



# The Oaks Community Association

5607 Jackson Valley Road • Lone, CA 95640-9629

Phone 209-274-6056 Fax 209-274-6058

toca@volcano.net

## Meeting Minutes

### Annual Membership Meeting

Tuesday, January 12, 2021 6:00 PM

Meeting called to order 6:01 pm

Directors R. Brown, B. Six, D. Morrison, S. Sanchez, D. Calhoun present on site. Director A. Hutson present via phone/Zoom.

- GM Triano reviewed that we had an Election by Acclamation since we did not receive more eligible candidates that we had vacant seats. Director R. Brown introduced our new Board member, B. Fletcher.
- Member requested that The Oaks work on a 5 year budget plan so that any future large increases, like this year, are identified as early as possible. Director R. Brown stated that, although we can work towards that goal, future increases of this amount are not anticipated, goal will be to have annual increases be in line with inflation rates.
- Member thanked Director D. Calhoun, who is stepping down from the Board, for her contributions and service.
- Member raised concern over on-going loose dogs in park. All members were encouraged to engage Animal Control since the park has little power aside from fines which often go ignored.
- Member S. Brown moved to adjourn meeting to Open Session. Member D. Saragosa seconded the motion. All Members agreed.

Meeting adjourned to Open Session at 6:16 pm

Submitted By:

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Ann Hutson, Secretary

Date



# The Oaks Community Association

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## Meeting Minutes - Board of Directors – OPEN SESSION

### Tuesday, January 12, 2020 immediately following adjournment of 6:00 pm Annual Membership Meeting

Meeting reconvened/called to order 6:16 pm

Directors R. Brown, B. Six, D. Morrison, S. Sanchez, D. Calhoun present on site, and new Director B. Fletcher joined the Board and Director D. Calhoun moved from Board to Member seating. Director A. Hutson present via phone/Zoom.

GM Triano noted additional Board application received for Open seat from A. Rodriguez. Director B. Fletcher motioned to seat A. Rodriguez on the Board. Director D. Morrison seconded the motion. Motion passed 6-0-0-0.

GM Triano read meeting rules

Approval of Minutes:

- a. Director A. Hutson motioned to approve December 8, 2020 Board Hearing meeting minutes. Director D. Morrison seconded the motion. Director S. Sanchez and B. Fletcher abstained as was not present at that meeting. Motion passed 4-0-1-0
- b. Director A. Hutson motioned to approve December 8, 2020 Executive Meeting and December 8, 2020 Open Board Meeting minutes. Director B. Six seconded the motion. Director S. Sanchez and B. Fletcher abstained as was not present at that meeting. Motion passed 4-0-1-0
- B. Design Review
  - a. SL5645 – parking. Director A. Hutson motioned to approve the request. Director D. Morrison seconded the motion. Motion passed 7-0-0-0.
  - b. RQM5565 – extend front cement for parking and landscaping changes. Director S. Sanchez motioned to approve the request. Director B. Fletcher seconded the motion. Motion passed 7-0-0-0.
- C. Treasurers Report
  - a. Approval of Financial Statements for December 2020 – GM Triano reviewed financials, balance of Reserves loan of \$ 10,048.29 and Reserves not funded May thru December 2020. All Board members signed off on December financials reviews book.
  - b. GM Triano established financials review schedule as follows (to be done prior to Board meeting immediately following end of prior month – so January 2021 reviewed before 2/9/2021, etc.):
    - i. January 2021 review – early February: R. Brown & A. Rodriguez
    - ii. February 2021 review – early March: A. Hutson, B. Fletcher
    - iii. March 2021 review – early April: B. Six & B. Fletcher
    - iv. April 2021 review – early May: B. Six & S. Sanchez
    - v. May 2021 review – early June: S. Sanchez & D. Morrison
    - vi. June 2021 review – early July: S. Sanchez & R. Brown
    - vii. July 2021 review – early August: D. Morrison & A. Rodriguez
    - viii. August 2021 review – early September: A. Rodriguez & A. Hutson
    - ix. September 2021 review – early October: D. Morrison & B. Fletcher
    - x. October 2021 review – early November: R. Brown & A. Hutson
    - xi. November 2021 review – early December: B. Six & A. Hutson
    - xii. December 2021 review – early January 2022: R. Brown & A. Rodriguez
- D. Organizational:
  - a. Board of Director Appointments –



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- i. Director B. Six motioned to appoint Director R. Brown as Board President. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.
  - ii. Director A. Hutson motioned to appoint Director B. Six as Board Vice President. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.
  - iii. Director S. Sanchez motioned to appoint Director A. Hutson as Board Secretary. Director B. Six seconded the motion. Motion passed 7-0-0-0.
  - iv. Director B. Fletcher motioned to remove Director D. Calhoun as Board Treasurer and signor on all BBVA accounts and Edward Jones and to appoint Director A. Rodriguez as Board Treasurer and add as signor on all accounts. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.
- E. Election Rule Eliminating 1-year Resident Requirement – Member review period has expired, no input received. Director B. Fletcher motioned to approve the elimination of 1-year resident requirement for Board candidates. Director A. Hutson seconded the motion. Motion passed 7-0-0-0.
  - F. Write off to bad debt for VC563, \$7,365.39 and VC6029. \$7,352.49 tabled until next meeting once balances adjusted/credits processed.
  - G. Park Home Competition and Prizes – tabled until next meeting and Director A. Hutson will bring further detail on what she has done in the past.
  - H. GM Triano presented 2020 Financial Recap outlining \$177K+ reduction in Expenses, etc. over 2019
  - I. Wastewater Report – Report provided for Board review
  - J. Road Committee Report – No activity
  - K. Social Committee Report – No activity
  - L. Future Agenda Items: Director R. Brown asked that we add mandatory Trash Service to the next agenda.

Director A. Hutson motioned to adjourn meeting. Director B. Six seconded the motion. Motion passed 7-0-0-0.

Meeting adjourned 7:00 pm

Submitted By:

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Ann Hutson, Secretary

Date



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## Meeting Minutes - Board of Directors – OPEN SESSION

Tuesday, February 9, 2021

Meeting called to order at 6:01 pm

Directors R. Brown, B. Six, D. Morrison, S. Sanchez, A. Rodriguez, B. Fletcher present. Director A. Hutson attended via Zoom.

### Approval of Minutes:

- a. Director A. Hutson motioned to approve January 12, 2021 Executive Session, Annual Membership Meeting and Open Board meeting minutes. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0
- B. Design Review
  - a. BV5715 landscaping, etc. - Approved, all Board members signed off
  - b. AW5564 – no design review packet received, but GM Triano explained fencing changes and Board approved once packet is received.
  - c. AR5674 – change to prior approved parking plan – Approved, all Board members signed off
- C. Treasurers Report
  - a. Director A. Rodriguez motioned to approved reviewed January 2021 financial statements (reviewed by Director R. Brown and A. Rodriguez, signed off by all Directors), Director D. Morrison seconded the motion. Motion passed 7-0-0-0
  - b. GM Triano outlined that 5 months of 2020 target reserves still remain unfunded, but 3 months of 2020 and January 2021 were funded in January 2021.
  - c. GM Triano outlined that 12/2019 Reserves loan and Line of Credit balances are zero
- D. Director B. Fletcher motioned to leave Reserves funds, including CD maturing in 2/2021, in Insured Investment Account in order to keep Reserves funds liquid for anticipated Road work expenditures in late 2021 or 2022. We will revisit if market and investment choices improve. Director A. Hutson seconded the motion. Motion passed 7-0-0-0
- E. GM Triano reviewed Board Executive Session approval on 2/9/2021 to write off VC5635, \$4,725.49 and VC6029, \$4,712.49 to Bad Debt against 2020 since we have no collection options (statute of limitations).
- F. GM Triano reviewed Litigation resolution and anticipated cost to The Oaks, letter to be mailed to all Owners by 2/12/2021 for disclosure.
- G. GM Triano reviewed emergency roof repairs that were made, \$ 3,350, bought us approximately 2 years, but roof will need to be replaced and budgeted for
- H. Director A. Rodriguez motioned to approve \$8,500 previously bid for final demo to exterior tanks at old Water Treatment Plant to eliminate hazard and eyesore. Director A. Hutson seconded the motion. Motion approved 7-0-0-0. Future plan for use of land to be on next agenda.
- I. Director B. Fletcher motioned to approve \$3,756 for various cement repair projects. Director A. Rodriguez seconded the motion. Motion passed 7-0-0-0
- J. Director A. Rodriguez motioned to approve the \$ 1,600 that would be The Oaks half of shared fencing repair for 5800 W. Park Drive if new owner closes and wants to proceed. Director B. Fletcher seconded the motion. Motion approved 7-0-0-0
- K. Discussion and action for replacement of fence across from Clubhouse tabled pending receipt of bid
- L. Director S. Sanchez motioned to approve \$ 675.33 for wood fence repairs around Clubhouse to ensure longevity of existing fence. Director D. Morrison seconded the motion. Motion passed 7-0-0-0
- M. Director A. Hutson motioned to approve \$ 2,387 for temporary RV guest parking and additional gravel to RV Storage new area. Director D. Morrison seconded the motion. Motion passed 7-0-0-0. GM Triano to draft Temporary RV guest parking rental agreement and fees.



