

ISSUE

09

January/February/March
2020

Placer Canyon View

UPDATES FROM
YOUR
HOA BOARD

Know your Board

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RIVERSIDE PROPERTY MANAGEMENT SERVICES

Celeste Comings
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Roseville, CA 95661
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Placer Canyon View
Homeowners Association



this issue

Riverside Management

Things to Know About
Homeowner Associations

Riverside Management Company

What does Riverside do for us? Our HOA has depended on the services of Riverside Management & Financial Services since we were established as a Planned Development in 2001. They assist in the preparation of budgets and reserve studies, collect monthly dues payments, provide financial reports, supervise regular maintenance and capital improvements, assist in the enforcement of the governing documents, and handle routine correspondence with owners and vendors. They also attend some Board meetings.

Riverside believes that Community Association Management is about relationships as much as it is about budgets, buildings, landscapes, parking, and pets. They understand that a community thrives on the quality of its relationships: the relationship between the Board and the homeowners, the relationship between the Board and management, the relationship between management and the homeowners.

www.riversidemgmt.com

Things to Know About Our Homeowners Association

Did you know that buying into a planned development HOA automatically requires you to join the community's HOA and pay its fees to help cover the upkeep of common areas and shared structures? Of course you know as your HOA Assessments are paid monthly. In Placer Canyon View our entry monument requires upkeep as well as landscaping, painting and water. We have two common areas requiring weed abatement that are accented with split rail fencing. Canyon View is located in the Unincorporated area in Placer County and as a result, we are responsible for fire and slope control in the open space area adjacent to the project and split rail fencing located along the cul-de-sac on Harlequin Way and Sierra Sunrise Way west of lot 15. As a common-interest subdivision, also known as a planned development HOA. The common areas are maintained by our incorporated owners association. Did you realize that the California Department of Real Estate oversees our management company including audits and that we are subject to California Corp Laws?

www.dre.ca.gov/Publications/RealEstate

HOA Newsletter

add your input...

Please submit interesting photos and/or suggestions for information that you would like to appear in our newsletter to our Board President. The next edition will be published for April/May/June. Your input is valued.



Homeowners Association Education

Documents Committee

The President's Message

Documents Committee Update

Members of the Documents Committee include Ken MacHold, Jenyne Weingart, Don Baker, Cathy MacHold, and Ed Calkins. We received valuable input from several community members. As a result, the committee convened to address member comments and suggestions. The work is on-going with nothing final to report. The community voice is an important aspect of our community. Document updates and will be addressed when the time is appropriate to do so.

Since the Architectural Rules are impacted by the CC&Rs and Bylaws, they will be finalized once the CC&Rs and Bylaws are completed and approved by the HOA.

Next Board Meetings

June 7, 2020 @ 4:00 PM

Auburn Library Beecher
Room

350 Nevada Street
Auburn, Ca. 95603

The President's Message

Some history about our HOA. On November 21, 2001, Robert C. Mueller, Trustee and current owner of Lot 26, was granted a Final Subdivision Public Report Planned Development (File No: 105297SA-F00) for Tract No. 850 Placer Canyon View from The Department of Real Estate of the State of California. What I'd like to do here, is provide all homeowners with the **Special Notes** included within the original document. When reading this keep in mind the intention and date it was written. Some information remains pertinent and some is out of date. A scanned original is available by request.

1. This Report Covers Lots 1-33, Inclusive. (The report is completely written in hypertext)
2. If you have received a preliminary public report for this subdivision, you are advised to carefully read this final public report since it contain information this is more current and probably different from that included in the preliminary report.
3. Your attention is especially directed to the paragraphs below entitled: soil conditions, fire protection, hazards, maintenance and operational expenses, building permit, sewage disposal and uses and zoning.
4. This project is a common-interest subdivision of the type referred to as a planned development. It includes common areas and common facilities which will be maintained by an incorporated owners association.
5. The association has the right to levy assessments against you for maintenance of the common areas, amenities and facilities, and other purposes. Your control of operations and expenses is limited to the right of your elected representatives to vote on certain provisions at meetings.

Architectural Control Committee Members

Lead, Cathy MacHold
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Letters to The Board

Provide feedback to help improve the overall association. Submit your comments and concerns by the first of every month to any Board member.



Thank you to the Wilson's.

