

SHADY CANYON COMMUNITY ASSOCIATION  
GENERAL SESSION MEETING MINUTES  
JULY 1, 2009  
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**BOARD MEMBERS PRESENT:**

Mike Noggle  
Rich Cadarette  
Richard Liggitt  
Mike Gray  
Mike Reeves

**BOARD MEMBERS ABSENT:**

None

**MANAGEMENT REPRESENTATIVES:**

Julie Haye  
Shana Aaberg  
Sherry Salazar  
Keystone Pacific Property Management, Inc.

**ISSUES DISCUSSED IN EXECUTIVE SESSION**

The June 3, 2009 meeting minutes were approved, hearings were held, a fine reversal request, vendors' performance, the GateWorks contract, Artistic Maintenance contract, Stantec contract and homeowner modifications to common area were discussed during the July 1, 2009 Executive Session meeting.

**CALL TO ORDER**

The meeting was called to order by Board President, Mike Noggle at 4:20 P M.

**GUEST IN ATTENDANCE**

Scott McClain from GMI, Inc. was in attendance to answer any questions regarding gate access control

**ARCHITECTURAL REPORT**

Sherry Salazar gave 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. There were two homes completed, two homes breaking ground and twenty two lots going through the new DSF process.

**HOMEOWNER FORUM**

A homeowner was present to discuss the need for a stop sign at the corner of Canyon Creek and Boulder View.

**CONSENT CALENDAR**

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

Item A: June 3, 2009 General Session Meeting Minutes – Resolved, to approve the June 3, 2009 General Session Meeting Minutes.

Item B: Action Without Meeting Minutes – Notary Commission – Resolved, to ratify and approve the Action Without Meeting Minutes for the \$413.85 expense for Community Association Manager, Shana Aaberg to renew her Notary Commission

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Item C: Action Without Meeting Minutes – Optimum Plus Sloan 5200 Repair Kit to the Women’s Toilet – Resolved, to ratify and approve the Action Without Meeting Minutes to approve the proposal that includes installation of a new Optimum Plus Sloan 5200 repair kit to the women's toilet (first stall) for a total cost of \$655.00. The breakdown is as follows: Total Parts & Equipment: \$385.00 - Total Labor \$270.00. This cost will be paid out of the Pool/Spa/Cabana reserve line item.

Item D: Action Without Meeting Minutes – Broken Conduits Causing Loss of Power at the Cul-de-Sac at the Lower End of Golden Eagle – Resolved, to ratify and approve the Action Without Meeting Minutes to approve the proposal from Three Phase Electric to repair the broken conduits causing loss of power at the cul-de-sac at the lower end of Golden Eagle for a total cost of \$1,600.00. The breakdown is as follows: Total Parts & Equipment: \$500.00 - Total Labor \$1,100.00. This cost will be paid out of the Lighting reserve line item.

Item E: Action Without Meeting Minutes – New Cabana Covers and Curtains – Resolved, to ratify and approve the Action Without Meeting Minutes to approve the proposal from Eide Industries to fabricate new cabana covers and curtains for a total cost of \$2,703.00. This cost will be paid out of the Pool/Spa/Cabana reserve line item.

Item F: Action Without Meeting Minutes – Kimley-Horn and Associates – Resolved, to ratify and approve the Action Without Meeting Minutes to approve the proposal from Kimley-Horn and Associates to perform a follow-up traffic study to determine the efficacy of the speed cushions that have been installed to date for a total cost of \$2,800.00.

Item G: Design Review Committee Resignation/Appointment – Resolved, to accept Brad Engelland’s resignation from the design review committee and appoint Vicky DeFelice in his place.

Item H: Delinquent Accounts – Resolved, to place liens on accounts APN #464-031-47, APN #481-162-05 and APN #481-142-01.

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

Item A: Financial Statement – A motion was made, seconded and carried to table the acceptance of the May 31, 2009 financial statement so that Board member, Mike Gray can further review it.

**OLD/NEW BUSINESS**

Item A: Homeowner Request to Install Plant Material on the Common Area – A motion was made, seconded and carried to allow Mike Reeves, Board member and homeowner at 64 Canyon Creek to pay for the community landscape contractor to install nine (9) 24” box Sycamores on the slope behind his home per his DRC approved plan. Motion carried 5/0.

Item B: Homeowner Request for Reimbursement for Down Slope Fence Installation Charges Incurred – A motion was made, seconded and carried to reimburse Dr. Mills, homeowner at 56 Canyon Creek for the charges he incurred as a result of installing his down slope fence to the original DRC approved location, above and beyond the charges he would have incurred if he had installed his fence at its current location. A check will be sent to Dr. Mills in the amount of \$2,623.18. Motion carried 4/1. Board member Richard Liggitt abstained from this vote.

