

**ROLLING HILLS COMMUNITY SERVICES DISTRICT
MINUTES of OCTOBER 15, 2013 MEETING OF THE BOARD OF DIRECTORS**

1. Call to Order/Roll Call.

The meeting of the Rolling Hills CSD held on October 15, 2013 was called to order at 6:39 p.m. by President Tim Halverson in the meeting room at Holiday Inn Express, 4360 Town Center Drive, El Dorado Hills, California. In addition to President Halverson, Directors Mark Magee and John Kennedy, General Manager Chaney Hicks, and Board Secretary Linda Stone, were present. Attorney David McMurchie attended the meeting by conference call. A quorum of the Board was present. Directors Matt Sites and Gordon Fawkes were absent.

2. Closed Session.

The Board convened into Closed Session at 6:40 p.m. for conference with legal counsel. Reportable action taken in closed session was the creation of an ad hoc committee for the purpose of meeting with legal counsel about the issues discussed during closed session.

The Board reconvened into Open Session at 7:10 p.m. Seven members of the District were present.

3. Public Comment.

There was no public comment about issues not on the agenda.

4. Monthly Reports.

a. General Manager Report. Chaney presented an oral and written report. She advised that SunWorld has completed work on the backflow devices at Stonebriar Park. The road maintenance at Montecito and Stonebridge is also complete. The newsletter was mailed last week. A clogged culvert was discovered at 1200 Manchester and tree encroachment onto Sterling. A letter advising the homeowner of those conditions was sent and the owner indicated that he would take care of the issues.

b. Parks Committee Report. None.

c. Communications Committee Report. None.

5. Consent Items

The Consent items, including approval of Minutes of September 17, 2013 Regular meeting; financial reports for period ended August 30, 2013 prepared by the Auditor Controller's office; bank statements for July 15, August 15, and September 15 periods, and correspondence from EID indicating all requirements have been met regarding installation of backflow prevention assembly, and letter from Pinnacle Real Estate were considered. Director Mark Magee moved to approve the consent items and accept and file the correspondence; second by Tim Halverson; motion carried.

AYES: Halverson, Magee and Kennedy.

NOES: None

ABSENT: Sites and Fawkes

ABSTAIN: None

6. Old Business

a. **Master Plan for District.** The General Manager gave a brief update and reminder that a committee meeting workshop is scheduled for October 22, 2013. She noted that a backhoe was observed on the large vacant lot at the entrance to Stonebriar last week. It was unclear what work, if any, is being done on that parcel. She will contact the County to determine if any projects are under consideration for that property.

b. **Enforcement Authority over CC&R's.** Chaney Hicks presented updated information and results of the two petitions posted to the website regarding the issues of CC&R enforcement, both pro and con. Chaney said there were

36 verifiable signatures in favor and 10 verifiable signatures against. Natalie Feuerstein spoke passionately about her extreme displeasure regarding the two petitions and the District's efforts to regain enforcement authority over the CC&Rs in Stonebriar and Shadow Hills. Director John Kennedy stated for the record that it is the Board's intention to present an equal poll to elicit fair information from the residents on the issue. A very healthy and colorful discussion, debate and exchange took place to lay out the various opinions and information about the District's intentions in this regard, what the role of an Architectural Control Committee (ACC) is for enforcement of CC&Rs, clarifying that the ACC would be a separate entity apart from the CSD which would operate independently from the CSD, but which would have the benefit of having insurance coverage afforded it and its members through the CSD, and clarification about the difference between enforcement of CC&Rs and enforcement of Ordinances of the District. Steve Bundy of Stonebriar also spoke about his concerns that the District may go downward if it does not exercise reasonable measures to ensure that properties are maintained. He likes the idea of a formal process for handling CC&R issues. It was noted also that without a formal oversight mechanism for the CC&Rs, neighbor would be forced to sue neighbor to enforce the provisions of the CC&Rs which all residents signed and agreed to when moving into the District. After the lengthy discussion, Natalie said she would like to present to her forum the three options available on this issue, including (1) establishment of an ACC which would operate as a separately entity but under the CSD, (2) the establishment of an ACC which would be completely independent of the CSD, and (3) not establish an ACC which would mean that for enforcement regarding CC&R violations a resident would have to commence legal action against the person causing the violation. Tim Halverson and Natalie agreed to collaborate to prepare the statement of three options. It is hoped that this collaboration between the CSD and Natalie will result in a means of getting a better sense of the options available for moving forward.

