



CRUMMACK HUSEBY
EVERGREEN COMMUNITY ASSOCIATION
GENERAL SESSION MEETING MINUTES
A California Nonprofit Corporation
THURSDAY, JULY 18, 2024

NOTICE OF MEETING

In accordance with Civil Code §4920, the Meeting Notice and Agenda was posted for the General Session of the Board of Directors of Evergreen Community Association, held via teleconference.

ROLL CALL

A quorum of the Board was established with the following Directors in attendance:

Directors Present: Russell Drouillard, *President*
 Tom Levitt, *Vice President*
 Clyde Roe, *Secretary*

Directors Absent: *Two (2) Vacant Seat*

Crummack Huseby: Bridget Frost, CMCA®, *Community Manager, Crummack Huseby*

EXECUTIVE SESSION MANAGEMENT DISCLOSURE

The Board met in Executive Session prior to this meeting to discuss the approval of Executive Session minutes, Delinquent Accounts, CC&R hearings, third-party contracts, or enforcement matters.

CALL TO ORDER

President Russell Drouillard called the General Session of the Board of Directors to order at 6:00 PM.

HOMEOWNER FORUM

In accordance with California Civil Code, the homeowners were given an opportunity to address the Board of Directors during General Session. No homeowners were in attendance.

CONSENT CALENDAR

By general and unanimous consent of the Board, the Consent Calendar was accepted, consisting of the following items:

1. Approve the General Session Meeting Minutes dated: May 23, 2024;
2. (*Financials Tab*) Treasurer's Report
 - a. Civil Code §5500/5501 – Each member of the Board (the Financial Committee) reviewed and acknowledged the monthly financial statements for May 2024 subject to audit; (*Financials Tab*)

COMMON AREA MAINTENANCE/ MAINTENANCE MATRIX UPDATES

A motion was made by Tom Levitt and seconded by Russell Drouillard to adopt the resolutions regarding common area maintenance as revised by counsel, as attached to these minutes.

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A motion was made by Tom Levitt , seconded by Russell Droullard, and unanimously carried to update the maintenance matrix in accordance with the resolution and send out for 28 day review for adoption at the August 2024 meeting.

A motion was made by Tom Levitt, seconded by Russell Droullard, and unanimously carried to send out the draft improvement solar policy additions to the architectural guidelines for 28 day review for adoption at the August 2024 meeting.

STREET REPAIR PROJECT

A motion was made by Russell Droullard, seconded by Clyde Roe, and unanimously carried to approve the asphalt proposal as provided by Concept Paving Solutions, Inc., with the following options, in the total amount of \$129,415.00. The project will be funded out of Reserve GL 3400 - Streets & Drive. Prior to the contract being signed, clarification will be sought on the permitting process. Management recommended attorney review of the contract but the Board would like to move forward without.

Grind and Overlay (Atwater, Roseville, Three Rivers)	21477 ft2	\$65,700.00
Grind and Overlay (Ukiah)	10788 ft2	\$40,000.00
Subtotal of Grind and Replace		\$65,700.00
Seal Coating - 2 coat application (repaint yellow line and stop lettering)	97928 ft2	\$23,715.00
Adjust manhole and water valve covers to meet IRWD specs.		
Total		\$129,415.00

LANDSCAPE COMMITTEE

A landscape committee update was provided by Tom Levitt regarding landscaping and water usage.

A motion was made by Russell Droullard, seconded by Tom Levitt, and unanimously carried to approve the Park West three-year tree trimming contract. The amount per year will be \$4,343.50 in 2024, \$5,064.77 in 2025, and \$4,604.11 in 2026.

ARC COMMITTEE

Temporary non-compliance in regards to architectural items outside of Northpark and/or Evergreen architectural guidelines will be on the August agenda for discussion.

If an indemnity agreement is approved for solar installation at 20 Roseville prior to the August meeting, it was the general consent of the Board that Russell Droullard will sign the agreement with the homeowner.

