



Kent Woodlands Property Owners Association

*Regular Board Meeting Minutes
June 26, 2023 - 6:00PM PST Hybrid with Meeting Owl*

Present: **Directors:** Becker, DiTommaso, Freeman, Hagey (Zoom), Johnson (Zoom), Leh
 Staff: Hill (Zoom), Tiernan (Zoom), Williams
 Guest: Werner
Absent: **Director:** Wardell-Smith

Call to Order: President Leh called the meeting to order at 6:00 pm PST.

Public Comment: None

Approval of May 22, 2023 Minutes: *M/S/A to approve the Minutes of the May 22 Board meeting as submitted.*

Updated Approval Letter – Timing Regarding Ratification Process: President Leh reported Counsel confirmed that the Board has the authority to continue to ratify AC decisions per the CC&Rs. Counsel advised that there might be an issue with timing vis à vis the “deemed approved” clause. For that reason the Approval Letter has been revised to provide the appropriate amount of time between the application, AC approval and Board ratification and approval letters will be withheld until after Board ratification.

Architectural Committee Report:

399 Crown -- Director Johnson, Chair of the AC, reported on 399 Crown’s “Application for Retroactive Approval due to an Enforcement.” Director Hagey asked to see something in writing, such as an approval letter, before the Board votes to ratify this recommendation. Discussion about 399 Crown was tabled until the July Board meeting.

40 Evergreen -- Tiernan, Architecture Coordinator, reported that 40 Evergreen proposed minor improvements which don’t encroach into the setback except for one low step. *M/S/A to ratify 40 Evergreen’s application as proposed.*

Fire Mitigation Report: Hill reported that in addition to providing guidance to members, she has been working with Marin County DPW on roadside maintenance. President Leh added that his “President’s Note” this month will be about fire.

Entrance Beautification and Acorn Lot: Director Hagey introduced Erin Werner, Landscape Designer and Kent Woodlands resident, who presented her concept drawings which were emailed to the Board prior to the meeting and which were shared on screen. *M/S/A to approve payment of \$1,500 to Erin Werner for her 10 hours of work to date. Hagey asked that this project be on the Agenda for the next Board meeting.*

Revised Architectural Rules: President Leh explained that this document was discussed and approved at the June meeting, but due to time constraints it wasn’t sent. The Board will vote tonight to send the Revised Architecture Rules to the membership for the mandatory 28-day review and comment period with the proposed cover memo which highlights changes, for a vote of adoption at the next Board meeting. Williams, Operations Manager, cautioned out that there isn’t enough time before the July meeting (fewer than 28 days) so the vote would have to occur at the August Board meeting

White Houses – “Grandfathered” Approach: Director Hagey reported that the CC&Rs adopted in 1995 are specific about the right to repaint in the existing color but his research found that the pre-1995 rules (the 1987 rules) didn’t allow white exteriors. Therefore we can’t say that houses which were white prior to the 1995 rule change have the right to remain white.

M/S/A to approve the proposed “Survey re Non-Compliant Exterior Color” with the following edits and send it to the approximately 50 members whose homes are on the list of member homes not be in compliance with the Color Chart:

- 1) Remove all reference to “Color Board” and substitute “Color Chart” as stated in the CC&Rs;
- 2) Add a timeframe of 24 months as the deadline after an ownership change;
- 3) Edit the second option to read: “My home has always been white or another non-compliant color, and I have proof that the color was expressly approved by the Association. I am sending with this response with such evidence.”

M/S/A to approve the memo and the revised Architectural Rules with the condition that "the reference to grandfathering in white paint" was deleted and can go to membership now for review and comment.

M/S/A to approve sending the further-revised proposed Revised Architectural Rules and cover letter highlighting the revisions to the membership for the mandatory 28-day review and comment period with the goal of having the Board vote to adopt them at the August Board meeting.

Noise Rule: Director Freeman pointed out that the County has noise rules and because our only way of enforcing noise rules is with the help of the Sheriff, we should use the County rules. Director Hagey asked if there is a "quiet enjoyment" clause in the CC&Rs. Director Becker said the CC&Rs mention the right of every member to the "quiet enjoyment" of their property but that is vague and difficult to enforce due to lack of agreement on "nuisance." *No motion no vote.*

Roundabout/Safety Improvements Report: Director DiTomasso reported that he has spoken with County representatives who said that a roundabout would be part of a larger project involving all of College Ave. DiTomasso asked what we can do to accelerate this process. President Leh suggested that DiTomasso draft a letter to the County expressing our concern about safety issues with the current configuration.

Carbon Neutrality Task Force Report: Director Johnson reported on upcoming events: the 9/24/23 EV Car Show and a Lemonade Stand in August to encourage people to complete the Survey. An email blast encouraging people to join Resilient Neighborhood groups will go out in August.

Kentfield/Ross Magazine: Director Freeman asked for suggestions for the upcoming issue. President Leh stated that he will provide his article about our Sheriff Deputies. Director Becker asked him to delete all mention of the hours they patrol.

Short Term Rentals Policy: Tabled to July meeting.

Insurance Policy Renewal: **M/S/A** to approve renewal of the KWPOA insurance policy which will cost \$12,112.

Officer Reports:

Treasurer Report: President Leh reported for Director Wardell-Smith, Treasurer, as follows:

Overall revenue is flat YOY. Residential assessment income has grown by approx. \$27k and design review income (net of refunds) has fallen by approx \$26k. However, overall expenses have grown by \$18k YOY - design review expenses and legal expenses were the largest drivers. The Board was informed that design review expenses have grown 54% YOY at the same time that design review applications/income has fallen by 80% YOY. A discussion ensued.

President's Report: President Leh said that there will be a Food Truck event on 9/21/23.

Operations Manager's Report: Williams reported the following:

- 1) Assessments – Four members remain unpaid. They've received their pre-lien notices. After 30 days, they will be sent to collections.
- 2) Hours – In response to general budget concerns she is attempting to control her hours. The Board should keep in mind that her usual work hours are Mondays, Tuesdays and Thursdays from 9 – 2, that she works Wednesdays but with more flexible hours, and she is not in the office on Fridays.
- 3) County's Goodhill Repair Project – She gets a lot of questions about the County's road repair project on Goodhill. She and President Leh have discussed ways to steer the inquiries back to the County.
- 4) Google Workspace Migration - This month, she'll begin working with a Consultant on the Google workspace migration.
- 5) Website Design - She will be asking for input from the Board about website design.

Adjourn and Reconvene in Executive Session

Next regular Board meeting: Monday July 24 at 6:00pm. Agenda to be published.

Regular Meeting Adjourn: 8:18 pm PST.

Respectfully submitted,
Ann Peckenpaugh Becker, Secretary

APPROVED AT JULY 24, 2023 BOARD MEETING