



**NEPENTHE ASSOCIATION
BOARD OF DIRECTORS MEETING**

May 27, 2020, 5:00 PM

Nepenthe Clubhouse | 1131 Commons Drive | Sacramento, CA 95825

OPEN SESSION MINUTES

I. CALL TO ORDER 5:04 PM

Present	Board Member	Position
X	Christina George	President
X	Linda Cook	Vice President
X	Will Vizzard	Treasurer
X	Jan Summers	Secretary
X	Greg Beale	Member at Large

II. CLOSE THE POLLS

The Directors closed the polls so the Inspectors of Election could count the ballots.

III. ANNOUNCEMENTS

- a. **Executive Session Disclosure:** In accordance with Civil Code Section 4935(a), the Board met in Executive Session on May 6 and May 18, 2020 to consider legal matters and member discipline.

IV. COMMITTEE REPORTS

- a. Architectural Review Committee- Minutes were received from the committee
- b. Finance Committee (no report)
- c. Grounds Committee – Minutes were received from the committee
- d. Insurance, Legal and Safety Committee (no report)
- e. Outreach Committee (no report)

V. MANAGEMENT REPORT – The following reports were provided to the Board in their advance materials:

- a. Manager’s Financial Report - Reserve Tracker
- b. April and May Nepenthe News
- c. 2020 Master Calendar Update
- d. Landscape Status Meeting Minutes

VI. HOMEOWNER CORRESPONDENCE was reviewed by the Directors.

VII. HOMEOWNER COMMENTS

A few homeowners provided commentary on the agenda and the state of the community overall.

VIII. CONSENT CALENDAR

Resolution: The Board approves Consent Calendar Items A and B as presented

Motion: Greg Beale

Second: Linda Cook

Vote: All in favor

Begin Consent Calendar

a. Approval of Minutes April 8, 2020 Open Session Minutes

The Open Session minutes dated April 8, 2020 are approved as presented.

b. Financial Statement: March 2020 and April 2020

The Board accepts the March and April 2020 interim financial reports and bank reconciliations as presented, subject to annual review. The reports reflect a positive year to date variance of \$82,084.08 and reserve funding of \$642,120.11 compared to the reserve funding budget of \$726,492. The Association has \$427,825.23 in operating funds, which represents 1.38 months of budgeted expenses and reserve contributions. The association has \$8,818,915.06 in reserve funds.

The following items were considered and acted upon separately:

c. Lien Resolution

Resolution: The Board approves Lien Resolution with correction to account number 2228-01

Motion: Linda Cook

Second: Will Vizzard

Vote: All in favor

Account Number	Past Due Amount
1946-01	\$1,038
2112-04	\$1,038
2389-02 2228-01	\$1,038

d. Architectural Applications

The Directors reviewed the window application for 615 Dunbarton separately from the other applications. They consulted with the ARC representative attending the meeting and also noted that they had received an appeal of the ARC’s decision from the homeowner. The discussed the appeal request.

Resolution: The Board agrees to uphold ARC recommendation to deny the window request for 615 Dunbarton Circle, thereby denying the homeowner’s appeal.

Motion: Linda Cook

Second: Greg Beale

Vote: All in favor

Resolution: The Board confirms the recommendations of the committee for items 1-9 as noted on the table below.

Motion: Will Vizzard

Second: Linda Cook

Vote: All in favor

	<i>Address</i>	<i>Application for</i>	<i>Recommendation</i>
1	2249 Swarthmore	Window Replacements	Approval
2	200 Dunbarton	Window Replacements	Approval
3	2232 Swarthmore	Solatube	Approval
4	1026 Vanderbilt	Window Replacements	Approval w/ Cond
5	1384 Commons	Window Replacements	Approval
6	27 Adelphi	Window Replacements	Approval
7	1653 University	Fence Alteration	Approval
8	502 Dunbarton	HVAC Replacement	Emergency Approval
9	2328 Swarthmore	HVAC Replacement	Emergency Approval
10	615 Dunbarton	Creation of two new windows	Approval not recommended

