

**HOMEWOOD HOMEOWNERS' ASSOCIATION**  
**Board Meeting - Jan. 13, 2011**

**DRAFT**

President Powell brought the meeting to order at 11:35 am.

Board members present were: Carole Gray, Ann Bryant, Ted Grebitus, Allen Sayles, Bryan Turner, Dave Powell & Todd Stone. Additionally, Beach Parcel Committee members present were: Dan Higgins, Jay Sayles, Mary McPherson & Lee Courtright. Two additional HHOA members present who have also attended one or more Beach Parcel Committee meetings were: Bruce McPherson & Lynne Courtright.

Secretary Stone presented the minutes for the 9-4-10 & 9-5-10 Board meetings. Motioned/seconded by Gray/Bryant to approve the Board meeting minutes as presented for the 9-4-10 & 9-5-10 Board meetings. Motion passed unanimously. Secretary Stone will email final approval of 9-4-10 and 9-5-10 Board meeting minutes to Board member Sayles, who will forward the minutes on to our web master for posting.

Treasurer Gray reported the HHOA currently has 91 regular members and 1 affiliate member. Net income for 2010 was \$5,412.59 (a copy of the Treasurer's report is attached hereto). She questioned whether it might be easier to have 3 authorized signatures for HHOA checks (with two signatures still required on every check) instead on just two now (President & Treasurer). Motioned/seconded by Powell/Stone to authorize the Vice President to be the third check signer allowed to sign on the HHOA checking. Motion passed unanimously. A discussion ensued regarding the amount of annual dues. Consensus was that the current cushion in the HHOA account is not too large to warrant lowering the dues at this time. Motioned/seconded by Grebitus/Turner to keep 2011 dues at \$150 per year per member and \$75 per year per affiliate member. Motion passed unanimously.

President Powell reported on the outstanding invoice from prior HHOA's attorney, Gregg Lien, totaling \$4,020. Per a prior agreement, Nate Topol is to pay HHOA legal bills. Since Mr. Lien is not pursuing the bill with HHOA (and we understand it to be Nate Topol's responsibility), we will not pay it. Pres. Powell then reported on our State tax exempt status, reminding the HHOA board that the HHOA is currently exempt from Federal taxes, but not exempt from State taxes. The State told the HHOA several years ago, that unless we did certain things for the public good, they would not consider us tax exempt. Pres. Powell will meet with Past President McKenna on the history of our tax exempt status application with the State.

Membership Chair Grebitus reported on our current membership, stating there are people on our potential member list who are no longer involved in using the Lake and will not be members. He would also like to get more Associate members outside of Homewood to join HHOA for their \$75 non-voting membership. Discussion followed regarding making sure that the letter that goes out soliciting dues for 2011 and the letter with the ballot in early summer include a statement about naming the individual who represents the member parcel to ensure clarity as to who should receive info and vote that year on behalf of that particular membership. Additionally, it was motioned/seconded by Grebitus/Gray to have Membership talk to the Paper Trail to have them obtain title for all names and addresses of parcel owners within Homewood (provided Paper Trail does not charge more than \$500 for this service). Motion passed unanimously.

Website Chair Sayles will now be the board liaison between board and our webmaster, Dean Fender. Any changes or additions to our website should go through Allen, who will contact Dean directly. Allen will have more info for the board at our next meeting.

Beach Parcels Committee – Dan Higgins & Mary McPherson led two Beach Parcel Committee meetings on 9-26-10 & 10-3-10. Their main objective is: 1) Getting parcel numbers for the street ends; and 2) How we should then approach TRPA to obtain buoy permits, such that the goal is to get buoy fields & littoral rights for the street ends and related buoy permits. By doing this, the lakefront owners would also clearly have littoral rights and the ability to obtain their buoy permits. The HHOA has now received parcel numbers for each street end. Some debate ensued regarding the Public Trust issue. The Public Trust issue prevents the HHOA from fencing the street ends such that the public can not access the lake. A long discussion followed on the Placer County's draft MOU agreement and whether the HHOA should sign and/or retain legal counsel regarding such. Some were concerned about the public access issue and who would control the size and placing of signage. Pres. Powell relayed some concerns expressed verbally and/or in writing expressed to him by several HHOA members. The majority felt the wisest thing to do was to hire an attorney to review and recommend what the HHOA should do in regards to the MOU agreement. It was motioned/seconded by Stone/Bryant to authorize Pres. Powell to talk with attorney, Curt Sproul about hiring him to represent the HHOA on reviewing the proposed MOU agreement and recommending changes and/or approval. The motion passed unanimously. It was then motioned/seconded by Bryant/Turner to approve the HHOA Resolution presented to the board and amended on 1-13-11 (attached hereto). Motion passed unanimously.

