

MARINA HILLS PLANNED COMMUNITY ASSOCIATION
BOARD OF DIRECTORS MEETING MINUTES
GENERAL SESSION – February 11, 2004

BOARD OF DIRECTORS PRESENT: Jane Dry
Vito Ferrante
Tom Swzajkos

BOARD OF DIRECTORS NOT PRESENT: Chuck Johnston
Linda Baker

MANAGEMENT REPRESENTATIVE: Denise Bergstrom - Keystone Pacific
Kylie Powell – Keystone Pacific

ISSUES DISCUSSED IN EXECUTIVE SESSION

- A. January 13, 2004 Executive Meeting Minutes – Approved as submitted.
- B. Legal – Petition Requests– The Board advised that they would not be spending Association funds for the petitions submitted by Mr. Strupat. The Board tabled the decision to send correspondence to the membership advising reasons behind not holding special meetings until the March 10th Board Meeting.
- C. Personnel – Employee Handbook– The Board approved the final draft of the Employee Handbook.
- D. Personnel – Board Resolution Re: Employee Handbook – The Board approved a resolution stating that all new employees are subject to the handbook and shall be given benefits in accord therewith. Ms. Cheryl Wilson shall continue to receive benefits in accord with her current employment agreement.
- E. Personnel – Job Description / Exemption Analysis – The Board approved a proposal to have the Employers Group prepare a formal job description and exemption analysis.
- F. PAO – Reconstruction Update – Grant Davis was present to update the Board on the reconstruction.
- G. Legal – Perimeter Fencing Requirements / Pools & Spas – The Board adopted a policy that allows for homeowners to make changes to the perimeter wall for the purpose of bringing the wall to code for pool / spa installation per the City of Laguna Niguel. The homeowner must obtain Architectural approval and must use like materials for the modification (wrought iron and plexi-glass). Walls cannot be heightened with stucco and the pony walls can not be heightened.
- H. Vendor Request – The Board denied the request from So. Cal Builders to perform wrought iron repairs for homeowners.

- I. Architectural Committee Volunteers – The Board tabled this item so that Management could invite those interested to meet with the Board at the March 10th Board Meeting.
- J. Homeowner Request – Web Forum – The Board denied the request of a homeowner to put together a web forum for Marina Hills.
- K. Toro Extended Warranty and Service Agreement – The Board approved the extended warranty and service plan for the Toro system.
- L. So. Cal Builder – Painting Proposal – The Board approved the proposal submitted for wrought iron repairs to phases 2 and 3 of the community.

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 6:05 p.m. at the Marina Hills Clubhouse, 31461 Parc Vista in Laguna Niguel, California.

HOMEOWNER FORUM

Homeowner Milford Stanford, 19 Cala Moreya was present to discuss the repairs to the perimeter walls. Mr. Stanford advised that 2 people had been checking his wall and when asked if they wanted to look at the inside of the wall, replied that they were only repairing the outside. Mr. Stanford is concerned about the work being done and requested that the Board publish a copy of the warranty in the newsletter. Management advised the Board that a copy will be obtained from PAO and will be provided for publishing.

Homeowner Jan Navta, 23 Son Morell, was present to discuss the painting of the wrought iron fence. Ms. Navta asked the Board if the fence was in fact still going to be painted black. Board President Jane Dry advised Ms. Navta that it was being painted black and that the contractors were already working their way through the community. Ms. Navta advised the Board that she has lived in Marina Hills since 1989 and feels the intention of the Developer when they painted the community was for it to be “Mediterranean”. Ms. Navta further advised that she felt the vote put out was unfair and that the greens were close. She also advised that she won’t let this issue rest.

Homeowner Robert Rainey, 22 Cala D’Or, was present to discuss bring the perimeter fence to code for his pool/spa installation. Mr. Rainey advised the Board that the fence does not meet code as it is currently built. He believes that because he has been contributing to the Reserves for fence repairs since moving into Marina Hills in 1991, he should be reimbursed for the costs he will incur to bring the perimeter fence to code. Management advised Mr. Rainey that the Board was planning on discussing the issue during Executive Session and would advise him of any policies made concerning the fence repairs.

Homeowner Margarethe Smith, 31 Via Di Nola, was present to discuss the lawsuit involving herself and the Association over the strip of grass at the side of her home. Ms. Smith asked if there was any way to resolve the issue before it went to court. Ms. Smith advised the Board she would be willing to pay for the watering and fertilization for the area if the Association mowed the area. Board Member Tom Swzajkos advised Ms. Smith to put her proposal in writing to Rich Tinnelly, the Association's legal counsel, and it would be taken under advisement.

