

**DIABLO VIEW HOMEOWNERS ASSOCIATION**  
**Board of Directors Meeting Minutes**  
**November 10, 2010**

Directors Present: President Bob Ganch, Vice President Richard Grzybowski, Treasurer Niel Shay, Secretary Christine Gregory and Director Lou Roessler

Directors Absent: none

Management Present: Caroline McCormick, CCAM, CMCA and Stefanie Nightingale, from Association Communications Inc., Homeowners Association Management.

Homeowners: 2 homeowners were present.

**CALL TO ORDER**

President Bob Ganch called the meeting to order at 6:34 P.M at 2327 Sweetwater Drive, Martinez.

**HOMEOWNERS' CONCERNS & COMMENTS**

One owner asked about tree size before it becomes dangerous. Management advised that an arborist would identify if there is a serious hazard that needs to be addressed. Also, regarding fences – do you have to have a rear fence? Management responds that to remove it requires architectural approval. The CC&R's section 5.5.1 address "party fences".

**2371 Sweetwater Drive:** Owner called to report an active, swarming wasps' nest behind her property in common area. Management arranged for Contra Costa County Vector Control to eliminate the wasps at no cost to the Association.

**COMMITTEE REPORTS**

**Architectural (ARC) Committee:** Lou Roessler, Chair

**2332 Sweetwater Drive:** Architectural application to replace windows with new vinyl Milgard windows in tan color was received and approved.

**2216 Alps Court:** Architectural application to replace windows with new vinyl windows in tan color was received and approved.

**2365 and 2367 Sweetwater Drive:** Fence replacement upgrades were approved and completed. Details are included under Review Items & Updates – Unfinished Business.

**2266 Stillcreek Court:** Application was received for a new steel roof and was approved.

**2249 South West Court:** – Application for Presidential TL roof replacement was received and approved for Autumn Blend color.

**2242 Dry Creek Court:** – An application for a stone-coated steel roof was approved.

**2167 Stillspring Court:** – Owner needs to fill out an app for the stone-coated steel roof that has already been installed. Management will forward an application to the owner.

**Landscape Committee:** Johanna Scherrer, Chair

Next walk-through is scheduled with Johanna for Tues or Thurs after 10am. CM - Designs that were submitted from landscaper weren't what we had hoped for. PJ McNamara was requested to clean out 4 drains and also to do double duty for garbage p/u at tot lot – someone's dumping household trash. Follow up with PJ McNamara on installation of \$800 worth of mulch at both sides of the upper entry. Remember to plant new plants in rootball cages to protect from gophers.

PJ to place bark at tot lot and arreate lawn. Follow up with him.

**Neighborhood Committee:** Bob Ganch, Chair

Management has left messages for Martinez PD Community Resource Officer John Stretch to confirm his availability for the Annual Meeting. If there was enough interest we would invite Officer Stretch. Only 2 people have responded.

Everyone should get a Neighborhood Watch Guide mailed or delivered – Bob recommends there is a block captain who handles this item, not BOD managed. Newsletter item. Prepare map with 11 or 12 districts and request volunteers for each area. Meet quarterly. Then coordinate Officer Stretch for Meeting with the Neighborhood Watch group. Prepare booklet, with simple letter requesting watch captain volunteers for each of the zones. Please respond to Management with interest. Deliver with Budget to each home.

**Website Committee:** Dave Piersall, Chair [www.diabloview.org](http://www.diabloview.org).

The webmaster asked that the Board review the September minutes for inconsistencies with the Association's policy of not including names or addresses. Address or lot number, no names should ever be published on the website. Correct minutes to remove any names. Recon Building Products and Monier Lifetile – Management to ask the Webmaster to repair links to these two sites.

**BOO Committee:** Kathy Minard, Chair.

The relocation of the owl box post that was behind 2277 Stillcreek Court was completed on 11/2/10.

Another brood has appeared. Bad news – one owlet died, another was ill. The owlet didn't die from poison. Lindsay Museum's opinion is the ill one is malnourished. Found a grown up owl sitting on the new box. Box on hill is populated also. Kathy will reinstall a camera. Cleaning will be tabled for now because they are occupied.

APPROVAL OF THE MINUTES

**A motion is made and duly seconded and it is, therefore, unanimously resolved to approve the October, 2010 meeting minutes, as amended.**

TRESURERS REPORT DELINQUENT ACCOUNTS

**Review of Financial Statement for Period Ending October 31, 2010**

- The operations balance is \$22,258. Reserves total \$155,430. Net income is \$10,966.
- CD renewed for 33K matures in March.
- P&L under budget
- Two bad debt items that should have been written off -- CPA will do this at end of year.

