

DMCA Meeting Minutes

4/10/17

Board Meeting

6:00 PM meeting called to order.

Board Members Attending: Vince Snowbarger, John Young, Gordon Mull, Tom Seaman, Val Szwarc
(by phone)

DMCA Members Attending: Rick Taylor

1. Vince moved that the Minutes of the Board Meeting of March 5 and the Minutes of the Special Meeting of the Membership on March 10 be approved. Gordon Mull seconded. Both sets of Minutes were unanimously approved.
2. Val questioned whether Ben Godbey was still on the Architectural Control Committee ("ACC"). Gordon stated that Ben was on the ACC as of the date of the most recent board meeting. Vince agreed to check with Bill Lindler to see whether Ben is still on the committee or not.
3. John Young gave a review of DMCA's financial condition. He noted a number of recent payments, including a rollover from the Operating Account to the Savings Account. The Financial Report as of April 30, 2017 was approved.
4. Gordon provided an update of the status of our lawsuit with Garth Valentine. Per Attorney John Pfeiffer, we need to make a decision in the next 10 days whether to pursue foreclosure on Garth's lot. All the proper notices, including a Demand for Payment, have been sent so we can proceed if we choose to. However, Garth has filed 2 appeals. One is local and one is Federal. If we elect to proceed with foreclosure, the legal fees relating to his two appeals are not included in our filing amount and, therefore, will not be reimbursable to us from the proceeds of the foreclosure. We would need to file separately to recover those fees. John Pfeiffer has estimated that fighting those appeals could drag on for years and that the related legal fees could reach \$15,000. John did say that it is unlikely that Garth will win those appeals. However, if we fight the appeals, Garth may be able to re-open the foreclosure ruling.
5. Rick Taylor asked whether Garth could appeal the foreclosure ruling at this time. Gordon replied that he could not.
6. Vince explained that we have received a Summary Judgment against Garth. And, while his appeals are not well founded, he is representing himself. As such, he is not incurring legal fees. DMCA, on the other hand, is not able by law to represent itself. And, Judges tend to bend over backwards to assist folks who represent themselves. Vince agreed to speak with John Pfeiffer to get his opinion whether or not to proceed with the foreclosure. However, at this time, we are

inclined to wait and not press the foreclosure issue due to the costs involved. Our financial position vis-à-vis Valentine remains protected by our lien for now.

7. Vince then opened a discussion about DMCA's website. We are required by law to have a website and to maintain it by posting CC+R's, meeting minutes, and other information that would be considered important for members. Currently, the website is not operational and we need to determine how best to get it up and running.
8. John stated that he has a recent proposal from a possible Webmaster who was recommended by Judi Snelling. John feels that this person could easily handle whatever work would be required. Rick asked what the consequences might be if the website is not up. Vince observed that, if a prospective home buyer could not access the CC+R's prior to purchasing a house or lot in Dallas Meadows, then they may later claim that they don't have to comply with the requirements.
9. John agreed to forward the proposal that he has to Vince and Tom agreed to provide Vince with Matt Scalf's contact info. Matt is another possible Webmaster.
10. Gordon indicated that he has been unable to access the website, and that his User Name and PIN are apparently not working. Vince asked Gordon to contact GoDaddy to see what would be required for us to get our web domain back from them.
11. Rick Taylor asked what the budget has been for the web site. John responded that it is \$1,000.
12. Vince then began a follow up discussion about nightly rentals following the Special Meeting on March 10. Vince informed the board that he had opened a free account at SurveyMonkey.com that we can use to post a survey for the membership to give their positions regarding nightly rentals. Vince observed that there may be a number of members who were unable to attend the Special Meeting who may have opinions about the issue, and that a survey of the membership will help the board determine where everyone stands on the issue. Vince requested the board members to come up with 10 or so questions in the next week that can be used in the survey. There was some discussion about what the questions might be, what format they should take, etc. Vince suggested that, at the next board meeting, we can review the questions and select the ones to be posted.
13. Rick Taylor suggested that the board send out some information to the members such as what the current county regs are regarding short term rentals. Rick also suggested that the board send out information to the members as to what the current CC+R's provide as regards short term rentals. He also suggested that the board clarify both the county and the DMCA definitions of relevant terms.

14. John, Gordon and Tom commented that it is not the board's responsibility to educate the members. Anyone who wishes to learn about the county regs can contact the county or visit their website and anyone who does not have a copy of the current CC+R's can get a copy from the board.
15. There was some discussion about what the then existing board intended when the CC+R's were revised in 2014. Vince recommended that we let the survey answer any questions as to what the members want regarding nightly rentals.
16. Val indicated that he had received some communications from Lynne LaCourt requesting assistance in locating DMCA's underground water pipes near her property. Val noted that Lynne has stated that she does not want to work with any board members other than Val. Vince observed that we have offered to assist her on numerous occasions, but that she has not provided a time when she and her contractor would be available. Vince noted that John and Darryl can be available to meet with her almost anytime, but that it is unclear whether she is under contract with an excavator or not.
17. There was some discussion about what Lynne is planning regarding underground water lines, i.e.- how deep will they be, where will they be located, etc. Gordon and John noted that DMCA's water lines are some 6-7 feet underground. If Lynne's underground lines will only be 6 inches down, there is no need for her to be concerned about locating DMCA's water lines.
18. Vince brought up the Reserve Study that he recently distributed to the board. He suggested that we wait until the website is up and running to post it for the membership. He suggested that perhaps we should hire a consultant to give us a recommendation about what, if anything, we need to do at this time regarding the study.
19. Vince then brought up the subject of DMCA's insurance. He noted that the D+O coverage that we have covers the board, not the individual members of the board. Therefore, we do not need to modify the policy to remove old board members and add new. There ensued some discussion about whether or not Insurance Certificates and Hold Harmless Agreements should be required from contractors who either work for the board or who work for property owners in DMCA. Vince agreed to review the current insurance policy and let the board know if we need to make any changes to how we are currently operating.
20. John and Gordon reviewed and discussed water system issues. John noted that, in the course of the recent leak repairs, a number of new leaks were discovered. It was agreed that John would contact Ralph Lowery to get a proposal to put in new valves where needed and to repair other leaks as necessary.
21. John noted that Andrea Stokolowski still has the wrong water meter installed at her new house. The meter that her contractor has installed is not able to be read remotely, and therefore, is not

in compliance with DMCA meter requirements. He had sent her the necessary information for her contractor to pick up the right meter from Home Depot. Vince agreed to contact her to get the meter changed.

22. There was a brief discussion about John Daniels who is being sued by a previous tenant for the return of a security deposit. John had withheld the deposit to cover his cost of excessive water use by the tenant. Vince noted that all John has to do is provide copies of the water bills from DMCA during the time in question.
23. Gordon noted that we need to get our water tank inspected. John and Gordon will coordinate to get proposals. Gordon noted that our agreement with Weaver, who owns the land where the tank is located, requires us to install a gate. The gate is currently stored at Gordon's shop. He will get proposals to have it installed. We will review the proposals at the next board meeting.
24. Rick asked if Lynne LaCourt's water meter had been read. Vince responded that it has not.
25. Updated signature cards for Alpine Bank were signed by Gordon, John and Vince.

The meeting was adjourned at 8:10.