

LOCH LOMOND PROPERTY OWNERS ASSOCIATION
GENERAL MEMBERSHIP MEETING

MINUTES
MAY 30, 2021 AT 10 A.M.
LOCH LOMOND FIRE STATION

I. CALL TO ORDER

President Dorn called the meeting to order at 10:18 a.m.

II. PLEDGE OF ALLEGIANCE

President Dorn acknowledged this Memorial Day Weekend those who have served for our country. He led the members in the pledge of allegiance. We also acknowledged Dave Mahoney who passed away this past year. Dave was a long-time member of LLPOA, was the previous secretary, and a respected community member.

III. APPROVAL OF THE AGENDA

President Dorn began to read the agenda items to the members. He asked that members hold their questions at the appropriate time when the items are being discussed. He announced we have Jim Gibson from the Cobb Area Mutual Water Company who sits on that Board and we would like to put him first on the agenda. Peg O'Brien stepped up asking that she wanted to be sure an item was added to the agenda before it was approved. Her item "Membership Concerns" will be put under Announcements. She made the motion and Jim Reidy seconded the motion. The agenda was approved as follows:

- I. Call to Order
- II. Pledge of Allegiance
- III. Approval of the Agenda
- IV. Minutes from September 1, 2019
Posted on website: www.lochlomondpoa.com
- V. Reports
 - A. Jim Gibson – Cobb Area Mutual Water Company
 - B. Financial Report for 2020 and 2021
 - C. Pool Lease
 - D. Board Vacancies
 - E. Summer 2021 Plans
 - F. Firewise Program
- VI. Announcements
Membership Concerns
- VII. Adjournment

IV. MINUTES FROM SEPTEMBER 1, 2019

Posted on website: www.lochlomondpoa.com

It has been there for 16 months. Any questions – none. Minutes approved.

V. REPORTS

Jim Gibson from the Cobb Area Mutual Water Company:

He read the following emails. These were his exchanges with Ben Murphy.

May 27, 2021 (7:47 a.m.) – to Jim Gibson from Ben Murphy

Currently we are working on a “rule” for Loch Lomond but the basic idea is to please conserve. We are in a drought. It is currently a voluntary reduction of 20%, no driveway washing, lawns are watered for 10 minutes a day between 11 p.m. – 5 a.m., cars are washed with a 5-gallon bucket and a closing nozzle. No fines but if California says drought – we have to follow the State’s guidelines.

The pool is averaging 3,800 gallons a day which is extremely high and used 5,100 on May 26. We are going to have issues with that as Caroline’s bill is going to be extremely high and this will become a major issue.

May 27, 2021 (2:28 p.m.) to Jim Gibson from Ben Murphy

The pool used 550,00 last year but if you minus the fill ups in March and May billing, it would be around 450,000 – pretty sure the lawn is on that number too. The pool has already used 330,000 with fill up and Caroline is not really watering the lawn that much. It has to have a leak for sure. On track to use as much as it did in 2014 like 800,000. I would mention the use is not necessarily the number unless you need to set the record straight. The pool has a leak and it is quite possibly on the return side of the pump, which means American Leak Detection – not a cheap deal, and possibly a major report. It could be the pool itself. Need to not put water in it for like a week to see where the water stands.

Madelyn Martinelli raised her hand to share a story. A few years ago, PG&E cut a tree and it fell on the ground over some pipes to the pool. Could this might have caused any breakage and this is why water might be leaking?

Mike Reidy spoke up sharing his story that a few years ago he saw the water was over the pool line and running over the edge to Highway 175. President Dorn and Gary Badarello stated they have been marking the water table levels and putting cable ties at the end of the 2019 season and the 2020 season to monitor the water situation. There was more back and forth discussion that took place.

Debbie Dorn, at this point, raised her hand and suggested — *“We should be more constructive and she knows that tempers are high, so let’s follow the agenda.”*

Peter Nuti made the motion to move to the next agenda item — *“the lease”* — and Monica Scodeller seconded the motion.

Richard Zanotti added we should have a time limit for discussion because we have other agenda items to discuss.

