

ACTION ON August 18, 2018

VERIFIED Megan Rodman

E.A. - TDA ASSOC.

MINUTES

TAHOE DONNER ASSOCIATION
BOARD OF DIRECTORS SPECIAL MEETING

August 9, 2018
Northwoods Clubhouse
10:00 a.m.

A special meeting of the Board of Directors of Tahoe Donner Association was held at the Northwoods Clubhouse 11509 Northwoods Blvd., Truckee, California on Thursday, August 9, 2018. President Jennings called the meeting to order at 10:00 a.m. The following Directors were in attendance, thus constituting a quorum of the authorized number of Directors of the Association:

Directors Present: Jennifer Jennings, President
 Jeff Schwerdtfeger, Vice President
 Don Koenes, Secretary (via conference call)
 Darius Brooks, Director (via conference call)

Directors Absent: Jeff Connors, Treasurer

Staff Present: Robb Etnyre, General Manager
 Annie Rosenfeld, Director of Risk Management & Real Property
 Megan Rodman, Executive Assistant and Recording Secretary

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| 1. | <u>EXECUTIVE SESSION</u> | Not
Recorded |
| | The Board of Directors adjourned to Open Session at 10:31 a.m. | |
| | Director Jennings moved and Director Schwerdtfeger seconded to approve the board meeting moving into Open Session. Motion passed: 4 – 0. (Director Connors absent). | |
| 2. | <u>BREAK 10:32 A.M.</u> | Not
Recorded |
| | The Board of Directors reconvened at 10:34 a.m. | |
| 3. | <u>MEMBER & DIRECTOR COMMENTS</u> | 0:03:06 |
| | Board President Jennings, invited brief member and director comments on items that are not on the agenda. There were no comments by members or directors. | |

Members may submit additional comments by email to the Board of Directors at board@tahoedonner.com. (Members are recognized to comment on agenda items as they occur).

4. **ACTION: 2018 FORESTRY MASTICATION, THINNING AND PRUNING CONTRACT AWARD FOR THE CALFIRE FOREST IMPROVEMENT PROGRAM (CFIP) AGREEMENT AMENDMENT 8GT15366, 15-CNR NEV-004 GRANT AND 2018 MASTICATION RESERVE REPLACEMENT FUNDS** 0:03:45

(Annie Rosenfeld, Director of Risk Management and Real Property)

The Board of Directors considered taking action to award the 2018 Forestry Mastication, Thinning and Pruning contract on the CalFire Forest Improvement Program (CFIP) Agreement Amendment 8GT15366, 15-CNR-NEV-004 Grant Award Funds and 2018 Mastication Reserve Replacement Funds.

Director Schwerdtfeger moved and Director Jennings seconded to approve Option 1 of the decision paper, to –

- Complete the CalFire grant and receive the award of \$64,969;
- Contract with Sierra Land Improvement to complete the grant project and additional 11.5 acres of plantation/fuelbreak. Funding sources include the CalFire grant, 2018 Large Machine Mastication Reserves Replacement Funds budget and forestry operational budget.

Motion passed: 4 – 0. (Director Connors absent).

5. **ACTION: TEMPORARY EMERGENCY FIRE PREVENTION MEASURES** 0:07:27
(Annie Rosenfeld, Director of Risk Management and Real Property)

The Board of Directors considered taking action to approve temporary emergency fire prevention measures on member properties and Association owned property including, but not limited to, restricting or banning the following:

- All outdoor combustion sources
- Use of outdoor power tools capable of creating a spark
- Off-road vehicles and off-pavement parking

The following actions were taken:

a. **Declaration that an emergency situation exists**

Director Jennings moved and Director Schwerdtfeger seconded that pursuant to Article III. 7(b), that dangerous conditions creating high fire risk present an emergency which threatens the health or safety of the residents or immediate damage to or destruction of any Common Area, and, accordingly, the Board of Directors may suspend normal notice and comment periods in order to immediately implement rules to address this risk. Motion passed 4 – 0. (Director Connors absent).

b. **Ban on Outdoor Wood and Charcoal Fires**

Director Schwerdtfeger moved and Director Koenes seconded that the following temporary emergency rules be adopted:

- Effective immediately and until further notice, ALL outdoor wood /charcoal fires are banned, and outdoor grilling is restricted to gas grills only with 15 feet vertical clearance and horizontal clearance to defensible space standards.
 - 1st violation wood/charcoal fire in a commercially manufactured burning device: \$2000 minimum, to a maximum of \$5000, fine to the property owner(s) on title
 - 1st violation wood/charcoal fire in a non-commercially manufactured burning device, such as a fire ring, camp fire, any fire that is in contact with the ground \$2500 minimum, to a maximum of \$5000, fine to the property owner(s) on title
 - 2nd offense in a calendar year (while burn ban is in effect) from the 1st violation, fine doubles to \$4000 –\$5000 to the property owner(s) on title plus suspension of amenity privileges for a minimum of 30 days.
 - 3rd and all subsequent violations, fine will be \$5000 per occurrence plus suspension of amenity privileges for a minimum of 30 days

Motion passed: 4 – 0. (Director Connors absent).

c. **Enforcement & Accountability**

Director Koenes moved and Director Schwerdtfeger seconded that,

- As violations to this emergency act may (i) constitute an immediate threat to safety, (ii) create fire hazard, and / or (iii) may threaten material damage to, or destruction of, the Common Area or Common Facilities, violations will be processed under the provisions of Article XIII.6. d.(ii) of the First Restated Declaration of Covenants and Restrictions whereby immediate disciplinary action may be imposed, with the right of the owner to request a hearing thereafter.
- There will be no abeyance of disciplinary action taken hereunder.
- Further, it will be communicated that in any event that causes a fire regardless of size, you are required by law to report the incident, call 911 immediately. You as a home owner or contractor are liable for any damage that is caused by negligence, whether an act or omission. Fire damage can be severe and can drastically reduce the value and beauty of Tahoe Donner Association.

Motion passed: 4 – 0. (Director Connors absent).

d. **Expiration of Temporary Rule**

Director Schwerdtfeger moved and Director Koenes seconded that these rules remain in effect until such time as the local authority having jurisdiction, the Truckee Fire Protection District, declares that the high-risk fire season has ended, or the Truckee Fire Protection District begins to issue fire permits, whichever occurs first.

Motion passed: 4 – 0. (Director Connors absent).

In addition to the above actions, the Board, reached consensus on the following:

- To defer adopting specific emergency rules regarding off-street parking subject to further research and clarification on certain issues.
- That these are important issues and directed staff to proceed with communicating the hazards of parking over grass and weeded areas, and dangers associated with the use of gasoline and spark-inducing power tools during fire season.

6. **ADJOURNMENT**

1:56:26

Director Jennings moved and Director Schwerdtfeger seconded to approve adjournment of the special board meeting at 12:28 p.m. Motion passed: 4 – 0. (Director Connors absent).

Submitted by:



Don Koenes, Board of Directors Secretary

SECRETARY'S CERTIFICATE

I, Don Koenes, 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 special meeting held on August 9, 2018 as approved by the Board members in attendance and constituting a quorum at a duty convened subsequent meeting of the Board.



Don Koenes, Board of Directors Secretary