Placer Canyon View

Homeowners Association



Homeowners Association Education

President's Message Continued

The President's Message Continued

6. Since the common area improvements, amenities, and facilities will be maintained by an association of homeowners, it is essential that this association be formed early and properly. The association must hold the first membership meeting and election of the association's governing body within six months after the closing of the sale of the first subdivision interest under the first public report for the subdivision. However, in no event shall the meeting be held later than six months after the closing of the sale of the first subdivision interest. (Regulations 2792.17). The association must also prepare and distribute to all homeowners a balance sheet and income statement. (Just a comment here. The first governing body included Carolyn Cordano, Tim Glidden, Michael Murphy, Robert Mueller, Paul Ruud and Cathy MacHold)

7. The sub-divider must pay assessments to the homeowners association for all unsold lots. The payments must commence on the first day of the month after sub-divider conveys the first subdivision interest in this project. (Regulations 2791.9 and 2791.16)

8. The sub-divider must maintain and deliver to the homeowners association the specific records and materials listed in Real Estate Commissioner's Regulation 2792.23 within the stated time period. These records and materials directly affect the ability of the homeowners association to perform its duties and responsibilities. (Refer to Section 11018.5 of the Business and Professions code and Section 1363 of the Civil Code).

9. The sub-divider must provide you with a copy of the Articles of Incorporation, Bylaws, and Covenants, Conditions and Restrictions prior to close of escrow. These documents contain numerous material provision that substantially affect and control your rights, privileges, use obligations, and costs of maintenance and operation. You should read and understand these documents before you obligate yourself to purchase a lot. (Section 11018.6 Business and Professions Code.)

10. The sub-divider stated he will furnish the current Board of Officers of the homeowners association and each individual purchaser with the Department of Real Estate reviewed association budget.

11. The subdivider has indicated that he intends to sell all of the lots in this project; however, any owner, including the subdivider, has a legal right to rent or lease lots.
12. If you purchase five or more subdivision lots from the subdivider, the subdivider is required to notify the Real Estate Commissioner of the sale. If you intend to sell your interests or lease them for terms longer than one year, you are required to obtain an amended subdivision public report before you can offer the interest for sale or lease.
13. **WARNING:** When you sell your lot to someone else, you must give that person a copy of the Declaration of Restrictions, Articles of Incorporation, The Bylaws and a True Statement concerning any delinquent assessments, penalties, attorney's fees or other charges, provided by the restrictions or other management documents on the lot as of the date the statement was issued.

NOTE: If you forget to do this, it may cost you a penalty of \$500.00-plus attorney's fees and damages (see Civil Code Section 1368).

The subdivider must make available to you, copies of the association governing instruments, a statement concerning any delinquent assessments and related charges as provided by the governing instruments and, if available, current financial and related statements (see business and professions code section 11018.6).

Interests to be Conveyed: You will receive fee title to a specified lot together with a membership in the Placer Canyon View Homeowners Association and rights to use the common area.

Location and Size: This subdivision is located in Placer County at Sierra Sunrise Way and Lincoln Way, approximately 1 mile north of Auburn, California.

This is a single phase project which consists of approximately 14.82 acres divided into 33 lots.

Management and Operation: The Placer Canyon View Homeowners Association, of which you become a member at time of purchase, manages, maintains and operates the common area(s) in accordance with the Covenants, Conditions and Restrictions, Articles of Incorporation, and the Bylaws.

Maintenance and Operational Expenses: The subdivider has submitted a budget for the management, maintenance and operation of the common areas and for long-term reserves. This budget was reviewed by the Department of Real Estate in September 2001. You should obtain a copy of this budget from the subdivider. Under this budget, the monthly assessment against each subdivision interest will be \$26.10 of which \$.94 is a monthly contribution to long-term reserves and is not to pay for current management, maintenance and operating expenses.

The utility rates used for the calculations within this budget are based on information available at the time of the budget review date (as shown above). Increases in regular assessments or special assessments may be required as a measure to provide adequate funds to compensate for potential utility rate increases. Purchasers should be aware of the possible effect these increases may have on their homeowner assessments.

If the budget furnished to you by the developer shows a monthly assessment figure which is at least 20% more or at least 10% less than the assessment amount shown in this public report, you should contact the Department of Real Estate before entering into an agreement to purchase.