**A motion is made and duly seconded and it is, therefore, unanimously approved to forward the following accounts to collections, 024, 085, and to go to small claims court in lieu of foreclosure to clean up some of the small debts on 5 accounts.**

BOARD DISCUSSION & DECISION - NEW BUSINESS

**2011 Budget:** Management provided a draft and Treasurer Shay fine-tuned the draft budget and provided it to the Board. Management requests Board approval of the budget in open session so it may be recorded in the minutes. There is no increase to the \$46.00 per unit per month assessment for 2011.

**Motion was made, duly seconded and unanimously approved to approve the budget as amended.**

**Reserve Study Update:** The Board reviewed the reserve study and made the following changes: Correct beginning balance - Needs to be adjusted to reflect fencing project that was completed, add owl box replacement over 10 years, \$3,000 and remove picnic tables-open space from reserve study.

**Motion was made, duly seconded and unanimously approved to approve the reserve study as amended.**

**Tree Proposals – Phase 3:** Management conducted a bid walk with three arborists to collect proposals for this year’s tree maintenance project. Also included were two locations that were skipped in previous tree maintenance projects that need to be completed.

2320 Sweetwater Drive – messy pine trees encroaching rear yard.

2140 & 2150 Blackrock Place – Two oak trees overhanging the residences.

**Motion was made, duly seconded and unanimously approved to approve the proposal from ValleyCrest Tree Services for \$4,000. Will occur after 1<sup>st</sup> of Dec.**

**Retaining Wall Proposals – Lot 61:**

55/45 - 55% HOA, 45% Owner

Homeowner wants the railroad ties to be removed and have enough brick left to complete his portion of the project. We will accommodate his request at his expense. Board prefers a written commitment and consent/release from the homeowner that stipulates the HOA will do the main wall work, the owner will complete his portion of the project as part of the approval, he will provide a timeline and will provide cash up-front for his portion of the costs. The owner must also indicate how much material he will need for his part of the project.

The Board indicated the homeowner should be provided with all three bids so that he is involved in the decision-making process.

**A motion is made, seconded and approved (Bob abstained) to authorize management to negotiate with owner of lot 61 to complete retaining wall replacement NTE \$2,937, based on homeowners preference of vendor.**

**Community Appeal & Enhancements:** Management has received two responses to the call for suggestions for community landscape and/or architectural enhancement at the entry areas and common area islands.

- **Wildflower Seeding in Common Area**  
**Good for open space. Run it in newsletter for volunteers. In favor of doing it. Board will provide seed.**
- **Sculptural Installations at Entry and Islands**  
**Board authorized \$50 gift cards to each for Home Depot. Motion made and seconded, approved. Newsletter item.**

Develop a monument stucco/cement block, build in existing signs and allow for a planting area on corner. Radius wall. Board will revisit discussion in January.

## REVIEW ITEMS & UPDATES - UNFINISHED BUSINESS

11-08-1: Erosion Control – Directors Gregory and Shay to provide status on V-Ditch inspections. New owl box is installed. OPEN ITEM.

4-10-2 Fencing project: A&J completed the majority of the fencing work on 9/17/10 and an additional location on 11/2/10. See below for description of events at 2365/2367 Sweetwater Drive. Also, Management has advised A&J Fencing that their employees are never to bring pets onsite anymore. ITEM COMPLETED.

2365 Sweetwater: Owner, requested approval to upgrade to board-on-board fencing vs. deer frame fencing during the Association's fence replacement project on 9/17/10. Owner agreed to pay for costs for the upgrade over and above the deer frame costs. Neighbor signature was received and application was approved. Work completed on 9/17/10.

- 45 feet replaced at \$30 per foot = \$1,350
  - Association responsibility: \$810 / Owner responsibility: \$540
- Owner billed on 11/3/10.

2367 Sweetwater: Owner, requested approval to upgrade to board-on-board fencing vs. deer frame fencing. This rear fence is adjacent to 2365 Sweetwater and was inadvertently omitted from the project on 9/17. Management became aware of this as a result of a satisfaction survey that was sent to all owners included in the project. The original invoice was adjusted for this discrepancy.