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- N. Park Home Competition and Prizes – tabled until next meeting and Director A. Hutson will bring further detail on what she has done in the past.
- O. GM Triano to draft letter for Board review regarding enforcing CC&R's rule about all Owner/Landlords requiring Tenants to have trash service and must be part of rental agreement.
- P. Wastewater Report – Report provided for Board review. GM Triano and C. Main outlined that electrical panel upgrade approved in 2020 should be done in coming month, WWTP final approval/new order received and testing plans modified accordingly.
- Q. Road Committee Report – No activity
- R. Social Committee Report – No activity
- S. Future Agenda Items: Director A. Rodriguez requested Bus Stop Dry Cover be discussed at next meeting

Director B. Six motioned to adjourn meeting. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.

Meeting adjourned 7:10 pm

Submitted By:

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Ann Hutson, Secretary

Date



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## Meeting Minutes - Board of Directors – OPEN SESSION

Tuesday, March 9, 2021 6:00 pm

- Meeting called to order 6:00 pm
- Directors R. Brown, B. Six, A. Rodriguez, D. Morrison, B. Fletcher, S. Sanchez and GM L Triano present, Director A. Hutson present on Zoom
- Director S. Sanchez motioned to approve 2/9/2021 Executive and Open Meeting Minutes as written. Director D. Morrison seconded the motion. Motioned passed 7-0-0-0
- Open Forum:
  - Member brought up water flow issue on property on Jackson Court, street issues will be addressed at future date when roads and infrastructure work is contracted.
  - GM Triano to include Director B. Six in walk through with neighboring property owner
  - Member brought up concerns about litigation settlement.
- Design Review
  - Director B. Six motioned to approve Blanket Design Review Approval for Arborist recommended actions on Trees. Director A. Rodriguez seconded the motion. Motion passed 7-0-0-0
  - Directors all approved palm tree removal via email prior to meeting for 5018 W. Park Drive, review signed off.
- Director D. Morrison motioned to approve the reviewed financials for February 2021. Director A. Hutson seconded the motion. Motion passed 7-0-0-0
- GM Triano to draft letter for bill stuffer and newsletter asking for Community Input on how to best utilize the recovered space where old Water Treatment Tanks were.
- Director A. Rodriguez motioned to approve \$ 6,800 bid to replace fencing across from the Clubhouse and have GM Triano seek funds for shared fencing from all homeowners who share that fence, while keeping to one contractor so that fence/work is consistent since this is entrance focal point to the Community. Director B. Fletcher seconded the motion. Motion passed 7-0-0-0
- Director A. Hutson to send all Board Members and GM Triano email with info on prior Park Home Competition/Prizes, item tabled to next meeting.
- Director S. Sanchez motioned to approve **Temporary** RV Space Rental Agreement as written. Director B. Six seconded the motion. Motion passed 7-0-0-0
- GM Triano reviewed several Bus Shelter options and Resident bus driver provided input that we are looking at 20-35 kids, and that is during Covid, likely higher at other times. Discussion about using Clubhouse as shelter discussed, would require multiple supervisor volunteers and coordination from Community. Can explore possibility of putting sides on existing Man Gate entrance, possible use of our storage shed. GM Triano to explore further and seek Community input. Tabled for now.
- GM Triano reviewed final WTP tank demo cost, Arborist input and Oaks staff contribution to clean-up, fencing repair letters sent. Board/Members requested need for future Community Safety Meeting as pandemic subsidies.
- GM Triano reviewed article on recommended Property/Commercial Insurance – No Earthquake coverage. All generally agree that coverages seem low, GM Triano to bring back further input/recommendations from insurance agent and cost impact, as well as outline what Commercial Covers if there is an Earthquake (what is not covered in Earthquake).
- Director A. Rodriguez motioned to approve Cazadd bid for emergency fire hydrant valve repairs on West Park, \$ 5,160. Director B. Fletcher seconded the motion. Motion passed 7-0-0-0
- Wastewater Report Report provided for Board review

Director B. Six motioned to adjourn meeting. Director A. Rodriguez seconded the motion. Motion passed, meeting adjourned 7:20 pm



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## Meeting Minutes - Board of Directors – OPEN SESSION

**Tuesday, April 13, 2021 6:00 pm**

- Meeting called to order 6:00 pm
- Directors R. Brown, B. Six, A. Rodriguez, S. Sanchez, A. Hutson and GM L Triano present, Director D. Morrison absent and excused. Director B. Fletcher absent.
- Director S. Sanchez motioned to approve March 9, 2021 Executive and Open Meeting Minutes as written. Director A. Rodriguez seconded the motion. Motioned passed 5-0-0-2
- Open Forum:
  - Director A. Hutson outlined Park Beautification contest, to be added to next agenda
  - Member voiced his input that he would not like to see garden put in at Maintenance Building on Hilltop, would prefer it be across the street.
  - Member brought up questions on Bull Pine Tree noted needing removal, to contact Arborist directly with further questions.
  - Director R. Brown discussed increased rattlesnake activity, vaccines
- Design Review - Directors all signed off/approved
  - Lot 148, paint color
  - Lot 51, replace porch post
  - Lot 204, roofing
  - Lot 62, R&R Shed
  - Lot 95, paint color
  - Lot 148, driveway addition
- Director A. Hutson motioned to approve the reviewed financials for March 2021. Director B. Six seconded the motion. Motion passed 5-0-0-2
- GM Triano reviewed pool and spa to open unsupervised April 16<sup>th</sup> or 17<sup>th</sup>, Fire Hydrant repair complete with increased cost due to valve & tee that had to be replaced, Gate code changes and gate locking in place and uneventful for the most part, Mike Guiderra home install well underway, Residents doing a great job on community and home clean up of fences, trees, etc.
- Concerns about boarded up home at 5775 Park Circle tabled
- Director A. Hutson motioned to approve Toma & Associates bid for survey of Lot 151 and horizontal parking. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.
- Director S. Sanchez motioned to approve \$ 3,260 with Vossler for temp comp upgrade to 20 meters and additional 20 gas meters. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.
- Director A. Hutson motioned to approve bid for \$850 to trim oak trees by fishing pond. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.
- Discussion and action on Governing Document initial draft before going to Members:
  - Director A. Hutson motioned to approve including in CC&R revisions the limitation of rental lots to no more than 25%, 53 units. Director A. Rodriguez seconded the motion. Motion passed 4-1-0-2 with Director B. Six voting no.
  - All Board concurred we do not want to be part of approving Tenants.
  - Director S. Sanchez motioned to approve including in the CC&R's the civil right for The Oaks to have Tenant pay rent directly to The Oaks if the Landlord is delinquent to The Oaks. Director A. Hutson seconded the motion. Motion passed 4-1-0-2 with Director B. Six voting No.
  - Director A. Rodriguez motioned to approve including in the CC&R's a limitation to 2 (two) chickens, no roosters. Director S. Sanchez seconded the motion. Motion passed 5-0-0-2.
  - Director S. Sanchez motioned to approved including in CC&R's mandate for Homeowner's Insurance by all lot owners and enforcement by Office annually. Director A. Hutson seconded the motion. Motion passed 4-1-0-2 with Director B. Six voting No.



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- Discussion on Accessory Dwelling Units is tabled and to be addressed in revised Rules & Regulations.
- 2021 Reserves Budgeted Expense planning:
  - Director A. Hutson motioned to approve and execute the budgeted \$18,963 for road repairs based on our prior Road Committee priority list. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.
  - Director S. Sanchez motioned to approve and execute the budgeted \$2,000 for clubhouse improvements to be used to upgrade window blinds. Director B. Six seconded the motion. Motion passed 5-0-0-2.
  - Director A. Rodriguez motioned to approve the \$ 692 budgeted expense for 2 stationary & 2 portable umbrellas. Director A. Hutson seconded the motion. Motion passed 5-0-0-2.
  - Budgeted expense of \$ 20,500 for major road repairs in 2022 and beyond tabled, Director R. Brown to put together agenda for community workshop on this topic before proceeding further.
- Architectural Guidelines tabled
- Director A. Rodriguez motioned to approved CPA reviewed 2020 Financial Report. Director A. Hutson seconded the motion. Motion passed 5-0-0-2.
- Wastewater Report Report provided for Board review

Director A. Hutson motioned to adjourn meeting. Director A. Rodriguez seconded the motion. Motion passed, meeting adjourned 7:44 pm





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## Open Board Meeting Minutes

Tuesday, May 11, 2021

### Type of Meeting: Open Meeting

Meeting was called to order at 6:00 pm by President R. Brown.

