

MARINA HILLS PLANNED COMMUNITY ASSOCIATION
BOARD OF DIRECTORS MEETING MINUTES
GENERAL SESSION – December 9, 2009

BOARD OF DIRECTORS PRESENT: Loretta Pierce
Chuck Johnston
Vito Ferrante
Jeff Taylor

BOARD OF DIRECTORS ABSENT: Jim Sabatello

MANAGEMENT REPRESENTATIVE: Kim Hockings
Keystone Pacific Property Management,
Inc

ISSUES DISCUSSED IN THE DECEMBER 9, 2009 EXECUTIVE SESSION MEETING

The following items were discussed during the December 9, 2009 Executive Session meeting:

- A. Executive Session minutes from the November 11, 2009 meeting were approved.
- B. Delinquent accounts.
- C. Homeowner fine reversal request
- D. Violation matter.
- E. Held hearings.

CALL TO ORDER

The General Session meeting of the Marina Hills Planned Community Association Board of Directors was called to order by Board Vice President, Chuck Johnston at 6:00 P M at the Marina Hills Clubhouse, 31461 Parc Vista in Laguna Niguel, California.

LANDSCAPE REPORT

Amy Crapo from Villa Park Landscape was present and reported the following:

Maintenance Items:

- The slopes on Corfu, Sitges, Chandon, Parc Vista and at the recreation center were detailed.
- All the drains and v-ditches are being checked frequently to make sure they are draining properly.
- Cleaning after the storm is underway and will be completed this week. We lost a total of ten trees.
- Plant material around the tennis courts was trimmed 3 feet away from the fence.

Tree Trimming:

- The trees on the middle islands along Marina Hills Drive were trimmed.
- Pine trees on Parc Vista, Denia, Son Serra and Anacapri were trimmed.
- Eucalyptus trees along Marina Hills Drive will be trimmed this month. Pine trees will be completed this month.

- Trees lost during the windstorm have been removed.

Irrigation Items:

- Due to the rain, the irrigation system is off, including the Marina Hills Drive middle islands.
- Two major leaks were repaired on Merano and the Salt Creek Trail on Niguel Road.
- Three irrigation valves were replaced and twelve valves were repaired.
- Three satellite controllers were repaired.
- Central system is working properly and communicating.
- System will remain off until water is needed.

DELEGATE REPORTS

Vacant, Monaco

George Webster, Bel Fiore – Not present.

Manny Piceno, Terracina – Not present.

Andrew Kienle, Vistara – Not present

Larry Buss, Chandon – Not present.

Gaby Buscher, Amarante – Not present.

Calvin Stewart, Siena – Not present.

Carol Albert, Cabo Del Mar – Not present.

Morris Passwater, Encore – Not present.

Richard Butler, Palacio – Not present.

Hector Rodriguez, The Heights – Not present.

COMMITTEE REPORTS

- A. Landscape – No report
- B. Architectural – No report.
- C. Tennis – No report.

OFFICER REPORTS

- A. President – Loretta Pierce stated that the enchanted evening with Santa will be held on 12/20/09.
- B. Vice President – No report.
- C. Treasurer – Jeff Taylor stated that the Association's accounts are in balance.
- D. Secretary – No report.
- E. Member at Large – No report.

HOMEOWNER FORUM

A homeowner was present to inform the Board that the glass panel has come off of his perimeter wall and the Association's architect was supposed to contact him and hasn't yet. Management said that she would contact the architect and have him call the homeowner so he could set up a time to meet with him.

CONSENT CALENDAR

A motion was made, seconded and carried to approve the following items from the consent calendar, without further discussion:

- A. **Approval of November 11, 2009 General Session Meeting Minutes/Architectural Report from 10/10/09 – 11/10/09 – RESOLVED**, to ratify the action taken and approve the minutes taken by Management from the November 11, 2009 General Session Board Meeting/Architectural Report from 10/10/09-11/10/09.
- B. **Approval of Action Without Meeting Minutes from November 2009 – Removal/Replacement of Stamped Concrete - RESOLVED**, to ratify the action and approve Action Without Meeting Minutes from November 2009 approving the proposal from So Cal Coatings to remove and replace approximately 100 sq. ft. of stamped concrete located in the center median on Marina Hills Drive between Tropea and Parc Vista, including a traffic control plan for a cost of \$4,125.00.
- C. **Approval of Action Without Meeting Minutes from November 2009 – Approving Architectural Application for 2 Patra - RESOLVED**, to ratify the action taken and approve the Action Without Meeting Minutes from November 2009 approving the architectural application for 2 Patra to install a metal patio cover in their backyard that was originally denied by the Architectural Committee.
- D. **Approval of Action Without Meeting Minutes from November 2009 – Approval of 2010 Proposed Budget - RESOLVED**, to ratify and approve the Action Without Meeting Minutes from November 2009 approving the 2010 proposed budget increasing assessments \$18.00/month to \$125.00/month effective, January 1, 2010.

- E. **Financial Statement – RESOLVED**, to accept the November 30, 2009 financial statement as submitted.
- F. **Delinquent Account APN #933-40-372 – RESOLVED**, to place a lien on account #933-40-372 that has a balance of \$416 86.
- G. **Delinquent Account APN #933-27-134 – RESOLVED**, to place a lien on account #933-27-134 that has a balance of \$513 20.
- H. **Delinquent Account APN #653-563-07 – RESOLVED**, to place a lien on account #653-563-07 that has a balance of \$639 64.
- I. **Delinquent Account APN #653-562-17 – RESOLVED**, to place a lien on account #653-562-17 that has a balance of \$629 09.
- J. **Delinquent Account APN #653-471-09 – RESOLVED**, to place a lien on account #653-471-09 that has a balance of \$629.09.
- K. **Maturing CD's - RESOLVED**, to allow Jeff Russell from Merrill Lynch to roll over the operating and reserve CD's that are maturing in December for the same terms at the highest interest rates possible in order to keep the CD's staggered.
- L. **Appointment of District Delegate to the Monaco District – RESOLVED**, to appoint Harvey Holden as the District Delegate for Monaco.

