

6-12-2018 MMSHOA BOD Approved Meeting Minutes

Board Members Present: Diane Keep, Tom Condon, Gail Johnson, Molly Rothman, Charles Stolar

Architectural Committee Guests Present: Sandra Austin, Patricia Feingold, Doug Keep, Jon Mills

1. Call to order and approve 5-1-2018 BOD Meeting Minutes

Diane Keep called the meeting to order at 7:05pm.

Molly Rothman moved to approve the 5-1-2018 Meeting Minutes; Tom Condon seconded the motion. Meeting minutes were approved by four BOD members. Charles Stolar did not attend the 5-1-2018 meeting and therefore abstained from voting.

2. Architectural Committee (AC) Road Widening Guidelines - Outline

AC members attending the BOD meeting handed out a Draft "Standards for MMS Roads: New Construction/Remodel Projects." The document incorporates Santa Barbara County Road Engineering Design Standards and the Santa Barbara County Fire Department Road Standards. The AC recommended that they apply to any road work that may be required as part of a permitted building project in MMS.

The "Guidelines & Details Specific to MMS & Its Roads" needs to be fleshed out and the overall BOD feedback was that outline was an excellent start. The BOD asked the AC to complete the draft and present it at a future meeting.

Questions:

- Standards for smaller road patches/repairs for road damage caused by small home renovations, heavy equipment, sewer line installations, pool renovations, etc., are also needed. Should the draft standards also address any type of damage to MMS roads?

Doug Keep recommended that MMS use the Santa Barbara County Road Engineering Standards for all road repair whenever practical; he noted that soil compaction of small damaged areas is tricky. Doug recommended that a written year-long warranty be provided by the responsible homeowner and contractor to the HOA for small road repairs.

- Who signs off on the quality of road repair work?
- How are the proposed standards going to be applied to the 5225 Austin Road building project?

BOD noted that the property owners have been patient/cooperative while the surrounding homeowners, the AC, and the Board resolve issues created by this new Santa Barbara County road-widening requirement.

However, an East Austin Road road-widening plan has not been approved by the surrounding neighbors and a new plan is needed. The AC will recommend that the

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homeowners follow the Santa Barbara County Road Engineering Design standards and present a new plan.

- What is the disposition of the draft agreement with the HOA and the Goodmans? See Item #5 below.
- BOD representation at AC Meetings
Charles Stolar is the BOD representative to the AC and needs to be invited to future meetings.
- Clarification of \$1000 Road Bond
The Road Bond is a deposit, only, for road damage; bond may not be adequate for the repair of road damage.

Action Items:

1. Complete Draft "Standards for MMS Roads: New Construction/Remodel Projects":
Architectural Committee
2. Determine who signs off on quality of road repair work: Future BOD meeting agenda item
3. Develop warranty document to be signed by the HOA BOD, Association Member, and contractor for repair of road damage that is smaller in scope than the East Austin Road widening project: Future BOD meeting agenda item
4. Request road-widening plan from 5225 Austin Road property owners: Architectural Committee Note: This is a requirement of the MMSHOA Agreement to Authorize the Widening or Upgrade of an Existing Road, Item #2.
5. Notify Charles Stolar of future Architecture Committee Meetings: Architectural Committee Chair

3. Treasurer's Report - Tom Condon

Approx. 2/3 of the Annual Assessments were returned after the 1st mailing. Assessments were sent again to property owners not returning their assessments by the due date, resulting in more payments. Approximately 14 assessments have not been paid.

Quickbooks Online handles payments and bank deposits differently and there are new reconciling items to resolve related to payment of assessments.

Question about whether QB Online can generate a Profit and Loss Statement and Income and Expense report was discussed; can be produced after reconciling items are resolved.

Action Item: Resolve/correct reconciling items in Quickbooks Online and continue collecting unpaid Annual Assessments: Tom Condon

Bank Accounts:

Checking account: \$51,376

Savings (Reserve account): \$67,520

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4. President's Halftime Report - Diane Keep

Diane has served one-and-one-half years of her three-year term as BOD President. Questions for the Board were discussed, including goals for the year and the Board's position on CC&R enforcement.

Goals:

- Improve communication with Homeowners
- Davis-Stirling - Ensure compliance with new requirements
- Policy updates
- Roads - Road maintenance standards/guidelines

Process for CC&R enforcement: It is the BOD's responsibility to enforce the CC&Rs. There are multiple ways that CC&Rs can be enforced; BOD to obtain input from Association members.

