

AGENDA
PINE MOUNTAIN CLUB PROPERTY OWNERS ASSOCIATION, INC
BOARD OF DIRECTORS' – REGULAR MEETING
SATURDAY, MARCH 17, 2018
10:00 AM – CONDOR ROOM

Members in good standing are free to speak on a specific item on today's Agenda when the Chairman calls for discussion. If there is an item that is not on the agenda that an individual wishes to present, the appropriate time for the presentation is during the Member Forum. This meeting is being videotaped to allow members in good standing who could not attend to view the meeting at a later date and to aid the recording secretary in preparing the minutes of the meeting. Members will observe rules of decorum. The speaker will address the chairman and speak only to the matter under consideration. Members will refrain from being argumentative and making derogatory or personal remarks or gestures. Members will turn off or silence all cell phones or communication devices while attending the meeting.

I. CALL TO ORDER

___ Richard Ballard	___ John Cantley	___ Bryan Skelly
___ Stephan Bates	___ Bill Gurtner	___ Phyllis Throckmorton
___ Sandy Browne	___ Garry Kemmer	___ Doug Wilde

Proposed Budget Discussion..... **Verbal**

II. ADOPT THE AGENDA

RESOLVE, that the Agenda for the Board of Directors' Meeting of March 17, 2018 be adopted.

Vote to adopt the agenda.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: All items listed under III. CONSENT AGENDA are considered to be routine and non-controversial. Consent items will be considered first and may be approved by one motion if no member of the Board wishes to comment or ask questions. If comment or discussion is desired by anyone in the audience the item may be removed from the consent agenda and will be considered in listed sequence with an opportunity for any member to address the Board concerning the item before action is taken.

III. CONSENT AGENDA

1. Dispense with the reading of and approve the draft minutes of the Board of Directors' Regular Board Meeting of February 17, 2018..... **Page 1.0-1.0.5**
2. Committee applications forwarded for concurrence by the board: Green & Grounds, David Gardner, Peggy Hoyt-Voelker, Tim Marvel; **Page 1.1-1.1.2**

IV. OFFICER REPORTS

- 1. Chair’s Report..... **Verbal**
- 2. General Manager’s Report..... **Verbal**
- 3. Treasurer’s Report..... **Page 2.0**

V. COMMITTEE REPORTS

- Acknowledge Receipt of Committee Minutes Record..... **Page 3.0**
- Acknowledge Receipt of Committee approved Committee Minutes; Communications-September 2017, November 2017, December 2017; Election Committee-Approved February 5, 2018, Draft February 26, 2018; Environmental Control–March 2018; Emergency Preparedness-January 2018; Governing Documents-February 2018; Greens & Grounds-March 2018; Recreation-February 2018 **Page 3.1-3.1.19**
- Approve Environmental Control Committee Project Recommendations (6) **Page 3.2-3.2.12**
- Approve Cottage Industry Permit (1) **Page 3.3**

VI. MEMBER’S OPEN FORUM

This twenty-five-minute open forum is for members to present their comments. Each member is allotted five (5) minutes and will be timed. Members wishing to be recognized should step to the microphone, address the board chair, and state name, tract and lot number. The board may extend the time limit for this forum to allow additional members to speak or grant additional time to a speaker when appropriate. Members may present questions to the board. If the question cannot be readily answered it may be presented in writing or email to the recording secretary and the question will be responded to within 15 calendar days upon receipt. In addition to the question, the member's name, tract and lot number, and telephone and/or email contact information must be included. Members may not yield time to other speakers. For the consideration of other speakers and the twenty-five-minute time limit, members are requested to speak to the board only once during members open forum. Members will refrain from being argumentative and making derogatory or personal remarks or gestures.

VII. OLD BUSINESS

None

VIII. NEW BUSINESS

RESOLUTION #01-03-17-18, WHEREAS, that the PMCPOA Board of Directors’ approve replacing Reserve Study #1009, split rail fence with vinyl fencing to match the north side of the golf course fencing, NTE \$22,200 from the Reserve fund.

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WHEREAS, the wooden split rail fencing has 0 life left and is fully funded in the Reserve Study at \$34,563. This project has been approved by the Planning Committee on February 3, 2018 to fit in with the 5-Year Strategic Plan.

