

MINUTES
TAHOE DONNER ASSOCIATION
BOARD OF DIRECTORS REGULAR MEETING
April 25, 2009
9:00 A.M.

A regularly scheduled meeting of the Board of Directors of Tahoe Donner Association was held at the Northwoods Clubhouse Meeting Room, Tahoe Donner, Truckee, California on Saturday, April 25, 2009. President Ron Wulff called the meeting to order at 9:00 a.m. The following Board and staff members were present:

Directors present: Ron Wulff, John Dundas, Suzan Knisley, Pat Ghiglieri & Dick Halpin

Staff present: Annie Rosenfeld, Human Resources/Risk Manager
Miguel Sloane, Director of Operations
Dave Drinks, Administration Manager
Michael David, Capital Projects Analyst
Bonnie Watkins, Executive Assistant & Recording Secretary

A. APPROVAL OF MINUTES

The Board received the preliminary minutes of the March 21, 2009 regular meetings for consideration.

Following discussion, John Dundas made a motion and Dick Halpin seconded to accept the March 21, 2009 regular meeting minutes as amended. Motion passed 5-0

MEMBER AND DIRECTOR COMMENTS

A member stated that he wished to commend Cross Country Center Manager JoJo Toepfner and her Staff for doing an excellent job this winter season. He noted that he had come before the Board at a previous Board meeting and suggested that the Board should monitor 7C Ranch access and place some restrictions on snowmobile use of the trails. He said that issue seems to have been resolved and he thanked the Board for their cooperation in this matter.

Peter Barrati of Action Construction stated that he has been contracted by the Truckee Donner Public Utility (PUD) to work on the ongoing pipeline replacement project in Tahoe Donner this summer. He said he would like to request a staging area at the three tiered parking lot below Slalom for the purpose of doing this work. Two of the lots would be utilized, one for processing material and one for an office trailer and storage of items such as pipe, valves and fittings. Mr. Barrati explained that his company would comply with all agencies, roads and control measures, as well as safety fencing the area.

He described the process that would be used in replacing the pipeline and measures that would be taken to minimize the impact to the neighborhood. He said operation hours would be between 7:30 a.m. and 4:00 p.m. He noted that work on the weekends would only occur in the event of an emergency.

Discussion took place regarding the daily work schedule for the pipeline work. Ron Wulff indicated that, due to the number of complaints from members regarding noise from equipment too early in the morning, the Association stopped the use of this area for staging. Suzy Knisley stated that the parking area being requested for staging serves as parking for Tahoe Donner's summer camp programs and will also be used for the new Disc Golf Course. Architectural Standards Supervisor Tip Chase stated that, during the pipeline replacement work last year, the PUD used the area around the AT&T hut for staging materials. He noted that, as he recalled, there were no issues with the membership regarding use of this site.

A discussion ensued regarding possible impacts of the proposed project. Following discussion, the Board suggested that Mr. Barrati meet with Architectural Standards Supervisor Tip Chase and Amenities Manager Miguel Sloane to come up with a mutually agreeable area for staging materials.

A member expressed her concern that the Board recently approved a Disc Golf Course at the Downhill Ski area. She indicated that the Board did not give proper notice that this project was being considered and she was totally taken by surprise to read in the February Board meeting minutes that it had been approved. She indicated that she as well as a number of Ski Bowl Condo owners have security and vandalism concerns regarding the installation of the course. This sport is extremely popular, she continued, and the course will attract a lot of players, especially young people that could loiter, smoke and drink, etc. She reiterated that there is a need for security measures to be taken in regard to having someone patrol the course to prevent problems from developing.

