

Los Cerritos Area Homeowners Association
Board Meeting Minutes for 8/10/2022

Attendance:

President: Dianne Christensen

Board Members:

Kelly Delora

David Griffin

TJ Maloy

ACC Committee: K.R. Scott

Road Committee: David Nee

Officers:

Treasurer: Lyndsi Donner

Secretary: Jessica Shelby

Location :

Comfort Inn & Suites

Dianne called the meeting to order at 5:30 pm.

Reports:

ACC: K.R. Scott

K. R. summarized the issues with the construction site located at 11 Camino Cerritos.

- The initial plumbing inspection failed, was redone, and passed the second time. By that time they had an expired permit.
- On 8/4/2022 the town flagged it and put up a Cease and Desist order.
- On Tuesday, 8/9/2022, a concrete sub-contractor began pouring the foundation.
- K.R. Scott and Dianne Christensen went to the site and pointed out the Cease and Desist order to the sub-contractor. K.R. called the Edgewood Planning and Zoning, then went down personally, and they sent out the building inspector who warned them they would get a fine if they continued pouring concrete. K.R. spoke to the owner on the phone and advised him of a possible fine and legal action by the City of Edgewood if the work did not stop. The contractor continued to pour concrete.
- The City of Edgewood has advised the owner/builder he is out of compliance for not having adequate trash containment and also the sanitation code for not having a chemical toilet onsite for workers to use.
- The building inspector is also concerned about his permits. His most recent permit said he was building was 2222 sq foot home and that's not the original plan he submitted.
- The town attorney is taking action.

- What are our options at LCAHA? We could check to see if we could put a lien on the property. Send a registered letter signed by the President and the ACC Chair telling him we have suspended our approval to continue his construction until he provides evidence of two things; that he has the right permits and an updated building plan. If he has deviated from the original plan, then the ACC will need a whole new property approval form to be filed with the new design. We could post a HOA cease and desist on the property and K.R. is doing that. KR is also writing a letter to tell them to pick up their trash and other things.

Dianne discussed the remodel house on Cerro Ct with boarded windows and doors. She called 2 Vets Construction and they advised because of the pandemic, they are having supply issues. They said that the doors and windows are supposed arrive by the 15th of August. Dianne advised them because of all the complaints they need to make this a priority.

Dianne stated she felt the Board needed to post a LCAHA Cease and Desist Notice at 11 Camino Cerritos followed by a certified letter to the owner advising him of the LCAHA Cease and Desist and the steps he will need to follow with the ACC to remove it. She also advised that she felt we needed to get legal counsel. In her research, she obtained the attorney recommendation of Bill Chappell. He does the legal work for Tanoan East HOA on matters of this nature.

Dianne made a motion that LCAHA put up a Cease and Desist notice on 11 Camino Cerritos as soon as possible, followed by a certified letter from the ACC and the President advising the owner we are suspending ACC approval until he can provide to the ACC an appropriate building plan that addresses quality as well. Also, to meet with Bill Chappell and for the Board to approve up to \$1000 to pay for legal advice. Kelly De Lora seconded the motion. All were in favor and it passed.

Guest Input: Confidentiality on identity was requested of the Board

A letter of complaint was presented and reviewed by the Board regarding the lack of accessibility to the open space with the current gate structures in place. The person stated their disabilities and advised they had been medically confirmed. This complaint requested assistance from the Board in gaining access via gates that allow for access for all residents. It was stressed that the easement is owned by the LCAHA residents and legally must allow access to everyone in the community.

The Board reviewed the current status of the Open Space Easy Access gates project. The donated gate is at the Gutierrez house and Daniel has been preparing it for installation on a volunteer basis. The final funds for the installation of the second gate came in the mail before the meeting began. So the contractor will be contacted about an installation time.

The community voted against allocating money for the easy access gates so the Board cannot authorize funding for this project. The cable at the first gate entrance was put up with Board authorization many years ago. The second gate was constructed without Board authorization.