WHEREAS, the current fencing is in continual need of repair and painting every spring. Replacing the split rail fence with vinyl fencing which will need less maintenance, freeing staff to work on other projects and will be aesthetically pleasing with our environment.

THEREFORE, BE IT RESOLVED, that the Board of Directors' approve **RESOLUTION #01-03-17-18** replacing, Reserve Study #1009, split rail fence with vinyl fencing to match the north side of the golf course fencing, NTE \$22,200 from the Reserve fund..... **Page 4.0**

Respectfully submitted by Director Skelly

RESOLUTION #02-03-17-18, WHEREAS, that the PMCPOA Board of Directors' approve refurbishing Reserve Study #1413, Golf Course Restroom, NTE \$8,500 from the Reserve fund which is fully funded at \$37,500 with 0 life in the Reserve Study.

WHEREAS, the golf course restroom is at 0 life in the Reserve Study and is shut down every winter because it is not properly insulated and in the winter the toilet bowl and pipes freeze and break.

WHEREAS, the restroom needs electricity, heat and insulation to be opened year-round.

THEREFORE, BE IT RESOLVED, that the PMCPOA Board of Directors' approve **RESOLUTION #02-03-17-18**, refurbishing Reserve Study #1413, Golf Course Restroom, NTE \$8,500 from the Reserve fund which is fully funded at \$37,500 with 0 life in the Reserve Study..... **Page 4.1**

Respectfully submitted by Director Bates

RESOLUTION #03-03-17-18, WHEREAS, that the PMCPOA Board of Directors' approve a contract for spraying the greens once a month for six months, NTE \$9,000 from the Operating fund.

WHEREAS, the golf greens have not been treated for two years and has weeds and mold growing on them.

WHEREAS, greens cost approximately \$30,000 each to replace so this is a small investment to keeping up on our greens maintenance.

THEREFORE, BE IT RESOLVED, that the PMCPOA Board of Directors' approve **RESOLUTION #03-03-17-18**, a contract for spraying the greens once a month for six months, NTE \$9,000 from the Operating fund..... **Page 4.2**

Respectfully Submitted by Director Skelly

RESOLUTION #04-03-17-18, RESOLVED, that the PMCPOA Board of Directors review and adopt the revised Delinquency Policy;

WHEREAS, the Delinquency Policy will be part of the Annual Assessment Fiscal Year 2018-2019; and

THEREFORE, BE IT RESOLVED, that the PMCPOA Board of Directors approves **Resolution #04-03-17-18**, the Delinquency Policy for the Annual Assessment mailing package for the 2018-2019 fiscal year.
..... **Page 4.3-4.3.5**

Submitted by Director Bates

RESOLUTION #05-03-17-18, WHEREAS, that the PMCPOA Board of Directors’ approve replacing Reserve Study #1107, pool filter, NTE \$30,000 from the Reserve fund which is fully funded at \$10,000 with 0 life left in the Reserve Study.

WHEREAS, the filter is not fixable and has reach 0 life in the reserve study and the filter kept going out last summer and the pool had to be closed several times for repair, and

WHEREAS, the pool is our most used amenity in the summer and is enjoyed by a majority of the members, and

WHEREAS, Kern County requires a sand filter which is costly and a Kern County Permit to replace the filter.

THEREFORE, BE IT RESOLVED, that the PMCPOA Board of Directors’ approve **RESOLUTION #05-03-17-18**, replacing Reserve Study #1107, pool filter, NTE \$30,000 from the Reserve fund which is fully funded at \$10,000 with 0 life left in the Reserve Study.....**Page 4.4**

Respectfully Submitted by Director Kemmer

RESOLUTION #06-03-17-18, RESOLVED, that the PMCPOA Board of Directors since Bylaw Amendment #2 conflicts with CC&R sections 2.3, 3.1, 3.2(a), 3.2(d), 3.2(q), 6.1 and 6.3, and based upon the advice of the Association’s legal counsel, said Bylaw Amendment #2 will not be implemented and the official version of the Association’s Bylaws will be annotated to so reflect.

