

DISCOVERY BAY PROPERTY OWNERS' ASSOCIATION, INC.

BOARD OF DIRECTORS MEETING

FEBRUARY 12, 2008

Delta Community Presbyterian Church

MINUTES

The meeting was called to order by President, Mark Lee, at 7:00 p.m.

1. ROLL: PRESENT: Mark Lee, Carey Harris, Chris Provencher, Omar Hindiyeh, and Jack Parker. Staff: Vicki Laganowsky.

ABSENT: Michelle Carlson and Ed Turman. Staff: Bob Lyman, Dale Welin, and Dewel Morgan

GUESTS: Tammy Kirk, Wayne Rivers, Linda Rivers, Frank Visintin, and William Richardson.

2. HOME PRIDE APPRECIATION AWARD: The recipients for the January Home Pride Appreciation Award were Reg and Cherrie Johnson of 1913 Seal Way. The Compliance Inspector will present the Johnsons with their award.

3. HOLIDAY CONTEST WINNERS: The Board presented a plaque to first place winners Wayne and Linda Rivers of 5432 Drakes Court.

4. MINUTES: Carey Harris moved, seconded by Omar Hindiyeh and carried to approve the Board of Directors meeting minutes of January 8, 2008 as corrected. (4-0)

5. ORAL COMMUNICATIONS:

A. COMPLIANCE INSPECTOR: The Board received the Monthly Inspection Report for January 2008.

B. ASSOCIATION MEMBER COMMENTS: None.

6. CONSENT CALENDAR: Chris Provencher moved, seconded by Jack Parker and carried to approve the consent calendar items listed below (4-0):

A. The Executive Session minutes of November 13, 2007 as written.

B. Appointed Bob Lyman, Dale Welin, and Vicki Laganowsky as Officers of the DBPOA Board of Directors with terms expiring September 30, 2008.

C. Unanimously approved via an email/written vote to have the attorney research the history of the CC&Rs.

- D. Unanimously approved to acknowledge in the minutes that the CC&Rs Article 1.8, “Duration of Restrictions” state that a new 20 year term would commence on February 1, 2008.
- E. Approved to have the Compliance Inspector contact a property owner on Laguna Court to negotiate a settlement.
- F. Requested that DERC consider taking a property owner on Drakes Drive to Small Claims Court for fines exceeding \$2,000 for a dock cover over 10’ high.

7. SECRETARY’S REPORT:

- A. There was no outgoing correspondence.
- B. The Board received a note from Michael and Janet McCleery of Drakes Drive stating their vote would be to raise the dues to \$50.00 per year.
- C. The Board received a note from Ken and Esther Corbett of Discovery Bay Blvd. regarding their concern over the Association’s financial situation.
- D. The Board received a letter dated January 13, 2008 from Terri Sandholdt of Dune Point Place requesting cancellation of her membership in the Association. Mark Lee drafted a response letter.

8. TREASURER’S REPORT: Omar Hindiyeh moved, seconded by Carey Harris and carried to approve the Treasurer’s Reports ending January 31, 2008 as submitted. (4-0)

Chris Provencher advised the Board received \$5,700 additional, voluntary contributions from Association members to help the deficit budget.

Mark Lee advised the Newsletter will go out next month. Mark Lee stated his wife is looking into the cost to print the Newsletter in black and white.

9. STANDING COMMITTEE REPORTS:

- A. DERC: The Board received the Hearing Panel Decisions of November 19, 2007 and December 17, 2007.
- B. ADMINISTRATION: The Contract Secretary had no report.
- C. MEMBERSHIP: The Board received the New Member Report for January 2008.
- D. CC&Rs and DERC STANDARDS UPDATE: Mark Lee reported that hopefully the attorney will have the review of the CC&Rs history completed by February 15, 2008.

10. ADHOC COMMITTEE REPORT

- A. WEBSITE: Carey Harris reported she emailed Jim Johns the corrections that need to be made on the web site.

11. UNFINISHED BUSINESS: None.

12. NEW BUSINESS:

A. HEARING PANEL: The Contract Secretary advised there would be no Hearing on February 18, 2008.

B. RESOLUTION TO INTERPRET "EMPLOYEE" AS USED IN THE BYLAWS: Chris Provencher moved, seconded by Jack Parker and carried to adopt the following Resolution: (4-0)

"WHEREAS, The Discovery Bay Property Owners' Inc. Bylaws use the term Employees in three different Articles.

WHEREAS, The Corporation retains the services of a small group of part time personnel who have been retained on a contract basis.

WHEREAS, These part-time personnel are considered independent contractors by the IRS.

WHEREAS, The Corporation Bylaws in Article XII, provide for the Board of Directors to interpret any uncertainty as to the meaning of any of the provisions of the Bylaws.

WHEREAS, The Corporation may wish to include these part-time personnel in various corporate capacities.

NOW THEREFORE, The Board of Directors of the Discovery Bay Property Owners' Inc. declares that the meaning of the word "Employee" as used in the Bylaws of the Discovery Bay Property Owners' Association shall mean any person who is retained or employed by the Corporation by any method." (4-0)

C. STRAW POLL: Chris Provencher reported there were 281 responses received on the straw poll taken to increase membership dues. There were 202 favorable responses to increase the dues, 42 unfavorable responses, and 37 responders had no opinion. Of those responses received 83% were to increase the membership dues. Chris stated it was fair to say that from those who responded to the poll there was an overwhelming response in favor of raising the dues.

The regular meeting was adjourned to executive session at 7:47 p.m. to discuss members' issues.

The regular meeting was reconvened at 8:04 p.m. to interview Lowell Onstad for the vacant seat on DERC.

D. DERC MEMBER: Chris Provencher moved, seconded by Carey Harris and carried to appoint Lowell Onstad to DERC with a term expiring December 31, 2009. (4-0)

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The regular meeting was reconvened to Executive Session as 8:09 p.m. The next regular meeting of the Board of Directors is scheduled for Tuesday, March 11, 2008 at 7:00 p.m. at the Delta Community Presbyterian Church.

Respectfully submitted,

*Vicki Laganowsky*

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