Directors Present: R. Brown, B. Six, D. Morrison, B. Fletcher, S. Sanchez, A. Hutson A. Rodriguez

Director A. Hutson motioned to approve the April 13, 2021 Open Board Meeting minutes as written, there was no Executive session held that day. Director B. Fletcher seconded the motion. Motion passed 7-0-0-0

Open Forum – Member inquired about opening Clubhouse, GM Triano noted it is open and we will publish details in newsletter and post on sandwich board to encourage use.

Design review for Lot 149 was tabled, Board would like additional detail on fence design and materials to be used, member will be notified of additional detail request.

April financials reviewed prior to meeting by Directors S. Sanchez and B. Six in detail, all Directors signed off on financials as presented. GM Triano reviewed all reserves for 2020 & 2021 paid in full. GM Triano stated JME5925 and RW5565 approved in Executive Session for proceeding with Foreclosure. GM Triano to revise monthly financial audit to simplify Physical Petty Cash and to add her recommended audit instructions for ensuring Employee Retirement Contributions, Workmen's Comp liability and State & Federal Tax Deposits are being made to ensure future integrity.

Director S. Sanchez motioned to increase Christopher Main credit card limit from \$500 to \$1,500. Director B. Six seconded the motion. Motion passed 7-0-0-0.

Acting as a Member, not a Director, B. Fletcher committed to, at a minimum, get window(s) visible from street installed at 5775 Park Circle by end of June 2021 to address Member concerns about boarded up windows affecting Association/property values and aesthetics.

Director A. Hutson motioned to approve bid by Consolidated Engineering for items GM Triano noted, total award for roads \$ 30,600 initially, as well as retaining wall work to be determined, at \$ 215/lineal foot within budgeted reserve amount. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0. GM Triano to gather additional information and/or bids on items not awarded.



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## **Open Board Meeting Minutes Tuesday, May 11, 2021 (continued)**

### **Type of Meeting: Open Meeting**

Governing Document changes: Director B. Fletcher motioned to approve limiting chickens to maximum of 3 in a coop, no free-range chickens. Director A. Hutson seconded the motion. Motion passed 7-0-0-0. Director S. Sanchez motioned to approve requirement for Homeowner's Insurance being mandatory, although GM Triano clarified her prior statement this was already in place was not accurate. Director A. Hutson seconded the motion. Director B. Six voted Nay. Motion passed 6-1-0-0.

GM Triano to draft Accessory Dwelling Unit policy and present at future date.

Board reviewed and outlined changes to draft Architectural Guidelines. Director A. Hutson motioned to approve Guidelines with noted changes for Member review period. Director A. Rodriguez seconded the motion. Motion passed 7-0-0-0.

Director A. Rodriguez motioned to approve GM Triano proposed Budget and Election calendar for 2021/2022. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.

Director A. Rodriguez motioned to approve the budget and promotional materials, dates, etc. for the lot beautification contest with the addition of statement credit option in lieu of gift card. Director S. Sanchez seconded the motion. Director B. Six temporarily absent. Motion passed 6-0-0-1.

C. Main reviewed Waste-Water report and status. Rag deposits continue to be an issue and Members need to be reminded again in newsletter.

Director B. Six motioned to adjourn the meeting. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.

Meeting adjourned at 7:29 p.m.



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## Open Board Meeting Minutes

Tuesday, June 8, 2021

### Type of Meeting: Open Meeting

Meeting was called to order at 6:00 pm by President R. Brown.

Directors Present: R. Brown, B. Six, B. Fletcher, S. Sanchez, A. Hutson, and A. Rodriguez present. Director D. Morrison absent and excused.

Director B. Fletcher motioned to approve the May 11, 2021, Executive minutes with correction requested by Director A. Hutson to spelling of D'Fence Man, and to approve May 11, 2021, Open meeting minutes as written. Director A. Hutson seconded the motion. Motion passed 6-0-0-1.

May 2021 financials reviewed prior to meeting by Directors S. Sanchez and D. Morrison in detail. Director A. Hutson motioned to approve May 2021 financials. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1. Directors signed off on financials as presented.

Director A. Hutson motioned to approve all bids/expenses as outlined by GM Triano, with condition that we do not exceed 2021 Reserves budget in total, or that operating funds are used. Director B. Fletcher seconded the motion. Motion passed 6-0-0-1. Expense's summary below:

- Fencing \$ 8,657 plus fishing pond bid which is TBD, est. \$1,500.
- Dog Park \$ 6,207
- Pool Accessories \$ 1,537
- Fishing Pond \$ 2,755
- RV Storage Rock \$ 2,120
- Entry sign stone flower boxes \$ 1,200

Director A. Hutson motioned to approve revised road bid for \$ 40,580 plus \$950 each for select speed bumps. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1.

Director S. Sanchez motioned to approve Governing Docs drafts with GM Triano comments/questions addressed with Attorney for Member review period, prior to vote. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1.

Director A. Hutson motioned to approve the addition for ADU's/JADU's to the proposed Architectural Guideline as outlined by GM Triano. Director S. Sanchez seconded the motion. Motion passed 6-0-0-1.



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Director A. Hutson motioned to approve new Commercial, Umbrella, Auto and D&O Insurance quotes, netting approx. \$2,600 savings over 2020. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1.

Director A. Hutson to come to office on 6/9/2021 to meet with Assistant Park Manager & GM Triano on Lot Beautification final details for vote date, process, etc.

Wastewater report presented for Board review.

GM Triano to obtain staff t-shirts for maintenance and pool attendant, as well as name tags.

Director B. Six motioned to adjourn meeting. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1.

Meeting adjourned 6:50 pm



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## Open Board Meeting Minutes

Tuesday, July 13, 2021

### Type of Meeting: Open Meeting

Meeting was called to order at 6:00 pm by President R. Brown.

Directors Present: R. Brown, B. Six, S. Sanchez, A. Hutson, and A. Rodriguez present. Director D. Morrison absent and excused. Director B. Fletcher absent.

Director A. Hutson motioned to approve the June 8, 2021, Executive and Open Meeting minutes as written. Director S. Sanchez seconded the motion. Motion passed 5-0-0-2.

Open Forum – Member reviewed Food Pantry offering. Members brought up multiple questions on Governing Document and Architectural Guideline changes, which GM Triano mistakenly did not have on agenda for action, so a special meeting will be called to address these in detail prior to the next regular Board meeting.

Some of the areas we will be reviewing are:

- Car Washing – CC&R's section 9.9 vs. Rules and Regulations
- Decks, stairs, etc. HCD and Amador requirements vs. CC&R's
- Holiday Décor – from 20 days to 4 weeks
- Visible vs. non-visible yard approvals
- And many more topics raised by Member, as outlined on attached, reviewed initially by GM Triano (red) and Attorney (green text input)
- Additional questions on Architectural Guidelines will be reviewed at this meeting as well, copy of those attached as well.

All Directors signed off on Design Reviews presented, forms signed and notice to owners to be sent.

June 2021 financials reviewed prior to meeting by Directors S. Sanchez and R. Brown in detail.

Director S. Sanchez motioned to approve June 2021 financials. Director B. Six seconded the motion. Motion passed 5-0-0-2.

Director A. Hutson motioned to approve GM Triano use of BBVA Line of Credit for \$ 16,269.66 for Commercial Insurance Policy premium payment, to be paid back from Operating account by no later than the end of 2021. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.

Director A. Hutson motioned to approve GM Triano proposed change/clarification on Collection Policy regarding due dates on Utilities, no change, just clarification on how written (due on receipt,



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delinquent after 15<sup>th</sup>). Member review not needed as no change to policy. Director B. Six seconded the motion. Motion passed 5-0-0-2.

Director A. Rodriguez motioned to approve new full page utility billing format. Director A. Hutson seconded the motion. Motion passed 5-0-0-2.

Billing of utilities through Landlords tabled for now, no change.

Director B. Six motioned for GM Triano to send Lot 126 owner, who was not present at meeting, notice that The Oaks will not be responsible for work, cost and damage done without prior inspection of area of concern, without approval to proceed, and owner must restore engineered slope and retaining wall and will be held liable for any impact to neighboring property(s) and/or Oaks transformer that resides on lot to the rear of Lot 126. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.

Lot beautification contest winners reviewed by Director A. Hutson, 1<sup>st</sup> Place to 5534 N. Park Drive, 2<sup>nd</sup> Place to 5715 Jackson Court, 3<sup>rd</sup> Place to 5564 N. Park Drive, Most Improved to 5715 Jackson Court.

