

**SOUTH BAY COMMUNITY ASSOCIATION  
BOARD OF DIRECTORS MEETING  
July 10, 2020  
9:30am**

**DRAFT MINUTES**

**1. Call to Order at 9:30 a.m.**

**2. Determination of Quorum**

7 of 7 Directors present by remote video or phone conference.

**3. Approval of Agenda**

Moved: VP Shadrick

Second: Dir. Spagle

DIRECTOR	PRESENT	YES	NO	ABSTAIN
Birch	X	X		
Clark – Sec.	X	X		
Jurca	X	X		
Shadrick – VPres.	X	X		
Sheldon – Pres.	X	X		
Spagle – Treas.	X	X		
Sprandel	X	X		

**4. Approval of Board of Directors Meeting Minutes From June 12, 2020 Meeting**

Moved: Dir. Jurca

Second: VP Shadrick

Approved without objection

**5. President’s remarks**

We find ourselves in the midst of a pandemic where the lives we lived as recently as six months ago have changed...likely it will be difficult or impossible to re-create them as they were.

Our new world has a new and constantly evolving description of what’s ‘normal’; it challenges us to figure out where we fit in this new normal, and it puts us in places where we’ve never been before.

So, in these times, how we respond to the uncertainties and challenges is going to define what our future is going to look like. The way to deal with it isn’t to take it as a personal affront that things are now different; it’s to work together to best understand where we are, what our personal and collective choices are, and to make and to implement personal and collective decisions which, to go back to basics, keep us safe and those around us as well.

This is true on a variety of levels...the level we’re in today is the level where the SBCA is found and you’ll hear today, at the upcoming annual meeting, in email communications and elsewhere...how the SBCA is affected by COVID-19, what our choices are in dealing with it, and the direction we’re taking with our focus being on how best to protect each other and the assets which we’ve been charged with protecting.

## 6. **General Manager's report –**

- The validated proxies received to date exceed the quorum minimum
- GM attended LMC workshop on 7-9-20 where the intent and possibilities for re-opening were discussed. Intentions are good but the practical reality of the difficulties in re-opening while being safe are daunting. Concerns about how to use their space safely and concerns about liability if opening in Phase 3. Even the outdoor pool opening would be difficult due to narrow passage ways, etc.

7. **Treasurer's report.** Treasurer Spagle gave the Treasurer's Report. A copy is available upon request and will be posted on the SBCA website. For period ending June 30, 2020.

## 8. **Board Communications**

a. **Member Q&A responses.** A number of questions have been received and there have been 3 e-blast responses. Likely, there will be another e-blast prior to the Annual Meeting. An anonymous complaint about a parked painting truck was resolved when multiple "drive-bys" by board members revealed the truck was no longer present.

## 9. **Committee Reports**

a. Activities and Amenities - no report

b. Architectural Review (ARC) –

The SBCA-ARC Regular Meeting was held on June 19, 2020 via a web-based conference call. The Committee considered 11 new homeowner SBCA-ARC applications. The Committee approved 8 applications, conditionally approved 2 applications and acknowledged but took no action on 1 application. No applications were denied or tabled. No action was taken on one application because all proposed work would be performed on Village Limited Common Area and the scope of the work was therefore not part of SBCA jurisdiction. That matter was referred back to the Village. The minutes to the meeting will contain a brief summary of the reasons for the 2 conditional approvals.

Old business: A Special Committee Meeting was scheduled for July 1, 2020, to further discuss the draft proposed changes to the SBCA Design Standards and application forms.

The SBCA-ARC Special Meeting was held on July 1, 2020 via a web-based conference call

The Committee further discussed the draft proposed changes to the SBCA Design Standards and application forms. The primary themes of the proposed changes are: (1) enhancing and clarifying neighbor notice provisions, indicating that applicants should give notice to both direct and indirect neighbors and specifically disclosing on the application form who was given notice. (2) further clarify the roles of SBCA vs the Villages, and their respective roles in interpreting and enforcing SBCA vs Village rules. (3) Clarifying amendments on certain work that would require and certain work that would not require SBCA approval. After discussion, the committee unanimously approved a motion to adopt the proposed revisions to the SBCA Design Standards, SBCA-ARC Applications, and other forms, after making a few additional changes, and significantly,

SUBJECT TO SBCA Board review and approval prior to implementation.

Chair Bill Dennis reported that ARC will get the revised documents to the SBCA Board for review and consideration soon.

