

# ***SHADOW BROOK SWIM CLUB HOMEOWNERS' ASSOCIATION***

## ***Board of Director's Meeting***

***October 16, 2012***

2012 Board Positions: Patrick Smith – President  
Peter Contini – Vice President, Communications  
Lynn Kepp – Vice President, Pool  
Staci Tenczar – Vice President, Social  
David Lang – Treasurer  
John Martin – Secretary

Location: Shadow Brook Swim Club, San Jose, CA

Call To Order: 7:05 p.m.

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### **ATTENDEES:**

Peter Contini, Lynn Kepp, David Lang, John Martin, Patrick Smith, Staci Tenczar, Don Hale

### **ACC**

- The activity has been relatively quiet. Normal requests for paint have been addressed
- The property on Moongate – The issue is now over a year old
  - Four courtesy letters have been sent, with no response

### **POOL**

- The pool is now in “winter mode”
- New pool covers have been ordered as the old ones, which are 10 years old, have exceeded their 5 year warranty
- Drainage near the parking lot needs to be addressed; water is backing up onto the pool deck
- The Squirrel issue is under control

### **FINANCE**

- There are still some outstanding unpaid dues; the lien process has been initiated
- Bills for the swim team are wrapping up

### **ASSOCIATE MEMBERSHIPS**

- The initial issue to accept Associate Members from all of 95120 was raised in 1986. It has been the practice ever since and has been carried over from Board to Board
- We need a formal Amendment to the By-Laws to make it Official Policy. It will limit the maximum number of associate members to 125 from within 95120. This is the same number of Associate Members that we had this year.
- Our Attorney has drafted the Amendment to make this formal and legal
- In order for the Amendment to pass, 2/3 or more of the registered homeowners must vote yes
- There will be a significant increase in our homeowners dues if the Amendment is not passed
- The Amendment /Ballot will be mailed to all homeowners in early November
- A non-Board homeowner, David Heindel, has been appointed Inspector of the Vote

### **LITIGATION UPDATE**

- The matter of Whitefield vs. Shadow Brook has been settled and subsequently dismissed by the Santa Clara County Superior Court. Shadow Brook no longer has to declare open litigation in home/refi transactions
- Question from Homeowner regarding Shadow Brook CC&R's and By-Laws: all Policies and CC&R's remain intact for this Board and future Board
- Cost will show up as a line item in the Budget
- Question from Homeowner on attorney fees: Legal fees for all litigation, Ballots, Amendments over the past two years are approximately \$20-30,000 including the \$10,000 in deductibles

### **ELECTION AND GENERAL MEETING**

- Election for 2013 Board is coming up
- New Board Members are needed
- If there aren't enough Board members next year, we will be forced to outsource the position which will increase our operating costs.
- The Fall Meeting is scheduled for Tuesday, January 15, 2013

Meeting Adjourned: 8:12 p.m.