Ron Wulff stated that, as a former Ski Bowl Condo owner, the issue of security rests with the Ski Bowl Condo Association, not Tahoe Donner. He stated that the Board has been in discussion with the Ski Bowl Condo Association regarding the installation of the Disc Golf Course for some time. He noted that the subject of a proposed Disc Golf Course as an alternative use of the Downhill Ski Area has been on Tahoe Donner Board meeting agendas quite a few times over the last two years. The member commented that the fact that the Board would be taking action on this item should have been posted thirty days prior to the meeting in order to allow for member input. Executive Assistant Bonnie Watkins pointed out that in keeping with civil code requirements; Tahoe Donner Board meetings are noticed along with the agenda at least four (4) days prior to all meetings. The member continued to express her concerns that the installation of a Disc Golf course would pose risks of fire, graffiti, thefts, et cetera.

A discussion ensued regarding pros and cons of the proposed Disc Golf. Human Resources Risk Manager Annie Rosenfeld stated that the Association's General Liability Insurance would fully cover the Disc Golf Course operation. Suzan Knisley indicated that she feels that the Ski Bowl Condo members' concerns regarding the need to monitor the Disc Golf operation are valid and

should be given further Board consideration. Further discussion took place, and Operations Manager Miguel Slone reviewed a brief history of the proposed project.

Following discussion, by consensus the Board placed this item on the May 16, 2009 Board agenda for further discussion.

Pat Ghiglieri requested that Policy Resolution 91-4, "Contacts Between Board Members and Staff," and "Mailboxes for New members" be placed on the May 16, 2009 agenda for discussion. Ghiglieri indicated that during her tenure on the Board, at every Annual Membership Meeting, a question has been asked about why new owners are unable to obtain mail service in Tahoe Donner and must pay for service in town at one of the mail centers. She said she would like to be able to answer anyone who asks this year

Administration Manager Dave Drinks indicated that, over the last few years, Staff has researched this subject extensively. He noted that prior General Managers have had numerous discussions with the United States Postal Service, Las Vegas Region regarding viable options to address the inequity that exists where on-site mail service in Tahoe Donner is concerned. The result of all the research, he continued, is that there was no feasible way to address the issue. The finding of the prior General Managers was that, to expand mailbox service in the community, which could be done, would be cost prohibitive and the cost would be carried by the Association. The Board of Directors at that time opted not to pursue the project. Mr. Drinks stated that a few months ago he had reviewed all the information on file about this proposed project, and he came to the same conclusion; it really would be very expensive to move forward with the installation of additional mail boxes in the community. However, Mr. Drinks said, he would revisit the issue should the Board wish. Following discussion, the Board directed Staff to check with the Post Master in Truckee to see if there has been any change in policy regarding providing additional mail boxes. Additionally, the Board directed Staff to inquire about the repair of current mail boxes in Tahoe Donner.

Pat Ghiglieri requested that the Annual Meeting Agenda be placed on the May 16, Board meeting agenda.

Suzan Knisley stated that she had commented at the last Board meeting that she would like to see Maintenance Department Manager Al Salas' management report contain a list of things needing attention that the Maintenance Department notices as they drive around the Association. She noted that this was not included in this months report and she reiterated that she would like to see this information in future reports.

Dick Halpin commented that he doesn't understand how maintenance of the Association's amenities is undertaken in Tahoe Donner. He noted that at the recent Downhill Dummy event at the Downhill Ski Area, he noticed two very obvious repair items that needed attention. Suzan Knisley stated that the Association is lacking an entity to be responsible for reporting back to the Board on a regular basis on the condition of our various amenities, which is why she suggested that the Maintenance Department list items in their monthly report on items needing attention.

B. COMMITTEE REPORTS

Architectural Standards (ASC) – The Board was provided with the ASC’s March 11 and 25, 2009 meeting minutes for review.

Communications – No report. Dick Halpin commented that the Board had received a memorandum from Administration Manager Dave Drinks regarding broadcasting Board meetings to membership through a company called SNCAT. Mr. Halpin indicated that this kind of communications vehicle would only benefit a few out of all the Association’s members. Mr. Wulff added that the Association’s legal counsel had advised that the Association not pursue broadcasting its Board meetings. Following further discussion, the Board elected not to pursue the broadcasting of Tahoe Donner’s Board meetings through SNCAT.

Covenants – The Board was provided with the March 2009 violations report for review.

Finance – The Board was provided with the committee’s March 18, 2009 report for review.