POOL LEASE DISCUSSION:

President Dorn spoke about the negotiations. In June 2020, he was told by Mitch McCahey that there was no hurry. Mitch said, *“We have all summer to work on it”*. In September, President Dorn began the process with Caroline McCahey. Over the past 11 months, we have never been given a written, formal lease or agreement from Caroline McCahey. On January 9, 2021, she asked us to remove our equipment and property. She said that she had been heavily subsidizing the pool and could do this on her own. Then in May, working through Vice-President Blake, she wanted to work with the LLPOA again. On May 17, 2021, she emailed Bryan a list of her terms. Copy of this email was distributed to the members.

At this point, Mike Reidy announced, *“Why don’t we hear from Caroline McCahey herself. She is here in attendance”*. Without having approval from the Board to address the members, she came to the front of the group and proceeded to introduce herself and wanted to clarify that there is a lot of false information about her going around. She is not making money off of the pool. Her fire insurance alone is \$20,000. She is doing things to support the community. She told us that the Channel Cats are in the pool. It is cleaned, it is maintained, and it is power-washed. Channel Cats are doing this for the kids. She had an event for the community from 3 p.m. -8 p.m. back on May 23 and there was a Rummage Sales with the Fire Dept. this weekend. When Caroline was asked, *“if everything is ready to go with the pool, then why doesn’t she open the pool and run it?”* She responded that she had a non-profit lined up but when the owner got incredibly ill, she knew she could not open to the public because of ADA requirements.

Members asked to continue with the agenda.

Caroline finished up by stating that she emailed Vice-President Blake and clarified exactly what we need to do to get the pool. She stated that President Dorn went behind her back to get the Channel Cats to change their lease. President Dorn clarified that he did not do that but rather contacted the Channel Cats because we were instructed by Caroline to work together with the Channel Cats regarding the shared maintenance. She said that since emails went back and forth between her and the Board that she finally told the Board to have their lawyer write up the lease and she would look at it.

Again, members asked to continue with the agenda. Discussion with Caroline McCahey ended at this point.

President Dorn stated that certain people have been saying that we have an agreement. We have nothing to sign. He introduced Greg Nuti who has been helping the Board with the negotiations. Greg said that everything we have asked for, Caroline has not complied. We have been stonewalled. Greg Nuti would gladly draft up a lease but we have no scope, there are issues about the liability, what is the obligations between Channel Cats, Caroline, and LLPOA.

Jim Reidy spoke up saying that we need a committee to negotiate with Caroline because she will not work with Dennis. Jim knows of five people who would be interested in being on the committee.

A motion was being discussed and hashed out for a Pool Lease Negotiating Committee. Create a 3-person committee. Dan Mahoney spoke up saying we would also need proof of insurance from the Channel Cats. Having two different entities with leases creates a gray area on the issue of liability and claims. We would also have to have Worker’s Compensation for staff. There should not be volunteers.

President Dorn passed out an estimated budget worksheet to the members. This showed an estimate to operate the pool only on Friday, Saturday, and Sunday. Estimate is \$23,832 for 33-36 days. Also, note that on some items, they are only estimates and they could increase.

John Calonico said he has negotiated 100 leases/contracts. Greg Nuti responded that he does this for a living and asked Caroline for an agreement and again he repeated he has been stonewalled.

Laurie O’Brien raised her hand and commented that this is going in circles and made the motion that we have a committee selected to do the negotiations.

Therefore, a motion was made, Secretary Morandin clarified it and read the motion on the floor, *“Vote for a 3-person committee to go over to Caroline McCahey of McCahey Family Properties, start negotiating for a lease, that lease will come back to the Board in “writing” that we can look at it with the attorney and come to a conclusion that we can then bring it to the membership for a vote.” “Correct?” “Second part is that we will vote for the 3 people to be on that committee.” “Correct?”* The membership was all in agreement.

A roll call vote was taken.

Results: (36) yes, (2) no, (2) left the meeting before the vote, and (6) yes by those who had proxies.