<i>End Consent Calendar</i>

IX. UNFINISHED BUSINESS - None

X. NEW BUSINESS

- a. **Discuss installation of Bocce Ball court at the site of the current Elmhurst tennis courts.**

Some time ago a homeowner requested that the Board discuss the possibility of installing a Bocce Ball court. Manager reported on meetings with Tuff Grass and Red Leaf Development. Price range can run from \$10,000 to \$60,000 depending on scope of work.

The Board directs management to solicit member input to gauge the interest for future discussion.

- b. **Discuss condition of the three tennis centers in the community**

The directors reviewed photos of the courts and discussed possible next actions.

The Board directs management to obtain proposal and report from Bruce Sheldon of Tennis Court Specialties.

c. **Review and adopt Grounds Committee Member Duties**

The Grounds Chair and the manager have worked together to create the enclosed Member Duties for the Grounds Committee. The committee reviewed the document at their May 21 meeting and recommend it for Board adoption.

Resolution: The Board approves the Nepenthe Association Grounds Committee Member Duties as presented.

Motion: Linda Cook

Second: Greg Beale

Vote: All in favor

d. **Review Zone 2 Tree Report and authorize work as proposed**

On April 15th, Paul Dubois from The Grove Total Tree Care walked Zone 2. Various maintenance items were noted and eight trees are recommended for removal.

Three of the trees are in Zone 3 and were on a prior report. The Grounds Committee had asked to have those trees pulled from the proposal in April 2019 to allow them time for more review. They have since voted to recommend their removal as well as all other work noted on the proposal from The Grove Total Tree Care.

Resolution: The Board approves the proposals from The Grove Total Tree Care in the amount of \$15,798 (\$11,408 for Zone 2 and \$4,390 for Liquidambar in Zone 3) payable from Reserve GL N23282 for Trees which has a remaining allocation for 2020 of \$189,881.

Motion: Will Vizzard

Second: Linda Cook

Vote: All in favor

XI. HOMEOWNER COMMENTS

No homeowners addressed the Board at this time.

XII. REPORT OF THE INSPECTORS OF ELECTION (Signed copy is on file with the ballots)

The following three Inspectors of Election were duly appointed at the February 5th Open Session of the Board of Directors of Nepenthe Association.

We, the duly appointed Inspectors of Elections at the Annual Meeting of the Nepenthe Association, a California nonprofit mutual benefit corporation, held on May 27, 2020 do hereby report as follows:

The number of Members in good standing and entitled to vote on matters reported below at the Annual Meeting was 590.

We determined that a quorum was obtained, which is 148.

There were present, by ballot and proxy, at said meeting 257 Members.

We reviewed the registration and all Proxies and Ballots.

We determined the authenticity, validity, and effect of each Proxy and Ballot.

We determined all challenges and questions in anyway arising in connection with the right to vote.

We determined that 10 Ballots were invalid.

We counted and tabulated all votes as follows:

<u>Names of Candidates</u>	<u>Number of Votes Cast</u>
Linda Cook	161
Mary Gray	139
Liza Tafoya	132
Jan Summers	22

The two candidates receiving the highest number of votes are as follows and will serve 2-year terms until their successors are elected at the 2022 Annual Meeting.

Names of Elected Directors

Linda Cook
Mary Gray

The results of the vote to apply any excess funds to the next year's assessments pursuant to IRS Revenue Ruling 70-604, are as follows:

207 For 1 Against 10 Abstain

The Minutes for the 2019 Annual Meeting were approved/not approved as follows:

191 Approve 0 Not Approve 10 Abstain

XI. NEXT MEETING: Wednesday, July 1, 2020 at 5:30 pm in the Nepenthe Clubhouse

XII. ADJOURN 6:01 PM