



Copper Cove at Lake Tulloch Owners' Association

920 Black Creek Drive
Copperopolis, CA 95228
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Board Meeting Minutes September 16th 2010

Meeting called to order at 6:00pm

Directors Present: President Jack Forkner, Vice President Kevin Gause and Secretary Bill Cassidy
Directors Absent: Lorraine Contreras and John Salmon
Also Present: Office Staff, Heather Van Natta and Stacy Halstead
Members Present: 34

Consent Agenda

Minutes of Prior Meeting

- 1) Study Session July 13, 2010
- 2) Board Meeting July 15, 2010
- 3) Executive Session July 26, 2010
- 4) Executive Session August 5, 2010
- 5) Executive Session August 12, 2010
- 6) Study Session August 26, 2010
- 7) Special Meeting September 7, 2010

Treasurer's Report- Operating Funds Balance \$148,863.25. Reserve Funds Balance \$238,011.20. Total Outstanding Balance still owed to CCLTOA A/R \$51,071.99.

Motion to approve- Approved 3-0.

ACB Report: Nothing to report.

Maintenance Report: Alfred Montoya reported all going smoothly, no big projects at this time. Jack told that Tri-Dam had given notice that they were going to begin lowering the lake 15ft. lower than the normal winter level. As of today they have retracted that notice.

Events: D. Lopez 9/13/2010 submitted a new charter. They have informally made plans for Halloween; it will be held on 10/30/2010 (Saturday).

Old Business:

- a) **Lot 712:** Tabled until open forum.
- b) **Kiva Boat Launch:** We have received bids for repairing / revamping the launch, we have decided to replace the current asphalt launch with grooved concrete. At this time we are going to move forward with obtaining permits, motion to approve the permits process and
- c) expenses. **Motion carried approved 3-0. The funds for this project still need to be defined.**



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New Business:

- a) **Budget Preparation:** The Board will begin meetings the first week of October, and meet twice a week until complete. Committees that wish to be renewed need to submit funds requests for 2011 Budget needs.
- b) **Election Challenge:** Grant West lot# 2155 has challenged the recent election. Jack Forkner recused himself from conversation and the vote on this matter for obvious reasons; although he pointed out that if the vote ended in a split he will at that time vote-per Davis Sterling the President is not required to recuse himself. Secretary Bill Cassidy mentioned that he had recently attended a CAI conference, where he was able to speak to two separate attorneys, motion to deny the challenge. **Motion carried approved 2-0 Jack Forkner abstained from voting.**

Community Concerns: Dennis Dooley, of CCWD concerned about foreclosures. Foreclosure abatement-folks can be relieved of paying their bill for up 6 months. If you or anyone you know is dealing with foreclosure please let them know. Castle & Cooke paid for all their sewer hook ups at Town Square, they never hooked up to sewer main lines. Castle & Cooke pay for sewer services but because they are not hooked up they pay a waste water hauler to haul away their waste and dump it at CCWD sites. CCWD open meetings are 1st & 3rd Wednesday of each month.

Open Forum:

Lot 2037: September newsletter, Presidents message-he felt this was aimed toward him. He is formally challenging the election he read election codes etc.

Lot 395 & 396: he was on the Board for a couple of years he stated. That judges can hold Board Members personally liable for decisions made while serving on a Board.

Lot 2155: He's contesting the election. West states his challenge has grown by 15 laws that they have broken.

Lot 964: Controversy over Kiva- we have formed committees to work together to make everything better. It's now time to form a committee to work on the many issues around the Kiva. She's asking the members- let's work together she doesn't want to chair the committee but she would like to be involved.

Lot 194: He has an email from Jack Forkner they have not given him his rights as a member. Denied an IDR- Denied his rights to have his member's viewpoint in election newsletters.

Lot 601: Homeowner in with CCLTOA for 22 years and is discouraged by seeing no change within our Association.

Lot 685: Homeowner explains to Jack Forkner regarding election votes. She was unaware of Dortha's withdrawal.

From Old Business:



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Lot 712 (Sawmill Lake): Lot is a 21.38 acre parcel it's at the end of Beaver Rd. on Beaver Ct. This Lot is owned by Castle & Cooke. In 2008 Castle & Cooke proposed to CCLTOA that 19.38 acres be removed from Lot 712 leaving 2 acres remaining as Lot 712. The 19 plus acres that were to be removed would be developed as part of the Sawmill Lake Development. As a negotiating element Castle & Cooke would build an EVA. In the meantime our attorneys kept watch on the happenings of the Development. In June 2010 a draft EIR was published on Calaveras County's Website. Our attorneys reviewed the EIR and recommended a meeting with us, our counsel, Castle & Cooke and their counsel. There are approximately 55 homes to be developed within the boundaries of lot 712. Our lawyers were concerned that if CCLTOA stood firm in the thinking that we would not allow the development of 712 we would have a lengthy, expensive legal battle on our hands. Our attorneys told us that we should attempt to reach an agreement. Vice President Kevin Gause and Treasurer Lorraine Contreras have a potential conflict of interest in this matter. (Kevin pointed this out at the very onset of this matter). They will abstain from any decisions or votes on the issue. Lot cannot be subdivided but can be downsized via lot-line adjustment if approved by ACB and County. There is NO requirement for such EVA.

Open For Questions:

Lot 684 How are the lawyers paid per issue? Are they paid annually or per issue? She is concerned about the EVA and the effect the traffic would have on the roads and the noise, etc. it would have on residents on and off Cheyenne Rd.

Lot 395 & 396: He knows the guy who owned that lot- he said we should charge everyone who builds on there \$172 per year.

Lot 194: He was on the Board when Castle & Cooke first brought this project forward and the members were against it. 8A could not do it neither can they.

Lot 685: His impression if it goes forward with their original plan. His objection is NO EVA- no road to link to Cheyenne that is his only concern.

Lot 719: Two properties up from 712 he is against an EVA being placed there. He doesn't feel we should give it to them.

Lot 870: They want to put 50-63 homes on that 19 acre parcel – that's ½ acre parcel per home. By letting this happen aren't we setting precedence?

Lot 1067: Did Castle & Cooke last propose or offer to pay \$172 per home or lot to CCLTOA? There is not a proposal.

Lot 2155: This lot is zoned R1 and they are the planning this many homes on a lot zoned for single family residence? It would be rezoned with the approved of the development.

President Jack Forkner read what we proposed to them, the original proposal. Every lot or portion of lots would pay assessment and rights as all CCLTOA members. We took this to Castle & Cooke to see their reaction and to determine what they are open or receptive to.



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Our lawyers pointed out that what we had discussed at this point the last thing that happened on record for lot 712 was the Board denied an appeal in 2008. The Board wants to get as much input from members regarding this issue as possible. At that time they will decide how best to proceed. The Board will keep the members informed.

Meeting adjourned at 8:20pm