Homewood Mountain Resort Status – Pres. Powell stated that the EIR was now complete and will be released to the public around Jan. 18, 2011. It has been reported that there will be a Public Open House on the EIR at Homewood sometime between 2-10-11 and 2-23-11 (as of the writing of these minutes, we have been informed that the HMR Open House has been scheduled for March 4<sup>th</sup> from 5pm-7pm at the South base at Homewood). There is also a hearing scheduled for the TRPA board on 2-23-11. Pres. Powell will send out a newsletter to the HHOA membership informing them of these dates.

Villa Status - Additionally Pres. Powell updated the board on the Villa Status. These 3 lots were in various stages of construction by Topol, work was halted by bankruptcy, but they are now in escrow with a Buyer. Topol's permit was for fractional ownership, however, the Buyer would prefer to use the existing 4 foundations plus the two partially completed houses and sell the 6 homes on 3 lots to 6 individual Buyers (not fractional ownership). He is seeking support from the HHOA on this. Pres. Powell also informed the Buyer that HHOA is still owed \$50,000 from this development (per Topol's conditional permit on these lots, he was required to pay HHOA legal fees, up to \$100,000. Topol has paid \$50,000 of HHOA legal fees to date so \$50,000 balance is remaining).

Marina Status – Pres. Powell also updated the board on the Marina. Topol still owns the Marina, but it is for sale and there have been negotiations with some buyers.. Topol has approximately 100 buoys in front of the Marina, but only 46 are permitted. Chapman received 30 of these 46 permitted buoys with his purchase of West Shore Café, so Topol only has 16 permitted buoys. Thus, there are 54 unpermitted buoys existing in front of the former Topol property running from Silver St. to Fawn St. that may be going away in the future.

Pres. Powell also reminded the board that the South Street street end parcel is currently used by Obexer's for access to their boat ramp. As such, he felt the HHOA should quit claim its rights in the South Street street end parcel to Sarah Obexer to eliminate the HHOA paying any fees on this parcel and to eliminate any liability to HHOA it may have by owning this parcel.

The next HHOA board meeting was scheduled for Saturday, June 25, 2011 at Tahoe in the morning, with the HHOA cocktail party in the afternoon. Final times will be determined later.

President Powell adjourned the meeting at 2:45pm.

Respectfully submitted,

J. Todd Stone  
Secretary, HHOA

Homewood Homeowners' Association  
**Treasurer's Report**  
 January through December 2010

Income		
2010 Dues	13,725.00	(91 full members, 1 Affiliate outside region)
CD Income	<u>74.26</u>	
<b>Total Income</b>	<b>\$13,799.26</b>	

Expenses	
Accountant Fees	425.00
Annual Clean Up	864.00
Bookkeeping	2,331.51
Franchise Tax	800.00
Insurance	2,531.18
TLOA dues	1,000.00
June party	234.98
Web Site	<u>200.00</u>
<b>Total Expense</b>	<b>\$8,386.67</b>

**NET INCOME** **\$5412.59**

Dec. 31, 2010

CD	14,153.86	(9 month term, matures 5/19/11)
Checking Account	<u>16,253.74</u>	
<b>Total</b>	<b>\$30,407.60</b>	

HOMEWOOD HOMEOWNERS' ASSOCIATION  
Resolution dated January 13, 2011

At the meeting of the Board of Directors of the Homewood Homeowners' Association (HHOA) on January 13, 2011, the following Resolution was proposed and approved by the Board:

Resolved:

That the HHOA increase the number of board members who have check signing authority on the HHOA checking account and CD at Bank of America to three people (wherein two signatures will still be required). The three officers of the Board who have check signing authority, effective immediately, are:

President – David Powell  
Vice-President – Ann Bryant  
Treasurer – Carole Gray

Signed,



J. Todd Stone, HHOA Secretary

Date

1-13-11

## Homewood Homeowners' Association Resolution

January 13, 2011

At the meeting of the Board of Directors of the Homewood Homeowners' Association (HHOA) on January 13, 2011, the following Resolution was proposed and approved by the Board:

Resolved:


That the HHOA enter into a Memorandum Of Understanding (MOU) with the County of Placer (County) for the general purposes of affirming fee interest and littoral rights for the lakeward ends of Fern, Oak, Trout, Silver, and South Streets by the HHOA in Homewood, CA, and acknowledging public access for the Access Areas described in the draft copy of the MOU attached hereto.

Further Resolved:

That the HHOA Board of Directors authorizes J. David Powell to sign and accept the final MOU and Notice of Public Access on behalf of the HHOA after review by the HHOA attorney and acceptance by a majority vote of the HHOA Board of directors.

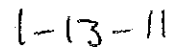
Signed

Date



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Todd Stone, HHOA Secretary



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