Owner agreed to pay for costs for the upgrade over and above the deer frame costs. Neighbor signature was received and application was approved. Work completed on 11/2/10.

- 48 feet replaced at \$30 per foot = \$1,440
  - Association responsibility: \$864 / Owner responsibility: \$576
- Owner billed on 11/3/10.

12/2010 Annual Meeting: Management has mailed out ballots to all owners. The Church of Christ has been reserved for 12/2 at 7:00pm. **Contact Pumpkin Men for perhaps speaking at low key annual meeting for 10-15 minutes about improving curb appeal individually and as a community. Provide a handout talking about recent sales trends. Will include PMs handout in Jan newsletter. An upbeat presentation. Request preview of presentation by PDF.**

**Do a postcard reminder to population to let them know about PM at meeting appx 1 week before annual. OPEN ITEM**

## **MANAGER'S REPORT - ACTION ITEMS**

### **Meeting Schedule:**

December – Annual Meeting – December 2<sup>nd</sup>, 7:00pm, Church of Christ at 1865 Arnold Drive in Martinez.

- To Do - Management was directed to revise the proof for the sound sign and send to President Ganch prior to ordering.

Sound carries sign. In file called signs.

**Maintenance:** Fill the dog poop stations on the walkthroughs.

**Newsletter:** We require white garage doors to be painted (s/b trim or body color). Owl Activity Continues, Big Thanks to Lindsay Museum for help with owlet health care and advice. Please don't use pesticides.

### **ADJOURNMENT**

**A motion is made and duly seconded and it is, therefore, resolved to adjourn the meeting at 9:55 PM.**

Respectfully submitted,

Christine Gregory, Secretary for  
Diablo View Homeowners Association  
Board of Directors, Diablo View HOA

*DIABLO VIEW HOMEOWNERS ASSOCIATION*  
Board Resolutions 2010

**A motion is made, duly seconded and carried and it is therefore unanimously resolved to approve the CPA Audit as submitted.**

**A motion is made, duly seconded and carried and it is therefore unanimously resolved to approve the Borg Fence proposal in the amount of \$2,586 to replace the damaged fence section.**

**A motion is made, duly seconded and carried and it is therefore unanimously resolved to establish a Barn Owl Observation (BOO) committee chaired by Kathy Minard.**

**A motion is made and duly seconded and it is, therefore, unanimously approved to forward all accounts in the 30 day column to collections in Compliance with the collection policies as well as to initiate foreclosure on account 177 and write of \$550.86 for account 016 as uncollectable due to bankruptcy.**

**A motion is made, duly seconded and carried and it is therefore unanimously resolved to approve the CPA Audit as submitted.**

**A motion is made, duly seconded and carried and it is therefore unanimously resolved to approve the proposal for common area fence replacement from A&J Fencing: in the amount of \$11,580 provided they include calling USA prior to the project start.**

**A motion is made, duly seconded and carried and it is therefore unanimously resolved to purchase Workers Compensation coverage for an annual premium of \$603.00 through West Callaway Stotka Brokers.**

**A motion is made duly seconded and carried and it is therefore unanimously resolved to approve the CertainTeed Presidential Shake TL roofing materials as a standard replacement roofing material for the community with the exception that colors Yosemite, Spanish tile and Charcoal are not approved and are prohibited for use in the community.**

**A motion is made and duly seconded and it is, therefore, unanimously resolved to approve a not to exceed \$800 to remove the owl box at Stillcreek Court and rest it on top of the approved post.**

**A motion is made and duly seconded and it is, therefore, unanimously approved to go to small claims court in lieu of foreclosure to clean up some of the small debts.**

**A motion is made and duly seconded and it is, therefore, unanimously approved to forward the following accounts to collections: . 024, 085 and go to small claims court in lieu of foreclosure to clean up some of the small debts on 5 accounts.**

**Motion was made, duly seconded and unanimously approved to approve the 2011 budget as amended.**

**Motion was made, duly seconded and unanimously approved to approve the reserve study as amended.**

**Motion was made, duly seconded and unanimously approved to approve the proposal to ValleyCrest Tree Services for \$4,000. Will occur after 1<sup>st</sup> of Dec.**

**A motion is made, seconded and approved (Bob abstained) to authorize management to negotiate with owner of lot 61 to complete retaining wall replacement NTE \$2,937, based on homeowners preference of vendor.**

**Board authorized \$50 gift cards to two homeowners for Home Depot. Motion made and seconded, approved.**