OLD/NEW BUSINESS

- A. **Landscape Renovation Proposal – Myroporum** – A motion was made, seconded and carried to table approving the proposal from Villa Park Landscape for removal/replacement all the dying Myroporum throughout the community for a cost of \$335,900,00 until the January meeting, so Management and Vito Ferrante can speak with Javier Reyes during the January landscape drive. Motion carried 4/0.
- B. **Bi Yearly Draining/Cleaning of Fountains** – A motion was made, seconded and carried to approve the proposal from Aqua Pure for the bi yearly draining/cleaning of the fountains for a cost of \$1,640 00. Motion carried 4/0.
- C. **Proposal to Repair Valle Vista Fountain** – A motion was made, seconded and carried to approve the proposal from Aqua Pure to inspect, test and blow out the lines at the fountain pipes underground at the Valle Vista fountain to try to get the two spots that aren't shooting up water repaired for a cost of \$450 00. If this doesn't work, the Board approved Aqua Pure to continue to make the necessary repairs, as long as the \$450.00 is put towards this work. Motion carried 4/0.

- D. **Proposed Addition to Pool Rules** – A motion was made, seconded and carried to not adopt the following proposed addition to the pool rules and make sure the pool monitor that is hired during the summer pays close attention to ensure anyone that needs a swim diaper is wearing one. Motion carried 4/0.

“Swim diapers are not allowed in the pool. Anyone that has to wear them must only use the wader and anyone that causes the pool to be closed by defecating in it will be held financially responsible for the cost billed to the Association from the pool company.”

- E. **Proposed Addition to Rules/Regulations** – A motion was made, seconded and carried to adopt the proposed addition to the Rules/Regulations as stated below, which is to become effective February 1, 2010. Motion carried 4/0.

“No fire pits are allowed to be used in front yards.”

- F. **Janitorial Service Proposals** – A motion was made, seconded and carried to not replace Aqua Pure, the current janitorial service company at this time, as they have not increased their rates and are the least expensive. Motion carried 4/0.

- G. **Landscape Proposal From November Landscape Drive** – A motion was made, seconded and carried to approve the proposal from Villa Park Landscape that was generated from the November 5, 2009 drive for a cost of \$1,975.00. Motion carried 4/0.

- H. **Painting Guidelines** - A motion was made, seconded and carried to table the proposed painting guidelines with illustrative photos that were presented by Greg Gill until the January meeting, so Mr. Gill can be present to discuss his ideas with the Board. Motion carried 4/0.

- I. **Violation Policy/Rental Fees** – A motion was made, seconded and carried to table discussion of possibly revising the violation policy and fees for renting the clubhouse/bbq/patio areas and janitorial fees until the January meeting so Tim Rolfer from Aqua Pure can attend and answer any questions the Board has regarding janitorial costs that are billed to the Association versus billed to the homeowners. Motion carried 4/0.

- J. **Homeowner Request to Offer Aqua Therapy in Pool** – A motion was made, seconded and carried to deny the request from Resa Hempfling, homeowner at 17 Siros, to use the Association’s pool to offer aqua therapy, because if the Board allows her to hold such a class, they would have to allow other homeowners to be able to do the same. Motion carried 4/0.

- K. **Homeowner Request – Party Cancellation Deposit** – A motion was made, seconded and carried to refund Cal Wilson, homeowner at 2 Milos, his full deposit of \$250.00 since he will be unable to use the clubhouse Christmas day due to a death in the family. Motion carried 4/0.
- L. **Independent Sports Instructor Agreement** – A motion was made, seconded and carried to deny the request from the tennis committee. The Board may reconsider the request if the tennis committee members would like to attend the meeting to discuss their recommendation with the Board. Motion carried 4/0.
- M. **Tennis Lessons** – A motion was made, seconded and carried to table this request from the tennis committee. The Board will only discuss issues requested by the tennis committee if members attend the meeting to discuss their proposal with the Board. Motion carried 4/0.
- N. **Late Fees** – No action was necessary, as Management already works with homeowners by waiving a late fee as a one time courtesy for homeowners that request it.
- O. **Amending Governing Documents – District Delegate System/Vacancy on Board** – A motion was made, seconded and carried to not try to amend the governing documents regarding changing the District Delegate system to a volunteer system. Motion carried 4/0. A motion was made, seconded and carried to have legal counsel draft a ballot that can be sent out to the membership with the ballot for the Annual Election of the Board of Directors for homeowners to vote to amend the governing documents to allow the Board to be able to appoint a homeowner to the Board, rather than having to hold an election to fill a vacant seat. Motion carried 4/0.
- P. **Homeowner Request for Reimbursement for Damage Done to Property** – A motion was made, seconded and carried to deny the request from James Nichols, homeowner at 17 Argos, to be reimbursed by the Association for damage that was done to his property (chipped flagstone, marble dining table chipped and chairs broken and potted plants) by a common area tree that fell into their backyard in October 2008. Since the tree fell over during the winds, which would be considered an act of God, the Board believes the Association was not negligent, and not liable for the damage that was done to Mr. Nichol's property. Motion carried 4/0.
- Q. **Association Wish List** – A motion was made, seconded and carried to not add any items to the Association wish list. Motion carried 4/0.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 6:30 P.M.

APPROVED: _____



DATE: 1-13-10