

**THE VILLAGE ASSOCIATION
BOARD OF DIRECTORS MEETING
September 21, 2010
MINUTES**

CALL TO ORDER

The meeting was called to order by Board President Jerry Howell at 6:04 PM.

BOARD MEMBERS PRESENT

Jerry Howell, President
Greg Tiritilli, Treasurer
Ramon Pelayo, Secretary
Earl Turner, Member at large

BOARD MEMBER ABSENT

Jonathan Nook, Vice-President

OTHERS PRESENT

Martha Olvera of Horizon Management
Twelve owners attended the meeting

APPROVAL OF PRIOR MEETING MINUTES:

MOTION (GT/RP): to approve the meeting minutes of the August 17, 2010 meetings. The motion carried.

FINANCIAL REPORTS:

The board reviewed and discussed the July financial report.

MOTION (JH/RP): to accept the July and August 2010 financial reports.

Resolution to record lien. The board reviewed the Notice of Delinquent Assessment (pre-lien letters) sent to the owners of the properties identified as APN# 7505-003-029, APN# 7505-004-143, APN# 7505-003-047, APN# 7505-004-129 and APN# 7505-004-133. The owners, as of the date of this board meeting, have not requested internal dispute resolution (IDR). A majority of the board members voted to authorize Horizon Management Company or other designee to record a lien for the amount of any delinquent assessments, late charges, interest and/or costs of collection (including the fees and costs of preparing the lien against the owners of the properties, fees for coordinating enforcement of the lien between designees, and attorneys' fees), if IDR is not requested and payment in full is not received by the Association by the dates indicated on each individual's pre-lien letter. Thirty (30) days after recordation of the lien, if the delinquencies persist, the board authorizes its designee to enforce the liens. The motion passed

MOTION (GT/ET): to authorize Recordation of Liens for APN# 7505-003-029, APN# 7505-004-143, APN# 7505-003-047, APN# 7505-004-129 and APN# 7505-004-133. The motion passed.

ON SITE MANAGER'S REPORT:

No report was filed as Lee King did not attend the meeting due to illness,

OPEN FORUM:

The following items were brought up in the open forum:

- An owner complained that some owners' are storing items in the garage areas parking spaces.
- An owner commented on the cost of Landscaping services from TruGreen and stated that the moral of the staff is low and the HOA is losing employees.
- An owner asked that the Board replace the staff positions that are open.
- An owner commented that the "30-minute" parking spaces at the complex are being abused by some owners.

Ocean Club/Lyon Easement Lawsuit:

The Board announced that the Association had won the law suit against Ocean Club/Lyon and were awarded damages for 1) Loss of use 2) Return of key deposits and 3) Reimbursement of legal fees pending hearing in about 60 days. Defendant's right to appeal pending 60 day window. Further announcement on final outcome pending.

COMMITTEE REPORTS:

Verizon FIOS: no report was filed as Jonathan Nook was out of town and did not attend the meeting.

Landscape and Ad Hoc Committee:

Don Cully from TruGreen Landscape met with the Board and members and updated everyone on the Landscape maintenance at the property. Addy Bagnasco presented the Board with a preliminary landscape improvement plan and plant list for the enhancement between buildings 610 and 620 at the East fire walk.

Unfinished business:

Consent Calendar item: to ratify in the meeting minutes a decision made by the Board outside of an open meeting.

MOTION (GT/RP): to agree to authorize Lee King to purchase a nickel coated exchanger at a cost not to exceed \$2,888. The motion carried.

Budget draft #2: management presented the Board with the 2nd draft budget for the new fiscal year along with the high level summary of the 2010 reserve study report as prepared by RDA. The Board will meet separately to go over the budget numbers.

Restated CC&Rs: the Board discussed the correspondence from Lisa Tashjian, HOA attorney, regarding the 1st draft of the restated documents (CC&Rs) that were delivered to the Board for their review. Management advised the Board that usually several drafts are made and reviewed by the Board before a “final draft” is ready to present to owners. At that time the Board may want to invite the attorney to an “open forum” meeting of the members to clarify any questions owners may have of the draft document. Afterwards, the draft may or may not be modified by the Board. The Board will then agree on a final draft before publishing the final to the membership and asking for a vote to restate the documents.

Parking Garage: the Board reviewed the proposal provided by Mark Hopkins from Allana Buick & Bers Inc. to review the results of the invasive testing on the deck of two (2) buildings. A meeting between Mr. Hopkins and the Board members will be arranged to discuss the particulars of Allana Buick & Bers Inc.’s proposal.

New business:

Employee Safety Manual and required State and Federal labor law posters: management encouraged the Board to consider adopting an Employee Safety Manual for the Village employees and to post the most current and required State and Federal labor law posters in the employee break room or site office.

MOTION (JH/RP): to ask HMC to order the most current and required State and Federal labor law posters for the site manager to post in the employee break room or site office. The motion carried.

ADJOURNMENT AND NEXT MEETINGS.

The meeting adjourned at 8:23 P.M to executive session to discuss some homeowner disciplinary matters and outstanding legal matters. The next Board meeting will be held on Tuesday, October 19, 2010.