Discussion and Possible Action regarding trees along neighboring property/vacant field tabled pending detailed bid from Tree specialist, overall bid of \$16,500 roughly seems very reasonable.

Wastewater report presented for Board review.

Future Agenda Items: Holiday Contest, Governing Document changes, Architectural Guideline changes

Director A. Hutson motioned to adjourn meeting. Director B. Six seconded the motion. Motion passed 5-0-0-2.

Meeting adjourned 7:17 pm

Initial input from Members is in black text

Input from Attorney in response to those is in green text

GM input is in blue text

Final resolution notes are highlighted in yellow

## ARTICLES OF INCORPORATION

The Articles of Incorporation should be updated as well so as not to conflict with the By Laws and CC&R's since they make reference to the three(3) classes of voting membership and the specific neighboring properties outside the Development.

AGREE, will update if appropriate once we finalize CC&R's and Bylaw changes

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## RESTATED BY LAWS REVIEW

Article 1: Administration 1.1 Name; fails to reference the principal office location where association business is conducted, and the Date of the Restatement should be noted here

NOT REQUIRED

For simplicity and consistency, will add principal business location, date of restatement (which is on last pages and gets certified/filed) and that association business is generally to be conducted on site at 5607 Jackson Valley Road, Lone CA.

Article 2: Membership; what happened to Class 3 voting members who are none resident owners. This affects Board membership.

BEST TO REVISE THE ARTICLES RATHER THAN KEEP CLASS 3

It was clarified that Class 3 was for non-resident owners and limited non-resident owners to a maximum of 1 seat on the Board at any given time. Director S. Sanchez motioned to keep Class 3 but to increase number of allowed seats for Class 3 on the Board to 2 at any given time, given limited interest we repeatedly see in folks running for the Board. Director B. Six seconded the motion. Motion passed 5-0-0-2.

Article 3: Membership Meetings; 3.1 a. Annual Meetings; The entire paragraph needs correction. Annual means annual not just during years of board elections. Also, the word "business" seems to be missing from the end of the first sentence. c.iii. Location of Membership Meetings. "Suitable location" should not be the primary location. The main location should be the Association Clubhouse.

We will revise this to state "The Association must hold an annual meeting every year to conduct and announce the outcome of election, including election by acclamation results, and to conduct any other Association business. Such meetings may include Director Elections, or other types of Elections."

### ARTICLE 3: MEMBERSHIP MEETINGS

#### 3.1 Generally.

- a. *Annual Meetings.* The Association must hold an annual meeting at least every year the Association elects Directors to conduct and announce the outcome of such election and to conduct any other Association. Such meetings may include Director elections, or other types of elections.

**NEW**

- iii. *Location of Membership Meetings.* Annual and special membership meetings will be held at a suitable location in or reasonably close to the development.

**OLD** 4.5 Place of Meetings: Annual and special meetings shall be held at a location within the Development; provided that the Board may designate a convenient place located as close as reasonably practicable to the Development.

### ARTICLE 3: MEMBERSHIP MEETINGS

#### 3.1 Generally.

- a. *Annual Meetings.* The Association must hold an annual meeting at least every year the Association elects Directors to conduct and announce the outcome of such election and to conduct any other Association. Such meetings may include Director elections, or other types of elections.

---

Article 3: Membership Meetings; 3.6 Proxies. While proxy voting has not been used in the past, there is no reason to remove it from the By Laws.

**CORRECT**

Consensus was to not allow Proxy voting since mail in ballots can be used, so nothing prevents Members from easily participating.

Associations may amend their articles and/or bylaws to eliminate proxy voting altogether. ([Corp. Code §7613\(a\)](#).) Arguments in favor of eliminating proxies include:

1. **Fraudulent Signatures.** Proxy forms may be signed by using unverifiable signatures. By statute, signatures for proxies now include "typewriting, telegraphic transmission, or otherwise." ([Civ. Code §5130\(a\)\(2\)](#).)
2. **Fraudulent Voting.** The required [two-page format](#) for proxies creates the potential for election [fraud](#). Since there is no way to verify that proxyholders actually vote their ballots according to the owner's instructions, the proxyholder can change an owner's vote.



**Recommendation:** Since ballots count toward quorum ([Civ. Code §5115\(b\)](#)), proxies are no longer needed for that purpose. To simplify elections, associations should also consider eliminating [cumulative voting](#) and [quorum requirements](#) for the election of directors.

---

Article 3: Membership Meetings; 3.8 Recording of Meetings; There is no reason to prohibit members from making Audio or Video recordings of publicly held Membership meetings.

IT IS BEST PRACTICE TO PROHIBIT MEMBERS FROM RECORDING MEETINGS THERE IS NOTHING TO GAIN AND IT CAN LATER LEAD TO PROBLEMS SHOULD LITIGATION BE NECESSARY FOR ANY REASON.

Director S. Sanchez motioned to prohibit recording, which would require releases from all participants and cause potential litigation concerns. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.

---

Article 3: Membership Meetings; 3.9 Quorum Requirements; Why did our quorum requirement go from 33% to the much more difficult to obtain 50%??

THERE IS NO QUORUM REQUIREMENT FOR DIRECTOR ELECTIONS. OTHER ISSUES REQUIRING A VOTE WILL REQUIRE THE 50% SUCH AS SPECIAL ASSESSMENT VOTES. THIS ALSO DISCOURAGES SERIAL RECALL EFFORTS FROM PETITIONING MEMBERS

For all except as required by law, reduce back to 1/3 (33.3333%), except for Director Elections, no majority required, Board Vote Required.

---

Article 5: Election of Directors; What happened to Class 3, non-resident members and the restriction that only one of them can sit on the board?

Addressed in Article 2, we will be retaining Class 3.

---

Article 8: Meetings of The Board; 8.13, Teleconference. This should be limited to emergency situations for the entire board and not to be used by individual board members. –

TELEPHONE AND VIDEO CONFERENCE ARE ALLOWED BY STATUTE. I SEE NO REASON TO REVISE.

We will be leaving the option for Telephone & Video to be provided if anyone requests it, as allowed by law.

---

Article 8: Meetings of The Board; 8.15 Recording of the Meetings; There is no reason to prohibit members from making Audio or Video recordings of publicly held Association meetings. –

Addressed above, no recording of meetings will be allowed for reasons noted above.

## CC&R'S REVIEW

First paragraph of The Restated, third sentence states, " Without reducing the number of properties ..."; But, we are reducing and eliminating Addendum B property.

THE NUMBER OF LOTS WITHIN THE DEVELOPMENT ARE NOT BEING REDUCED.

No changes will be made, it is correct as noted and confirmed by attorney.

THIS RESTATED Declaration of Covenants, Conditions and Restrictions ("CC&Rs") is made by all persons who own Lots in that certain real property planned residential development known as THE OAKS located in Amador County, California. These CC&Rs apply to and bind all properties previously covered by covenants, conditions and restrictions. Without reducing the number of properties covered by these CC&Rs, these CC&Rs apply to the following properties:

Lots 1 through 14, inclusive, Lots 16 through 210, inclusive, and Lot C, as shown on the Final Map of Subdivision No. 53, "The Oaks Mobile Home Community" recorded in Book 6 of Subdivision Maps at Page 98 et seq. in the Office of the County Recorder of Amador County, and the Addendum A Property.

---

Article 1: Definitions; 1.2 "Addendum A Property"; no exhibit was attached.

Addendum A Property exhibit will be attached to CC&R's.

---

Article 1: Definitions; Why was the definition of "county" removed? It is used in the document. Why was "Member in Good Standing" removed?

SB 323 REMOVES THE ABILITY OF THE ASSOCIATION TO USE GOOD STANDING FOR THE PURPOSE OF SUSPENDING VOTING RIGHTS WHICH WAS THE REASON THE DEFINITION WAS IN THE PRIOR VERSION. COUNTY COULD BE INCLUDED...DO YOU THINK IT IS NECESSARY IN ORDER TO UNDERSTAND THE DOCUMENT?

We will be adding "County" back in just for simplicity, and we will add "Member in Good Standing" definition back into the document as it pertains to more than just voting.

**1.20** County. "County" shall mean the County of Amador, State of California.

**1.27** Member in Good Standing. "Member in Good Standing" shall mean a member who is current in the payment of all dues, Assessments, fines, penalties, and other charges imposed in accordance with the Governing Documents, and who is in compliance with all of the provisions of the Governing Documents, as may be more particularly set forth in the Bylaws.

---

Article 1: Definitions; 1.32 "Owner"; Why does this no longer include family members living at the residence?

GM notes to Attorney: I would defer to you, but I would think family has nothing to do with ownership, nor would entitle them to owner rights.

CORRECT

We will be leaving this as it was in the original document, family members living at residence is not pertinent to anything.

---

Article 1: Definitions; Why was the definition of "record" removed?

