

Bonita Highlands Homeowners' Association
Board of Directors Meeting - Minutes
May 14, 2019

1. Call to order - The meeting was called to order at 7:00 by President Mike Seiler, who welcomed all the homeowners and guests. He reminded all guests wishing to speak to come to the lectern and address the chair, limiting comments to 3 minutes if possible.

- A. Roll Call: All Directors except Vice President Debbie Allen were present. All staff were in attendance.
- B. Pledge of Allegiance was recited.
- C. Next regularly scheduled meeting of the Board of Directors will be June 11, at 7:00 p.m, in the Bonita Sunnyside Fire Station.
- D. The minutes from the April 9 meeting were reviewed and approved. M/S Clayton/Schlesinger. Passed 4-0.

2. Homeowner Appearances.

- A. Homeowner appeals to violation notices or fines:
 - 1) 5933 Central, homeowner presented a check to pay all fines on the property
 - 2) 5910 Central, homeowner to meet with John Gilman regarding paint selection.
 - 3) 4011 Corral Canyon, homeowner presented memorabilia from the Korean War to the board in hopes it would be given to one who had served in Korea.
 - 4) 5628 Central. Homeowner came to thank the HOA, specifically John Gilman, Mike Seiler and Glenn Kopp for coming to his aid and help solve a drainage problem. He said the county was no help at all. Thanks to the three who came to his aid, his son in law was able to correct the problem.
- B. Open Forum for Homeowners. Mike Sampsel, homeowner on Blacksmith, had four concerns:
 - 1) He expressed concern about the increasing number of RVs that are being parked along Corral Canyon. A discussion ensued as he is not the only one to complain about these vehicles, and Mike Seiler said he would take it up with Greg Cox's Policy Advisor.
 - 2) He expressed concern about a homeowner who owes \$1900 to the association and wants this homeowner taken to collection.
 - 3) He expressed concern about the estimated \$90,000 owed to the association in fines and unpaid assessments. He wants the HOA to hire a process server to pursue collection of these funds. Collection will be taken under advisement. He also mentioned his thoughts on a budget shortfall.

4) In an effort to keep homeowners informed of any agenda changes prior to the meeting (at least a week before) the HOA has posted the agenda on the website. Mr. Sampsel said this violated the Davis-Stirling Act.

a. President Seiler responded that in addition to posting the agenda in the monthly newsletter, which is mailed to all residences, any changes are posted electronically on the BHHA web site, which all residences and homeowners may access directly at home or via computer at the Bonita-Sunnyside library. Therefore posting changes on line should be aligned with Davis-Stirling intent.

b. Per California Civil Code Section 4920: *The Davis-Stirling Act requires associations give notice of board meetings, including an agenda of the meeting. Posting the notice and agenda on a bulletin board is allowed, provided it is in a prominent location accessible to all members. If the bulletin board is not large enough, associations need to install larger ones or, in the alternative, deliver notice to everyone.* (President Seiler considers the BHHA web site essentially a "bulletin board" and a recurring note in the Bonita Highlander newsletter will remind everyone of such.)

3. Committee and Staff reports:

A. Welcoming Committee (Bobbie and Ray Snider): Seven new homeowners were visited and four more are scheduled as the some homeowners had not yet moved in or were not at home when visited.

B. Requests for Structural Modifications (John and Ana Maria Gilman).

- 1) 5933 Central Ave - re-landscape front yard - no permit required - approved
- 2) 3822 Corral Canyon - paver driveway and walkway - no permit required - approved
- 3) 4010 Country Trail - extend concrete driveway - no permit required- approved
- 4) 3844 Wild Oats - re-landscape front yard - no permit required - approved
- 5) 5923 Steeplechase - paint - no permit required - approved
- 6) 3710 Wild Oats - re roof - permit required - approved
- 7) 3710 Wild Oats - paint - no permit required - approved
- 8) 5645 Central - roof mounted solar - permit required - approved
- 9) 3953 Country Trails - roof mounted solar - permit required - approved

C. Architectural Control Committee - Compliance (Silvia Tucker).

- 1) Summary: Outstanding fines: April 2019 fines = \$1,100 Total = \$32,692 ((8/2017 - present); Inspection dates: 04/16/19 and 04/29/19; Fine letters sent = 9; Fine warning letters sent = 9
- 2) 3934 Corral Canyon. Homeowner fined \$150 for lack of maintenance on front yard. There has been no communication from the homeowner and the promised SCR has not been received. Prior fine balance = \$1350.
- 3) 3668 Corral Canyon. Homeowner has been fined for yard issues and now is being fined \$50 for trash cans left in front of fence. Prior fine balance = \$200.
- 4) 3727 Corral Canyon. Homeowner is fined \$200 for condition of front yard and an additional \$150 for vehicle stored in the driveway. There are 19 previous fines on this property for both of these issues. Homeowner filed for bankruptcy effective 05/18. Fines restarted via certified letter 06/18. All correspondence with this HO is returned unopened.
- 5) 3827 Wild Oats. There are 10 fines totaling \$1100, on this property due to the condition of the front yard. No new fine is recommended as the HO is working on the yard and it is looking better.
- 6) 5951 Central. Home owner has 6 fines in the amount of \$850 and has not responded. HO being fined an additional \$200 for condition of the yard, and the paint needed on the garage door and house trim.
- 7) 3774 Wild Oats. Homeowner has been fined 4 times in the amount of \$150 for the condition of the front yard. An additional fine of \$100 is recommended this month. Homeowner has indicated he will continue to pay fines until he returns to San Diego. He has paid \$150 in fines thus far.
- 8) 6020 Central. There are two large palm trees in the front yard that need to be trimmed. There are 3 fines on this property totaling \$150 with a \$100 fine recommended this month. The homeowner has not responded. ACC-C noted that \$600 remains owed from 2007-2009.
- 9) 5426 Mirar Court. A neighbor complained about a huge palm tree with fronds touching the ground. Rodents could be seen running into the dead fronds. The homeowner did not respond and a \$50 fine is recommended. (Shortly thereafter, the HO removed the palm tree so the fine will not be assessed.)
- 10) 5717 Winners Circle. An illegal wall has been removed from this property and the homeowner has requested that ACC-A send a letter saying that the "action is complete" regarding this issue.
- 11) Fine letters were also sent to the following addresses:
 - 5720 Good Karma - driveway - (completed)
 - 5910 Central Ave. House trim and garage need painting. HO will meet with ACC.A