General Plan (GPC) – The Board was provided with this committee’s April 6, 2009 report for review. John Stubbs stated that Patty Shifferle’s resignation from the General Plan Committee is on today’s Consent Calendar; however, he had been in communication with her and she now wished to stay on the committee as an alternate member. Mr. Stubbs requested that Ms. Shifferle’s resignation request be pulled from the Consent calendar until verification can be obtained from Ms. Shifferle.

Regarding the GPC’s report, Ron Wulff expressed concern about “Priority 1- item 19: Child care at Trout Creek Recreation Center” that was mentioned in the report. GPC Chair John Stubbs indicated that the status report on this item is that it should be taken off the priority list, due to the fact that the Trout Creek Center’s Manager, Lisa Hussar, is going to structure a program that will have the cost offset by revenue generated. Miguel Sloane indicated that, unfortunately, this item is written as a child care option at Trout Creek Center in the 2007 General Plan.

Miguel Sloane explained that what Staff wants to do is offer a crafts program for children that could be utilized by parents when they go to the gym. Ron Wulff stated it should be called a “Crafts Program,” not a “Child Care Program.” He stated that calling it a “Child Care Program” is a major issue, because day care facilities are regulated completely by the State of California. Miguel Sloane indicated that the difficulty in using anything but “Child Care Program” is that parents don’t really understand what it’s being offered for. The Board indicated that it would rather stay away from offering this as a “Child Care Program,” suggesting that calling the program something along the lines of “Activities for Children” would be more appropriate.

The Board discussed the possibility of having a special meeting between the Board and General Plan Committee regarding the priorities in the General Plan. Following discussion, by consensus the Board decided to have a meeting with the General Plan Committee and the Board on June 1, 2009 at 1:00 p.m.

Employee Retention & Recruitment (ERRC) – No report.

Ad Hoc Roads – No Report

C. DISCUSSION: RULE REVISION/LIGHT POLLUTION

The Board was provided with a request from the Covenants Committee to approve publishing for member comment a proposed rule change to the Association’s Covenants Rules to include a “Light Pollution Rule” for consideration.

Dick Halpin indicated that it was his understanding that the Town has this item under discussion right now, and he suggested that it might be best to wait to see what they do before making a rule change. Covenants Committee Chair Paul Thomas responded that the Town has stated that they will not be involved in regulating lights on single family homes. The Town has encouraged Tahoe Donner to make their own rule regarding “Light Pollution” that they may use at a later date for the Town of Truckee.

A discussion ensued regarding the pros and cons of the proposed rule change.

Following discussion, Suzan Knisley made a motion and Pat Ghiglieri seconded to approve publishing for member comment the proposed “Light Pollution” rule as presented. Motion passed 3-2 (Halpin & wulff No)

D. COMMITTEE MEMBER RECOGNITION

Suzan Knisley provided the Board with an overview of why she feels that the Board should develop a recognition program for the Association’s committees. She indicated that, even though our committees do receive some recognition, she feel that they deserve more formal recognition from Staff and the membership at large. Knisley stated that, after being on the Board for a couple of years, she clearly understands the value of the work that the Association’s committees do for the Board and for Tahoe Donner. She made particular note of the significant amount of time devoted by the Finance and General Plan Committees in providing information and analysis to the Board. In the process of recognizing our committee members, Knisley continued, awareness would be created among the membership of, the valuable work they perform, and it could generate interest in others wanting to volunteer.

Ms. Knisley made some suggestions for Staff and Board consideration that could be part of a “Member Recognition Program.”

Discussion took place regarding a variety of ways committee volunteer members could be recognized, including the possibility of recognizing a committee member each month in the Tahoe Donner News. Dave Drinks suggested that highlighting a committee each month in the Tahoe Donner News, as opposed to an individual member.

Discussion continued regarding the formation of a formal recognition program for committee volunteers and the pros and cons of including the Presidents of the Chartered Clubs in the proposed recognition program.

