

RESPONSES TO April 2025 OPEN MEETING COMMENTS and CORRESPONDENCE

Please note these responses will always be attached to packets for Open Board meetings following the meeting where the comment was made and will also be published with the monthly newsletter. As time, quantity of homeowner comments, and level of research necessary to prepare full and accurate responses permits, these responses may also be emailed mid-month after the meeting date mentioned in the heading.

[] INDICATES RESPONSES PROVIDED DURING THE MEETING

1. **DON LANDSLITTEL:** When will homeowners receive the updated dues comparison chart requested at the March meeting?

[GM replied that it was included with the Friday update issued after the March Open meeting.]

2. **ANDREW BARRIOS:** Where is Peter Lewicki?

[GM replied that he is out of town.]

3. **DALE SHAW:** What will we use for landscaping instead of rock or bark?

[Mary Gray replied, “drought-tolerant ground cover”.]

4. **RICARDO PINEDA:** Two questions –

a) Why is Nepenthe paying for repairs to City sidewalks?

[GM replied that City code says the homeowner facing the sidewalk is responsible for repairing the sidewalk.]

b) On 1013 Dunbarton the color of a recent concrete pour is very light.

[GM mentioned it might be a texture issue but will check the area.]

5. **PETER PELKOFER:** Has two issues –

a) Feels there is a conflict of interest in having the arborist for the same company that does the cutting. We should hire an independent arborist.

b) A letter he sent to the Board was received too late to be in the packet. (copies were provided to Directors at the meeting.) Before the Board makes a decision on any potential CC&R change, the legal writing on the current options is poorly drafted. He would like the Board to consider his additional (4th) option.

BOARD RESPONSE:

- a) Nepenthe currently has a contract with a landscaping vendor that provides tree service through a wholly owned subsidiary. Past contracts for tree work have also used a company arborist to recommend work to be done by their company. All landscaping proposals are reviewed by the Board and work performed is only after Board approval. This practice can be compared to taking your automobile for repair and having a mechanic diagnose the issue and make the repairs after your approval.
- b) the letter will be reviewed by the Board as well as the suggested additional option that the Board appoint a committee to review the matter.

6. **BILL WHITE:** Bill read a letter about the insurance deductible issue. He feels CC&R sections 5.1 and 10.8 conflict. He suggests a modification to 10.8 to hold homeowners responsible for the deductible and any amount not covered by insurance only if the homeowner is at fault for the damage.

BOARD RESPONSE: The Board will continue to seek homeowner opinions about possible CC&R changes. Decisions will be made in congress with legal and insurance experts.

7. **BONNIE JACOBSON:** Would like a Finance Committee summary at Open meetings.

[GM mentioned that Finance Committee meetings are summarized in their minutes and their meetings are recorded in Zoom.]

BOARD RESPONSE: Your request will be discussed/reviewed with the Finance Committee. In the interim, our Nepenthe website has been improved to include financial information reviewed and shared at both the Finance Committee meetings and the Open board meetings. These documents can be found under the “Resources” tab, “Document Resources.”

CORRESPONDENCE

1. **MARKUS DASCHER:** Has multiple questions on the CC&R survey –

- a) costs to compile survey questions
- b) is there a deadline to respond
- c) What is the Board planning to do with the survey information?
- d) Is the Board’s plan to change the CC&Rs?
- e) How much is it going to cost to change the CC&Rs?
- f) How many homeowners need to vote to get changes to the CC&Rs to pass?

BOARD RESPONSE:

- a) To date, \$1,410 has been spent in legal fees and the use of survey software.
- b) April 17, 2025, at 5PM

- c) the survey is designed to get information on homeowner preference about covering insurance deductibles
- d) The Board will make a decision on what option to put on the ballot. The entire community will vote on changing the CC&Rs.
- e) At this time, we do not have an estimate of costs to hold a full election for the CC&Rs. The cost can vary depending on mailing costs, legal fees and recording fees.
- f) 296 (half of the 590 homeowners + 1