

Meeting of the Board of Directors of the
Rocky Ridge Properties Owners' Association
Scheduled Meeting Date: February 6, 2024 at 1:30 pm
Meeting Location: ZOOM Platform

Meeting Minutes

Advance Notice of Meeting. Cirra Mason (the Association's bookkeeper) provided notice to homeowners of the Board meeting in accordance with the requirements of the Association's Bylaws. The means of notice included (i) emails of the notice and agenda to members that accept emails as a form of notice; (ii) mailing of the notice and agenda to members that do not accept email notices; (iii) posting of the notice and agenda on the website; and (iv) posting of the notice and agenda on the bulletin board at the Rocky Ridge entrance gate. William "Yates" Bauder and Justin "Buster" Fenley participated as the designated representatives of the Board for purposes of enabling a ZOOM platform meeting in accordance with California law. Yates and Buster participated from the project development office in the building adjacent to the real estate brokerage building at the bottom of the Rocky Ridge hill.

Attendance and Quorum: Board members Steve Dohrmann, Laura Bertone, Frank Pagliaro, Matt Howarth, Robert Schuchardt, Curt Sproul and Bruce Shepherd attended the meeting remotely through the ZOOM platform. A quorum of Board members thus was present throughout the meeting.

In addition to the Board members, several homeowners attended the meeting via Zoom (including Celine Wong, Herm Howerton, Janice Jones, Joanne Weidemann, Ron Janes and Ray Coates). Yates, Buster and Ryan Taylor also attended the meeting.

President Dohrmann called the meeting to order at 1:42 pm.

1. **Approval of minutes.** Bruce moved that the Board adopt the draft minutes previously circulated to Board members with respect to the January 2 meeting. Curt provided a second to the motion. The Board voted unanimously to approve the draft minutes. Curt then moved that the Board adopt the draft minutes previously circulated to Board members with respect to the January 26 meeting. Matt provided a second to the motion. The Board then voted unanimously to approve the draft minutes.
2. **Update as to insurance premium refunds.** Yates reported to the Board as to efforts that he has undertaken to obtain the refunds due with respect to the insurance policies issued by MRMG for the one year periods from and after May 15, 2023. Yates indicated that the requested paperwork was voluminous, but that he and Steve Dohrmann had completed all of it and submitted all of it to MRMG. So far MRMG has not indicated that there will be any obstacles to the Association receiving the refunds, though it may take a few months. As they are received, Yates and Ryan will work through the mathematics to assure that the appropriate cancellation dates are used for purposes of calculating the refunds (and/or credits). Laura indicated that she believes the Association has sufficient cash resources to cover its expenses during the time period that Yates is working to collect the refunds (at least if one assumes that the insurance company acts reasonably diligently in response to the refund requests). Following a motion by Bruce and a second from Laura, the Board also unanimously concurred that if necessary, the Association can borrow from its cash reserves to cover expenses payable prior to the receipt of the premium refunds.
3. **Update as to calculation of homeowner assessments.** Laura reported that she cannot definitively complete her 2024 assessment calculations until she can confirm the amount of the insurance premium refunds received by the Association. Accordingly, the Board determined to maintain a quarterly assessment of \$5,500 per unit until Laura has the information to recalculate the appropriate amount of the quarterly assessments (motion by Laura, second by Curt, unanimous vote).