Names taken for the committee: John Calonico, Tom Murphy, and Jim Reidy. Jim then asked if it could be amended to include a woman. Stacey Prather was added. Membership approved these individuals. The committee has to come back to the Board no later than 2 weeks from today with the written lease. John Calonico will be the Chairperson and will report back to the Board.

TREASURER REPORT — SUZ-ANNA MORANDIN

As of December 31, 2020 these were the figures:

Operating Budget: \$14,620.50

Capital Budget: \$23,943.09

As of May 31, 2021 these are our current figures:

Operating Budget: \$21,335.90

Capital Budget: \$23,943.09

Suz-Anna asked if anyone had any questions. There were none.

President Dorn then read the letter dated June 10, 2020 that we had mailed out to the paid members about the financial stability of the LLPOA. In January 2020, we discovered a discrepancy. We had to be patient. We got the right people involved from an attorney, the Westamerica Bank representatives, and other representatives. We had to go through the proper steps. The goal was to get the money back and make the LLPOA solvent. The goal was achieved but we were limited to how much information could be released. Our current check and balance processes are that we receive monthly statements from the bank and the Treasurer reconciles the figures and sends a Box Statement to the President and Vice-President. There are no ATM cards. The bank will alert us if a check or withdrawal of \$100 or more is done. We just had an alert on Friday that a check for \$233.05 was cashed. We recognized the amount and person who the check was written out to.

Gary Badarello reminded people of the Loch Lomond Water Board case a few years ago and how it ended. The person went to prison and died there and the Water Board never got their money back. In this case, restitution was made and LLPOA got the money back.

Mike Reidy wanted to say that the members, especially him, should have been told on day one what happened and that it is their money.

Amendment 6.30.21

Requests were made by members Jim Reidy, Charlene Crowley and Peggy O'Brien for Bank Statements and all transaction from 9/2019 to 5/2021.

Exact dates of illegal withdrawals.

Exact sum of illegal withdrawals.

Exact date and sum of returned funds.

There was also a request to see the signature card that was used to obtain the ATM cards.

Greg Nuti explained once again the process and what took place. Restitution was made and the money was returned to the LLPOA.

Charlene Crowley brought up the issue of her request to have access to the names and addresses of the current members. She said she was denied by the President and Secretary. She stated she knew that there were 2 vacant positions and thought she could go through the list and reach out to people to see if they would be interested in the positions. Secretary Morandin responded that in the by-laws it states Charlene could "inspect" the books but not get a copy via mail or email due to the confidentiality of the members. Charlene stated previous presidents, years ago, would send a list out. However, it was pointed out by several members that with today's technology, it is a different story. Some members voiced their concern over their information being released. This issue will need to be addressed.

SUMMER 2021 PLANS:

President Dorn stated that the state will be releasing new guidelines on June 15. It looks like most of the restrictions will be dropped. Would people be interested in a dinner held on Biggi's? Limit might be 100 people. Setup would be by families and divided into pods, etc.

Also, would people be interested in a Bocce Tournament?

Jim Reidy agreed that these events could mend the fences in our Association.

Mike Peterson wanted to make a point of information. Before we start thinking about social events, the trust between the members and the Board needs to be rebuilt. There are deep-rooted issues between certain families and the Board. The Board needs to improve the communication. He pointed out that it needs to start with Dennis. President Dorn acknowledged Mike Peterson's statement.

Next meeting could be scheduled for the 4th of July weekend to consider the lease and vote.

BOARD VACANCIES:

Debbie Doran asked if selection of volunteers for the 2 vacancies could be done, however, this was tabled since so many people had left the meeting.

VI. ADJOURNMENT

Secretary Morandin noticed that the members had been at the meeting for about 2 ½ hours. She asked for someone to make the motion to adjourn the meeting. Peter Nuti made the motion to adjourn and Lauren Wheat seconded the motion. It passed. Secretary Morandin stated that there will be notifications, emails, letters, etc. before the next time we meet.

The meeting was adjourned at 12:38 p.m.

Respectfully submitted,
Suz-Anna Morandin
Secretary
On this 30th day of May, 2021

These minutes were provided to the Board to review.