- c. Communications – a special meeting on June
- d. Facilities – No report
- e. Finance – Tues July 7<sup>th</sup> meeting

An issue was raised regarding the special assessment fund. The funds are earmarked for the Reserve Fund. Net positive variance at the end of the fiscal year just over \$11,000.

- f. Health & Fitness – No report
- g. Human Resources –

At their July 9, 2020 meeting, the HR Committee passed a motion to recommend to the Board that during the Bay Club closure (1) Melinie continue to be employed on an hourly part-time as-needed basis (as determined by the General Manager) and (2) Marie continue to be employed on an hourly full-time basis, subject to review by the Board not less frequently than quarterly as to whether some modification is warranted by a change in circumstances as to the expected duration of the closure, or otherwise.

Based on the recommendation of the HR Committee, be it moved that during the Bay Club closure (1) Melinie continue to be employed on an hourly part-time as-needed basis (as determined by the General Manager) and (2) Marie continue to be employed on an hourly full-time basis, subject to review by the Board not less frequently than quarterly as to whether some modification is warranted by a change in circumstances as to the expected duration of the closure, or otherwise.

**Moved:** Dir. Jurca  
**Seconded:** VP Shadrick  
**Carried** without objection

#### **Motion to Approve all Committee Reports**

**Moved:** Dir. Jurca  
**Seconded:** Tres. Spagle  
**Carried** without objection

### **10. Old Business**

- a. Discussion regarding the need to file a legal complaint and a lien against a member's property due to a long-standing violation of Master Declaration and Design Standards. Multiple hearings have been held to date. At this point, the accumulated daily fines now exceed \$10,000,

**Motion:** That the Board authorize and direct the SBCA GM to coordinate with SBCA's outside legal counsel the filing a lien against the member's property

**Moved:** Dir Jurca  
**Second:** VP Shadrick  
**Carried:** 6-0-1 (Dir Sprandel abstained)

**Motion:** That the Board authorize our outside legal counsel to file a lawsuit against the same member for violations of CC&Rs.

**Moved:** Dir Jurca

**Second:** Dir. Birch

**Carried:** 6-0-1 (Dir Sprandel abstained)

## 11. New Business

**a. Motion:** That the South Bay Rules be amended to (i) change the date in the opening paragraph to July 10, 2020, (ii) add a new paragraph 1.16 stating "No firearms, whether loaded or not, and whether concealed or not, and no weapons whose apparent primary purpose is the potential infliction of bodily harm, may be brought into the Bay Club or onto its grounds or other SBCA Common Area. This rule does not apply to law enforcement officers or to persons having prior written permission from the SBCA Board of Directors," (iii) add a new section 5 entitled "Fireworks" and a new paragraph 5.1 stating "Fireworks, as defined in Jefferson County Code §8.75.010(1), are deemed 'explosives' within the meaning of South Bay Master Declaration §4.2.6, and as such may not be discharged on any Lot, Limited Common Area, or Common Area within South Bay," (iv) renumbering the following paragraphs, and (v) replacing the old paragraph 5.3 with a new paragraph 6.3 stating "The latest version of the SBCA Enforcement Policy with Fine & Fee Schedule, originally adopted by the SBCA Board of Directors on March 8, 2019, is incorporated in and made a part of these Rules as if fully set forth herein."

**Moved:** Dir. Jurca

**Seconded:** Sec. Clark

**Carried:** 7 – 0 via roll call

### **b. Review of Upcoming Annual Meeting \*July 15, 2020\***

The major components and their presentation for the July 15, 2020 Annual Meeting were reviewed by GM Torres.

### **c. Conference Call Protocol**

There was discussion of the practical difficulties of question being asked during presentations. Consensus of the board was that questions will be answered during the comment period after each section of presentations, first handling the questions submitted via computer comments using the chat function and then alphabetically for the phone participants.

Further discussion covered logistics and coordination of presentations to our members.

## 12. Member Comments

One member had a question regarding possible phased opening of the Bay Club. Reply: The SBCA would have to meet all requirements regardless of the number of members allowed to enter while the liability issues are daunting; at this time the Board deems phased opening as neither safe nor prudent.

## 13. Adjourn. Meeting was adjourned at 11:27 AM

**Next SBCA Board Meeting: Friday, August 14, 2020**

Via remote access at <https://www.freeconferencecall.com/wall/bayclubgm> (preferred)  
or by calling the dial-in number: (339) 209-6193

**Submitted by Bartholomew Clark, Board Secretary**