Following discussion, by consensus the Board approved moving forward with the development of a committee recognition program. Suzan Knisley stated that she would spearhead this initiative and come up with a program to present to the Board for consideration.

Architectural Standards Supervisor Tip Chase stated that, while the Board is discussing recognition, he was wondering if the Board would consider reinstating amenity benefits for the Architectural Standards Committee members.

Break
(11:05 a.m.)

The regular meeting reconvened at 11:15 a.m.

D. CONSENT CALENDAR

The Board was provided with the following items for consideration:

- C1.0 - General Plan Committee Resignation (Shifferle)
- C2.0 - Trout Creek Recreation Center Spin Bike
- C3.0 - Trout Creek Retail Racks/Acceleration of Funds
- C4.0 - Appointment of Assistant Secretary/Ratification of Prior Decision
- C5.0 - Pizza on the Hill Window Replacement/Acceleration of Reserve Funds
- C6.0 - General Manager's Job Description
- C7.0 - Third Year Seasonal Bonuses
- C8.0 - Reserve Replacement for Golf Course Yardage Markers & Legends
- C9.0 - Reserve Replacement for Golf Course Bunker Rakes
- C10.0 - Amenity Access Policy Revision

Dick Halpin made a motion and John Dundas seconded to approve item C4.0, Appointment of Assistant Secretary/Ratification of Prior Decision. Motion passed 5-0

Dick Halpin pulled C2.0, C3.0, C8.0, and C9.0 for discussion. Mr. Halpin explained that these items should have been planned for during the budget process.

He indicated that, since none of these funding items are emergencies, he doesn't feel the Board should be considering them. He reiterated that there is a need for the Association's managers to plan for their needs for the ensuing year during the budget process, with the exception of any emergency items that the Board would consider on an individual basis.

Suzan Knisley agreed with Mr. Halpin and stated that almost every month there seem to be requests for the Board consider accelerating funds for something. She indicated that better planning during the budget process would avoid many of these requests.

Pat Ghiglieri stated that she was in favor of moving forward with item C2.0, Trout Creek Recreation Center Spin Bikes. She noted that this was an item that came before the previous Board and was disapproved, mainly due to the fact that there was not enough information from Staff in order to make an informed decision. However, Ghiglieri continued, Staff has provided the Board today with a great deal of background information, including the results of a survey that indicated 171 people said they would participate in a spin class if it was offered.

Annie Rosenfeld stated that the spin bike request should be separated out from the other items that Mr. Halpin pulled for discussion, in that it is a new equipment expenditure, which the others are not. As for the need to better plan for expenditures, she agreed that improvement was needed by managers in this area.

Ron Wulff requested clarification of item C3.0, Trout Creek Retail Racks/Acceleration of Funds, which indicates that this is a replacement item rather than a new equipment purchase. He noted that it was his understanding that the racks aren't replaced; they are transferred from the Downhill Ski Area to Trout Creek for retail sales.

Miguel Slone explained that Trout Creek Recreation Center does have their own racks; however, they are round chrome racks that do not allow for merchandise to be properly displayed. In the effort to improve the appearance of the retail area as well as create greater space to display merchandise, he continued, Staff began to borrow racks from the Downhill Ski Area Shop in their off season. These racks, however, must be returned to the ski hill in November each year at which time Staff borrows a few racks from the Golf Shop. He said the Golf racks get the operation through the season, but they do not provide enough space to display all merchandise or allow any expansion. He said, while Staff can continue with this process, the proposed racks are customized for Trout Creeks merchandising needs and would allow Staff to utilize wall space to accommodate small accessories, non-hanging items, counter top displays, et cetera. Mr. Sloane stated that he agrees that managers could plan better for their future needs during the budget process.

Mr. Halpin stated that a clear message needs to be sent to the managers about preparing for their needs during the budget process, and this can't be accomplished if the Board continues to approve items after the fact.

Discussion continued regarding the pros and cons of purchasing the proposed retail racks and spin bikes for Trout Creek Recreation Center as well as the Board concern over the number of items that are brought to them for consideration after the budget process has been completed.

