

MARINA HILLS PLANNED COMMUNITY ASSOCIATION
BOARD OF DIRECTORS MEETING MINUTES
GENERAL SESSION – January 13, 2004

BOARD OF DIRECTORS PRESENT: Jane Dry
 Chuck Johnston
 Vito Ferrante
 Tom Swzajkos

BOARD OF DIRECTORS NOT PRESENT: None

MANAGEMENT REPRESENTATIVE: Denise Bergstrom - Keystone Pacific
 Kylie Powell – Keystone Pacific
 Rich Tinnelly – Legal Counsel

ISSUES DISCUSSED IN EXECUTIVE SESSION

- A. November 4, 2003 Special Executive Session Meeting Minutes – Approved as submitted.
 November 12, 2003 Executive Session Meeting Minutes – Approved as submitted.
 December 3, 2003 Special Executive Meeting Minutes – Approved with changes.
- B. Delinquencies– The Board resolved to take homeowners to small claims court.
- C. Homeowner Correspondence – Association Vendor– The Board requested that legal counsel respond to the homeowner regarding an incident involving landscape services performed at 2 Milos during Association business hours.
- D. Homeowner Correspondence – Petition Requests – Legal Counsel advised the Board that a response had been prepared.
- E. Homeowner Prepared Newsletter and Website – Legal Counsel advised the Board on action to be taken.
- F. Securitas Letter Re: Security Guard Miguel Perriera – The Board agreed to have Miguel Perriera return to his post as security guard for Marina Hills, effective February 1st.
- G. Securitas Contract – Legal Counsel advised the Board that they are still in negotiations with Securitas.
- H. Employee Handbook – This item was tabled for further discussion at the February 11th Meeting.
- I. PAO – Reconstruction Update – Grant Davis was present to update the Board on the reconstruction.

- J. Clubhouse Office Protocol – A policy was adopted authorizing Board Members, Management and the Activities Director to use the clubhouse facilities including but not limited to the phone, fax machine, computer etc.. Villa Park Services, Inc. is authorized to use the computer for the centralized irrigation system.

CALL TO ORDER

The General Session meeting of the Marina Hills Planned Community Association Board of Directors was called to order by Board President, Jane Dry at 6:15 p.m. at the Marina Hills Clubhouse, 31461 Parc Vista in Laguna Niguel, California.

HOMEOWNER FORUM

Homeowner Val, was present to discuss Save Marina Hills. Val did not give her last name or address in fear of retaliation. Val advised the Board that she had been a resident of Marina Hills for 12 years. She was not sure what Marina Hills needed to be saved from. Val pointed out that Marina Hills had won a prestigious landscape award that the landscaping always looked beautiful. She commented Marina Hills also had dues that had remained the same for 3 years. She had checked some of the surrounding communities, Rancho Niguel and Beacon Hill, and found that those association's dues were higher yet they did not have the amenities that Marina Hills offered. Val felt that the car with the sign advertising Save Marina Hills was offensive. Val also wanted to applaud Carol Ris for the way in which she went about making changes – through the system, not by mud-slinging.

Homeowner Ken, was present to discuss Marina Hills. Ken did not give his last name or address in fear of retaliation. Ken pointed out to those present that 8 years ago there was a lot of damage done to Marina Hills by people much like those who were behind Save Marina Hills. A newsletter was circulated like Mr. Strupat's and a lot of money was spent in legal fees to resolve the problem. Ken felt that the current issues spoken of by Mr. Strupat's followers were nothing more than a vendetta against Calvin & Cheryl Wilson. Ken thanked the Board for the job they were doing.

Homeowner Kim, from Cabo Del Mar was present to discuss Save Marina Hills. Kim advised that she was a 10 year resident and felt that she needed to speak up as a homeowner because the only ones showing up at meetings were the disgruntled few. Kim noted that the majority of homeowners had no issues and did not voice their opinions because they are happy with Marina Hills. Kim also believed that Hans Strupat was focusing most of his attention on Cheryl Wilson. Kim pointed out that Cheryl does a great job, is always helpful and goes above and beyond what her job entails. She noted that on one occasion she was tracked down after hours to help homeowners at an Architectural Meeting, and she did so willingly and with a smile.

