring more "druggies" that hang out in this area.

Member asked why they never saw a job posting for the job to tear down the trailers. And why don't we call applicants back once they turn in application. Board explained that when we review an application if it is clear that the candidate is not qualified we do not call them back. Too many applicants. Member said most companies do not call all applicants back.

Another member angry about changing quorum. Member asked why we fired Isaac. Board explained we did not fire Isaac, he told us at the beginning he was only working for a few months as he was going back to live with his mother.

Member asked where the signup sheet is for cleaning up properties that they signed. Why did they not get a call? President apologized it is her understanding that most of those people who signed up are doing it on their own. President stressed the need for more committees.

Member stated Cell tower is already installed why we need the changes to our bylaws and CC&R's. President explained that AT&T still have multiple companies coming and those companies will not come if they can't sign more than a one year contract. AT&T required these changes. If the court shuts them down then we don't know what will happen.

Member asked why we are changing the quorum for everything and not just this election. We explained that we never meet quorum and always end up going to court asking the judge to allow us to open the quorum and the association has to pay an attorney. This board is trying to look at ways to cut costs.

There are also other contracts that would be beneficial to be over one year, less costly if you enter into a longer contract. We lost hospice up here and we need the 1st responder service. The cell tower is very important to this community. AT&T wants a multiple year contract which currently our governing documents do not allow.

The governing documents were created in 1968. Only two things have changed since that time. One of the changes was the quorum going from 2/3 to 1/3. We have spent a lot of money each year on trying to open our ballots. Our CC&R's and By-Laws were written so long ago they are out dated.

Member asked if the tower is on Varcomm land why we are entering into an agreement.
Answer for use of our roads.

Community Foundation Member announced the Parade is tomorrow at 5:30 and there will be a tree lighting and Santa will be there as well. Flea market for tomorrow is cancelled.

Member asked how many people are on the budget committee, how you can do a budget without three people. Gutierrez explained that no one else would volunteer to help, but it was himself and Mike Wright and Lisa Cruz helped also.

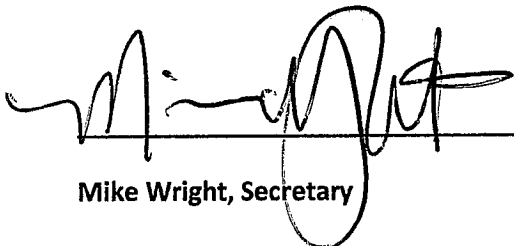
Member asked about the new laws that come into effect in 2020. Will all members get to vote? We are currently studying the new laws but it is our understanding that all members whether in good standing or not will be able to vote.

Member asked what the penalties are for people who don't pay their dues. President advised we have a collection policy in place. They will have to pay late fees and collections costs. Perhaps a lien placed on their homes and possible have the home foreclosed upon.

There being no further business, the board adjourned at 11:26 AM

The Board met in executive session on 11-20-19:

- Handled Legal Issues
- Accepted payment plans, Denied payment plan
- Approved executive session meeting minutes
- Approved authorizations to Proceed
- Approved delinquent accounts
- Approved Authorization to Publish NOT
- Adopted minutes of September 13, 2019 & October 3, 2019
- Reviewed intent to liens which will be approved in Open Board



Mike Wright, Secretary

Date: 1/25/2020