Following discussion, Dick Halpin made a motion and Pat Ghiglieri seconded to approve the purchase of items C2.0 (Trout Creek Recreation Center Spin Bikes) and item C3.0, Trout Creek Recreation Center Retail Racks) to be funded through the New Machinery & Equipment fund. Motion passed 4-1 (Dundas No)

Dick Halpin made a motion and Suzan Knisley seconded to deny item C8.0 (Reserve Replacement for Golf Course Yardage Markers & Legends). Motion passed 4-1 (Dundas Abstained)

Discussion took place regarding pros and cons of approving item C9.0 (Reserve Replacement for Golf Course Bunker Rakes). The Board indicated that this item should be funded through Operations, not through the Reserve Replacement Fund.

Following discussion, Dick Halpin and John Dundas seconded to deny item C9.0 (Reserve Replacement for Golf Course Bunker Rakes). Motion passed 5-0

The Board suggested that the Interim General Manager could authorize the purchase of the proposed "Golf Course Bunker Rakes" through normal operating budget.

The Board discussed item C5.0, the proposed "Pizza on the Hill Window Replacement" request. Annie Rosenfeld explained that during the planning process for the renovation this facility, which was supposed to be cosmetic in nature, the windows became a focus of discussion. She said the current windows are single pane with a single pane inset; meaning there is an open space between two windows. She noted that these windows are the original building windows. Rosenfeld stated that over the last few years, when an office project came up, Staff replaced the windows with more energy efficient ones, which is what Staff now proposes for Pizza on the Hill.

Dick Halpin stated that he is not against replacing the windows; in fact, he thinks all the original windows in Northwoods Clubhouse should be replaced with energy efficient ones. A discussion ensued regarding the timing of replacing the Northwoods Clubhouse windows.

Ron Wulff stated that he agrees with replacing the Pizza on the Hill windows, but he noted that they should have been included in the original proposal.

Following further discussion, John Dundas made a motion and Dick Halpin seconded to approve item C5.0 (Pizza on the Hill Window Replacement/Acceleration of Reserve Funds) as presented. Motion passed 5-0

Dick Halpin made a motion and John Dundas seconded to approve item C6.0 (General Manager's Job Description) as presented. Motion passed 5-0

Dick Halpin made a motion and Suzan Knisley seconded to approve item C10.0 (Amenity Access Policy Revision) as presented. Motion passed 5-0

Annie Rosenfeld provided the Board with an overview of why Consent Calendar item C7.0 (Third Year Seasonal Bonuses) is before the Board for consideration. She stated that the prior Board instituted the current seasonal bonus plan as a way to incentivize seasonal employees to return to Tahoe Donner year after year. During the Senior Teams review of all the incentive

programs Tahoe Donner offers its employees, Rosenfeld said, a great deal of discussion took place regarding the effectiveness of the Third Year Consecutive Employee Incentive Plan. The Senior Team agreed that the measurement aspect of the plan was weak; essentially the plan pays an eligible employee \$200 at the end of the season regardless of the performance of the department or the employee. She noted that the plan also allows for an additional \$100 based on performance. Rosenfeld said the Senior Team believes the Association and Staff would be better served to revise the current resolution by adding department and individual performance measurements to the eligibility criteria in order to motivate employees to stay to the end of the season and also to perform. She reviewed the suggested changes to the resolution for the Board. Rosenfeld noted that, the Senior Team would like to see how the proposed new incentive plan works out this summer.

A discussion ensued the regarding the merits of the “Incentive Plan for Third Year Seasonal Employees” in achieving the desired result of having the employees return year after year as well as to motivate the employees to perform.

Dick Halpin stated that, if Staff wants to continue this particular incentive plan, he believes that the bonus should be given on the return of the employee to work the following year, not at the end of the current season. Additionally, he said the criteria for the bonus should be if the department exceeds budget, not just meeting budget. Further discussion took place regarding the pros and cons of Mr. Halpin’s suggestions.

