

ARNOLD LILAC PARK HOMEOWNERS ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS
Saturday, February 1, 2025, at 10:00am via Zoom Only
DRAFT MINUTES

Meeting was called to order at 10:04 AM

Quorum established.

Directors Present: Mark Nelson, Mike Willemsen, Gary Ryan, Joanie Bennett, Shelly Fontes, Kathy Powell, Dorothy Hilts

Directors Absent: Sue Lynch

Members Present: Mike & Debby Beck, Mike Smith, Mary Louise Kennedy, Darwin & Mary Boblet, Tim & Tina Jones, Kim Phillips, Sharon Leach, George & Helen Karahalios, Chris & Megan Osincup, Bruce Henry, Michelle Tovar, Bob Powell.

Consent Agenda

1. Minutes of the December 7, 2024 Board Meeting.

Motion made by Dorothy to approve the Board Meeting Minutes of the December 7, 2024 Board Meeting. Seconded by Gary. Motion passed on a unanimous roll call vote.

2. December 2024 Financials

Motion made by Dorothy to approve the December 2024 financials. Seconded by Mark. Motion passed on a unanimous roll call vote.

Regular Agenda

1. President's Report – Dorothy Hilts

- A. We had an Executive Meeting on December 7th. At this meeting we approved prior Executive Meeting Minutes. We also discussed the status of lots that we have received complaints about. We discussed our case against Mary Boblet which had been rescheduled to January 28th with a visiting judge. Boblet also had filed a counter claim against us, asking to be paid back 2 years of dues and accusing us of elder abuse.
- B. We also had an Executive Meeting on January 10th. We approved prior Executive Meeting Minutes. We discussed the documents that have been prepared to be submitted to the court regarding our case on January 28th. Dorothy moved to approve the documents being submitted to the court. Sue seconded. The motion passed by roll call vote unanimously. Dorothy moved that Shelly accompany Joanie to court on Tuesday, January 28th at 1:30. Sue seconded. The motion passed by roll call vote unanimously.
- C. Dorothy gave an update on the most recent small claims cases the HOA has been dealing with this year.

October 24, 2024 another small claims case was filed against the HOA alleging 3 instances of election interference. The court found in the HOAs favor on two of the allegations and ruled against the HOA on one in which we were assessed a fine of \$1.00. The dollar was paid to the Plaintiff in October through the court payment process. The judge stated that with findings in favor of both parties there was no

prevailing party. The member chose to subpoena our attorney, Jasmine Hale, which cost the Association \$1,494 to have Jasmine prepare, file and serve an objection to the subpoena.

In another small claims case heard January 28, 2025, that the HOA had filed against a member for a monetary judgment on delinquent special individual assessments levied for reimbursement of attorney fees incurred by the HOA due to the actions of this same member. The member filed a counter claim asking that 2 years of dues be reimbursed. The court ruled in favor of the member in the HOAs case and in favor of the HOA on the member's counter claim, with a judgment of neither party owing the other. This means that even though we have a ruling that we were within our rights to assess for the attorney fees incurred, this judge, with no explanation, determined the member didn't have to reimburse the HOA for costs incurred, and that the HOA doesn't have to reimburse the member for dues that were paid. Basically, another split ruling, so again no prevailing party. The member subpoenaed our attorney for a second time costing us \$1,202 to file an objection. Sadly that's \$2,696 of your dues spent on attorney fees for services that never should have been needed.

All court documents are available on the Calaveras County Superior Court website.

2. Communication

- 3 member complaints regarding alleged director misconduct
- Resignation from Director Kim Phillips
- Updated Notice from State Fund to be posted at the pool
- Question regarding Amazon deliveries
- Debby Beck resigned from the Social Committee
- 8 Questions regarding dues
- Kim Phillips resigned from the Collections Committee
- Request from a Realtor to update our general information

3. Treasurer's Report – Joanie Bennett

A. Bank balances as of December 31, 2024

Checking Account: \$13,979.13

Reserve Fund CD: \$32,174.43

Reserve Fund Savings: \$4,700.98

B. Open Invoices

10 properties are past due for previous years.

Nearly half our members have already paid their 2025 dues.

C. CD Matures in February – Discussion/Possible Action

As adopted in the 2024 budget, the year-end checking account balance of \$13,979 will be transferred to the Reserve Fund Savings next week.