Action Item: Coordinate development of an objective and accurate survey to solicit Association input/feedback. Molly Rothman and Gail Johnson

5. S. Wiley May 8 Clarification on Road Widening Memo

The order of the meeting agenda was changed because "S. Wiley's May 8 Clarification ..." was directly related to Agenda item #2. Discussed recommendation that Association consider entering into a written agreement with the 5225 Austin Road property owners confirming that they have a personal right to widen the paved portion of Austin Road within the Associations overall easement and that the Association is not opposed to them exercising their right to do so--provided that the property owners do so at their own expense--including, if need be, the expense of litigation and the expense of indemnifying the Association. It is also the property owners' responsibility to coordinate all issues related to the road widening with the neighbors and that neither the BOD or Architectural Committee can be involved in mediating issues.

Action Item: Sandra Austin agreed to email the MMSHOA Agreement to Authorize the Widening or Upgrade of an Existing Road to the 5225 Austin Rd property owners during the meeting.

6. Preliminary AC/Board Approval of 5225 Austin Rd Project

AC recommended preliminary approval of 5225 Austin Road building project. In 5/31/2018 Emergency Meeting, the Board agreed with the AC recommendation. Diane Keep signed Association letter stating this and sent it to the Santa Barbara County Board of Architectural Review in time for the June 1, 2018 BAR hearing.

7. Old Business: Refurb/Replace Bulletin Board Update - Charlie

Agenda order was changed again because Charlie had to leave the meeting early. He will talk to Mr. and Mrs. Gechter about the BOD recommendation that the new KIOSK be sited in the same location as the old one. Latest estimate for replacement is \$1600. BOD requested to see new design before construction begins.

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Action Item: Distribute new design to all BOD members: Charles Stolar.

8. Secretary's Report - Gail

2004 and 2005 Board Meeting Minutes scanned and uploaded to the G Drive; 2010 and 2011 Grants of Easements for the Beach Stairwell scanned and uploaded. Recommended that BOD members read the Grants of Easements because they are legally binding.

Also coordinated posting of the 4-3-2018 BOD Meeting minutes on the MMS website.

9. Summer Social! - Molly

Talked to Lauri Rose, Cal Orchid, who will assist with the event. Has been unable to get hold of the Gechter's about using their property; will continue trying. Social will be held on Sept. 8, 2018.

Action Item: Talk to Mr. & Mrs. Gechter about using their property; continue to plan the event:
Molly Rothman

10. Old Business

- Reserve Study - Diane
Chris Andrews reviewed self-study. His firm doesn't modify other's schedules and is not taking on new business at this time. Commented that the study needs to include depreciation schedules for 5 years and more granularity on the roads. Reserve studies must be projected out for 30 years. Also recommended that the Association purchase specific reserve study software that conforms to state mandated requirements.

Action item: BOD approved acquisition of the reserve study software; add more detail on the roads - Diane Keep

- Proposed screen for garbage cans at More Mesa path
Diane reported that she has a 6-20-2018 meeting scheduled with the Fence Factory to get an estimate. Will ask about materials that withstand graffiti.

Action item: Diane to meet with the Fence Factory

11. New Business

- Weed abatement and tree trimming along Orchid Dr.
In reading past Board agenda items, weed abatement along Orchid Drive adjacent to the Pollard property is discussed almost every year. It was recommended that this be included in the annual landscape budget so it is handled efficiently. Also asked Patricia Feingold to get an estimate from the gardeners, who take care of landscaping at the Beach stairwell entry, for this work.

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Action item: Patricia Feingold to obtain estimate and forward to the BOD.

- Limit Commercialization of More Mesa Shores

A question about a commercial advertising company using the private MMSHOA beach stairwell for a photoshoot on the beach was raised at the February 2018 meeting. According to reports, the company had a SB County Film Permit. The County was contacted for clarification, since both the road system and the beach stairwell are privately maintained HOA assets and this activity is a commercialization of a More Mesa Shores HOA asset.

County responded that the conditions for commercial films and photoshoots exist:

- No on-street parking is allowed
- Only (2) vehicles are allowed to park in the driveway/property
- Equipment/talent are allowed to be dropped off and picked up from an offsite location
- Filming is only allowed on the property interior/exterior
- No filming at the private beach is allowed

County was asked to send a copy of all future film permits to the More Mesa Shores gmail account.

It was also noted that the cost of the most recent beach stairwell repair and drainage project exceeded \$200,000 and required a special assessment paid for by all of the Association. The project was also managed for free.

Action Item: Re-activate CC&R Compliance, Due Process, & Enforcement: Diane Keep

12. Schedule next meeting and adjourn

No BOD meeting in July 2018. Next meeting will be held on August 9, 2018, at 7:00pm, at the home of Gail Johnson.

Meeting adjourned at 9:40pm.

Submitted by G. Johnson