Following discussion, Annie Rosenfeld inquired if Staff could think about some of the suggestions made by the Board today, and bring this item back to the Board for consideration at a future Board meeting along with all the proposed incentive plans.

Following discussion, the Board requested that staff bring this item back to the Board meeting for consideration at a later date.

F. CALIFORNIA LEGISLATIVE ACTION (CAI-CLAC)

The Board was provided with a letter from the California Legislative Action Committee requesting that the Association make a donation to CAI-CLAC for the purpose of supporting CAI-CLAC in its effort to advocate a reasonable balance between state statutory requirements, while preserving the ability and authority of homeowner associations to govern themselves.

Following discussion, John Dundas made a motion and Pat Ghiglieri seconded to make a donation in the amount of \$1,000 to CAI-CLAC. Suzan Knisley indicated that the Board should raise the donation to \$1,200. Following discussion John Dundas revised his motion and Pat Ghiglieri seconded as follows: to make a donation in the amount of \$1,200 to CAI-CLAC. Motion passed 3-2 (Wulff & Halpin No)

G. PRESENTATION: SUSPENSION OF MEMBERSHIP RIGHTS

The Board was provided with a memorandum from Executive Assistant Bonnie Watkins regarding the Suspension of Membership Rights and Authorization to Record Liens for consideration. The memorandum explained that each year the Association's delinquent account policy prescribes that those members who have failed to bring their assessment accounts current face suspension of their membership rights. Along with suspending the members' ability to access the Association's amenities as property owners, they are also disallowed from participating in the 2009 Director Election, either as a voter or candidate. Under the current Civil Code, the Board is required to specifically authorize the recording of assessment liens against members' properties. Therefore, along with the suspension of membership rights, the Board was called upon to authorize the recording of such a lien if members remain delinquent with regard to the 2009 Regular Assessment as of May 1, 2009.

Following discussion, Dick Halpin made a motion and Suzy Knisley seconded to approve the suspension of membership rights and the recording of Assessment liens for members who have not satisfied their financial responsibilities to the Association as presented. Motion passed 5-0

H. MEMBER REQUESTS TO WAIVE LATE FEE

The Board considered individual requests from members to waive their delinquency fee.

The Board indicated that while each situation was appreciated, the Association's collection policies and procedures must be clearly stated and objectively enforced.

Following discussion, John Dundas made a motion and Suzan Knisley seconded to deny all member requests to waive late fees for the 2009 Annual Assessment. Motion passed 4-1 (Ghiglieri No)

EXECUTIVE SESSION AND LUNCH

The meeting adjourned to Executive Session at 12:10 p.m.

The regular meeting reconvened at 1:05 p.m.

TRESURER'S QUARTERLY REPORT

Treasurer John Dundas provided the Board with a review of the Association Quarterly Investment Report. Following are highlights of his report:

Status of Monthly Investment Account Reconciliations

- Reviews complete through February 28, 2009.
- Accounts are in order and reflected in Monthly Financials as just presented by the Director of Finance and Accounting.
 - See page F-14 of March 2009 Financial Report for a summary and information pertaining to investment benchmarks.
- Investments are in accordance with categories and limits and there were no irregularities.
- Status of Investments
 - All current investments checking, money market, or certificates of deposit are covered by insurance.
- Economic conditions now and in the near to mid-term future do not appear to be conducive to more risky investment strategy.
 - Investment Strategy will be to remain in low risk investments (CDs) until market volatility settles.
 - We will continue to look at investment opportunities that will provide TDA the best return possible without risking principle
- CD highlights as of March 31, 2009
 - Rates on current investments range from .7% to 4.25%
 - Won't be seeing much at the higher rate in our current economic conditions.
 - Investment amounts range \$100K to \$250K
 - Current FDIC insurance cover up to \$250K
 - Maturity dates varied from April 1, 2009 to October 8, 2010
 - Length depends on interest, need for funds, etc
- Cash Flow remains strong.