- 3742 Country Trails. House trim and garage need painting - HO will meet with ACC.A.

12) Fines recommended by ACC-C were approved.

D. Open Space Committee (Glenn Kopp).

- 1) Glenn has received several calls regarding the mowing of the open space. The mowing is to begin on May 15th. Mowing will begin near the corner of Central and Corral Canyon. Glenn will closely monitor the mowing and direct the order in which the hills will be mowed. He expects the mowing to take at least two weeks.
- 2) Ring Road - The re-paving of the upper and lower horse ring roads is scheduled to be completed between June 25th and June 27th. The access roads will be closed for one week. He would like this information put in the June newsletter.
- 3) 5916 Blacksmith - Homeowner complained about rocks and dirt in his driveway due to the clearing of the trail next to his property. Glenn met with contractor and explained how to avoid this problem in the future and communicated that with the homeowner.

Maintenance Contract for May 2019

Item number	Delivers Order	Cost
1	Open Space mowing	\$ 18,885
2A	Grass Mowing (weekly)	800
6	Equestrian Areas	215
10	Irrigation	909
Total		\$ 20,809

E. Financial Officer's Report (Sandra Jones).

- 1) Balance Sheet FY 2019-2020 Ending April 30, 2019
 - a) Operating Accounts highlights
 - i) SDCCU offering promotional 16 month CD 2.50% APY for Min \$2,000 investment so with board concurrence, opened SEVEN NEW 2.5% CDs @ \$10,000 each from MM (01)
 - ii) SDCCU 1 year 1905 (38) matured. Transferred to SDCCU MM (01) 5/14/2019
 - b) WFB Checking/Savings Recommended Acct changes:
 - i) Replace 3rd signer on Account by Board Resolution 19-0514, to Dave Schlesinger.
 - ii) Change street mailing address from Blacksmith to Corral Canyon (Board Treasurer Sharon Clayton)
- 2) Profit and Loss Budget vs Actual as of April 30, 2019
 - a) Collected 94% of Assessments

- b) Legal/Collections & Recovery (Expense Account) has a negative balance due to a reimbursement from GBF that exceeds our GBF expenses thus far.
- 3) Escrow Report: 5 demands, 5 closings
- 4) Old financial business.
 - a) Annual Assessment FY 2019-2020. Processed and deposited 641 assessment checks as of 5/14/2019.
 - b) New Owners enjoy the visit from the Welcome Committee. They think it would be helpful to educate new owners about the Annual Assessment process.
 - c) Old Business: Preparation for 2019-2020 FY audit with Sonnenberg in process. Audit scheduled for June/July 2019.
- 4. Written Communication Log (Mary Ellen Phillips).- The log was reviewed and accepted.
- 5. Community Issues and Actions.
 - A. President Seiler reported that the Dog Park at the West end of Rohr Park continues to move forward. He stated that there would be a separate fence enclosing the park that would separate it from the properties and property fencing of the Bonita Verde community.
 - B. The Willow Street Bridge renovation is complete and the bridge is now open. Ana Maria Gilman reported that the cement block with the date "1941" (the original bridge completion date) was preserved and placed on the walking path beside the new bridge.
- 6. Old Business:
 - A. According to our law firm, GBF, we have no language in our CC&Rs that asks homeowners to provide a copy of their lease agreement with the residents' names listed.
 - B. The Stop and Desist form letter is complete.
 - C. The final draft of the "Rules and Regulations" was approved as written. M/S Snyder/ Clayton; passed 4/0. It will be changed from "draft" to "Rules and Regulations" on the website.
- 7. New Business - none
- 8. Board member comments.
 - A. A note is to be put in the June newsletter alerting homeowners to the Rules and Regulations as adopted at this meeting.
 - B. A reminder is also to be put in the newsletter, saying SCRs for summer projects must be submitted and approved at the June meeting before work can commence.

9. Agenda for the next meeting: N/A

10. Adjournment 8:45 p.m.

11. Executive Session was held. The following properties/items were discussed in Executive Session:

- A. GBF is rewriting their contract with HOA. They will collect their fees as part of their collection process and pay the HOA what is owed, rather than the HOA collecting their fees for them.
- B. Homeowner wants to make a down payment of \$1000 and pay \$100 per month. FO to propose a counter offer of \$300 per month.
- C. The board voted 4-0 that the HO is responsible for the cost of the lien release, after debt is paid in full.

Respectfully submitted

A handwritten signature in grey ink, appearing to read 'MEP', with a horizontal line extending to the right.

Mary Ellen Phillips
BHHA Recording Secretary