4. **Annual election of Board members.** The Board reviewed the procedures and timeline for the 2024 election of board members. Three seats are up in the election. A notice pertaining to the procedures and timeline was attached to the agenda for the meeting. Following a motion to such effect from Frank and a second by Curt, the Board voted unanimously to approve the election procedures and timeline. A copy of the approved notice is attached to these minutes.
5. **Report from Frank Pagliaro re “Common Area Committee.”** The Board has appointed a committee to advise with respect to the increased demands being placed upon common areas due to an increase in the number of people visiting Rocky Ridge. Frank Pagliaro (the committee chair) briefly described the concepts that he proposes to address through the work of the committee. The issues include the nature of the rules appropriately applicable to dogs and dog leash requirements, use of bikes, use of motorized bikes and scooters, limitations upon the number of vehicles that may be parked in the parking areas with respect to a particular unit, and limitations upon the number of vehicles that may be parked at the beach with respect to a particular unit. [The discussion of the latter two issues was triggered by the suggestions made by Herm Howerton – see the “Homeowner Comments” section below.] The committee also may consider (i) the nature of any additional signs that may be appropriate in order to encourage compliance with the applicable Common Area rules and (ii) limitations upon the use of Common Areas by renters (it being understood that there may be legal principles that restrict the nature and scope of rental restrictions, and the Association does not want to unnecessarily provoke litigation). The committee consists of board member Frank Pagliaro and homeowners Janice Jones and Diane Shore. The Committee will report back to the Board at the next Board meeting.
6. **Homeowner comments.** In the general comments portion of the meeting, homeowners raised the following issues:
 - a. Ron Janes suggested that the Association mandate that homeowners prove from time to time that they have procured the nature and amounts of insurance required under the CC&R’s. After discussion, the Board members by consensus concluded that, rather than requiring periodic showings of insurance compliance, the Board instead should send out a newsletter reminding homeowners that they have insurance obligations under the CC&Rs.
 - b. Herm Howerton suggested that perhaps the Association should designate the parking spaces that may be used by each respective unit. Yates noted that this issue has been raised many times in the past, and that the conclusion reached has always been that “assignment” of parking spaces leads to friction among homeowners. The consensus of the Board was to not assign parking spaces to particular units, but to ask the Common Area Committee to look at the issue of perhaps capping the number of vehicles that may be parked with respect to a particular unit.
 - c. A homeowner also asked for a report on the status of the aggregate buoy allocation to Rocky Ridge at the beach. Yates reported that the TRPA continued to drag its feet on approving the allocation of an additional 4 buoys to the Association. Yates said that he would look into the issue and report back at the next homeowner meeting. Yates and Laura also noted that they are in the process of finishing their calculations with respect to the 2024 charge for seasonal use by a homeowner of one of the Association’s buoys.

The meeting adjourned at 3:01 pm.

Schedule for regular board of director meetings after Labor Day in 2023 through Labor Day in 2024:

The proposed schedule for regular board of director meetings for the Rocky Ridge Properties Owners’ Association is as follows (both the dates and the contemplated topics are subject to change by the board):

| Date | Location | Contemplated Topics (subject to change) |
|------------------------------|-----------------|---|
| March 26, 2024 at 1:30 p.m. | Zoom platform | Update as to collection of insurance premium refunds Update re calculation of 2024 Assessments Report from Common Area Committee re: potential revisions to operating procedures applicable to Rocky Ridge common areas |
| May 14, 2024 at 1:30 p.m. | Zoom platform | |
| June 18, 2024 at 1:30 p.m. | Zoom platform | |
| August 31, 2024 at 9:00 a.m. | Beach Clubhouse | |

The 2024 annual members' meeting for the Rocky Ridge Properties Owners' Association is scheduled for the Saturday within Labor Day Weekend, at 11:00 am. The meeting will be held in the Rocky Ridge Beach Clubhouse. The Association currently plans to host a beach barbecue immediately following the meeting.

**NOTICE OF ANNUAL ELECTION OF DIRECTORS
(AND OF TIMELINE AND PROCEDURES FOR THE ELECTION)**

Date of this Notice: **February 6, 2024**

The governing documents for the Rocky Ridge Properties Owners' Association call for annual elections for a portion of the 7 seats on the Association's board of directors. The directors are elected through a vote of the homeowners (each homeowner also is a member of the Association). Each director serves for a term of 2 years. Three of the 7 director seats are up for election in 2024; these seats currently are held by Steve Dohrmann, Robert Schuchardt and Matt Howarth. The seats for the other 4 current directors (Laura Bertone, Frank Pagliaro, Curt Sproul and Bruce Shepherd) will be up for election in 2025. This notice is the "**2024 Election Notice**" referred to below. These elections will be handled as follows (**all dates are in calendar year 2024**):