NOT NEEDED

GM recommends leaving out, not pertinent or needed per attorney and record could be things other than those filed with County, Board vote

Director S. Sanchez motioned to leave "record" out of the document as this is not a correct definition of all "records". Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.

**1.33 Record.** "Record" shall mean, with respect to any document, the recordation or filing of such document in the Office of the County Recorder.

---

Article 1: Definitions; 1.44 "Special Assessments"; this definition is out of Alphabetical order.

Just need to fix and will do so

---

Article 1: Definitions; Why are "Shared Fence" and "Simple Majority" removed?

NOT NEEDED

GM recommends we add shared fence/wall & owner responsibilities back in, do not see this covered anywhere else (add back all from prior 1.39 & 8.4)

We will be adding "Shared Fence/Wall and Owner Responsibility for Lots" back into the document. Director A. Rodriguez motioned to not add "Simple Majority" back into the document as it is not pertinent, quorum is defined in the document. Director S. Sanchez seconded the motion. Motion passed 5-0-0-2.

**1.39 Shared Fence and Shared Wall.** "Shared Fence" and "Shared Wall" shall have the meaning set forth in Section 8.4(b) (i) of this Declaration.

gence or fault of the Association, its employees, Contractors, or agents.

**8.4 Owner Responsibility for Lots**

(a) Generally. Each Owner shall be responsible for the maintenance, repair and replacement of his or her Lot and all improvements thereon including, without limitation

**(i)** the Residence,

**(ii)** all landscaping, and

**(iii)** subject to the provisions of Section 8.4(b), all fences.

(b) **Shared Fences and Shared Walls.** The following provisions shall govern Shared Fences and Shared Walls:

**(i)** General Rules of Law to Apply. Each fence or wall which is built as a part of the original construction of the Residences within the Development and serves as the boundary between the Lots shall constitute a Shared Fence or Shared Wall. To the extent not inconsistent with the provisions of this article, the general rules of law regarding party walls and liability for property damage due to negligence or willful acts or omissions shall apply to the Shared Fences and Shared walls.

**(ii)** Sharing of Repair and Maintenance. The cost of reasonable maintenance and repair of a Shared Fence or Shared Wall shall be shared by the Owners who make use of the fence or wall in proportion to such use.

**(iii)** Destruction by Fire or Other Casualty. If a Shared Fence or Shared Wall is destroyed or damaged by fire or other casualty, any Owner who has used the fence or wall may restore it, and if the other Owners thereafter make use of the fence or wall, they shall contribute to the cost of restoration thereof in proportion to such use, without prejudice, however, to the right of any such Owners to call for a larger contribution from the others under any -rule of law regarding liability for negligent or willful acts or omissions.

**(iv)** Right to Contribution Runs With Land. The right of any Owner to contribution from any other Owner under this section shall be appurtenant to and run with the land and shall pass to such Owner's successors in title.

**1.40 Simple Majority.** "Simple Majority" shall mean a majority of the votes of the Members (i) represented and voting at a meeting at which a quorum is present, or (ii) cast by written ballot (in conformity with California Corporations Code Section 7513) in which the number of ballots received equals or exceeds the number required to establish a quorum.

GM recommends leaving out, Simple Majority is not referenced in new CC&R's and majority and quorum are defined within the CC&R's, so really not pertinent. Board Vote required.

---

Article 1: Definitions; "Utility Lines"; This definition needs to distinguish between Community Property and Member Property. My Telephone, Television, Satellite, HVAC system, etc is not a "utility line"!

WHY?

Board Vote required, definition of HOA vs. member responsibilities are defined within the document, GM thinks we could eliminate heating and air conditioning ducts, heating and air conditioning flues, ducts, flues.

We will be removing references to heating and air conditioning conduits, heating and air conditioning ducts, heating and air conditioning flues, ducts, flues from this section.

1.49 "Utility Lines" means sewer lines, storm drains, water pipes, electricity lines, gas lines, telephone lines or cables, television cables, satellite dish cables, heating and air conditioning conduits, heating and air conditioning ducts, heating and air conditioning flues, fiber optic cables, data lines, community security systems, and other similar lines, pipes, cables, ducts, flues, and conduit pipes.

---

Article 1: Definitions; Why were the definitions for "Water Issues" and "Water Service Area" removed. BASED ON PROVISIONS IN PROPOSED CC&RS

GM recommends we leave out as attorney proposed, we no longer are water provider and we do not service any outside properties, Board vote required.

Director B. Six motioned to leave these out since they are no longer pertinent. Director D. Morrison seconded the motion. Motion passed 5-0-0-2.

1.43 Water Issues. "Water Issues" means all issues which materially affect the rights or obligations of Members relating to the delivery of water service or to the funding or expenditure of the repair and replacement fund, on which the Members are required by law to vote.

1.44 Water Service Area. "Water Service Area" shall mean (i) the Lots, (ii) the Addendum A Property, (iii) the Addendum B Property, and (iv) Lot C as shown on the Subdivision Map.

---

Article 3: Membership Obligations; 3.6 Duty to Maintain, Repair and Replace: b. Slopes; Slopes should be defined under Article 1.

SEE 3.6b FOR CONTEXT. IS THERE A NEED TO FURTHER DEFINE?

Adding definition as follows: "Slopes. Their engineered slopes, terraces, drainage contours, drainage devices, retaining walls, and landscaping that may impact and/or support these "Slopes."

---

Concern raised by Member –

We will be removing this from the CC&R's completely and will address any concerns in Rules & Regulations

9.9 Washing of Vehicles. Except as provided for in the Rules and Regulations, washing or detailing vehicles in the Development is prohibited.

---

Article 3: Membership Obligations; 3.8 Obligation to Carry Insurance: "Insurance" should be defined under Article 1.

WHAT DEFINITION IS SUGGESTED?

We will be defining insurance as: Insurance should be an industry standard policy from a California Approved Carrier that includes Dwelling, Other Structures, and Personal Liability Coverages .

---

Article 3.8 –

We will be deleting first sentence and adding "Members must provide the Association a copy of Property/Homeowner's Insurance on request, then we will keep last sentence as is.

**3.8** Obligation to Carry Insurance. Members must purchase insurance for their Separate Interests, at their sole expense, as more fully described in the Article in these CC&Rs entitled "Insurance." The Association may confirm compliance with this section but is not required to and is specifically relieved of any responsibility or liability for not confirming compliance with this section.

---

Article 5.2 – Applicants in Good Standing – please note that this exclusion from submitting plans to the Architectural Review Committee if they are not in Good Standing will be waived if the plans they are submitting are to correct an issue they have been notified they are in violation of, cited for and/or requested to correct by the Committee, Board or Office/Management.

---

Article 5: Architectural Control; 5.4 No Exterior Installations. Satellite dishes are presumed preapproved by California Law and should only be subject to Approved Standards not Architectural Committee approval unless positioning for obtaining a signal does not meet approved standards.

We will simply change the last word to Architectural Committee and will address this in the Architectural Guidelines.

5.4 No Exterior Installations. Installations of any kind, including but not limited to, trellises, awnings, outbuildings, storage sheds, electric lines, telephone lines, television antennas, satellite dishes, machines, or air conditioning units, on the exterior of the buildings of the Development are prohibited except as authorized by the Architectural Committee.

---

Article 5: Architectural Control; 5.6 Architectural Committee; b. Conflicts of Interest; Should include restriction when decision involves and immediate neighbor of the board member unless the neighbor waives the conflict concern.

UP TO THE BOARD IF THEY WOULD LIKE THIS PROVISION INCLUDED IN THE PROPOSED RESTATED CC&RS.

We are adding the verbiage at the end of the paragraph, as noted in yellow highlight below.

Conflicts of Interest. A Director or Architectural Committee member is not permitted to participate in the decision-making process of any architectural submittal made by that Director or Architectural Committee member or members of his or her family. Further, a Director or Architectural Committee member is not permitted to participate in the decision-making process of any other architectural submittal if the approval would result in a monetary benefit to the Director or Architectural Committee member or any company in which the Director or Architectural Committee member, or members of his or her family have a financial interest, nor may a Director vote or make decisions regarding any immediate neighboring property to their own property, whether they reside on the property or not.

---

Article 5: Architectural Control; 5.17 Combining Lots; not allowed in past, why now? If removed then remove from 5.18 No Right to Divide lots.

THESE ARE SUGGESTED PROVISIONS. NOT REQUIRED AND MAY BE CHANGED. UP TO THE BOARD.

Director D. Morrison motioned to leave this as it was in current CC&R's, no lot may be subdivided or combined. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.

#### OLD

4.21 Subdivision or Merger of Lots. No Lot may be subdivided, nor may more than one Lot be combined into a single parcel of land, for any reason.