Laurie Griffin, resident at 11 Coursan was present to discuss what Marina Hills needed to be saved from. Laurie advised that she was still unhappy about the decision to paint the perimeter wrought iron black. She felt that the homeowners had been railroaded into the decision and that the decision was Cheryl Wilsons. She also invited the Board to look at her backyard – it did not look good and her area is not wonderful looking. Just because the common area looks great in the open areas, does not mean that all areas are being maintained. Laurie also advised those present that the Associations attorney had sent her a threatening letter and that he had better look out.

Charles Hurst, resident at 4 Turano, was present to advise the Board that a traffic light was being proposed on Marina Hills and Tessier due to a recent death. He feels that because there is a lot of congestion at that spot, a light should not be considered. He asked the Board to talk to the City Traffic Committee Board.

Monika Scott, resident at 2 Denia, was present to discuss an incident she had concerning rats. Monika's vehicle had been parked outside, and when she took it to have the engine steamed, a rats nest was found in the engine which caused about \$7,000.00 in damage. She just wanted to make people aware and suggested that people check their vehicles when leaving them outside.

Hans Strupat, resident at 9 Sorbonne, was present to discuss the CC&R's. Mr. Strupat advised those present that he had initiated the newsletter as he felt there were issues that needed to be expressed. He advised those present that he had used democratic means to work for change – petitions had been circulated and submitted to Rich Tinnelly, legal counsel for Marina Hills. Hans advised that he had yet to receive responses to his previously submitted petitions and that according to the CC&R's, a special meeting should have been called for those petitions. Because meetings had not been noticed to the membership, the Board was not following the CC&R's. Hans then asked the Board when the petitions would be responded to. Hans then presented Rich Tinnelly with another petition to introduce term limits.

Steve Christian, resident at 18 Sitges, was present in support of Marina Hills. Steve advised those present that he had lived in Cabo Del Mar for 10 years and was very happy. He then asked for a show of hands by those who were in support of Save Marina Hills. Steve advised those present that Marina Hills is a business, that they run things like a business and were elected to make the decisions in the running of Marina Hills. He also stated that because this is a business, there is no way that the Board can make 100% of the membership happy with their decisions. Steve advised those present of the selling prices of some of the homes in Marina Hills, and the fact that they are up. Difficult decisions are involved in running Marina Hills, and those Board Members sitting behind the tables were voted in by popular vote. He noted that although he did not know each Board Member very well, he was glad they showed

up, and preserved the conformity of the community. Steve thanked the Board for the work they were doing, and was pleased to write a check each month without having to worry about any of the details of how Marina Hills ran.

DELEGATE REPORTS

Harvey Holden, Monaco – Present. Mr. Holden had nothing to report.

Resa Blinkovitch, Bel Fiore – Present. Ms. Blinkovitch advised that some residents had received the painting notice and she was still receiving phone calls from unhappy homeowners about painting the wrought iron black.

Mike Higgins, Terracina – Present. Mr. Higgins had nothing to report.

James McGee, Vistara – Present. Mr. McGee had nothing to report.

Larry Buss, Chandon – Present. Mr. Buss asked what the policy was on basketball hoops. Management advised that they were allowed in the community but had to be stored on the homeowner's property when not in use.

Loretta Pierce, Amarante – Present. Ms. Pierce had nothing to report.

Marcia Bloom, Siena – Present. Ms. Bloom had nothing to report.

Carol Albert, Cabo Del Mar – Present. Ms. Albert had nothing to report.

Morris Passwater, Encore – Present. Mr. Passwater had nothing to report.

Richard Butler, Palacio – Absent.

Ira Hermann, Heights – Present. Mr. Hermann had nothing to report.

UNFINISHED/NEW BUSINESS –

- A. Board Resignation / Reseat – The Board acknowledged Cal Wilson's resignation letter. Treasurer Vito Ferrante nominated Linda Baker, resident from Siena, to fill the vacancy as left by the resignation of Calvin Wilson. A motion was made, seconded and carried to appoint Linda Baker to the Secretary position to fill the remainder of the term, which expires in August 2004.

