

Minutes

Mammoth Creek Homeowners Association
ANNUAL MEETING
September 10, 2016
12:00 p.m.—Potluck and BBQ
1:00 p.m.—Homeowners’ Meeting
Approved by Board November 7, 2016

In attendance:

- Board members Gary Drlik (unit 53), Sara Gomberg (unit 23), Ed Klotz (unit 25), Harvey Place (unit 26), & Mary Beth Richardson (unit 9);
- Homeowners from units 1, 5, 7, 16, 24, 27, 28; 41, 49
- High Sierra Management (HSM) Managers Cheryl Caton and Gary Small
- Town of Mammoth Lakes Presenters
 - Grady Dutton, Public Works Director
 - Colin Fernie, Town Council Member
 - Elizabeth “Betsy” Truax—Chair, Recreation Commission

1. Welcome and Call to Order

President Ed Klotz called the meeting to order at 1:03 pm

2. Attendance

Circulate attendance list for units/owners present to determine quorum. Fourteen units represented

3. Introduce Current Board of Directors

- Renewing members: Ed Klotz—elected by acclamation. Mary Beth Richardson, who has not re-upped for another term.
- Continuing members: Gary Drlik, Sara Gomberg, and Harvey Place

4. Grady Dutton, Betsy Truax, and Colin Fernie

- a. PlanMCP.com.
- b. Betsy: Chair of Town recreation commission
 - i. Spearheaded series of town workshops to solicit town support & engagement. Identified programming, needs, of community project. Outcome has influenced plan and conceptual design phase.
- c. Grady: plan & design. Distributed aerial pictures of parcel & displayed a design board of building placements.
 - i. Overview of planning process & due diligence Council took. Can consult website for specifics
 - ii. Provided specifics of rink and Community Center. Will be completed in phases. Set back 20 feet from Forest Service property. Town is committed to a full EIR to cover the maximum uses of the property projected out 20 years+. Expects a full EIR in November followed by multiple public hearings. Have also had a cultural examination with archeologists as part of the process.
 - iii. Projected uses—parking, accessible playground (reconfigure existing), no change to frontage grass area. Considering summer usage for youth camps and covering ice for additional court sports.

- iv. Questions re: entertainment usage—will be used for festivals? Not large enough for Bluesapaloosa et al (Council is researching other venue possibilities), but may have smaller events. EIR will address soundproofing steps to mitigate noise.
- v. Town recognizes that parking on Meadow Lane is a concern and will need additional patrols during events.
- vi. Clarification of Plan Your Parks initiative & community center proposed in 2010. Conceptual project that board accepted but did not adopt as part of ToML Master Plan. MLR is actively considering swimming facilities through
- vii. Maintenance access road? Will be one from end of Meadow Lane to access trash & service chillers
- viii. Funding has not been discussed in detail. Could be covered through Measure R, bonds, Mello Roos tax revenue, and the funds freed from current lease costs. Grady's office will present cost estimates and recommendations for funding. Town would have to designate \$4m & prove that the first phase is fully funded before construction starts
- ix. Bell-shaped property—seems to be largely ignored. Town has it zoned as open space & not eligible for development. Can be changed through Council directive. Town constantly considers that parcel in multiple discussions.
- x. Colin Fernie

5. Approve Minutes of the September 12, 2015 Annual Meeting

No Quorum, no Vote

6. President's Report—Ed Klotz

- a. Thank you's—to Guillermo and Pablo for their devotion to the complex and all the hard work they do. To Mary Beth for her BOD service since 2010.
- b. Dog Policy issues—recently, many dogs have been running free on the property. Per Board policy, dogs **must** be on leashes. Please use the local dog parks and open land for letting your dogs loose. The closest area is off of Sherwin Creek road near the propane tanks.
- c. Current level of water restrictions; despite this last wet winter, groundwater aquifers are still low and level 3 restrictions are still in place. Our complex is in good standing with water folks because of our conservation efforts.
 - i. Members can do their part by taking advantage of Mammoth Water District Rebates for water-saving toilets & washing machines. Not only do the new low-flow toilets work very well, they're an easy opportunity for \$ savings.
- d. June 17 next year, a Homeowner has asked to have a wedding on site. BOD has no objections, but wants to provide a heads up to owners.
 - i. Owners discussed the prospect; all were supportive of holding the ceremony onsite, while some voiced concerns about the onsite celebration afterward.
 - ii. The Board will entertain and address additional concerns via our Website.
- e. Overview of last years' meetings. Summary of actions:
 - i. Siding project—ongoing & to continue for 2 more years. We will then move to a painting cycle of one building each 8 years.
 - ii. Cost saving measures—we switched painting vendors, which resulted in \$16K savings. With spas, we have spent money to save money—by increasing the number of days a vendor services our spas, we have significantly reduced costs for chemicals, repairs, and replacement.
 - iii. Egress Building code—ToML has given strong indications that our lofts will **not** have to have a second point of egress. Last spring, the Town hinted that it might require all condo units with lofts to meet current CA Building Code. However, Code allows exemptions for older complexes and ToML officials concede that ours should be grandfathered to meet Code in effect at the time of construction.

- iv. An issue we wrestle with at most meetings: consistency of appearance and functionality among all units. As we've considered architectural reviews, the window replacements, and door issues, we try to balance between allowing a free-for-all and micro-managing architectural consistency. It is an ongoing struggle, but please know we do our every best to consider all Members' viewpoints.
- v. There is an open position on the BOD; Mary Beth has decided to take a break from Board service. Please notify any BODs present if you're interested in filing the position.