#### NEW

5.17 Combining Lots. The combining of Lots is not permitted without prior written Board approval. Once combined: (i) the Percentage Interest in the Common Area allotted to the combined Lots will equal the sum of the Percentage Interests in the Common Area of each of the combined Lots; (ii) the Assessments due and owing on the combined Lots will equal the sum of the Assessments levied against each of the respective Lots so combined; and (iii) the Owner of the combined Lots will continue to have the same number of votes assigned to the Lots before they were combined.

---

Article 8: Pets; 8.1, Why are we excluding non-poisonous snakes? Yes, another one I missed, we did not have that before, see no reason to exclude non-poisonous snakes?

UP TO THE BOARD IF THEY WOULD LIKE TO ALLOW NON-POISONOUS SNAKES IN THE PROPOSED CC&RS.

We will be removing the exclusion of non-poisonous snakes from allowed pets.

---

Article 9: Vehicles and Parking; Need to add that All Vehicles driven within the Development must be legal to operate on public roadways, licensed, registered, insured and operated by a licensed driver.

NOT REQUIRED BUT COULD BE ADDED TO CC&RS IF THAT IS THE DESIRED RESTRICTION.

GM believes this is best handled in Rules & Regulations, we want to keep Governing docs as simple as possible, much easier to change Rules & Regs and we have little control over anything beyond registered, so why add things we can't check or enforce.

We will be adding requirement for licensed driver, having minimum California required insurance, etc. to the Rules & Regulations.

Current Rules & Regs:

## VEHICLES and PARKING

1. All vehicles used by owners and or, tenants or guests within the community must be currently registered with the California Department of Motor Vehicles and registered with The Oaks Community Association within 30 days of becoming a resident or purchasing a new vehicle.
2. Only motor vehicles as defined by the California Motor Vehicle Code shall be parked in a designated parking area on individual lots or community parking areas.
3. Vehicles that are inoperative or not currently registered with the California Department of Motor Vehicles shall not be parked anywhere in the community visible from the street.
4. The speed limit for all vehicles in the community is 10 (ten) miles per hour.

---

Article 9: Vehicles and Parking; 9.5, "Insured" needs to be defined.

WHAT DEFINITION WOULD THE BOARD LIKE TO USE?

We will be adding notes below highlighted in yellow

9.5 Proper Operating Condition. All vehicles parked or stored in the Development must be maintained, and not be a hazard or nuisance by noise, exhaust emissions, or appearance. All vehicles parked or stored in the Development must carry current registration tags and must be insured to meet California State minimum requirements or better, unless otherwise approved in writing by the Board.

---

Article 14: Insurance; 14.2 Member Obligation to Carry Insurance; "Insurance" should be defined. The insurance requirements are too broad. They should only state the policy should be an industry standard policy from a California Approved Carrier that includes Dwelling, Other Structures, Personal Property and Personal Liability Coverages. Any more than this is overreach and will be opposed strongly. Automobile Insurance should be under a separate paragraph and should again simply state that the policy must be from a California Approved Carrier and meet California minimum requirements.

THIS IS OUR SUGGESTED FORM. CHANGES ARE POSSIBLE AND CAN BE MADE – RECOMMEND CONSULTATION WITH YOUR INSURANCE PROFESSIONAL.

We will be adding definition of Insurance as was noted on above items that also pertained to this.

Insurance should be an industry standard policy from a California Approved Carrier that includes Dwelling, Other Structures, and Personal Liability Coverages .

---



Article 16.7 – we will remove the part that basically says they have to go to court to go to court, we DO NOT want to mandate “unless court first determines”

---

Article 17.1 – it appears this section only applies to 17.1, so instead of it saying “17” in sentence, we believe it should say “17.1” and has been sent to attorney to confirm.

---

Article 17.7 - Sent to attorney for further review/clarification - Should this be Easement in all these sentences, not “encroachment”?

Easement: **LAW**

a right to cross or otherwise use someone else's land for a specified purpose.

Encroachment - intrusion on a person's territory, rights, etc.

---

Article 18 – Sent to attorney for further review/clarification - Need to define Condemnation and who would be “condemning”?

---

Article 19.1 – Utilities – sent to attorney for further review – need to confirm if verbiage highlighted in yellow under Water should be repeated in each utility section, or, since handled as part of HOA assessment/reserves, utilities based on use except for sewer, should it be removed from all?

The screenshot shows the Adobe Acrobat Reader DC interface. The main window displays a PDF document titled "Restated CCRs (DRAFT 2 - final 5.18.21)(clean) 2 6-29-2021 FINAL for member review.pdf". The document content includes several paragraphs, with the following text highlighted in yellow:

replace, as necessary, the Mutual Water Facilities so as to allow provision of water service. The Mutual Water Facilities shall be maintained properly and in accordance with any standards established by any applicable regulatory agencies. **The Board shall establish a rate structure for the delivery of water within the Water Service Area which will result in the accumulation of a fund for the repair and replacement of the water supply system. The rate charged must bear a reasonable relationship to the cost of funding of the repair and replacement fund. Unimproved Lots shall bear a proportionate share of the repair and replacement fund and cost of delivery of water as determined by the Board.**

19.2 Sewer. The Association shall, for the benefit of the Lots and the Addendum A Owner, maintain, repair, and replace as necessary, the Sewer Treatment Plant in accordance with any standards established by any applicable regulatory agencies.

19.3 Electricity. The Association shall, for the benefit of the separate Lots, obtain and pay for electric service and maintain, repair and replace as necessary the sub meters and all electric lines, wires, conduits and other improvements from the master electric meter to and including the individual sub meters. The common electric system shall be maintained in accordance with any standards established by any applicable regulatory agencies. **In the event that a public utility offers electricity service, the Association may specially assess its Members for any costs associated with transition and commencement of service by such public utility.**

19.4 Natural Gas. The Association shall, for the benefit of the separate Lots, obtain and pay for natural gas service and maintain, repair and replace as necessary the sub meters and all natural gas lines, conduits and other improvements from the master natural gas meter to and including the individual submeters. The common natural gas system shall be maintained in

The right sidebar of the Adobe Acrobat Reader DC is open, showing the "Export PDF" tool. The tool is set to convert the PDF to "Microsoft Word (\*.docx)" and the document language is "English (U.S.)". A "Free 7-Day Trial" button is visible at the bottom of the sidebar.



# The Oaks Community Association

5607 Jackson Valley Road • Lone, CA 95640-9629

Phone 209-274-6056 Fax 209-274-6058

toca@att.net

## **Special Open Board Meeting Minutes**

**Tuesday, July 27, 2021**

### **Type of Meeting: Special Open Meeting**

Meeting was called to order at 6:00 pm by President R. Brown.

Directors Present: R. Brown, B. Six, S. Sanchez, and A. Rodriguez present. Directors B. Fletcher and A. Hutson absent and excused.

We reviewed all concerns raised regarding the initially proposed restated Bylaws and CC&R's prior to finalizing the documents for vote during election. Most changes were just wording and/or clarification, and some issues were voted on for any significant changes. A detailed summary of the issues/concerns and the changes agreed to or voted on are noted on the attached list. The changes will be executed on, and a final copy of the documents will be reviewed at a future meeting before being sent out for vote during election process.

Director B. Six motioned to adjourn meeting. Director S. Sanchez seconded the motion. Motion passed 5-0-0-2.

Meeting adjourned 8:00 pm



# The Oaks Community Association

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## Open Board Meeting Minutes

Tuesday, August 10, 2021

### Type of Meeting: Open Meeting

Meeting was called to order at 6:02 pm by Vice President B. Six

Directors Present, B. Six, S. Sanchez, D. Morrison, B. Fletcher, and A. Rodriguez present. Director R. Brown and A. Hutson absent and excused.

Director S. Sanchez motioned to approve the July 13, 2021, Executive and Open Meeting minutes, July 27, 2021, and August 3, 2021, meeting minutes as written. Director B. Fletcher seconded the motion. Motion passed 5-0-0-2.

### Open Forum –

Member requested hydrant markers be scraped off after road work, GM Triano to address.

Member brought up concerns about meter reading being more days than in month, pushing into higher tier. GM Triano to investigate options and engage our staff if needed to ensure meters read within reasonable time.

Member brought up concern about sunken road area on North Park, pooling water. GM Triano will investigate and note for future road work.

Member brought up holes in pool surface. GM Triano to contact GD Pool again and see if they will cover, will require draining the pool, so hoping we can delay till after summer/

July 2021 financials reviewed prior to meeting by Directors A. Rodriguez and R. Brown in detail. Director S. Sanchez motioned to approve July 2021 financials. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.

Chris Levin, Dean Morrison, and Steve Sanchez volunteered to assist with Budget Workshops, GM Triano to try to set a couple of dates that will work for everyone after initial budget drafted.