The association may increase or decrease assessments at any time in accordance with the procedure prescribed in the Restrictions or Bylaws. In considering the advisability of a decrease, (or a smaller increase), in assessments, care should be taken not to eliminate amounts attributable to reserves for replacement or major maintenance.

The budget information included in this public report is applicable as of the date of budget review as shown above. Expenses of operation are difficult to predict and even if accurately estimated initially, most expenses increase with the age of facilities and with increases in the cost of living.

Monthly assessments will commence on all lots on the first day of the month following the conveyance of the first subdivision interest.

The remedies available to the association against owners who are delinquent in the payment of assessments are set forth in the Restrictions. These remedies are available against the subdivider as well as against other owners.

The subdivider has posted a bond as partial security for the obligation to pay these assessments. The governing body of the association should assure itself that the subdivider has satisfied these obligations to the association with respect to the payment of assessments before agreeing to release or exoneration of the security.

TITLE: A preliminary (title) report shows title, among other things, to be subject to:

- Lack of rights of access to and from the freeway, said rights have been released and relinquished, except at a location specifically designated in Deed to the State of California recorded January 16, 1964, in Book 998, page 4, Official Records.
- Waiver of any claims for damages to said property by reason of the location, construction, landscaping or maintenance of the freeway adjoining said property as contained in the Deed to the State of California recorded June 07, 1972, Book 1422, page 384, Official Records.
- The Terms, Conditions and Provisions as contained in the agreement entitled "Easement Agreement (Fire control and monitoring)", by and between American Land Conservancy, A California Nonprofit Public Benefit Corporation, Grantor, and DUSA, A California General Partnership Formerly known as DIBITEN USA, Grantee Dated November 15, 1999, Recorded November 15, 1999, as Instrument No. 1999-0098684, Official Records.
- Provisions and Conditions set forth in the "Notes" of the Following Map:

MAP: TRACT NO. 850, CANYON VIEW SUBDIVISION

REFERENCE IS MADE TO A COPY OF SAID MAP FOR FURTHER PARTICULARS.

EASEMENTS: Easements for public utility, multi-purpose, drainage, sewer, slope, landscape, emergency access and other purposes are shown on the title Report and Subdivision Map recorded October 27, 2000 in the Office of Placer County Recorder, Book W of Maps, Page 79.

RESTRICTIONS: This subdivision is subject to Restrictions recorded in the Office of the Placer County Recorder, on October 27, 2000, as Document No. 2000-0081300.

To secure financing for this subdivision acceptable for acquisition by (Federal National Mortgage Association) and (Federal Home Loan Mortgage Corporation), it has been necessary for the subdivider to incorporate into the Declaration of Covenants, Conditions and Restriction and other Management Instruments, provisions which give the mortgage lender a voice in the affairs of the Homeowner's Association and in the Management and Operation of the Subdivision which a lender does not ordinarily have.

For Information as to your obligations and rights, you should read the restrictions. The subdivider must make them available to you.

USES AND ZONING:

North, east – Open Space

South -- Residential

West --Commercial

- Auburn Airport is located approximately 2 miles to the northeast.
- Helicopter landing pad is located adjacent to the northeast.

HAZARDS: The following hazards exist within or near this development:

- Interstate 80 is located approximately 1,000 feet to the west.
- Railroad tracks are located approximately ½ mile to the west.
- American River is located approximately 1 mile to the east.

TAXES: The maximum amount of any tax on real property that can be collected annually by counties is 1% of the full cash value of the property. With the addition of interest and redemption charges on any indebtedness, approved by voters prior to July 1, 1978, the total property tax rate in most counties is approximately 1.25% of the full cash value. In some counties, the total tax rate could be well above 1.25% of the full cash value. For example, an issue of general obligation bonds previously approved by the voters and sold by a county water district, a sanitation district or other such district could increase the tax rate.

The total property tax rate for the subdivision is 1.02% for tax year 2000/2001.

For the purchaser of a lot in this subdivision, the full cash value of the lot will be the valuation, as reflected on the tax roll, determined by the county assessor as the date of purchase of the lot or as of the date of completion of an improvement on the lot if that occurs after the date of purchase.