Homeowner Gary Miller, 66 Pienza, was present to discuss the pool temperature and motorized scooters. Mr. Miller started by congratulating the Board on choosing Linda Baker to fill the vacancy on the Board and hoped that there would be harmony in the community. He also thanked the Board for returning Miguel to his post as security guard. Mr. Miller advised that it would be nice if the temperature of the pool was around 80 degrees. Normally it fluctuates between 82-84 degrees and asked that the Board review its current policy so that it can stay around 80 degrees. Mr. Miller also was concerned about the use of motorized scooters by kids in the community who are not always wearing helmets.

Homeowner Hans Strupat, 9 Sorbonne, was present to discuss the state of Marina Hills. Mr. Strupat wanted to comment on some of the statements made by the Board. In regards to the Architectural Committee, he advised that he knew of a resident at 18 Novilla who has offered to fill this position, however they have been passed up for several months. Management advised that there were several persons wanting to be on the Architectural Committee and that the Board was only able to replace persons serving when a vacancy came up. As a vacancy had come up, the Board was requesting that Management set up a time for the interested parties to meet with them prior to the Board making a selection. Mr. Strupat then advised the Board that the request for internet accessibility at the pool area was a valid one. He felt that a person should be able to have their laptops at the pool area so they could work while their families enjoyed the pool and that the Board was "Out of Touch" as everyone uses them. He offered to give laptops to the Board Members who declined his request. Mr. Strupat also advised the Board that the newsletter he puts out to the community costs him 16.2 cents where the Association is paying 8cents more per newsletter. The Board thanked him for his comments and advised that Cheryl Wilson, the Activities Director, was checking out ways to cut costs with regard to the newsletter.

Homeowner Hector Mon, 30 Sitges, was present to discuss the perimeter wall. Mr. Mon explained that he had complained about water in his backyard, caused by a hole in the wall that let the irrigation run-off into his yard, along with rain etc. Mr. Mon advised that he spoke with Jack Ehlers from Bridgeport Builders, who promised to bring Grant Davis to look at the problem. Mr. Mon advised that they did not show up and that he did not think this company was the right one to do the work. Management advised that Grant Davis with PAO would contact him and make an appointment to see the problem. Mr. Mon explained that he thought there could be a slippage problem. The Board advised that all concerns could be presented to Grant Davis.

Homeowner Marion Barrons, 24 Mercato, was present to express how nice she thinks Marina Hills is. Ms. Barrons stated that she loves the community, that she had just returned from Arizona and had looked at homes that had less to offer in amenities, yet paid higher dues. She advised that the appreciation in her home could afford her to move, but she wouldn't as she loves the place. She also thanked the Board for their work.

DELEGATE REPORTS

Harvey Holden, Monaco – Present. Mr. Holden confirmed a violation in the Monaco District as requested by Management. Mr. Holden also advised the Board that 2 homeowners had expressed their gratitude to him for the Board and hoped that the issues in the community would be resolved soon.

Resa Blinkovitch, Bel Fiore – Absent.

Mike Higgins, Terracina – Present. Mr. Higgins had received a call from a concerned homeowner on Calella who was trying to sell their home and was concerned about the construction trailer. Mike advised the concerned homeowner that the trailer would probably be there another 3 months. Mr. Higgins also advised the Board that on Cala Moreya his neighbor had a drainage problem that caused water on the sidewalk when it rained. Mr. Higgins advised that the homeowner with the drainage problem has a city variance.

James McGee, Vistara – Absent.

Larry Buss, Chandon – Present. Mr. Buss had nothing to report.

Loretta Pierce, Amarante – Absent.

Marcia Bloom, Siena – Present. Ms. Bloom advised that she had no concerns to report other than that of persons soliciting within the community. She advised those present that they are trespassing when coming into their community. Ms. Bloom also advised that they are watching the continued maintenance of the slopes.

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

Morris Passwater, Encore – Present. Mr. Passwater thanked the Board for the job they are doing. He knows it is a thankless job as he is a Board Member for Encore. He advised the Board that the majority of the Encore homeowners are happy and their property values are up. He also advised those present that it is hard to find volunteers to take Board positions and that the system is set up so that anyone can run.

Richard Butler, Palacio – Absent.

Ira Hermann, Heights – Absent.

UNIFINSHED/NEW BUSINESS –

- A. Architectural Committee Member Resignation / Appointment – The Board requested that Management invite the homeowners interested in serving on the Architectural Committee to the March 10th Board Meeting to meet with the Board.
- B. Homeowner Request – Home Maintenance - The Board directed Management to not send violation letters to homeowners about their rusty chimney caps at this time. Instead, the Board would like the issue commented upon in the newsletter to see if homeowners take the initiative to perform appropriate action on their own.