WHEREAS, on June 17, 2017 the Association’s membership voted to approve proposed Bylaw Amendment #2 as drafted and submitted by an individual Association member, which Amendment stated: “No PMCPOA assessment money is to be used to supplement either the Bistro or the Lounge. These departments must be self-sustaining and expenses must not exceed revenues”;

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WHEREAS, CC&R section 7.7 states that “[i]f there is any conflict between the provisions of these CC&Rs and the ...Bylaws...these CC&Rs shall control”; and

WHEREAS, there is a conflict between the provisions of the CC&Rs (sections 2.3, 3.1, 3.2(a), 3.2(d), 3.2(q), 6.1 and 6.3) and Bylaw Amendment #2;

THEREFORE, BE IT RESOLVED, that the PMCPOA Board of Directors approves, **RESOLUTION #06-03-17-18**, that since Bylaw Amendment #2 conflicts with CC&R sections 2.3, 3.1, 3.2(a), 3.2(d), 3.2(q), 6.1 and 6.3, and based upon the advice of the Association’s legal counsel, said Bylaw Amendment #2 will not be implemented and the official version of the Association’s Bylaws will be annotated to so reflect.**Page 4.5**

Respectfully Submitted by Chairman Gurtner

RESOLUTION #07-03-17-18, RESOLVED, that the PMCPOA Board of Directors approve updating the Bistro which has been changed to the Condor Café by vote of the board by motion on February 17, 2018, NTE \$35,000 from the Operating Fund.

WHEREAS, the Bistro has not been updated for many years and is in need of a makeover for the new renamed Condor Cafe

WHEREAS, the major components of the update consist of new paint, flooring, new lighting and built in banquettes.

THEREFORE, BE IT RESOLVED, that the PMCPOA Board of Directors approves Resolution #07-03-17-18, the refurbishing of the new Condor Café, NTE \$35,000 from the Operating fund.....**Page 4.6**

Respectfully Submitted by Director Skelly

MOTION to approve the Mountain Girls Club as a sanctioned club..... **Page 4.7-4.7.1**

MOTION to approve “Condor Café” sign..... **Page 4.8-4.8.3**

IX. INFORMATION AND CORRESPONDENCE

1. Committee Membership Approval (Budget & Finance, Charles Lightner, Environmental Control - Linda Bliss; Planning, Peggy Hoyt-Voelker - Recreation-Suzanne Vanderford, Leslie Lewis, Bob Lewis; Governing Documents - Alicia T. Canton)..... **Page 5.0-5.0.6**

COURTESY LISTING – NON-MEMBER CORRESPONDENCE

None

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X. DIRECTORS' FORUM

Members will refrain from being argumentative and making derogatory or personal remarks or gestures.

Director Browne – Bylaw Petition Process

Committee Liaison Report

Director Bates – Budget & Finance

Director Bates – Environmental Control

Director Browne – Communications

Director Browne – Elections

Director Ballard – Emergency Preparedness

Director Kemmer – Equestrian

Director Cantley – Governing Documents

Director Skelly – Greens & Grounds

Director Skelly - Planning

Director Throckmorton - Recreation

XI. MEMBERS' REBUTTAL FORUM

Members' Rebuttal Forum is a ten (10) minute forum following the Directors' Forum. Members may reply to any matter raised by a Director during Directors' Forum. Replies will be limited to one (1) minute per speaker. Members wishing to be recognized should step to the microphone, address the Board Chair, and state name, tract and lot number. There may not be an immediate verbal answer from the Board to questions or comments from the Members. Members may not yield time to other speakers. Members will refrain from being argumentative and making derogatory or personal remarks or gestures.

XII. ADJOURNMENT

In the February 17, 2018 executive session, the following was discussed:

Contract's – (4)	4 – Approved	Contracts for Satellite Kitchen, NTE \$32,000, purchase Turfco Spreader, NTE \$14,400, Resolution of Board whether or not to Foreclose on Parcel #256-444-11-00 and #256-444-12-00
	1 - Discussed	
Forbearance Requests – (2)	2 – Approved	

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	1 – Not Approved
Personnel – (2)	2 – Discussed
Litigation/Potential Litigation – (3)	3– Discussed

In the March 7, 2018 executive session, the following was discussed:

Litigation/Potential Litigation – (2)	2– Discussed
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The next Regular Open Board Meeting will take place on April 21, 2018 at 10 am in the Condor Room.

MOTION by Director _____, **SECOND** by Director _____ to adjourn.
Meeting adjourned at _____pm.

Acknowledgment of Board Approval by:

Sandy Browne, Corporate Secretary

Date