

SHADY CANYON COMMUNITY ASSOCIATION
GENERAL SESSION MEETING MINUTES
MAY 6, 2009
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BOARD MEMBERS PRESENT:

Mike Gray
Mike Noggle
Mike Reeves
Rich Cadarette
Rich Liggitt

BOARD MEMBERS ABSENT:

None

MANAGEMENT REPRESENTATIVES:

Shana Aaberg
Sherry Salazar
Keystone Pacific Property Management, Inc.

ISSUES DISCUSSED IN EXECUTIVE SESSION

The Mosaic Consulting, Inc., Keystone Pacific Property Management, Inc., Janitorial, and Landscape Architectural consultant contracts were discussed, April 1, 2009 meeting minutes were approved, hearings were held, vendors' performance and delinquent accounts were discussed during the May 6, 2009 Executive Session meeting.

CALL TO ORDER

The meeting was called to order by Board President, Mike Noggle at 4:25 P.M.

GUESTS IN ATTENDANCE.

Todd Cooper and Scott McClain from GMI, Inc. were in attendance to answer any questions regarding gate access control.

ARCHITECTURAL REPORT

Sherry Salazar gave a general update of progress as she has been on-site for 2 months including an update regarding the design review fee overages to be classified to income, status of lots past their deadlines to build, lots in the design review process, homes under construction, final approvals and construction violations.

CONSENT CALENDAR

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

Item A: April 1, 2009 General Session Meeting Minutes – Resolved, to approve the April 1, 2009 General Session Meeting Minutes.

Item B: Action Without Meeting Minutes – Resolved, to approve the Action Without Meeting Minutes to approve the three proposals from Community Access Solutions to purchase 2 custom fabricated keypad boxes to replace damaged ones at a cost of \$350.00 each for a total cost of \$700.00, to permanently laser etch the existing gate access keypads to repair the lettering at a cost of \$150.00 each to etch, for a total cost of \$450.00 and to add cameras inside of the east and west gates to allow surveillance of the gate attendants at a cost of \$1,520.00 for each camera with installation and fiber optic for relaying images to DVR, for a total cost of \$3,040.00.

Item C: Adjourned Annual Election Meeting Minutes – Resolved, to approve the April 7, 2009 Adjourned Annual Election Meeting Minutes.

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Item D: Proposal to Replace the Eye Washing Stations in the Pool Pump Room – Resolved, to approve the proposal from Aqua Blue Company to replace two (2) eye wash stations in the pool pump room for a total cost of \$1,400.00.

Item E: Delinquent Accounts – Resolved, to place a liens on accounts APN #481-143-13 and APN #481-143-14.

A motion was made, seconded and carried to approve the following items from the consent calendar, with further discussion:

Item A: Financial Statement – The March 31, 2009 financial statement was tabled until the June 3, 2009 General Session Board meeting in order to allow the Board additional time to review the statement.

Item B: Off-site Sewer Line Construction – 21 Cactus – This item was pulled as Stantec determined that the homeowners request would not be possible due to the location of the sewer lateral.

OLD/NEW BUSINESS

Item A: Reseat the Board – A motion was made, seconded and carried to seat the Board as follows. Motion carried 5/0.

President – Mike Noggle – Term Expires 4/10

Vice President – Richard Liggitt – Term Expires 4/10

Treasurer – Mike Gray – Term Expires 4/11

Secretary – Rich Cadarette – Term Expires 4/11

Member at Large – Mike Reeves – Term Expires 4/10

Item B: Irvine Company Request for Information – A motion was made, seconded and carried to deny the request from the Irvine Company in favor of allowing Management the discretion to give current homeowner information on an as needed basis.

Item C: Proposed Changes to the Rules & Regulations and Contractor's Manual – A motion was made, seconded and carried to approve the following proposed revision/addition noted in **bold**:

The following is a proposed **addition** to page 18 of the **Rules and Regulations**:

Community Building/Patio/BBQ Area Facility Reservations

- 10. The Facility may be rented on a weekly or monthly basis for the purpose of holding small recurring gatherings such as card games, etc. The gatherings must be approved by the Board and will be reviewed on a case by case basis. Reservations will need to be renewed before each use of the facility and will be granted on a first come first serve basis. In order to renew an existing reservation, please contact Julie Haye at 949-679-5557.**

The following is a proposed **addition** to page 19 of the **Rules and Regulations**:

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Facility Fees

1. The fees for reserving the community building/patio/BBQ area must be paid to Shady Canyon Master Association at the time of reservation and including the following:

A. Shady Canyon Community Activity: (Board authorized functions for Association Members)	No Charge
B. Weekly or Monthly Recurring Event: (Replenishable fee, used for any clean up costs incurred)	\$300.00
C. Non-refundable Use Fee for One time Events:	\$300.00
D. Refundable Deposit Check:	\$1,000.00

The following is a proposed **addition** to page 4 of the **Contractor's Manual**:

II. Prior to Construction

- A. For empty lots with no construction activity anticipated in the next 6 months and over their 3 year time period to build:
 1. Site must be free from any stockpiling of materials, dirt, trailers, etc.
 2. **All sandbags required as part of erosion control provisions must be kept 12" back from the back of the curb in order to mitigate damage done by vehicles parking on the street.**
 3. Site cannot be fenced. If protection is needed to restrict access to the lot, the owner may install two (2) pipe bollards and a chain across the driveway opening with a standardized Shady Canyon "No Trespassing" sign.

