

From: Ron Codd, President Lake Combie Association

Sent: 8 June 2011

Subject: Summer Picnic and LCA Updates

Dear Member,

Happy Summer! I think we may have finally turned the corner on the weather front and can begin to enjoy warm weather, uninterrupted sunshine and hopefully, without a big delay, warmer lake temperatures. Of course, all of this is not a forecast or a guarantee, and you should consult your own weather advisor before entering into any summer recreational commitments, that is, except for our annual picnic!

Please join us for this fun and important event! The picnic will be held in my back yard/beach area on Saturday afternoon, June 25th. My lot is near the center of the big cove on the Nevada County side of the lake (recently reconstructed). Our street address is 13399 Lakeview Place, and there is plenty of room for parking if you drive or mooring your boat if you come by water. We have the following tentative activities planned for the picnic which officially starts at 3pm:

- 1) A barbeque of course! Between Suburban Propane and the LCA, we will provide beverages, paper and plasticware, and barbequed burgers and hot dogs. We ask that each member family bring a dessert or salad or side dish of some sort that can be shared family style.
- 2) The annual LCA meeting. On the agenda is an update about lake related activities including the dredging, encroachment permitting process, current LCA board initiatives, annual board and officer elections, and other misc items.
- 3) Attorney Q&A – The LCA has retained an attorney to advise us on all matters related to the lake that are general (rather than lot specific) in nature. We have tentative plans to have our attorney attend the meeting and along with a member of our board, hold a general Q&A session with the membership. This has to be firmed up, but we are hopeful this session will offer an opportunity for our members to ask general (not lot specific) questions about our rights and obligations as lakeside homeowners, and about NID's rights and past and proposed actions.
- 4) Nautique demo – For those confirmed skiers in the community, we are planning during the weekend (though we are not certain of the time or even whether it will be Saturday or Sunday) to have a 2011 Ski Nautique available for a demo ride, drive or tow.
- 5) Suburban propane presentation – The folks at Suburban will be assisting us with the barbeque, and will make a brief presentation on the LCA Suburban propane program for members.
- 6) Recreation – We'll have horseshoes, volleyball and some other games available for those interested.

Please join us for this fun and informative annual picnic! So that we can get a good estimate of the number of attendees, please let us know at the following link if you will attend and how many people will be in your party president@lakecombielca.com. If you have no access to email, please leave a message at 925-256-4252.

Now, on to a few other important updates.

Annual dues. We have reset the annual dues for LCA membership at \$75 for the new fiscal year (this is the period from July 1 to June 30, 2012). We are moving back to this rate for two major reasons: 1) We have been working hard as a board to add more value to members through a variety of means, and hope you will agree that you are getting better value through our efforts; and 2) As noted above, we have engaged an attorney to assist us with legal advice on our strategy in engaging with NID and on the permitting process specifically. Although we have reduced various other expenses of the association (ie insurance), the retention of a legal advisor is not a trivial addition to our expenses, and as a consequence, for at least the time being we need to increase the Association's income to offset this expense.

As for the dues payment process, we have made some changes to make this much easier for you and our administration. Beginning immediately, you can pay your dues online via a credit or debit card at our website www.lakecombielca.com (there is a secured page linked to our home page where you can safely make this payment). The Association is using a third party to facilitate this payment, and we will not store your credit or debit card information. We would greatly appreciate it if you would take the time now, while you are thinking about it, to go to our site and make this payment. If you are unable to pay online, we would appreciate it if you could bring a check for the dues to the picnic, or, as a last resort, mail a check to our PO Box this month so that our administrative and accounting efforts can be minimized.

Although we will discuss the encroachment permitting process more during the annual meeting, I want to update you all on the current status. As you know, your Board has been working with NID on the encroachment process that they initiated in December of last year. We have been back and forth with NID personnel on a few occasions, and this process was originally scheduled to be finally approved at the April NID board meeting. Two of our board members attended that meeting, and we made only a brief statement at the meeting requesting a postponement in light of late breaking changes to the document proposed by NID. We then had an extended sidebar discussion with Peggy Davidson around some concerns we had surrounding this process. For various reasons, the board did elect to postpone action on this agenda item at that time, and they are now proposing to finalize the encroachment permit process at the upcoming June 22nd meeting. The current proposal from NID remains a form with a limited set of instructions, rules and procedural guidelines. There is very little in terms of actual standards that define either what is an acceptable or unacceptable encroachment, or what is a standard versus non-standard encroachment. We have however made some progress in moving the proposal to a more acceptable arena. For starters, NID has agreed (without specificity though) that stairs, walkways and footpaths to docks will be considered as included with the permitted dock. Therefore, no separate encroachment permits or fees will be required for pedestrian access to the lake. They had also originally proposed to make the ski course a disallowed encroachment, and have backed off of that following our pushback. They had also originally proposed that encroachment permits would expire upon sale of the homeowner's property, but have also now backed off of that. However, there are still a few problematic areas of the proposal. 1) They are still proposing that homeowners will be responsible for removing encroachments at their own expense if such encroachments are either disallowed

initially, or are later deemed objectionable by NID on safety or other grounds. We are sure many homeowners are not responsible for the creation or construction of some encroachments on or near their property line. Therefore, such homeowners have no legal obligation to remove the encroachments now or in the future, except through undertaking this obligation via the encroachment permit. Furthermore, NID has not established a proposed process for permitting, or established detailed encroachment standards. The problem with this is that you might apply for a permit and pay some one-time fees, only to find out that your encroachment had to be removed. We want to understand this process better, and have proposed to NID that no fees are due if no permit is issued. Finally, we want a clause placed in the permit that states simply that the permit does not otherwise change our rights as they relate to access to, and recreational use of, the lake.

We'll update you on this process further at the annual meeting.

As part of the annual picnic, we will be holding the usual annual election of board members. As I noted previously, we had two board members planning to resign at the end of their term this month. Unfortunately, despite my prior communication to you all on the need for new volunteers to step forward and take on a board role, I am disappointed to report that we received zero nominations. Now, one of the two members of our board who were planning to retire has agreed to server another year. The other board member who is also our Treasurer is unable to continue serving for personal reasons. Thus, we still need a volunteer to step forward and take on a board seat and hopefully the Treasurer's role. Folks, this is a volunteer organization, and its existence depends on the efforts of individuals within the community. I for one have served on this board for nearly 10 years. Surely there are a few out there who can put in a few years of effort on the Associations behalf. If we are lucky enough to get two volunteers, we can still let our other long serving board member off the hook as well.

I look forward to seeing you at the picnic!

All the best,

Ron Codd
President, LCA