After discussions involving the transfer of \$13,679 from the reserve fund savings, and \$13,736 from the checking account for this year's Reserve Fund contribution to the CD when it matures, and to roll the CD over for another 7 months, Joanie made a motion. Seconded by Kathy. Motion passed on a unanimous roll call vote.

Thanks to Kim's diligent pursual of delinquent accounts last year and the Board continuing to be frugal with expenditures, this action will bring the Reserve Fund balances to approximately \$5,000 in the savings account and \$59,589 in the CD for a total of approximately \$64,589.

4. Pool Manager's Report – Mark Nelson

Mark stated that he would be ordering chemicals in April for the summer season.

5. Other Committee Reports

A. Architectural Review Committee – Mike Willemsen

Nothing to report on the ARC Committee. Mike made mention that the County had been through clearing the gutters and brush around the fire hydrants.

B. Collections Committee – Joanie Bennett

Results of the 7 small claims cases that were to be filed last year:

One set up a payment plan prior to the HOA filing court documents.

Two paid their accounts in full upon receipt of the court summons.

One didn't show up for court, the judge ruled in the HOA's favor for the full amount owed plus court costs.

One did show up for court, the judge ruled in the HOA's favor and a payment plan was agreed upon by all parties.

One we weren't able to serve in a timely manner which has been continued until April 11th.

Dorothy addressed the 6th case.

7. New Business

A. Reorganize Officers – Discussion/Possible Action

Due to Kim Phillips resignation from the Board, nominations were opened for Secretary/Treasurer. Shelly nominated Joanie. Seconded by Gary. Joanie was appointed as Secretary/Treasurer on a unanimous roll call vote.

With Joanie filling the role of Secretary/Treasurer, the Vice President position is open. Gary nominated Shelly. Seconded by Joanie. Shelly was appointed as Vice President on a unanimous roll call vote.

B. Update Account Signers – Discussion/Possible Action

Dorothy made a motion that Joanie Bennett replace Kim Phillips as a signer on the bank accounts and Shelly Fontes and Mike Willemsen remain as signers. Seconded by Kathy. Motion passed on a unanimous roll call vote.

C. Appoint Social Committee Director – Discussion/Possible Action

Shelly volunteered. Dorothy made a motion to appoint Shelly as Social Committee Director and to authorize Shelly to appoint additional members to the committee as needed. Seconded by Joanie. Motion passed on a unanimous roll call vote.

D. Appoint Collections Committee Director – Discussion/Possible Action

Shelly volunteered. Dorothy made a motion to appoint Shelly as the Collections Committee Director. Seconded by Mark. Motion passed on a unanimous roll call vote.

E. 2024 Tax Filing – Discussion/Possible Action

Discussion regarding the use of Ebbetts Pass Accounting to prepare our taxes. Dorothy moved that we continue to use Ebbetts Pass Accounting and authorize our bookkeeper to send the necessary financial reports to them. Seconded by Joanie. Motion passed on a unanimous roll call vote.

8. Unfinished Business

A. 2025 Election Contract – Discussion/Possible Action

Discussion regarding use of Pro Elections as our Elections Inspector. Contract proposal has been reviewed by the Board. Dorothy made a motion to approve the Pro Elections contract for 2025. Seconded by Mark. Motion passed on a unanimous roll call vote.

We also need a liaison to work with Pro Elections this year. Kathy volunteered. Dorothy made a motion to make Kathy our liaison. Seconded by Mark. We will vote by roll call. The motion passed by roll call vote unanimously.

B. 2025 Common Area Clean-up Contract – Discussion/Possible Action

Shelly shared that she was waiting for a bid from the contractor who did the work last year and that she would be asking for at least two more bids.

Open Forum (3 minutes per attendee)

Mary Boblet, Kim Phillips, Shelly Fontes, Mark Nelson, Mike Willemsen, Gary Ryan, Joanie Bennett, Dorothy Hilts, Michelle Tovar, George Karahalios, Debby Beck, Mary Louise Kennedy

The next Board Meeting on Saturday, March 1st, 2025, will be zoom only. We will not have a physical location.

Meeting was adjourned at 10:46 AM.

Respectfully submitted by:

Joanie Bennett, Secretary/Treasurer