Delinquencies

- As of March 31, 2009 we have the following delinquent assessments
 - 367 or 5.7% of assessed properties
 - \$430,564 or 5.5% of all assessments collected
- This is an increase of .7% over 2008 properties and total amounts
- This is an increase of 2.3% over 2007 properties and total amounts
- Based upon the information we heard earlier about Suspension of Membership Rights this number has come down since March 31, 2009 and is being closely monitored by our Finance and Accounting Department

Other Actions

- Staff continues to transition our banking business to Citizens Bank
 - Goals:
 - Reduce bank expenses
 - Adding operational efficiencies
 - No change in risk
 - Banking benefits for employee
- We are currently using the following financial institutions for our banking business:
 - Citizens Bank
 - Bank of the West

DIRECTOR OF OPERATIONS REPORT

Miguel Sloane reported the following:

Downhill Ski Area

The Downhill Ski Area had a relatively great season, with 49,931 skiers as compared to 51,300 last season. Revenues through March were 1.49 million dollars, and expenses through March were three (3) percent good to budget overall. The year-round Staff is now closing up the hill, and some will now be taking their vacations.

Cross Country Center

This operation was very close to three (3) percent good to budget in revenues and expenses nine (9) percent good to budget. The second week in April JoJo Toepfner attended the Cross Country Ski Area Association's Annual Convention in Canada and came back with a lot of good ideas for next season.

Snowplay Area

Snowplay made it half way through March, but due to warm weather and melting snow, Staff was unable to move the groomer from Vehicle Maintenance to the Snowplay area and had to close the operation for the season. There were 10,600 sledders, down 4,000 from last year. Through March this operation was \$5,000 good to budget.

Trout Creek Recreation Center

Usage at this amenity is 23 percent up from last year. The operation was closed on March 23 & 24 for its annual spring cleaning. The Maintenance Department completed some significant projects during the cleaning such as, removing the old entrance counters, refinishing the main sauna interior, and staining the entire building. All fitness equipment are functioning well. The pool contractor has indicated that the main pump on the recreation pool may have to be replaced. May 1 is the date for summer activities registration, which will again be an on-line process.

Tennis Center

Tennis Center Manager Ian Mindell will be returning to the Tennis Center on April 27 to begin preparing for the upcoming season. The maintenance Department has already cleaned and put up nets on six (6) courts. The official opening date for this operation is May 9, with an incredible schedule of programs and events.

Equestrian Center

Holly Cain has been checking the herd throughout the winter, and the horses will be coming to the center at the end of May.

Beach Club Marina

This operation will be opening on May 22.

Campground

Carol and Dan Johnson have been taking reservations over the winter and will be returning to the operation in mid-May.

Activities for Children/Trout Creek Recreation Center

Mr. Sloane stated that he wanted to revisit the previously discussed “Crafts Program/“Childcare Program” at Trout Creek Center. He stated that Staff has approximately ninety (90) email addresses of members that have expressed interest in participating in any “Activities for Children” that the center might provide. As such, Sloane continued, Staff had emailed these members a survey last Friday attempting to identify times that would best suit them if the center did offer a child activity program. Unfortunately, the term “Child Care Program” was used in that survey. Mr. Sloane stated that he had already instructed Staff to send follow up email clarifying that this is not a licensed child care opportunity, but rather is an activities program.

Dick Halpin inquired who in the organization is driving this initiative. Miguel Sloane responded that this program is in response to membership request. Annie Rosenfeld explained that this has been a discussion item since 2004. She stated that when the Trout Creek Expansion Project was going on some members were led to believe that the center would be offering licensed child care services. At that time, Rosenfeld continued, she was the manager of the operation, and she made certain that it was clear that there child care would not be offered. However, Staff did offer a variety of activities that parents could take advantage for their children while they worked out. Since that time, she said, there has been a group of parents that have continued to grow in numbers, press for some type of care for their children.

Miguel Sloane further explained that all the programs or activities that were offered in the past have gone away, due to lack of support for them. The question Staff has asked is why there was no support for the programs; was it because of timing, pricing, etc. He said these are the kinds of questions that were asked in the survey.