ASSESSMENTS: This subdivision lies within the boundaries of County Service Area (CSA) No. 28 – Zone 166 and is subject to any taxes, assessments, and obligation thereof. This district was formed to provide street maintenance including street lighting, street sweeping/vacuuming; storm drainage maintenance for facilities located within public easements including structural storm water quality enhancement facilities (BMPS); and collection of fees for regional storm drainage facilities and parking maintenance. The District budget for each fiscal year will be based upon the actual costs provided for in the awarded contract for these services. This means assessments can fluctuate from year to year as contracts expire. As of the date of the Public Report, it is anticipated the projected 2000-2001 assessment for each residential unit within this development will be \$143. The administration of this district will be provided by the County of Placer.

Note: In regards to the County Service Area mention above, the CC&Rs advises as follows:

Section 5.03 (h) Association Maintenance Obligations: The Association shall have no maintenance responsibilities as to the CSA Maintenance Areas(s) until such time as the County Service Area ("CSA"), as such CSA as described in this Declaration, is legally terminated. At such time as the CSA is terminated, the Association shall accept the responsibilities of and assume the duties previously performed by the CSA which are more particularly described in Section 5.03.

CONDITIONS OF SALE: If your purchase involves financing, a form of deed of trust and note will be used. The provision of these documents may vary depending on the lender selected. These documents may contain the following provisions:

Acceleration Clause: This is a clause in a mortgage or deed of trust which provides that if the borrower (trustor) defaults in repaying the loan, the lender may declare the unpaid balance of the loan immediately due and payable.

Due-on Sale Clause: If the loan instrument for financing your purchase of an interest in this subdivision including a due-on-sale clause, the clause will be automatically enforceable by the lender when you sell the property. This means that the loan will not be assumable by a purchaser without the approval of the lender. If the lender does not declare the loan to be all due and payable on transfer of the property by you, the lender is nevertheless likely to insist upon modification of the terms of the instrument as a condition to permitting assumption by the buyer. The lender will almost certainly insist upon an increase in the interest rate if the prevailing interest rate at the time of the proposed sale of the property is higher than the interest rate of your promissory note.

A Balloon Payment: This means that your monthly payments are not large enough to pay off the loan, with interest, during the period for which the loan is written and that at the end of the loan period, you must pay the entire remaining balance in one payment. If you are unable to pay the balance and the remaining balance is a sizeable one, you should be concerned with the

possible difficulty in refinancing the balance. If you cannot refinance or sell your property, or pay off the balloon payment, you will lose your property.

A Prepayment Penalty: This means that if you wish to pay off your loan in whole or in part before it is due, you must, in addition, pay a penalty.

A Late Charge: This means that if you fail to make your installment payment on or before the due date, or within a specified number of days after the due date, you, in addition, must pay a penalty.

The subdivider may assist you in arranging financing from a federal or state regulated lender which will make loans that allow the interest rates to change over the life of the loan. An interest rate increase ordinarily causes an increase in the monthly payment that you make to the lender. The lender will provide you with a disclosure form about the financing to assist you in evaluation of your ability to make increased payments during the term of the loan. This disclosure form will be furnished to you at the time you receive your loan application and before you pay a non-refundable fee.

Before signing, you should carefully read and thoroughly understand all loan documents.

Purchase Money Handling: The subdivider must impound all funds received from you in an escrow depository until legal title is delivered to you, except for such amount as the subdivider has covered by furnishing a bond to the State of California. [Refer to Business and Professions Code Sections 11013, 110131.1 and 11013.2(a).]

If the escrow has not closed on your lot within three (3) months from the date of escrow opening, you may request the return of purchase money deposit.

Soil Conditions: Some lot have or will have fill in excess of 2 feet. Information concerning filled ground, geologic and soil conditions is available at the Placer Department of Public Works, 11444 B Avenue, Auburn, CA. 95603.

Geologic Conditions: The uniform building code, appendix chapter 33, provides for local building officials to exercise preventive measures during grading to eliminate or minimize damage from geologic hazards such as landslides, fault movements, earthquake shaking, rapid erosion or subsidence. This subdivision is located in an area where some of these hazards may exist. Some California Counties and Cities have adopted ordinances that may or may not be as effective in the control of grading and site preparation.