ACTIVITY DIRECTOR REPORT – Present. Cheryl Wilson had nothing to report.

LANDSCAPE REPORT

Amy Crapo, Javier Reyes and Jose Noyola with Villa Park Services were present and reported the following:

Maintenance Items:

- Fertilizer was applied January 12, 2004 to the grass areas.
- Frost damaged color (begonias) were replaced January 13, 2004.
- Salt Creek Trail was detailed January 9, 2004.
- Roses were trimmed, thinned out and sprayed for weeds.
- Sidewalks were sprayed and tree wells were cleaned.
- Slopes along Valle Vista, Bellagio, Chamonix, Gaeta, Sorbonne, and Coursan will be detailed this month.

Tree Trimming:

- Queen Palms were cleaned after the windstorm.
- Eucalyptus trees along Marina Hills Drive were Trimmed.
- Five trees were lost during the windstorm in December. No replacement is required.
- Pines and Alder trees will be trimmed this month.

Irrigation Items:

- Central system is working properly. No problems to report.
- All satellites are communicating.
- All irrigation has been tested and we are ready for certification in March.

MANAGEMENT REPORT

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

- A. Resolved, to approve the November 12, 2003 General Session Meeting Minutes, December 3, 2003 Delegate District Membership Meeting Minutes and December 8, 2003 District Delegate Membership Meeting Minutes, as submitted by Keystone Pacific Property Management, Inc. 4/0 Linda Baker abstained.
- B. Resolved, to accept the October 31, 2003 Financial Statement, as submitted by Keystone Pacific Property Management, Inc. 4/0 Linda Baker abstained.

- C. Resolved, to reverse the \$600.00 in fines assessed to the account of Jose Novoa, owner of 13 Villamoura, for failure to clean the stucco of his home and replace a deteriorated utility door. 4/0 Linda Baker abstained.
- D. Resolved, to reverse the \$100.00 fine assessed to the account of Whitney Alikhani, owner of 22 Mikro, for failure to utilize her garage to its capacity for vehicle parking. 4/0 Linda Baker abstained.
- E. Resolved, to approve the request of Mike Comia, owner of 14 Mercato, to have construction equipment on his driveway until March 31, 2004, in order to complete the renovation of his home. 4/0 Linda Baker abstained.
- F. Resolved, to approve the request of Collyn Youngman, owner of 7 Bernay, to have a ninety day extension to complete the installation of her landscape and painting of her home. 4/0 Linda Baker abstained.
- G. Resolved, to discontinue sending letters to the homeowners at 17 Phaedra for the removal of palm tree seed pods. 4/0 Linda Baker abstained.
- H. Resolved, to discontinue sending letters to the homeowners at 4 Sitges for the removal of palm tree seed pods. 4/0 Linda Baker abstained.
- I. Resolved, to delete the calendar from the marinahills.org website. 4/0 Linda Baker abstained.
- J. Resolved, to approve the proposal submitted by Villa Park Services, Inc., in the amount of \$13,894.35. 4/0 Linda Baker abstained.

ARCHITECTURAL COMMITTEE REPORT –

No Report.

HEARINGS

3 Coursan – Failure to water / fertilize lawn. - Complied, no further action taken,

19 Chamonix – Failure to repair bare patches in the front lawn. – Board member Jane Dry to inspect and advise what action to be taken.

21 Chamonix – Failure to submit a Notice of Completion. - Complied, no further action taken.

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6 Mercato – (Offsite Address) Failure to remove dead palm fronds. - Complied, no further action taken.

27 Mercato – (Offsite Address) Failure to remove oil / rust stains. – Homeowner granted a 30 day extension.

1 Milos – Failure to submit architectural plans for exterior modification. - Complied, modification removed. No further action taken.

3 Milos – Failure to submit a Notice of Completion. - Complied, no further action taken.

OFFICER REPORTS

President – No Report.

Vice President –No Report.

Treasurer – No Report.

Secretary – No Report.

Member at Large – No Report.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:05 p.m.

APPROVED: Jane R. Gray DATE: 2-11-04