c. Speed Control Measures. The meeting with the Fire Department for the purpose of advising of the District's intended plan for installation of speed cushions on Stonebriar Drive has not yet taken place. Discussion has had about the possible need for speed cushions in other areas of the District. The Board indicated its plan to move the electronic speed control signs once the speed cushions are installed on Stonebriar Drive so that other streets can be monitored and data collected regarding speeds being travelled to help identify the most problem areas.

d. Storm Drain/Culvert Maintenance. Chaney Hicks reported she obtained competitive bids for the needed storm drain and culvert maintenance work. Based on the bids received and the various vendors' demonstrated knowledge of wetland requirements, President Halverson moved to authorize expenditure of not-to-exceed \$1,800.00 for this work at two general locations, by Stonebriar Park at Haddington and near Berkshire/Stonebridge, from approved budget account 4190 for Maintenance-Drainage; second by Director John Kennedy; motion carried.

AYES: Halverson, Magee and Kennedy.

NOES: None

ABSENT: Sites and Fawkes

ABSTAIN: None

e. Request for Removal of Cottonwood Trees at Stonebriar Park. Chaney Hicks reported regarding her meeting with an arborist to discuss removal of cottonwood trees located in or near waterways. She was advised not to remove the trees because the arborist said with the removal of one tree multiple trees will come back. It was also noted that cutting the trees back would be a very expensive ongoing maintenance issue. Residents offered ideas on this regarding including a herbicide which can be sprayed in wetland areas to combat the trees. Another suggestion was the use of a mixture of vinegar and nitrogen as a green alternative. More information will be sought on the subject and the issue will be brought back at the next meeting for further consideration.

f. Adoption of Ordinance 2013-01 (amending 2010-02, 2009-01) regarding Encroachment Permits. Upon second reading of Ordinance 2013-01 introduced at the September 17 meeting, President Halverson moved to adopt Ordinance 2013-01 (amending 2010-02, 2009-01) regarding encroachment permits; Director John Kennedy second; motion carried.

AYES: Halverson, Magee and Kennedy.

NOES: None

ABSENT: Sites and Fawkes

ABSTAIN: None

The Clerk will cause the Ordinance to be published within 15 days as required and the Ordinance will go into effect 30 days from this date.

7. New Business

A. Bulk Mail. Chaney Hicks presented a comparative chart of information about the costs of mailing three newsletters and the related costs if using a bulk mail permit. After discussion, the Board took no action regarding this item.

b. Pet Waste Removal Stations. Chaney Hicks obtained costs to purchase and install pet waste removal stations in the District. The Board discussed locations for installation of the station, including a post and the pet waste dispenser for the waste bags. President Halverson and Director John Kennedy offered to install the stations at no cost to the District. President Halverson moved to authorize expenditure of not-to-exceed \$400.00 for the purchase of two pet waste disposal units, from approved budget account 4197-Building Supplies; Director Kennedy second; motion carried.

AYES: Halverson, Magee and Kennedy.

NOES: None

ABSENT: Sites and Fawkes

ABSTAIN: None

c. 601 Barranca Sidewalk Issue. Chaney Hicks presented information and photographs regarding a sidewalk issue at 601 Barranca. She reported she had mailed a letter to the owners regarding the sidewalk issue which needs repair. Having received no response, she will send a certified letter and reach out again to the owner to get the issue resolved.

Adjournment.

The meeting was adjourned at 9:17p.m. upon a motion by Tim Halverson, second by John Kennedy; motion carried.

Submitted by:

/s/

Linda Stone, Board Secretary

Approved by Board: 11/19/13