- (1) **Inspector.** The Board of Directors has appointed Tyler O'Neal to serve as the Inspectors of Elections with respect to the 2024 director election, and Tyler has accepted such appointment.
- (2) **Compliance with Association Rules and California Law.** The Association and the Inspector have established this timeline for the election which (a) will permit ballots to be tabulated, and results announced, at the annual meeting of the members of the Association at the Rocky Ridge Beach Clubhouse at **11:00 a.m. on Saturday 8/31**, and (b) to the best of the Board's knowledge, will comply with the requirements of the Association's Election Rules and the provisions of California law.
- (3) **Nomination of Candidates.** Owners who are current in their assessment payments may self-nominate themselves to run for a director seat by contacting the Property Manager, Bill ("Yates") Bauder (by email to rrpoa@sbcglobal.net) by **5:00 p.m. on 6/10**. The Association shall provide email or other written confirmation to each nominated candidate within 7 days after receipt of the candidate's nomination (unless the individual fails to qualify for candidacy, in which case the Association shall so inform the individual, with a brief explanation).
- (4) **Election by Acclamation. NOTWITHSTANDING THE FOREGOING**, the board may elect directors without member balloting if, as of **5/27**, the number of candidates is the same or fewer than the board spots to be filled, subject to the following:
 - o **Reminder Notice:** The Inspector shall provide notice (the "**Reminder Notice**") to the members that such situation applies as of **5/27**. The Reminder Notice shall be provided to the members by **6/5** and shall identify all candidates nominated as of **5/27**. The Reminder Notice further shall include a copy of this 2024 Election Notice.
 - o **Noticed Board Meeting:** If as of 5:00 pm on **6/10**, the number of candidates still is the same or less than the number of board spots to be filled, then the board, in a noticed board meeting **between 6/11 and 6/21** (which notice identifies the candidates), may elect the candidates by acclamation (and without balloting or the other steps in section 5 below).
- (5) **Election:** If the seats are **not** filled through election by acclamation, then the following shall apply:
 - o **Candidates Notice.** By **6/25**, the Inspector shall provide members with the following notice (the "**Candidates Notice**"):
 - The notice shall set forth the names of the eligible candidates timely nominated to run in the election;
 - The notice shall include a copy of this 2024 Election Notice;
 - The notice shall set forth the deadline for submission of ballots (as described below), and the address to which ballots must be returned to be counted in the election (i.e., the ballots should be mailed to PO Box 432, Tahoe City, CA 96145, Attn: Inspector of Elections – 2024 Board Election); and
 - A notice shall include a statement that (a) the Inspector has compiled a list of candidates, and that candidates may verify the accuracy of their individual information on that list, provided such verification is completed (by email to rrpoa@sbcglobal.net) by **5:00 pm on 7/9**, and (b) the Association has compiled a list of members, and that members may verify the accuracy of their individual information on that list, provided such verification is completed (by email to rrpoa@sbcglobal.net) by **5:00 pm on 7/9**.

- **Candidate Statements**. By **7/9**, candidates may provide a candidate statement of up to 350 words. The statement should be provided to Yates and the Board's Secretary (Bruce Shepherd) by email to rrpoa@sbcglobal.net.
 - **Ballots**. No earlier than **30 days after provision of the Candidates Notice**, and by a date (**7/26**) which is **at least 30 days before the** deadline set forth below for submission of ballots, Yates shall circulate ballots (along with any candidate statements) to the members in accordance with the voter list. The instructions accompanying the ballots shall inform members that to be counted, ballots must be returned before 5 minutes **after** the meeting on **8/31** is called to order. Additional instructions for return of ballots may be set forth in the cover letter distributing the ballots.
 - **Counting of Ballots**. The ballots will be tabulated at the meeting by the Inspector (or his delegee, including William Bauder and/or Justin Fenley). The 3 candidates receiving the most votes will be elected as directors for the 3 seats.
- (6) **Announcement of Results**. The names of the elected candidates will be announced at the end of the **8/31** meeting of members, will be entered in the minutes of the Board, and will be announced to the members by general notice by **9/30**. The announcement of the tabulated results shall include a statement that the Inspector shall retain the ballots, the candidate list and the voter list for a period of one year, subject to any additional mandates set forth in the Election Rules or California law. The above represents a summary of the election process. The election process is subject to additional requirements set forth in California law and in the governing documents (including the Election Rules) of the Association.