



Peacock Gap Homeowners Association

www.PeacockGapHOA.org

MINUTES - BOARD MEETING SATURDAY OCTOBER 24, 2009 9 AM 12 SAN MARINO DRIVE

1. Call to Order - The meeting was called to order by the president at 9:00 am.
2. Attendance – Faulkner, Husby, Weigle, McBride, Colton, Isotalo, Lang, Brinck, Loucks.
3. Review and approve Minutes - Loucks moved, Isotalo seconded, that Board meeting minutes for the following dates be approved and transmitted to EBMC and posted on the Association’s web site:
 - May 6, 2009
 - August 5, 2009
 - September 23, 2009
 - October 5, 2009Motion approved unanimously.
4. 2010 Budget – the president proposed an association budget for 2010 that retains the 2009 assessment level of \$109, with line items largely unchanged from 2009 budget. Loucks moved, Isotalo seconded, to approve budget. Motion passed, 7 in favor, two opposed.
5. Nominating Committee – a nominating committee of Faulkner, Isotalo, and Husby was installed. After meeting, the committee unanimously recommended that the Board nominate Brinck, Kosloff, Loucks, McBride, O’Neill, and Weigle for Board members for the term from January 1, 2010, to December 31, 2011. Colton moved, Lang seconded that the Board adopt the committee’s recommendation and nominate the listed persons for the two-year Board term. Motion passed unanimously.
6. Quorum Requirement for Election of Association Board Members – president reported that the Association’s counsel recommended that the requirement be reduced from 50% to 33%. Brinck moved, Husby seconded that the quorum be so reduced effective immediately. Motion passed, 6 in favor, 2 opposed, 1 abstention. Formal resolution attached.

7. Determine election procedures - The president reported that for the first time in anyone's memory the number of candidates for Board positions exceeds the six positions available. In addition to the six candidates nominated by the Board committee, six other candidates have been nominated by petition, as provided in the Association's by-laws. He noted that due to the lack of contests, historically the Association has observed informal election practices, including votes by acclamation at the annual meetings. He recommended an election process based only on written ballots, to be mailed to EBMC or collected at the beginning of the annual meeting, consistent with past practices for proxies. The president's recommended election process was unanimously approved.
8. Requirements for Director Nominees - The Vice President reported that several nominees for Board positions are not members in good standing, that is, these nominees are delinquent on their annual assessments. He further recommended that such nominees be ineligible from holding office. The Chair of the Corporate Affairs Committee informed the Board that being a member in good standing is not a requirement for a Board position. The Vice President recommended, and all Board members present agreed, that the By-Laws should be changed to make it a requirement. Weigle provided a copy of the application required for a different HOA which requires that nominees be members in good standing and demonstrate qualifications, and recommended that it used as a guide for future Peacock Gap Board applicants.
9. Policy on Delinquent Accounts - The Vice President inquired about the Association's policy for delinquent accounts and was informed that such a policy is planned to be developed and implemented during 2010.
10. Schedule for Annual Meeting and Pre-Meeting Mailing. The following schedule was for our first contested election for members of the Association's Board of Directors and upcoming annual meeting:

ASAP: Letter to all Board candidates seeking Qualifications and Interest Statement

November 9: Mail Annual Meeting Announcement, Agenda, 2010 Budget, Peacock Newsletter, Proxy/Ballot¹ and Candidate Statements to members.

December 9, 7:30 pm, Peacock Gap Country Club
Annual Membership Meeting

11. Report from Medians Committee – the chair of the committee reported that the Association's agreement with the City of San Rafael was approved by the City Council on October 5, 2009. The Council and City officials have described this

¹ Copy of draft proxy/ballot attached to minutes.

partnership as model to be followed for other such projects in the city. On October 21, 2009, committee representatives met with the Department of Public Works, who are preparing engineering details for the bidding process, with work to commence soon thereafter. Design work is also underway for the monument and Peacock sign to be placed at the corner of Point San Pedro Road and San Marino Drive, which was a late-addition to the project. The Department is targeting completing the entire project by the end of 2009.

With a round of hearty applause, the Board expressed extreme gratitude for the nearly three-year volunteer effort put forward current and past committee members.

The Board agreed that a status report on the median project will be the highlight of the Annual Meeting.

12. Replacement Peacock emblem for monument sign at Peacock Drive - The president reported that a replacement peacock emblem has been purchased at an expense of over \$1,000 and will be installed soon. The expense will be turned in to our insurance with the expectation of reimbursement.
13. Next Meeting and Adjournment – the documents committee will meet before the November 9 mail out and the next full Board meeting will follow the annual membership meeting on December 9, 2009.
14. The meeting adjourned at 10:45 am.



Peacock Gap Homeowners Association

PROXY / BALLOT FOR ANNUAL MEETING WEDNESDAY, DECEMBER 9, 2009, 7:30 PM
PEACOCK GAP GOLF AND COUNTRY CLUB

PART I: APPOINTMENT OF PROXY

I/We appoint the Secretary of the Association, or
I/We appoint _____ as the attorney and/or agent
For the undersigned to vote according to the following instructions:

PART II: INSTRUCTIONS TO VOTE FOR BOARD MEMBERS (vote for no more than 6)

A. The following names are placed in nomination by the Board:

- Elise Brinck* 160 Peacock Drive
Ken Kosloff* 42 McNear Drive * Incumbent Board Member
Tom Loucks* 368 Riviera Drive
Alexis McBride* 271 Riviera Drive
Ed O'Neill* 186 Riviera Drive
Rosalie Weigle* 59 McNear Drive

B. The following names are placed in nomination according to the PGHA By Laws and Section 7520 of the Corporations Code and were received before the print date of this proxy. Note: nominations may be received up to 48 hours prior to the annual meeting; contact Trudy Morrison at Eugene Burger Management Corp. (415) 893-1706 to submit a nomination.

- David Bloom 8 Flamingo Lane
Richard Cooper 328 Riviera Drive
Debbie DiGiovanni 173 San Marino Drive
Ray Hamm 339 Riviera Drive
Tom Holmes 161 San Marino Drive
Andrew Stokes 52 San Marino Drive

C. If you wish to write-in candidates, blank spaces are provided below:

Blank lines for write-in candidates

D. Or you may abstain from voting but file your proxy by checking this box _____.

I understand this proxy is solicited by the Board of Directors and that in the absence of contract specifications, if the Proxy is given to the Secretary of the Association it will be voted according to the wishes of the majority of the existing Board of Directors. I am also aware that if I choose I may give the proxy different instructions according to those options listed above. Further, this may be revoked by written notice to the Board, or in person, at any time prior to the start of the above referenced meeting or any adjournment thereof if such adjournment is within 30 days of the above date. Otherwise it will expire.

Signature of Member Printed name of Member Date

Address Phone or email address

One vote per address. This proxy must be received at the offices of EBMC no later than Monday December 7 or bring it to the Annual Meeting. THIS PROXY IS PRE-ADDRESSED ON THE REVERSE SIDE

PEACOCK GAP HOMEOWNERS ASSOCIATION
EBMC
384 Bel Marin Keys Blvd. Suite 210
Novato, CA 94949-5362

Attn: Trudy Morrison