The Board acknowledged the disability access complaint and the fact that the easement land belongs to the residents and should allow access to all. Without funding, the only solution to allow access currently is to remove all gates allowing access. Fortunately, the money for the second gate has been raised and that gate will be in place fairly quickly. The v-gate will be installed as the volunteer has the time to do so.

Dianne suggested that courtesy letters be written to the homeowners bordering the easement advising them that the second gate will be constructed soon but until the v-gate is installed, the first gate closest to Camino Cerritos must come down and stay down allowing access to all residents. Dianne made a motion for the work to be done on the second gate with the donated money, for the first gate to come down and be left open granting equal access to all based on the disability complaint received and noted by the Board, and for courtesy letters to be sent to the homeowners bordering the easement advising of the status. TJ Maloy seconded the motion. All were in favor and it passed.

President Report: Dianne Christensen

Dianne suggested Fall clean-up days be held Saturday Oct 15th and Sunday October 16th. Dianne made a motion for Fall Clean-up Days be Saturday, October 15 and Sunday, October 16, 2022 and requested \$2500 be allocated toward the rental of the chipper. Kelly DeLora seconded the motion. All were in favor and it passed.

Dianne suggested the Halloween hayride be on Saturday, Octpber 29 at 5:00 pm. Dianne made a motion for the Halloween Hayride be on October 29, 2022. Kelly DeLora seconded the motion. All were in favor and it passed.

Dianne acknowledged the volunteer lists that were recruited at the annual meeting.

Road Report: David Nee

David needs to have the direction of the Board. There seems to be feedback on the chip seal project and questions as to why maintenance work was done on Camino Cerritos. Despite the many communications by Dianne to residents stating that to keep the pavement, it must be maintained or our entire investment in paving will be lost, it appears the communications are not being read. Dianne suggested hiring a professional road engineer to evaluate our roads and provide a plan for the roads in the short and long term. Her research indicates that this will be expensive, however. David stated he got feedback from all the vendors that bid for the pavement maintenance and each one said they wouldn't do chip seal for our roads. He did not see the need to hire someone to tell us what we have already been told by road experts. TJ said the previous road committees through the years did not believe that chip seal was successful or good use of the association funds. David reviewed that the previous Road Committee Chair tried repeatedly to get the contractor to come out and repair the chip seal project without success. The Board finally asked David to call the contractor and discuss next steps with him directly. David has reviewed all the existing places where the chip seal took and most of the areas are developing significant potholes (Camino Collado and Camino Estribor are examples.) For these to be fixed, the chip seal will need to scraped off and removed as it cannot be used as

road base. David has concerns that to continue to pursue chip seal will not be the best course of action for the roads long term because of the issues that have developed in the above examples. When he met with the contractor, he requested all the pea gravel be removed, and the roads be bladed. The contractor did come out and spent a day with a full crew doing so. David believes it is no longer the responsibility of the Roads Committee and the Board to deal with the matter as we have reviewed the matter, sought expert opinions, taken appropriate action with the contractor, and made the decision not to continue with the failed chip seal project for the good of the roads long term.

David advised the need to clean out some ditches in Los Cerritos and the Pines. We need to do gravel work in the spring and a light touch up in the fall. We need to address bar ditches as well. The road committee is not responsible for cleaning out culverts. It is the homeowners responsibility. Everyone should be cleaning out their own culverts.

Treasurer Report: Lyndsi Donner

We need to remove Mary Cockburn and K.R. Scott as signers on the LCAHA bank account as they are no longer members of the Board. Lyndsi Donner, as the new Treasurer, and Dianne Christensen, President, will be the new signers for the bank account.

Dianne made a motion to remove Mary Cockburn and K.R. Scott as signers on the LCAHA bank account. Kelly DeLora seconded it. All were in favor and the motion passed. Dianne made a motion to add Lyndsi Donner and Dianne Christensen as signers on the LCAHA bank account. David Griffin seconded it. All were in favor and the motion passed.

Secretary Report: Jessica Shelby

Jessica has created a LCAHA Facebook page to add another way to communicate with residents. Kelly DeLora made a motion to move forward with the FaceBook page and for it to be informational only. David Griffin seconded the motion. All were in favor and the motion passed.

Meeting adjourned at 7:30 pm