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Item C: Homeowner Request to Modify his Down Slope Fence Agreement – A motion was made, seconded and carried to allow Mr. Nathan Hamilton, homeowner at 109 Canyon Creek to alter the down slope fence agreement prior to signing it so that he would have the ability, as well as the Association, to terminate the down slope fence agreement at will Please see the changes below:

**10. Term.** Unless earlier terminated in accordance with Paragraph 12 hereof, the term of this agreement shall be for one (1) year from the date of its recordation in Official Records of Orange County, and shall automatically renew for successive terms of (1) year; provided however that ~~Association either Party~~ may terminate this Agreement on one twenty (120) days notice to ~~Owner the other Party~~. Upon termination, Owner shall, unless otherwise agreed to in writing by Association, dismantle the Fence and Side Fence(s) and either (a) remove same from the Master Association Property, or (b) relocate the Fence to the rear property line of the Owner's Property. Motion carried 5/0

Item D: Changes to the Rules & Regulations – A motion was made, seconded and carried to adopt the addition is noted below in **bold**:

The following is an **addition** to page 33 of the **Rules & Regulations**:

B. Other Violations

- 6. At the discretion of the Board of Directors, a resident's transponder may be de-activated for non-payment of fines resulting from a hearing or non-payment of monthly assessments until the account is brought current.**

Management will mail this addition to the Rules & Regulations to the membership within 15 days from the date of the meeting and it will take effect 30 days after notice is mailed Motion carried 5/0.

Item E: Follow-up Speed Study by Kimley-Horn and Associates – A motion was made, seconded and carried to approve the additional 7 recommended areas for speed cushions installation at a cost of \$5,069 00 per location fully installed, with Quickel Paving to complete the work Motion carried 5/0.

Item F: Standard No Construction Parking Signs – A motion was made, seconded and carried to allow owners who live on streets with a high volume of construction to place a standard “No Construction Parking” sign in front of their homes. This requires an addition to page 11 of the Shady Canyon Rules & Regulations where it states:

1. No sign or billboard of any kind shall be displayed to the public view on any portion of the community except for signs used by Declarant (or by a Merchant Builder with Declarant's consent) in connection with the development of the community and sale or lease of Lots and/or Condominiums.

This proposed addition will be sent out to the membership for a 30 day comment period and then placed on the September 2, 2009 Board meeting agenda. The Board would like to purchase 100 standard “No Construction Parking” signs from Outdoor Dimensions to keep at the on-site office and sell to homeowners for \$20.00 a piece Motion carried 5/0.

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Item G: Proposal for Removal of Ceramic Bots Dots, Installation of Speed Cushions at the Golf Cart Crossing and Stripping on Canyon Creek, Sage Creek, Boulder View and Golden Eagle – A motion was made, seconded and carried to approve the proposal from Quickel Paving to remove the ceramic Bots Dots on Canyon Creek, install Speed Cushions at the Golf Cart Crossing and install double yellow line center striping on Canyon Creek, Sage Creek, Boulder View and Golden Eagle for a total cost of \$18,538.00 Motion carried 5/0.

Item H: Financial Committee Creation - The Board determined that a Financial committee will not be necessary at this time. Instead, the Board would like Mike Gray to review the financial statements monthly and make any recommendations as necessary. The Board would also like Management to schedule a meeting with Mike Smith of Keystone Pacific Property Management, Inc. to discuss budgetary concerns with Board members, Mike Gray and Mike Noggle.

Item I: Social Committee Creation – A motion was made, seconded and carried to approve the resignation of Mike Gray as chairman of the Social Committee and the appointment of Mike Reeves in his place Motion carried 5/0.

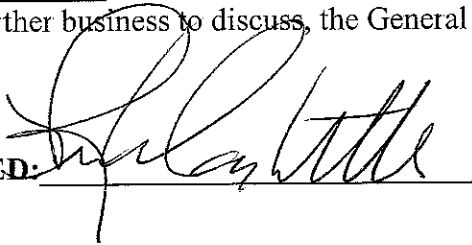
**COMMITTEE REPORTS**

Mike Noggle, chairman of the Gate Access Committee reported that the committee is currently working on “cut throughs”, Department of Homeland Security entry into the community and how to verify if someone works for the government

**ADJOURNMENT**

With no further business to discuss, the General Session was adjourned at 5:25 P.M.

ACCEPTED: \_\_\_\_\_



DATE: \_\_\_\_\_

9/2/09