7. Treasurer's Report—Harvey Place

- a. This has been a good financial year: added \$33k to replacement budget. The helps:
 - i. State Farm reimbursed us for legal fees associated with the Malcolm lawsuit.
 - ii. Below budget: snow-removal/loader work was under by \$6K.
 - iii. Painting—savings of \$16K with new vendor.
- b. Increased operating fund to avoid borrowing from replacement fund.
- c. Looking forward to new fiscal year—will continue savings from painting. Have replaced all sliding doors and may need to start a new round.
- d. Siding—have historically put out \$60-65K in siding, \$40K in painting. After project is completed, decrease in funds will go to replace roofs and asphalt. Roofs are next big project; will cost over \$350k, and will be completed in phases.
- e. Reserve study coming up this fall.

8. Manager's Report—High Sierra Management: Cheryl Caton and Gary Small

- a. New plan for asphalt—slurry yearly, alternate between driveways and walkways
- b. MCC entrance sign has been refurbished.
- c. Railings
- d. Reminder: batteries, fire extinguishers, clean heaters and fireplaces. Will be completed in the next few weeks. Managers will need to enter units to do maintenance work. If you prefer to do the work yourself, please notify Managers.
- e. We have completed a full cycle of sliding doors replacement; every year, 3 units have gotten a new slider, and the last 3 units were done this year.
- f. The tennis court chain link fence was finally repaired this summer. The west side sagged significantly from the snows of our heaviest winters, but it is now up-to-snuff.
- g. This year, 3 cars (yes, 3) have driven off the creek-end of the east parking lot this year, all at night, and all by renters. The most recent incident damaged the retaining wall. Check out the new reflectors—hopefully they'll alert drivers unfamiliar with our driveways...
- h. Be bear aware! We have had several bears break in to cars and have caught some trying to break in units by way of back decks. During the warm months, please leave no trace of food in your vehicles and do not put out any bird feed.
- i. This summer, honeybees were vacationing in Mammoth in droves (pardon the pun). We had at least 3 bee hives on the complex. Let us know about any new hives you find.
- j. As always, thank you to Guillermo & Pablo for their efforts in maintaining our complex. They are indispensable!

9. Project Updates: comments and questions

- a. Ice Rink/Multi Purpose Project Update (Sara)
 - i. Our complex has allotted \$3k for legal fees to this date. To review the Environmental Impact Report, anticipated legal costs for MCC are projected at \$16,200 (27% of total cost shared among surrounding complexes). Both La Vista Blanc & Chateau Blanc HOAs have agreed on submitting their contribution amount;

- our BOD will discuss this afternoon. Legal costs break down to \$275 per unit (0.13% of avg. unit's value).
- ii. The legal representation will buy us a voice and some clout in having the town address our concerns—traffic design, hours of operation, and additional mitigating actions.
 - iii. Sara, our point person, wants to represent all of our voices in the development of Mammoth Creek Park—please contact her with any of your questions or concerns: saragomberg@yahoo.com.
- b. Town of Mammoth Lakes Bike Trail project
- i. ToML plans to continue bike trail on south bank of creek, which is part of MCC property.
 - ii. Total length of project: approximately 900 feet, of which our property is about half.
 - iii. Project funding is from a federal grant; no details available because the grant application is still in process. Part of the process is valuing the land; an independent assessor values the property to establish an initial purchase price offer.
 - iv. Two-thirds of HOA Members must approve the sale of any HOA land for a price that exceeds 5% of the Association's gross expenses. Because the selling price will definitely exceed that 5% mark, we will have to hold a vote before the Board authorizes any transactions with ToML.
 - v. Next spring, expect news about the required HOA vote. Specific details will be available at that time.
 - vi. One unit owner asked the Board to consider riparian water rights & their associated value when setting an asking price.
- c. Window Replacement Update
- i. The HOA is a little over halfway through the project. 65% percent of our units have replaced (39 have paid, 35 have been installed). The windows in the Manager's unit will be replaced this year.
 - ii. Cutoff date to submit payment for this year's prices: December 15, 2016.
 - iii. To date, the project has gone very smoothly and unit owners are pleased with increased energy efficiency and reduced noise.
 - iv. Next year at this time, the Board will start discussions with units who haven't yet replaced their windows.
- d. Door Replacement Results
- i. Owners' survey results were inconclusive. The majority did not support an assessment for new doors; therefore the Board will **not** pursue a complex-wide door replacement project.
 - ii. To mitigate existing door issues, the Board has voted to replace (at HOA's expense) any door that is beyond repair with a new solid slab door, jamb, and lockset.
- e. Law Suit update
- i. Malcolm v. MCC HOA is moving slowly; the first deposition was held in December—documents/transcript are available from Butner HOA Services.
 - ii. The separate individual suit against Gary Drlik has been settled at no cost to the HOA. Gary is thankful that our State Farm insurance policy covered Gary's legal expenses.
 - iii. On May 5, a mandatory settlement hearing was held, but neither side agreed to any offers regarding Malcolm's complaint against the HOA.
 - iv. These types of suits have set steps to follow in order; our next step is an Adjudication Filing where the HOA submits a summary judgment for dismissal. Basically, our side asks the judge to dismiss the case based on current discovery and rulings.
 - v. The Board will continue updating Members through meeting minutes and Website postings.

10. Owner's Forum: 5 minute limit per unit

Any homeowner may address the Association. There will be a five-minute time limit per homeowner comment, per item.

- Owners asked what can be done to encourage better participation in these meetings.
Discussed possible actions: owner survey, free conference calls, Skype, etc.

11. Next Annual Meeting

- a. Time, Place, Location: September 9, 2017
- b. Suggested Agenda Items
 - a. Speakers: mountain, town—update on bike trail and ice rink
 - b. Same updates as usual

12. Adjournment

Hearing no objections, President Ed Klotz adjourned the meeting at 3:59 pm.

Respectfully submitted,
Mary Beth Richardson, Member at Large
September 11, 2016