

Meeting Minutes
GRASSY RUN HOMEOWNER'S ASSOCIATION BOARD MEETING
Thursday, September 26, 2013, 7:15 p.m.
Event Center, Raleys Supermarket
166 Placerville Drive, Placerville
www.grassyrunhoa.net

1. Convene at 7:20 pm

Board Members Present

Jack Martin, Vivian Abplanalp, Peter Abplanalp

Board Members Absent

Donna Ayerst, Michael Arguien

Members Present

David Waddell, Mieke Saetta, Dick Nichols, Rama Potter

2. Member General Comments

Rama P. asked if there was an update on the BLM/ Rancheria issue. Jack M. conveyed that no updated was prepared for this meeting.

3. Board Member General Comments

Chair, Legal Affairs Committee, General Comments

Vivian A. confirmed that the October and November combined Board meeting will be held on November 14, 2013 at that the Event Center have been reserved.

ACTION ITEMS

4. Approve Board Meeting Minutes - Jack Martin

Motion to approve the August 29, 2013 Board meeting minutes – Jack M.

Second – Peter A.

Ayes: Jack M, Vivian A, Peter A.

Nays: None

5. Approve reimbursement of \$16.69 to Ken Lee – Peter Abplanalp

Peter A conveyed that this reimbursement represents the remaining balance of the expense for the purchase of a No Trespassing sign, as discussed in the August 29, 2013 Board meeting.

Motion to approve reimbursement in the amount of \$16.69 to Ken Lee – Vivian A.

Second – Jack M.

Ayes: Jack M, Vivian A, Peter A.

Nays: None

6. Approve reimbursement of \$140.56 to Peter Abplanalp – Peter Abplanalp

Peter A explained that this reimbursement is for the following expenses:

- notary fees for four (4) liens
- fees for recording liens on three (3) parcels
- postage to mail ten (10) statements to property owners
- payment to CPM for the slurry sand coating road maintenance performed on August 23, 2013

Motion to approve reimbursement in the amount of \$140.56 to Peter Abplanalp – Jack M.

Second – Vivian A.

Ayes: Jack M, Vivian A, Peter A.

Nays: None

7. Approve \$1,500.00 for Legal Services of Bruce Inman LLC – Peter Abplanalp

Peter A explained that this reimbursement is for the expense to bring the Grassy Run Homeowners Association (GRHA) up to date with legal status. Peter A. and Dick N. met with Bruce Inman, an expert on HOA's, on September 11, 2013 to discuss what to do.

The GRHA is not listed as a tax exempt corporation with the California Franchise Tax Board. When a bank takes over a property due to foreclosure and want to pay the dues on the property, they ask for an Employer Identification Number (EIN). There is not a current EIN associated with GRHA. Dues are not taxable; however, any income the GRHA makes is taxable. The GRHA should be filing the Federal Income Tax Return for Homeowners Associations, form 1120H.

Jack M. asked if the \$1,500.00 is an annual fee the GRHA would be paying to Bruce Inman LLC. Peter A. said No, but we do have to re-file the SI-100 (Statement of Information) form with the state. The fee to file yearly taxes is estimated to be \$800.00. Peter A. suggests getting a third party to file GRHA tax forms for transparency. Every three (3) years, GRHA should have a reserve review to ensure GRHA has adequate funds for long term maintenance.

Dick N. conveyed that Bruce Inman will create our status as a Corporation. Our status right now is nebulous. Being a Corporation is a step toward immunizing property owners against liability issues, basically protecting the members of the Association.

Dick N. conveyed that Bruce Inman is also looking over the existing and proposed ByLaws and C&R's and will be making suggestions on them. Bruce Inman has conveyed that we may not be governed by the Davis Sterling Act but that the GRHA may voluntarily decide to incorporate some of the items in the Davis Sterling Act as part of our ByLaws and/or C&R's.

Motion to approve \$1,500.00 for Legal Services of Bruce Inman LLC - Jack M.

Second – Vivian A.

Ayes: Jack M, Vivian A, Peter A.

Nays: None

8. Approve \$300.00 for road edge safety striping – Peter Abplanalp

Peter A explained that the Roads Committee has a bid for glass beaded striping where the slurry work was applied - 200 feet on Grassy Run Road, safety striping by the culverts and the speed bump at the entrance of Grassy Run Road.

Peter A. suggested that the money come out of the Roads Committee budget. Jack M. agreed to use the Roads Committee budget to pay for this expense. Therefore, not vote to approve this expense was necessary.

DISCUSSION ITEMS

9. Resignation of Michael Arguien as Roads Superintendent – Vivian Abplanalp

Dick N. conveyed that Michael Arguien has the right to resign unilaterally and the Board has the right to represent that position for the remainder of the term. The Board can also solicit volunteers for the position and the Board is required to give notice that someone will be appointed (reference by laws). Jack M. suggested sending out a notice to the membership about the open position. Jack agreed to draft the notice and Vivian A. agreed to distribute the notice.

Dick N. conveyed that the downside of not filling the Roads Superintendent position is a possible deadlock issue when the Board votes on action items. Dick N. suggested that an action item be placed on the agenda for the next Board meeting to deal with the status of the existing Board Membership and Roads Superintendent vacancy.

REPORTS

10. Treasurer Update – Peter Abplanalp

Peter A. conveyed checking account balance is \$47,673.33.

11. Additional Comments – Members, Board Members, Chair, Legal Affairs Committee

Jack M. explained the issue of the BLM land and the Rancheria as stated in the meeting minutes of August 29, 2013. Rama P. mentioned she did some research and found that HR6532 is being rewritten and going back to the House of Representatives.

12. Adjourn at 8:23 pm