A discussion ensued regarding the pros and cons of the proposed “Activities for Children Program.” Miguel Sloane indicated that this issue is significant enough that the General Plan Committee made it a Priority 1 item recommendation, which was based on feedback from the membership. Following further discussion, the Board indicated that Staff could continue to explore interest in providing a “Children’s Activities Program” at Trout Creel Center.

J. DISCUSSION: TAHOE DONNER SERVICEMARK

Ron Wulff indicated that he had a conversation with Administration Manager Dave Drinks just prior to beginning of the Board meeting regarding this subject, and Mr. Drinks suggested that it would be best to turn this matter over to a trademark attorney for an opinion on the description of the Tahoe Donner Servicemark. Dave Drinks responded that the document the Association has from the California Secretary of State certifies that our Servicemark is good until May 27, 2015. The documentation describes the Servicemark as the words “Tahoe Donner and triangular design within a circle that is encased in a triangle.” He noted that this could be interpreted as a single picture that includes the words and symbol as a unit, not as the words Tahoe Donner in separate usage. Mr. Drinks stated that, if this interpretation is correct, the unit would be protected and the words Tahoe Donner would not be protected.

Suzan knisley stated that she disagreed with Mr. Drink’s interpretation. She stated that she had done a great deal of research on the internet last evening and obtained information from two attorneys that specialize in trademarks. Ms. Knisley read a prepared statement regarding the information she obtained for the Board. Ms. Knisley indicated that she agrees that this issue should be turned over to an attorney. She stated that she specifically wants the attorney to address a particular individual that is using the Tahoe Donner name in such a fashion that it appears that the services being offered are services of the Association. This individual’s use of the Tahoe Donner Servicemark, she continued, is an infringement on the mark.

Dick Halpin indicated that the Association’s attorney’s Downey Brand have already reviewed the situation and are prepared to write a letter to this individual. He suggested that Staff send the Servicemark documents from the Secretary of State to Downey Brand to see what their interpretation is.

Following discussion, Dick Halpin made a motion and Suzan Knisley seconded to approve sending the issue of Tahoe Donner’s Servicemark to Downey Brand Attorneys LLP for review. Motion passed 4-1-0 Ghiglieri Abstained

K. TSSA-1 2009/10 ASSESSMENT

The Board was provided with a letter from Public Works Director, Dan Wilkins, regarding updated information on Town Special Service Area 1 (TSSA-1) for consideration. The letter stated that the continuance of the TSSA-1 at its current level is planned to be discussed at the May 7, 2009 Town Council meeting. Additionally, the letter requested feedback from the Association regarding whether or not the Association believes that creating flexibility for future use of TSSA-1 funds for use on trail projects is prudent.

Following discussion, Dick Halpin made a motion and Suzan Knisley seconded to direct staff to request that the Town reduce the existing annual assessment for enhanced level of road maintenance from \$95.00 per improved lot and \$70.00 for unimproved lot in Tahoe Donner to \$50.00 per improved lot and \$50.00 for unimproved lot. Motion passed 4-1 (Dundas No)

A discussion ensued regarding the Town's request to create flexibility for future use of TSSA-1 funds for trails. Following discussion, the Board directed staff to inform the Town that the Board opposes use of TSSA-1 funds for trail projects outside of Tahoe Donner.

EXECUTIVE SESSION REPORT

Pat Ghiglieri reported that at the Board met in Executive Session today and discussed a matter of litigation and took no action. Additionally, the Board discussed the salary range for the position of General Manager.

ADJOURNMENT

The Board adjourned to a Board training session at 3:00 p.m.

Submitted by:

Bonnie Watkins, Recording Secretary

SECRETARY'S CERTIFICATE

I, Pat Ghiglieri, Secretary of Tahoe Donner Association, do hereby certify that the foregoing is a true and correct copy of the minutes of the Tahoe Donner Association Board of Directors meeting held on April 25, 2009 as approved by the Board members in attendance and constituting a quorum at a duly convened subsequent meeting of the Board.

Pat Ghiglieri, Secretary

Date