Director S. Sanchez motioned to approve \$ 464.00 shared fence contribution toward fence done at Lot 179, for portion shared with fishing pond, to be applied as a statement credit. Director B. Fletcher seconded the motion. Motion passed 5-0-0-2.

Member removal of retaining wall at Lot 126 tabled. Director B. Six, D. Morrison, Chris Main from Maintenance, GM Triano and Member to meet on site Monday, 8/16/21 at 9:00 am to evaluate and discuss history, then will revisit at next meeting.

All Directors present confirmed approval/final sign-off for design review/fence adjustments to hide Lot 013 Trailer as acceptable.



# The Oaks Community Association

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Discussion regarding trees on neighboring property tabled for now. GM Triano will address with Owners of any lots with trees on our side what the quote was for their tree trimming or removal. For any future fire break assistance with neighboring, non-Oak's neighbor, GM Triano to research viability of Release of Liability to Estate of Owner, since Owner on title deceased.

Director B. Fletcher motioned to approve \$100 raffle for Electronic Consent to communications. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2.

Director A. Rodriguez motioned to approve \$500 raffle for returned Election Ballots. Director S. Sanchez seconded the motion. Motion passed 5-0-0-2. Director B. Six also got general interest in many doing a door-to-door campaign to talk to people about returning their ballots to ensure we get quorum, which we will revisit as we get closer to election.

Director B. Fletcher motioned to approval the Architectural Guidelines as revised 8/5/21 and as written. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2. Final draft adopted and will be distributed with all disclosures.

Director B. Fletcher motioned to approve the CC&R's and Bylaw revisions as revised 8/9/21 and as written. Director D. Morrison seconded the motion. Motion passed 5-0-0-2. They will be distributed for Member vote with Election materials. GM Triano still needs to get revised Articles of Incorporation from attorney, eliminating Class 3 Membership since no longer allowed to limit non-resident owner participation on the Board in any way with SB323.

Director D. Morrison motioned to approve the revised Rules and Regulations as written. Director A. Rodriguez seconded the motion. Motion passed 5-0-0-2. Rules & Regulations will be distributed for 28-day Member review before being adopted.

Director B. Fletcher motioned to approve the revised clarifications to paid time off sections of the Employee Handbook. Director D. Morrison seconded the motion. Motion passed 5-0-0-2. GM Triano will distribute revised section to all employees.

Holiday Contest, tabled as Director A. Hutson was not at meeting.

GM Triano provided updates on Roadwork, Water/Hydrant Valve tentative plan and PUC notification that we are not on any near-term list for utility conversion to lot PG&E to each lot.

Wastewater report presented for Board review.

Director D. Morrison motioned to adjourn meeting. Director S. Sanchez seconded the motion. Motion passed 5-0-0-2.

Meeting adjourned 8:00 pm



# The Oaks Community Association

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## Emergency Executive Meeting Minutes Tuesday, August 31, 2021

### **Type of Meeting: Emergency Executive Session**

Meeting was called to order at 4:33 pm by President R. Brown.

Directors Present: R. Brown, B. Six, S. Sanchez, A. Rodriguez, A. Hutson. Director B. Fletcher arrived at 4:40 pm. Director D. Morrison absent and excused.

Lot 134/Lutolf short sale proposal from Realtor presented by GM Triano. Board concurred that we do not want to walk away with nothing and need to cover hard costs. Director A. Hutson motioned to approve GM Triano outlining to Realtor that we want \$3,000.00 out of the deal. Director B. Fletcher seconded the motion. Motion passed 6-0-0-1. Director A. Rodriguez motioned to authorize GM Triano to negotiate down to minimum of \$2,000.00 out of the deal if needed. Director A. Hutson seconded the motion. Motion passed 6-0-0-1.

Director B. Six motioned to adjourn. Director A. Hutson seconded the motion. Motion passed 6-0-0-1.

Meeting Adjourned at 4:55 pm.

Submitted By:

---

Ann Hutson, Secretary

September 14, 2021  
Date



# The Oaks Community Association

5607 Jackson Valley Road • Lone, CA 95640-9629

Phone 209-274-6056 Fax 209-274-6058

toca@att.net

## Open Board Meeting Minutes

Tuesday, September 14, 2021

### Type of Meeting: Open Meeting

Meeting was called to order at 6:00 pm by Vice President B. Six

Directors Present, B. Six, S. Sanchez, D. Morrison, B. Fletcher, A. Hutson, and A. Rodriguez present. Director R. Brown absent and excused.

Director S. Sanchez motioned to approve the August 10, 2021, Executive Meeting minutes. Director A. Rodriguez seconded the motion. Director A. Hutson abstained as she was not at the meeting.

Motion passed 5-0-1-1.

Director S. Sanchez motioned to approve the August 10, 2021, Open Meeting minutes. Director B. Fletcher seconded the motion. Director A. Hutson abstained as she was not at the meeting. Motion passed 5-0-1-1.

Director A. Hutson motioned to approve the August 24, 2021, Emergency Executive Meeting minutes. Director S. Sanchez seconded the motion. Motion passed 6-0-0-1.

### Open Forum –

- Member questioned legality of 10% late fee on utilities, GM Triano noted we are not a utility and have to pay the utilities, regardless of if members pay, and that it was reviewed by lawyer before publishing.
- Member asked about Board nominees, mailing just went out recently for 4 seats up for election, we have received 1 application so far.
- Director A. Hutson noted to watch for more info on holiday contest.

August 2021 financials reviewed prior to meeting by Directors A. Rodriguez and A. Hutson in detail. Director A. Hutson motioned to approve August 2021 financials. Director S. Sanchez seconded the motion. Motion passed 6-0-0-1.

Director A. Hutson motioned to approve changing Mailing of pre-ballot notice, budget, reserve study, disclosures, etc. from 11/11/2021 to 11/8/2021. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1.

Director S. Sanchez motioned to approve the 2022 Reserve Study as written. Director A. Hutson seconded the motion. Motion passed 6-0-0-1.



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Director A. Hutson motioned to approve the 2022 Budget as written. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1. NOTE: GM Triano mis-spoke, financials have not been included in newsletter or posted online, only meeting minutes. GM Triano will work on having some portion of financials for members regularly over the coming month, including historical financials online on our website.

Director B. Fletcher motioned to approve the 2022 HOA Assessment increase of 5.64%, \$11.00 increase, to new HOA monthly assessment of \$206.00. Director A. Hutson seconded the motion. Motion passed 6-0-0-1.

B. Fletcher agreed to re-install retaining wall on Lot 126, with sufficient back fill and compaction, to restore prior engineered integrity on lot to support lot behind it and The Oaks transformer, by no later than 10/31/2021 at his expense. Director A. Rodriguez motioned that The Oaks is not responsible for any of the associated costs for this restoration. Director A. Hutson seconded the motion. Director B. Fletcher abstained since this involves his property. Motion passed 5-0-1-1.

Director A. Rodriguez motioned to Adopt the revised Rules and Regulations now that member review period is complete. Director S. Sanchez seconded the motion. Motion passed 6-0-0-1.

Director A. Hutson motioned to Adopt the revised Collection Policy now that member review period is complete. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1.

Director S. Sanchez motioned to rename the Facility Fee to Sewer Use Assessment in line with what it is for. Director A. Hutson seconded the motion. Motion passed 6-0-0-1.

Director A. Hutson motioned to close the pool down after 10/24/2021 and work on repairs, which will require draining the pool. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1.

Director A. Hutson motioned to approve the CEI \$23,400 bid and plan of work for 3 new street valves on Hilltop, and a new fire hydrant valve at the hydrant in Hilltop Court, including required shut-off of all community water for a day, resulting in boil water notice for 72 hours, to save \$8,836 for a “live water” installation. Director A. Rodriguez seconded the motion. Motion passed 6-0-0-1.

GM Triano discussed the meter read process and that E. Hughes will notify meter readers to lock billing period for any month where meters are not read in time. GM Triano also will evaluate possibility of doing meter reads in-house in the future if bandwidth allows.

Wastewater report presented for Board review and GM Triano reviewed OSHA on site visit.

Director A. Hutson motioned to adjourn meeting. Director D. Morrison seconded the motion. Motion passed 6-0-0-1. Meeting adjourned 7:35 pm.



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Submitted By:

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Ann Hutson, Secretary

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Date





# The Oaks Community Association

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## Open Board Meeting Minutes

Tuesday, October 21, 2021

### Type of Meeting: Open Meeting

Meeting was called to order at 6:01 pm by Vice President B. Six

Directors Present, B. Six, S. Sanchez, B. Fletcher, A. Hutson. Directors R. Brown, A. Rodriguez, and D. Morrison absent and excused.

Flock Safety, Aubrey Williams, did a Zoom presentation of their License Plate security system. We will be discussing this further as we determine additional security needs and solutions for our Community. If Members would like to see what Flock is about, they can view video at <https://youtu.be/sbrMbcifA5g>

Director A. Hutson pulled the winning ticket for our Electronic Consent Form raffle. Lot 096 is the winner of a \$100 statement credit.