NEXT MEETING

The next General Session Meeting is scheduled for Thursday, August 29, 2024, 6:00 pm.

ADJOURNMENT



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There being no further business to come before the Board of Directors in General Session, a motion was made, seconded, and unanimously carried, to adjourn the General Session to return to Executive Session at 7:10 pm.

SECRETARY'S CERTIFICATE

I, Clyde Roe, the duly appointed and Acting Secretary of The Evergreen Community Association, do hereby certify that the foregoing is a true and correct copy of the Minutes of the General Session meeting held on the above date as approved by the Board of Directors.

ATTEST: Clyde Roe DATE: 9/13/2024 | 4:21 PM PDT



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RESOLUTION OF THE BOARD OF DIRECTORS EVERGREEN COMMUNITY ASSOCIATION

RECITALS

Whereas, Evergreen homes are Single Family properties, in which the Owner owns the land and all the improvements upon it; however, the CC&R's contain provisions for certain maintenance by the Association.

Whereas, on February 6, 2020 Evergreen Board adopted the current Maintenance Responsibility Matrix, which lists specific controlling authority (Evergreen CC&R's). The Matrix was reviewed and approved by previous Counsel.

Whereas, Association Maintenance Areas means the front door, garage door, outside surfaces, structure, and roofs of all Residences. (CC&Rs paragraph 1.8)

Whereas, the CC&R's shall be liberally construed to effectuate... the maintenance of the Common Area and Association Maintenance areas (CC&Rs paragraph 15.4).

Whereas, the Board shall determine, in its sole discretion, the level and frequency of maintenance of the Common Area, Association Maintenance Areas, and Perimeter Wall (CC&Rs paragraph 9.2).

Whereas, on October 25, 2023 a question was posed to Legal Counsel, Matt Ober: "Can the Board decide to only paint doors and require the homeowner to maintain the rest? He replied "Yes", provided we list the responsibilities in our maintenance Rules/Matrix and distribute them to homeowners for comment. This reasoning can apply to other components which Evergreen currently maintains. (Legal Orientation with Matt Ober on October 25, 2023.)

Whereas, Association documents routinely assign maintenance duties between owners and the association. Unfortunately, "Exclusive Use" areas are often left out of CC&Rs or muddled when it comes to who is responsible to maintain, repair, and replace them. This is particularly true with older Association governing documents.

Whereas, "Exclusive Use", may be deemed a subset of Association Maintenance Areas. Some of the Evergreen Association Maintenance Areas lend themselves to being categorized as "Exclusive Use". Examples include, but are not limited to: front doors, garage doors, mailboxes, and balcony decks.

Whereas, any reduction of Association maintenance, and deferral of maintenance to Homeowners, will reduce Association costs. Example: FY 2024 Reserves Fully Funded Balance for garage and front doors is approximately \$186,840; decks is approximately \$65,168. These funds could be applied to other components, and reduce Member assessments.



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RESOLUTION

It is hereby resolved by the Board of Directors for Evergreen Community Association that:

Level of maintenance for Garage Doors and Front Doors shall be as follows: Painting of exterior surfaces by the Association according to the reserve schedule. Repair and replacement (including all hardware and painting) by the Homeowner.

Level of maintenance for Balcony Decks shall be as follows: Painting of stucco areas by the Association according to the reserve schedule. Cleaning, sealing, and resurfacing by the Homeowner.

Level of maintenance for Mailboxes and Posts Shall be as follows: Painting of mailboxes by the Association according to the reserve schedule. Painting and replacement of mailbox posts by the Association according to the reserve schedule. Replacement and repair of mailboxes by the Homeowner.

The Board shall revise the Maintenance Responsibility Matrix, obtain review by Counsel, and distribute it to the membership for the required 28 day comment period.

The Board shall adjust Reserve Component funding accordingly.

This Resolution is adopted and made part of the minutes of the May 23, 2024 meeting of the Board of Directors. Executed this ____ day of _____, 2024. 9/13/2024 | 4:21 PM PDT

By: Clyde Roe
Secretary