Purchasers may contact the subdivider, the Subdivider's engineer, the engineering geologist and the local building officials to determine if the above-mentioned hazards have been considered and if there has been adequate compliance with appendix Chapter 33 or an equivalent or more stringent grading ordinance during the construction of this subdivision.

Water: The Placer County Water Agency advises that it supply water service to each lot.

Fire Protection: The Placer County Fire Department in cooperation with the Department of Forestry and Fire Protection Nevada-Yuba-Placer Unit advises as follows:

1. This project is within the boundaries of the land classified as Non-State Responsibility Area (SRA).
2. The project is serviced by California Department of Forestry and Fire Protection.
3. The closest CDF fire station is less than a mile from the project and located at 13760 Lincoln Way, Auburn.
4. CDF/Placer County Fire Department recently received and ISO Dwelling 6/9 insurance rating for this area.
5. Water Supplies and hydrants are provided by the developer and meet the current Placer County Fire flow requirements for a subdivision this size.
6. Defensible Space Standards shall be met pursuant to PRC 4291 for lots exceeding one acre. This area contains Oak and Pine trees with areas of dense brush and annual grasses. The minimum 30' fire Safe Setback requirements of PRC 4291 should be increased to 100' on downslope sides of dwellings. This can be accomplished with a modified Shaded fuel break.

Gas and Electricity: Pacific Gas and Electric Company 800.743.5000.

Telephone: Pacific Bell 800.510.2355.

Sewage Disposal: You will be required to pay costs for connection to sewer service. The Subdivider estimates the cost to be \$4,440 per lot.

The service charge per lot will be \$38.75 per month.

Building Permit: If you purchase a vacant lot within this subdivision, you will be required to obtain a building permit and pay all applicable fees prior to construction. These fees may include, but may not be limited to the following: schools, sewer, water, drainage, traffic mitigation, park, infrastructure, etc. Vacant lot purchasers should contact the local building and planning departments for the current list of fees and other requirements prior to purchasing a lot. Purchasers of vacant lots should realize, however, that these fees and requirements could change.

The Subdivider's engineer advises as follows:

In the Conditions of Approval for the Canyon View Subdivision, Condition 16Z states: "The lot owners are to be notified that alternative types of foundations are required on all lots." The intent of this condition is to limit the amount of site grading required for the house construction by the utilization of raised footings and stem walls. The cost impact of these footing and stem walls are dependent upon the design of each house, lot, etc. and cannot be estimated at this time.

Streets and Roads: The streets (Sierra Sunrise Way, Finch Court and Harlequin Way) are public, but maintenance of these roadways are by County Service Area (CSA) No. 28, Zone 166.

Schools: This project lies within the Ackerman Elementary School District and Placer Union High School District.

- The Ackerman Elementary School District advises the school initially available to this subdivision is:

Bowman School (K-8)
13777 Bowman Road
Auburn, Ca. 95603
530.885.1974

This development is subject to the following fees:

Statutory fees currently authorized by Education Code Section 17620 (also known as "Level I" fees) were increased by the State Allocation Board at their meeting on January 26, 2000 and adopted by the local school board. The current Sterling Fee for residential development is two dollars and five cents (\$2.05) per square foot and is split between the high school district and feeder elementary school districts. The Ackerman Elementary School District's portion of this fee will be one dollar and twenty-three cents (\$1.23) per square foot.

It is foreseeable that Level III fees may be levied if State funds are not available and if the State Allocation Board is no longer approving apportionments for new construction. In this event, provisions of Government Code 65995.7 will prevail, authorizing collection of the increased fee.

Therefore, the current mitigation agreement in place will determine the fees that are required for payment to the district prior to the issuance of a building permit. The district Office of the Ackerman Elementary School district is located at 13777 Bowman Road, Auburn. The telephone number is (530) 885-1974.

These fees are due and payable to the Ackerman School District prior to issuance of a building permit and are used to provide classrooms and support facilities for new students.

- The Placer Union High School District advises the school initially available to this subdivision is

Placer High School (9-12)
275 Orange Street
Auburn, CA 95603

The Placer Union High School District is currently overcrowded and operating at 136% of capacity. Placer High School, which would provide service to this development, is operating at 129% of capacity. Although the law requires the District to serve any eligible pupil residing within the District and does not allow the denial of a Will-Serve Letter on the basis of insufficient seats for students generated by new construction, this development will have an adverse impact on the schools.

