

SHADOW BROOK SWIM CLUB HOMEOWNERS' ASSOCIATION

Board of Director's Meeting

November 27, 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: 7:10 p.m.

ATTENDEES:

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

ASSOCIATE MEMBER AMENDMENT

- The topic was opened for discussion and to address any questions. Several homeowners questioned the advisability of expanding pool membership to families that do not live in Shadow Brook. Other homeowners expressed concern about the purpose of the Amendment – whether it was to increase pool utilization or to raise additional funds for operation of the pool and the swim team. The VP Pool and the Treasurer explained that the swim team is self-funded and does not receive funds from homeowner's dues.

ACC

- A homeowner raised an issue that our CC&R's are out of date and questioned why they haven't been updated. A member of the ACC responded that there was an effort several years ago to update the CC&R's and after a 3+ year effort by a number of volunteers they realized that the regulations were evolving over the years with city, state and federal regulations overriding the original CC&R's and that it would be virtually impossible or a tremendous task to try to keep them current. Therefore, the decision was made to keep the original 40 year old CC&R's as a framework which will be kept with deference to higher authority and in compliance to Davis-Stirling.

COMMUNICATIONS

- The meeting attendees were reminded that a good source of information is the website shadowbook.org and that our formal means of communication remains the Splasher.

FINANCE

- An overview of Shadow Brook's finances was presented. Several homeowners expressed concern about lack of transparency in the HOA's financial dealings. The conversation went on for over ten minutes with various homeowners expressing their desire for more comprehensive financial statements.
- Another slide was presented showing administrative costs of the HOA which covered several different problems and the associated legal costs incurred to resolve them.

ASSOCIATE MEMBERS

- We then moved on to the Associate Membership Amendment Ballot count. This is the first ballot in compliance with the new procedures prescribed by Davis-Stirling which requires an Official Inspector to oversee the ballot process and count. All return envelopes had a printed address which was compared to a master list to verify the validity of the ballot and assures that only one ballot is counted from each address. The time to execute the count was also affected by more ballots than usual due to the efforts of independent homeowners to “get out the vote” so the combination of new procedures and a large number of ballots made the count take longer than usual.
- At 9:03 pm the Inspector announced the official results of the ballot. There were three invalid ballots because they were presented in violation of the official instructions. There were 274 valid Yes votes which were almost 30% over the 2/3rds needed and this allowed the Amendment to be passed overwhelmingly.

Meeting Adjourned: 9:05 p.m.