ACTIVITY DIRECTOR REPORT – Present. Cheryl Wilson advised the Board that the pool had re-opened. Cheryl advised that the food drive was underway with 5 days left, however she still needed a few more volunteers to walk around bags. She also advised the Board that the Primary election would be at the Clubhouse in March.

ACTIVITY REPORT CONSENT CALENDAR –

Resolved, to ratify a reserve expenditure of \$2,514.00 (pool / patio furniture refurbishment)

ACTIVITY REPORT BOARD DISCUSSION

- A. The Board denied the request to put up a banner reminding homeowners of the Board Meeting. The Board felt that it is advertised enough on the homeowners billing statement and in the newsletter.
- B. The Board denied a homeowners request to install a router system for internet access around the pool area.

ACTIVITY REPORT BOARD INFORMATION

- A. Vito Ferrante, Board Treasurer, thanked Cheryl Wilson for her work in lowering the costs of the Marina Hills Newsletter.

LANDSCAPE REPORT

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

Maintenance Items:

- Focal corners throughout the property were detailed, mulched and Roses trimmed.
- Turf area were fertilized and aerated as needed.
- V-ditches were cleaned before and after the rains to insure proper drainage.
- Trimmed back shrubs on the slope and removed some vines for new paint and wall repair.
- Trimmed all Red Roses by Tropea and Bellagio water fountains.
- Fertilized all Roses throughout the property.
- Area #1 was detailed this includes all the streets north of Marina Hills and Valle Vista.
- A new drain was installed behind 1 Turano.

Tree Trimming:

- Fruit pods were removed from the Palm trees.
- Pine trees were trimmed along Via Marini, Son Serra and Parc Vista.
- Alder tree trimming is on going along Marina Hills Drive.
- Rhuslancea trees will be trimmed this month.

Irrigation Items:

- Central system is working properly and the renewal of the extended warranty is recommended by Villa Park Services, Inc.
- No major leaks were reported this week.
- Vandalism was very low this month.
- Water savings for the last three months, more than 50%, based on monthly water meter readings.

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 January 13, 2004 General Session Meeting Minutes, as submitted by Keystone Pacific Property Management, Inc.
- B. Resolved, to accept the November 20, 2003 and December 31, 2003 Financial Statements, as submitted by Keystone Pacific Property Management, Inc.

- C. Resolved, to grant the request of Stacy Fialkoff, resident at 27 Mercato, for an extension until March 1, 2004 to remove oil / rust stains from her driveway.
- D. Resolved, to add the perimeter stucco wall paint color, Dunn Edwards SP-224 Riverbed and the perimeter wrought iron paint color, Dunn Edwards SP-2 Black to the pre-approved color palette to be used on the interior portion of the stucco wall and neighbor to neighbor stucco wall and wrought iron fence.
- E. Resolved, to approve a portion of the proposal dated December 15, 2003 submitted by Villa Park Services, Inc., in the amount of \$90,485.00 and the proposal dated January 28, 2004 submitted by Villa Park Services, Inc., in the amount of \$494.15.
- F. Resolved, to reverse the \$100.00 fine assessed to the account of Gary Ochse, resident at 26 Mercato, for failure to remove oil/rust stains from his driveway.

ARCHITECTURAL COMMITTEE REPORT –

No Report.

HEARINGS

10 Corsica - Failure to clean the stucco below the 2nd story window. - Complied, no further action taken

18 Corsica – Failure to remove trash cans from the front of the home. - Complied, no further action taken

19 Chamonix – Failure to repair bare patches in the front lawn. – \$100.00 fine assessed

17 Mercato – (Offsite Address) Failure to remove dead / low hanging palm fronds. – \$100.00 fine assessed

26 Mercato – Failure to remove oil / rust stains. – Complied, no further action taken

28 Mercato - Failure to remove oil / rust stains. – Complied, no further action taken

47 Son Bon – Failure to close garage door after two hours - \$100.00 fine assessed

OFFICER REPORTS

President – No Report.

Vice President – Not Present.

Treasurer – Vito Ferrante advised those present that as of 12/31/03, the Association had \$118,000.00 in surplus funds and is in great financial condition. He advised that the Association was over budget in four areas – Common Area Landscape, which was due to continual replacement of irrigation heads, Collections, Legal, which was due to homeowner legal issues and contract review, and mailing costs, which have now been brought down by about \$424.00 a mailing.

Secretary – Not Present.

Member at Large – Tom Swzajkos reminded those present that when the Association first considered filing suit against the Developer for the perimeter wall repairs they were advised against it, however, the Board chose to file suit which resulted in a \$1.4 million settlement. If not for the Board's decision to go forth at that time, the cost for structural repairs only to the walls would average out to about \$600.00 per house, and would have been special assessed to each home.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 7:06 p.m.

APPROVED: Chuck Johnston

DATE: 3-10-04