

# **Shadow Brook Swim Club Homeowners' Association**

## **Board of Directors Meeting**

**May 27<sup>th</sup>, 2010**

**Location:** Shadow Brook Pool, San Jose CA

**Board Attendees:** Patrick Smith, Doug Newton, Brett Wingo, Carla Neumann, Lynn Kepp

ACC: Desiree Childress, Don Hale

Swim Team: Mary Nicholson

- 11 homeowners were in attendance at the start of the meeting

**Call to Order:** 7:03pm Call to Order

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### **Board Positions - 2009**

Patrick Smith – President

Doug Newton – Treasurer

Lynn Kepp – Vice President, Pool

Carla Neumann – Vice President, Communications

Brett Wingo – Secretary

Staci Tenczar – Vice President, Social

### **General Updates**

- President called to order the Spring Meeting

### **Finance Review and Update**

- Balance sheet, preliminary until reviewed by auditor was reviewed by the Treasurer.
- The Treasurer called out that we have raised capital reserve to the targeted \$100K
- Increase in dues of \$15 is reflected in income increase.
- Wages have also gone up slightly to be in line with other local swim clubs resulting in more expected expense.
- All items are within trend from previous years, with a slight increase in the utilities due to utility fee increases
- Last year capital improvements were reflected in the increased expense for 2009, no major capital improvements are planned this year.
- A homeowner asked about movement of money from checking to reserve fund. The Treasurer replied this was to increase the capital fund and the money is not needed for working funds.
- Motion was made to approve the budget, motion was seconded and approved.

## Pool / Swim Update

- Pool opens this coming Saturday
- Time trials were last weekend, open full time June 5<sup>th</sup> for the summer. Open 1:00 during week and noon on Saturdays.
- New filter equipment is installed operating very well.
- Additional landscaping was done on the outside of the fence.
- Homeowner asked about what will be done at the gate for people tracking – there will be an address and sign in sheet as well as a list of residence addresses for verification. Guest fees will be collected.
- The new party policy requiring personal reservations where people need to come to the pool and make sure the location and support facilities that they want are available, is in place and working well.
- Swim lesson sign-ups are going well and it looks like we will have a full schedule.

## Architectural Control Committee (ACC)

- The new policy on synthetic lawn has been out for public comment for the last two Splashes.
- The president communicated that he received 8 negative responses and 2 positive responses.
- The ACC also received 7 e-mails supporting. Don communicated that he spoke with about 15 homeowners and did not have many people opposed to synthetic lawn.
- The homeowner who is proposing the synthetic lawn wants to understand the next steps in the process.
- One ACC member proposed that the synthetic lawn policy be put out on a trial basis. The president asked a question about if the policy was changed to temporary basis would there be a need to go out for a vote again.
- A homeowner proposed a motion to vote on the policy, the motion was seconded.
  - NO - 4 board members
  - YES – 1 board member
- The group discussed a one-time exemption to be proposed specifically to this homeowner that would allow this homeowner to proceed.
- A homeowner brought up that there is the potential of setting a de-facto policy and we would be exposing the neighborhood to legal action.
- Reasons for the no vote were discussed by the board – three things were mentioned.
  - Long-term enforcement
  - % of homeowners potentially doing this
  - Personal opinion
  - Longevity of the product
- The group discussed a potential for doing a ballot initiative to vote on the policy of the synthetic lawn. Ballot approval to add this to the CC&R's would require 2/3 of the

membership to vote yes for the policy to pass and be added. If we do not have sufficient response of 2/3 positive then the board would utilize the data to determine and gauge what the neighborhood opinion is and would consider this for a future potential board vote on the policy if we do not receive official 2/3 yes response (2/3 out of all members).

- The president will write a 2-3 sentence introduction to inform the community what they are being asked to vote on for the ballot for approval. The board, ACC and homeowner would approve this introduction.
- The board agreed to put the policy to a neighborhood vote and will implement the ballot in the next two weeks.
- The board estimates this would be a 30-40 day process to get to a vote.
- A homeowner asked about the time limit of dumpster in the front yard, the president communicated that this information is on the San Jose code enforcement. The board recommended that this homeowner contact the ACC to have them check on the length that dumpster has been there and the enforcement.

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**Meeting was brought to close at 8:40pm**