The Placer Union High School District does not have the financial capability to construct and furnish needed school facilities created by new development. Although the District recently passed a school bond, the facility needs of the District exceed the bond amount. In addition, the State requires districts to provide a “local match” in order to qualify for state funds.

Due to overcrowding at each school, the District may have to change attendance boundaries and/or bus students from one school to another. Transportation will be provided to the high school for a nominal fee per District policy. However, if this project is within two miles of the high school, transportation will be the responsibility of the parents and/or guardians of the student(s).

You may also be required to provide a school bus turnout/shelter on the project site. Please contact Mid-Placer Public Schools Transportation Agency, at (530) 823-4820 to determine if a bus turnout will be required at your project location. You will need to provide written notification from Mid-Placer Transportation as to their determination prior to the District completing a Certificate of Compliance. Please contact them as early as possible in the process so as not to delay approval of the project.

Any construction on the property would be subject to the following fees:

Statutory fees currently authorized by Education Code Section 17620 (also known as “Stirling Fees”) were increased by the State Allocation Board at their meeting of January 26, 2001. Upon adoption by local school boards, the current Stirling Fee for residential development will be two dollars and five cents (\$2.05) per square foot and is split between the high school district and feeder elementary school districts. The high school district’s portion of this fee will be seventy-seven cents (77¢) per square foot.

The District is currently conducting a Needs Assessment that may result in the levying of Level II fees in accordance with the provision of Senate Bill 50 and Government Code § 65995. This fee, if adopted, will be higher than the statutory fee currently being charged.

Stirling fees are required to be paid to the district prior of issuance of a building permit and are used to provide classrooms and related facilities. The district office is located at 13000 New Airport Road in Auburn.

This school information was provided prior to the date of issuance of this public report and is subject to change. For the most current information regarding school assignments, boundary changes, facilities and bus service, purchasers are encouraged to contact the above school districts.

If you need clarification as to the statements of this Public Report, or if you desire to make arrangements to review the documents submitted by the subdivider which the Department of Real Estate used in preparing this Public Report, you may call (916) 227-0813.

Ken MacHold
HOA President

HOA Newsletter

add your input...

Please submit interesting photos and/or suggestions for information that you would like to appear in our newsletter to our Board President.



Placer Canyon View

Homeowners Association



NO TRESPASS LETTER OF CONSENT

About

If you are encountering trespassing issues on your property, the Sheriff's Office offers a "No Trespass - 602" program that allows deputies to respond to your property and address trespass complaints without you needing to be present every time.

By filling out the [request form \(PDF\)](#) and complying with posting requirements, the Placer County Sheriff's Office is able to act, in absence of the owner, for purposes of enforcing laws against any person found on the private property without the owner's consent or lawful purpose.

This is an extremely useful tool and is strongly recommended for vacant properties, vacant lots, businesses or any properties upon which public nuisance activity and/or crime problems, including transient activity, drug activity, graffiti, or general trespass, are occurring.

For more visit:

<https://www.placer.ca.gov/2316/No-Trespass-Letter-of-Consent>

You can't go back and change the beginning, but you can start where you are and change the ending.

C.S. Lewis

Homeowners Association Education

Additional Information from Board Members

An Update Board Secretary,

Dick Freeman

Election Rules as defined by SB323

As of the first of January 2020, the Election rules have changed. Senate Bill 323 has made the election process longer and more complicated. The election cycle starts 105 days before the day that the votes are counted. We are well into the process. There are action items that must occur at the 30, 60 and 90 day intervals throughout the process. So far the Chairman of Elections and the Inspector of Elections has been appointed by the board. The new election rules have been adopted by the board and distributed to the community. The individuals who would like to run for the board have sent their letter of intent to run and a candidate statement to Riverside Management and the Chairman of Elections. Remaining action items to be completed by April 1st are to send a list of the candidates as well as the date and time of where ballots are to be returned and where ballots are to be counted. Remaining action items to be completed by May 1st are to distribute the ballots and envelopes by individual mail. The voting window closes on June 5th and the ballots will be opened and counted at the June 7th Annual Board Meeting. The winners of the two director positions will be announced after the ballots have been counted. The candidate for the two open Director positions in this year's election are Peter Easton, Dick Freeman, Steve Laskey and Mile Wilson.

