

**MUTUAL 61
SPECIAL BOARD MEETING MINUTES
APRIL 22, 2023**

Meeting called to order at 8:10am

ROLL CALL – Bob LaSala

Present – Bob LaSala, Mike Burke, Marc Giammona, Janet Hillier, Sally Bush

BOARD REPORT

PRESIDENT – Bob LaSala

This Special Meeting of the Board is to discuss a Mutual 61 Landscape and Architectural Change Request application submitted by the owners of 6301 Horsemans Canyon Drive, William and Judith Leckonby, to the Landscape Committee and forwarded on to the Board.

COMMITTEE REPORT

LANDSCAPE COMMITTEE – Brian Hillier, Chair

Brian Hillier reported that he and Bob LaSala met with William and Judith Leckonby, in person on April 7, 2023 regarding the matter of the Leckonbys allowing their dogs to be off-leash in an area around their home. In that meeting, Brian and Bob discovered that the Leckonbys had installed an electric/invisible fence surrounding their home as a way to keep their dogs within a certain distance around the property.

Following the in-person meeting, William and Judith Leckonby submitted the Landscape Change Request to the Landscape Committee to obtain approval for the retention of prior installation of the electric/invisible fence which was installed without obtaining approval. The application included a detailed explanation as to why they should be held exempt from the dog leashing rules within our mutual citing that the fencing technique was a suitable way of containing their dogs.

Upon receipt of the application, Brian Hillier inspected the property where the electric/invisible fence was installed, and found the following:

- The fence is not invisible
- The fence consists of two black wires installed by laying down wire on the ground
- The fence wires go well into common area up the hill and down the hill to the front and side of their lot encompassing a very large area well beyond the limits of their lot

Brian Hillier met with the Landscape Committee where they discussed the rules and the use of common area as well as perceived issues with allowing dogs off leash in our Mutual. The Landscape Committee immediately resolved to deny the Leckonby's application and asked for the immediate removal of the fence.

Brian Hillier was excused from the meeting at 8:35am to allow the Board to meet in private for further discussion and vote.

BOARD DISCUSSION AND FINDINGS

- There are several citations in the Mutual 61 CC&Rs and Rules and Regulations that disallow an installation of this nature
- The fence is perceived hazard for Landscape Personnel as well as for Rossmoor residents walking in the common areas of our Mutual
- The issue is “cut and dry” with regards to the number of safety violations that the fence is presenting to Mutual 61 and our residents

MOTION

Bob LaSala moved that the Mutual 61 Board deny the owners of 6301 Horsemans Canyon Drive their Landscape Application change request of 4/15/2023. Findings of fact that are utilized in terms of the motion are:

CC&R's: 1.11, 1.19, 3.5, 4.13.2, 4.13.4, 4.14

Rules and Regulations: Page 2 “Alterations to Mutual Common Area” and Page 23 “Pets”

Janet Hillier seconded the motion and the motion passed unanimously.

Roll Call taken on the unanimous vote, and Board members present are Bob LaSala, Mike Burke, Marc Giammona, Janet Hillier, Sally Bush

Meeting adjourned at 8:47a