

NEPENTHE ASSOCIATION

Open Session Nepenthe Board of Directors

January 4, 2023 6:00 PM
Nepenthe Clubhouse
1131 Commons Drive
Sacramento, 95825

MINUTES

Directors Present

JOHN BAKER - President
MARKUS DASCHER TTEE - Vice President
ASHLEY TANGERAAS - Member at Large
JACQUELYN GREBITUS - Treasurer
CHERYL NELSON - Secretary

Directors Absent

None

Additional Attendees

Betsi Ledesma, General Manager, FirstService Residential

I. CALL TO ORDER

The meeting was called to order at 6:02 pm.

II. EXECUTIVE SESSION ACKNOWLEDGEMENT/ANNOUNCEMENT

In accordance with Civil Code Section 4935(a) the Board met in Executive Session on December 7 and 14, 2022 in order to consider litigation, matters relating to the formation of contracts with third parties, member discipline, personnel matters, or to meet with a member, upon the member's request, regarding the member's payment of assessments, as specified in Civil Code.

III. COMMITTEE UPDATES

The Board accepted the minutes from the committees.

IV. REPORTS

General Manager Betsi Ledesma made her report to the Board of Directors.

V. HOMEOWNER FORUM

VI. HOMEOWNER CORRESPONDENCE

The directors reviewed the correspondence and made notes for further consideration as appropriate.

VII. CONSENT CALENDAR

Resolved

The Board approves Consent Calendar Items A to F as presented.

A. APPROVAL OF MINUTES

Resolved

The Open Session Minutes dated November 2, 2022 are approved as presented.

B. FINANCIAL STATEMENT

Resolved

The Board accepts the Association’s income statement for October and November 2022, comparing actual results to budget, reserve statement, bank statements and reconciliations, check history report and general ledger as presented, subject to an annual audit. The report reflects a year-to-date net operating income of -\$76,237.15 and year-to-date reserve funding of \$2,156,622 compared to the year-to-date reserve funding budget of \$2,063,812. The actual year-to-date operating expenses were \$1,608,312. The budgeted year-to-date operating expenses were \$1,536,029. The association has \$129,296 in operating funds, which represents .40 months of budgeted expenses and reserve contributions. The association has \$11,026,138 in reserve funds.

C. ARCHITECTURAL APPROVALS

Resolved

The Board confirms the recommendations of the committee as noted below:

1000 Dunbarton	HVAC	Emergency Approval
204 Elmhurst	HVAC	Emergency Approval

D. 12/14/2022 LIEN RESOLUTION

Resolved

The Board authorizes the placement of a lien on the following account should the delinquent assessments not be paid within the time period established in the Intent-to-Lien letter, as described in the signed Resolution.

Account Number	Past Due Assessments	Total Amount Due
1946-01	\$2,188.00	\$2,358.95
2058-01	\$2,062.03	\$2,719.46
2210-01	\$2,188.00	2,625.90
2487-02	\$2,070.00	\$3,564.66

E. APPOINT 2023 INSPECTORS OF ELECTION

Resolved

The Board of Directors appoints the following homeowners in good standing to serve as the Inspectors of Election for the 2023 election of directors:

1. Yvonne del Biaggio, Chair
2. Joleen Hecht
3. Holly Neilson

F. APPOINT 2023 NOMINATING COMMITTEE

Resolved

Pursuant to Bylaws Article IV, Section 4.6(a), the Board hereby appoints Marcy Best, Karen Lowrey and Cheryl Nelson as Chair to serve as this year's Nominating Committee.

VIII. UNFINISHED BUSINESS

A. PROPOSED RULE CHANGE: ESTOPPEL INSPECTION

Resolved

The Board formally adopts the estoppel rule effective January 4, 2023.

B. PROPOSAL RULE CHANGE: NOTICE OF COMPLETION REQUIREMENT

Resolved

The Board approves the rule changes as stated here:

The Board is intending to adopt the following changes to the Association's Architectural Rules.

1. Addition indicated by **bolding** at page 3 to the section entitled "Process," at the subsection entitled "After Completion":

*After you have completed the approved work, you must notify the Nepenthe office by completing and returning the Notice of Completion form. In certain cases, you must have a completion inspection. These cases are identified on the application form. **Also, installations of windows, skylights, solar generating panels, or heating and cooling systems require evidence of a building permit from the City of Sacramento, such as a screenshot of the permit from the City's website.***

2. Addition indicated by **bolding** at page 34 to the Home Improvement Notice of Completion:

We followed the work plan submitted and any restrictions or changes indicated by the ARC or Board of Directors of Nepenthe Association.

COLOR PICTURES OF THE COMPLETED IMPROVEMENT ARE REQUIRED WITH NOTICE OF COMPLETION

*** If you are unable to provide color photos, please contact office for assistance***

Additionally, if your installation was windows, skylights, solar generating panels or heating or cooling system, please provide evidence of your City building permit, such as a screenshot of the City's website.

3. Replacement of the term "Architectural Review Committee Guidelines" with the term "Architectural Review Committee Rules."

effective January 4, 2023.

C. PROPOSAL- LANDSCAPE ZONE 1

Resolved

The Board approves the proposal from Carson Landscape for reparations in Zone 1 for a fee not to exceed \$63,140.00, payable from Reserves.

Motion: CHERYL NELSON

Second: MARKUS DASCHER TTEE

AYEs: JACQUELYN GREBITUS, CHERYL NELSON, JOHN BAKER, MARKUS DASCHER TTEE

NAYs: ASHLEY TANGERAAS

▶ **Resolved**

The motion passed

D. PROPOSAL- LANDSCAPE ZONE 5

Resolved

The Board approves the proposal from Carson Landscape to repair negative drainage and correct deficiencies for a fee not to exceed \$38,800.00, payable from Reserves.

Motion: CHERYL NELSON

Second: JOHN BAKER

AYEs: CHERYL NELSON, JOHN BAKER, MARKUS DASCHER TTEE

NAYs: ASHLEY TANGERAAS

Abstained: JACQUELYN GREBITUS

▶ **Resolved**
The motion passed

IX. NEW BUSINESS

A. PROPOSAL FOR LANDSCAPE DRAIN, ZONE 4

Resolved

The Board approves the proposal from Carson Landscape to install drains as proposed for a fee not to exceed \$4,950.00, payable from Reserves.

Motion: CHERYL NELSON

Second: JACQUELYN GREBITUS

▶ **Resolved**
The motion passed unanimously

B. PROPOSAL LANDSCAPE DRAIN ZONE 7

Resolved

The Board approves the proposal from Carson Landscape to install drains as proposed for a fee not to exceed \$3,660.00, payable from Reserves.

Motion: CHERYL NELSON

Second: JOHN BAKER

▶ **Resolved**
The motion passed unanimously

X. SECOND HOMEOWNER FORUM

XI. NEXT BOARD MEETING

The Association's next open Board meeting will be held February 1, 2023 at 6:00 pm..

XII. ADJOURN

The meeting was adjourned at 6:50 pm.

APPROVED

DATE