Director B. Fletcher motioned to approve the September 14, 2021, Executive Meeting minutes.

Director A. Hutson seconded the motion. Motion passed 4-0-0-3.

Director B. Fletcher motioned to approve the September 14, 2021, Open Meeting minutes. Director Ann Hutson seconded the motion. Motion passed 4-0-0-3.

### Open Forum –

- Member requested that a survey be sent to all Members to gain their input on 2-year term limit (4 years = 2 x each 2-year term). GM Triano agreed to get survey out as soon as possible, no action would be taken without additional Member vote on future changes to Governing Documents, which is already in process for this year.

Design reviews for 5818 West Park additional concrete parking, 5635 Red Oak Carport, Shed, Pergola and Solar, 5755 Park Circle additional concrete parking, all approved and signed off to proceed.

September 2021 financials reviewed prior to meeting by Directors D. Morrison and B. Fletcher in detail. Director A. Hutson motioned to approve September 2021 financials. Director B. Fletcher seconded the motion. Motion passed 4-0-0-3.

Discussion and Possible Action to reduce late fees on Utility Assessment tabled until after end of the year, as Member review period for change to Collection Policy would prevent this from being accomplished in time. We will add this to January or February 2022 agenda.



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Director a. Hutson motioned to approve the 2022 Disclosures as written. Director B. Fletcher seconded the motion. Motion passed 4-0-0-3.

Discussion and Possible Action on Board performing monthly violation inspections tabled until next meeting as we want full Board input on this matter and to discuss logistics of program.

Director B. Fletcher motioned to re-approve the 2022 Reserve Study, Operating Budget, HOA Assessment increase and Collection Policy previously approved at September 14, 2021, meeting, but on Election calendar for October meeting, so this was just to ensure no variance to published calendar. Director A. Hutson seconded the motion. Motion passed 4-0-0-3.

GM Triano reviewed 5 current Board applications received; inability to obtain stain to complete fencing due to supply chain issues; extensive truck repairs completed; entire park water shut-off Tuesday, November 2<sup>nd</sup> for valve installs; updated on Lot 026 disposition pending legal counsel by the County; and status of Jackson Court water shed issues (contract to be reviewed at next meeting, 2022 project likely).

Director A. Hutson motioned to approve \$25.00 prize for Best Lit, Best Decorations, Most Original in our Holiday Light/Decoration contest. Director S. Sanchez seconded the motion. Motion passed 4-0-0-3. Director A. Hutson would like to also see park tour, possible caroling. Further details to be discussed at next meeting.

Director A. Hutson motioned to adjourn meeting. Director S. Sanchez seconded the motion. Motion passed 4-0-0-3. Meeting adjourned 7:42 pm.

Submitted By:

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Ann Hutson, Secretary

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Date



# The Oaks Community Association

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## Open Board Meeting Minutes

Tuesday, November 9, 2021

### Type of Meeting: Open Meeting

Meeting was called to order at 6:00 pm by President R. Brown

Directors Present, R. Brown, B. Six, S. Sanchez, B. Fletcher, A. Hutson, A. Rodriguez, D. Morrison.

Director A. Hutson motioned to approve the October 21, 2021, Executive Meeting minutes as written. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.

Director A. Hutson motioned to approve the October 21, 2021, Open Meeting minutes as written.

Director B. Six seconded the motion. Motion passed 7-0-0-0.

Design review for 5565 Heritage – request for extension denied

October 2021 financials reviewed prior to meeting by Directors R. Brown and A. Hutson in detail.

Director A. Hutson motioned to approve October 2021 financials. Director B. Six seconded the motion. Motion passed 7-0-0-0.

Final Board Candidates names reviewed – Steve Sanchez, Christopher Levin, April Rodriguez, Bill Six and Colleen Sisson. We will hold a meet and greet for the candidates at 5:30 pm prior to the next Board meeting on December 14, 2021.

Director A. Hutson motioned to approve the purchase of John Deere ride on lawn tractor, \$ 1,799.00 pretax, and Dr Lawn Vacuum, \$ 1,099.99 pretax. Director B. Fletcher seconded the motion. Motion passed 7-0-0-0.

Director A. Hutson motioned to approved Cooper Controls estimate for annual WWTP influent and effluent meter calibrations, \$ 795.24. Director A. Rodriguez second the motion. Motion passed 7-0-0-0.

Director A. Hutson motioned to approve CEI bid for addressing drainage issues on Jackson Court, \$ 11,100.00. Director D. Morrison seconded the motion. Director B. Six voted nay. Motion passed 6-1-0-0.

All Board members concurred to move CEI bid for pond flood control to January 2022 agenda.

All Board members concurred we will not proceed with \$1700 additional repair cost on F150 for ABS module.



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Director B. Six motioned to have all Board members participate in Community violation assessment initially, then to work on a rotating monthly schedule for 2 Board members to do violation reports no less than once a month, with Director S. Sanchez and B. Six to drive this program and dates. Director A. Hutson seconded the motion. Motion passed 7-0-0-0.

Director A. Hutson motioned to approve \$100 sponsorship for Ione Jr. High basketball team. Director B. Fletcher seconded the motion. Motion passed 7-0-0-0.

Director B. Six motioned to adjourn meeting. Director A. Hutson seconded the motion. Motion passed 7-0-0-0. Meeting adjourned 6:55 pm.

Submitted By:

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Ann Hutson, Secretary

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Date



# The Oaks Community Association

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## **Open Meeting Minutes Tuesday, December 14, 2021**

### **Type of Meeting: Open**

Meeting was called to order at 6:00 pm by President R. Brown

Directors Present, R. Brown, B. Six, S. Sanchez, B. Fletcher, A. Hutson, A. Rodriguez, and D. Morrison present.

Director R. Brown moved Open Forum to first on agenda to accommodate a members need to leave early. Member raised concerns about Aces Waste price increases and encouraged folks to join him in protest at County Supervisor Board Meeting, as well as write in with protest.

Director S. Sanchez motioned to approve the November 9, 2021, Executive and Open Meeting Minutes as written. Director D. Morrison seconded the motion. Motion passed 7-0-0-0.

Director A. Hutson motioned to approve the November 2021 financials as presented. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.

Director A. Rodriguez motioned to approved Thursday, January 13<sup>th</sup> for Executive and Open Board Meeting since Tuesday, January 11<sup>th</sup>, 2022, will be a full agenda with Election and Annual Membership Meeting. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.

GM Triano reviewed the Member requested Survey on limiting Board Terms to 2 consecutive terms (2 x 2 years = 4 years consecutive), results were 28 for the limit, 13 against and 1 no opinion. Two additional votes were received after deadline, both also for limiting consecutive terms to two. GM Triano outlined to everyone this will go on agenda in January or February of 2022 and would require Governing Document changes and Membership vote, so earliest implementation would be in 2023.

Director R. Brown tendered his resignation from the Board, to be effective after 1/11/2022 Election results. GM Triano outlined that although Board could appoint someone to that seat for the remaining year, attorney stated it would be preferrable to fill the seat as part of January 2022 Election, which is what we are doing (5 open seats, we have 5 candidates, running full Election anyway due to requirement to do full ballot election at least every 3 years, and because we have to run it for Governing Documents anyway). Director A. Hutson motioned to accept R. Brown resignation and proceed with filling seat as part of January 2022 Election. Director S. Sanchez seconded the motion. Motion passed 7-0-0-0.

Discussion on Board Violation Audits, no action, tabled to January 13, 2022, meeting, and Directors S. Sanchez and B. Six are to formulate initial schedule/plan prior to that meeting.



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GM Triano discussed everyone's involvement in either door-knocking or discussing with all those in their circle to encourage Election vote participation to achieve a quorum.

GM Triano presented updates on passed PUC Audit, new Meter Reader starting 12/15/2021, anticipated \$7,000 for new meters to get in compliance, and \$13,000 savings achieved with new WWTP permit. Additionally noted was Holiday vacation schedule, all out Noon on 12/23, all day 12/24/21, 12/31 and GM Triano on vacation 12/27 thru 12/30/21.

Director B. Six motioned to adjourn. Director A. Hutson seconded the motion. Motion passed 7-0-0-0.

Meeting adjourned 6:50 pm

Submitted By:

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Ann Hutson, Secretary

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Date



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## The Oaks Community Association

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I would like to activate my account portal via [theoaks.gotomyaccounts.com](http://theoaks.gotomyaccounts.com).

Name: Chelsea & Daniel Hart

Address: 5644 Jackson Court

Lot # 5

Phone: 209-559-8850

Email: Chelsea Commons 1@gmail.com

Signature: Chelsea Hart / Dan Hart