The following is a proposed **addition** to item number 5 on page 14 of the **Contractor's Manual**:

5. Maintain dust, erosion and storm water runoff controls on the Lot. **All sandbags required as part of erosion control provisions must be kept 12" back from the back of the curb in order to mitigate damage done by vehicles parking on the street.**

Per Civil Code, these revisions/additions will be sent out to the membership within 15 days and can take effect 30 days after notice is mailed. Motion carried 5/0.

Item D: Proposed Additions to the Rules & Regulations – A motion was made, seconded and carried to send a letter out to the membership proposing an addition be made to the existing Rules & Regulations that would allow the Association to de-activate transponders for non-payment of fines resulting from violations within the community or delinquent assessments.

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The purpose of the transponder de-activation is to achieve greater compliance with the existing Rules & Regulations. Per Civil Code this addition will be sent out to the membership for a 30 day comment period and all comments received will be presented to the Board at the July 1, 2009 Board meeting. Motion carried 5/0.

Item E: Proposal from GMI, Inc to Provide an Additional Rover Vehicle for Speed Control – This item was pulled from the General Session agenda.

Item F: Homeowner Landscape Maintenance Easement Request – 34 Blue Heron – A motion was made, seconded and carried to approve the request from the homeowners at 34 Blue Heron for a Landscape Maintenance easement for the flat bench of land outside of their rear property line as this easement was originally offered to the homeowner in April of 2003. Management will forward the agreement to the Association's legal counsel for review. All legal fees will be paid by the homeowner. Motion carried 4/1 (Board member Richard Liggitt abstained).

Item G: Addition of a Picnic Table to the Tot Lot – A motion was made, seconded and carried to approve the proposal from Quickerete to provide a picnic table for the tot lot at a total cost of \$1,151.67. Motion carried 5/0.

Item H: Villa/Sycamore Request for Management to Send a Letter to Homeowners Advising Them of the New Vendor – A motion was made, seconded and carried for Management to send a letter to the Villa/Sycamore homeowners advising them of the new landscape vendor and reminding them of the proper protocol. Mike Noggle and Richard Liggitt would like to review this letter before it goes out.

Item I: Proposal to Add Boulders to Two Cul-de-Sacs – A motion was made, seconded and carried to add boulders to the cul-de-sacs on Canyon Creek and Spike Moss for an amount not to exceed \$3,920.00. The Board would like Management to inquire with Natures Image to see if they can match the proposal price from Valley Crest Landscape Maintenance. Motion carried 5/0.

Item J: Cul-de-Sac Retro-fitting at Canyon Creek – The Board informed Mr. Marlin that the Association would not pay to retrofit the cul-de-sac as the Irvine Company paid to have the other five retro-fitted as a result of a change in the parking plan after the owners purchased the lot. Mr. Marlin agreed and requested that the Board consider writing a letter to the homeowners on this cul-de-sac explaining the situation. A motion was made, seconded and carried to send a letter to the six homeowners on the Canyon Creek cul-de-sac explaining the parking situation and the costs involved in retrofitting to allow parking. The Board would also like Management to call OCFCA and request a list of all cul-de-sacs that still need to be retro-fitted and ask for proposals from Valley Crest Landscape Maintenance, Natures Image and Mr. Marlin's contractor for comparison. Motion carried 5/0.

Item K: Down Slope Fence Committee Creation – A motion was made, seconded and carried to not create a down slope fence committee at this time and add the responsibility of down slope fence plan approvals to the landscape committee charter as Richard Liggitt is currently attending all down slope fence review meetings.

Item L: Speed Minder – A motion was made, seconded and carried to allow Board Member, Mike Reeves to spend an amount not to exceed \$5,000.00 to find and procure an acceptable Speed Minder product. Board President, Mike Noggle would like to purchase a Speed Minder product with photo capabilities if possible. Motion carried 5/0.

Item M: Homeowner Request for a Variance – A motion was made, seconded and carried to grant the homeowner at 20 Grey Owl a variance to keep the wrought iron "S" on his front gate based on the fact that this is not a motor court gate, nor does it meet the requirements to be considered a sign or graphic. Motion carried 5/0.

Item N: Mosaic Consulting, Inc. Proposal for Increased Services – This item was pulled from the General Session agenda.

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Item O: Homeowner Request to Remove Speed Cushion – A motion was made, seconded and carried to remove the speed cushion at the lower part of Canyon Creek and relocate it to an area farther down the street so that it no longer creates excessive noise bordering residents' rear yards. Management will ask Kimley-Horn to add this to their current traffic study and contact OCFA to approve the new location. Motion carried 5/0.

COMMITTEE REPORTS

Richard Liggitt, chairman of the Landscape Committee reported that Mosaic Consulting, Inc has been working with the new landscape vendors in order to establish the discipline necessary to work within Shady Canyon.

Richard Liggitt, chairman of the Technology Committee reported that all transponders have been re-coded and the gates have been turned back on. Homeowners who have not turned in their paperwork are now re-registering.

Mike Reeves, chairman of the Traffic Committee stated that the committee would like to re-visit the street markings recommended in the traffic study. Management will add this along with all other items noted in the traffic study to the June 3, 2009 Board meeting agenda.

HOMEOWNER FORUM

No homeowners spoke during the homeowner forum.

ADJOURNMENT

With no further business to discuss, the General Session was adjourned at 5:53 P.M.

ACCEPTED: _____

Richard C. Liggitt

DATE: _____

6/3/09