

SWARM Board Meeting Minutes

Meeting date: April 26, 2010; Catrina Fish's house, 7:00pm

Board Members in Attendance: Linda Jarvis, Catrina Fish, Brian Corzilius, Maggie Graham [quorum] {absent: Gidon Relin, Craig Mountain and Valerie Kanonchof }

Visitors Present: none

The purpose of the meeting was to catch up on several items of business and to bring forward new business for consideration.

Minutes from the previous meeting (01/19/10) were not read (though they had been reviewed via email). The **Financial Status** (balances) was discussed informally, but not recorded due to the number of bills outstanding as all 3 Gates being are in the midst of maintenance.

Redwood Mortgage Company. Redwood mortgage has reopened the issue concerning a 3rd Gate property that was sold without the Title Company collecting outstanding road dues owed (over \$4200). The Board had made several contacts, beginning early in 2009 -- including letters of advisement -- before the property changed hands; and after it sold, Board members had reached out to the new owners advising them of the situation and recommending they pursue the previous owner and Title Co. After several months with no word from the new owners, a lien was filed on the property as had been promised (which woke up the Mortgage Co). Brian will speak with the company and continue to provide assistance in their pursuit of the Title Co. and previous owner.

Internal Revenue Service. A notice of assessed penalty (over \$1300) was received from the IRS regarding a late filing of the appropriate tax form. Linda had passed the letter to Brian who contacted the IRS. The form (990EZ) was typically filed for organizations whose gross exceeds \$25K. However this had changed (unbeknownst to this Board, who was still sorting out the organization's records and obligations in early 2009), beginning the 2007 tax year -- with the new law requiring *all* organizations to file, regardless of gross. The penalty was assessed at \$25/day from the May 15th due date until when this Board filed in September (2009). The only reason we had filed was that the State was requesting a copy of the Federal filing to preserve our organization status. Brian appealed via telephone, following up by a written statement faxed. Our appeal was based on the fact that we are an organization whose sole basis is simply to aggregate monies within our community towards road maintenance, that it is run by volunteers who often don't have a clear idea of past Board actions, and that there are no funds available for such a penalty. We stated also that we had created a General Policy that contained dates of note (including tax filings) so that future Boards would be aware of the need to file (and in a timely fashion). The penalty has now been dropped (confirmed by telephone, 4/23/10). The appeal letter was read at the meeting.

Records Storage. Brian reopened discussions on secure records storage. This follows on the heel of the IRS issue, as well as growing files all of the Board members possess from their roles on the Board. The goal is to pull all organization records together and place them in a rented storage facility (controlled environment, insured, secure [fire/theft/etc.]). Brian shared general

cost information gleaned from three storage providers in town. In general, a 5x5 room should be sufficient. The cost would be roughly \$385/year, shared across the gates in the same ratio as insurance is presently shared. Concern was voiced over the costs and discussion ensued. In the end it was agreed it was a minor cost to fulfill the guidelines of the Bylaws (i.e. storage and accessibility of specific records, etc.). *This item will be decided at the next meeting.*

Properties with Multiple APNs, or Multiple Non-related Residences. A concern was raised during the updating of property addresses over several properties that somehow now have multiple APNs assigned to them. Maggie and Catrina are looking into how this happened at the County. Specific questions include: Was the property split?, If so, how did it get split when the Planning Department states it cannot be done? And what are the billing implications (e.g. should we assign separate accounts to each APN)? The second issue, that of properties in which there are more than one residence, each functioning separately (separate driveway/access, etc.) -- should these be considered as multiple accounts as well? Functioning as a subcommittee, their findings will be brought forth, along with preliminary recommendations, for discussion and action by the Board as a whole. As of this meeting, no findings could be presented. *It was tabled for discussion at the next meeting.*

Access Gates Considered. A recent call from a member (plus at least one previous request of similar concern) asked if we could consider the merit of placing a controlled access (automatic, code- or card-accessed) gate at each of the 3 entrances to the community. The idea, stated the member, is to control access to the community to those that live here and pay the road maintenance dues. Concerns included the outside groups that come and ride their off-road vehicles here, the possibility of those coming up here looking to break in to member's homes, and lastly, as an encouragement to pay road dues. Like many of our agenda items, this was brought forth for due consideration of a member's concerns. There were 3 primary concerns expressed by the Board over this idea. First, it is most likely illegal to restrict access to one's property based on payment of dues. Secondly, each gate would likely approach \$10K in costs, money we don't have (remember that the roads are grossly under-funded as it is). And thirdly, the issue of how we would notify everyone each time the gate code changed (time, \$, etc.). The Board decided that these considerations outweighed any merit of the idea, at least in the present economic climate...

Road Maintenance. Beyond general discussions of bills for the road work each gate has undertaken, a brief discussion followed regarding the trial use of recycled asphalt on Third Gate. The cost savings (~\$200/transfer) were pointed out, as was the potential for the material to adhere better and potentially hold up to traffic better, especially when placed a couple of inches thick. Also noted were the potential for better drainage and less dust.

Next Meeting.

July 13th, 7:30pm At Catrina Fish's to prepare the mailings of the 2nd billings (late notices), election ballots and annual meeting announcements.

Candidate request notices will be prepared and put up around the community (~early June) by Maggie, Brian and ?. The annual meeting announcement (preliminarily scheduled for August 21st) will be drafted prior as well, with input from the Board via email.

The meeting was adjourned at approximately 9:30pm.

Minutes recorded by Brian Corzilius

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