



**Hiddenbrooke Property Owners Association, Inc.  
Board of Directors – Minutes  
Thursday, January 28, 2010 Time: 6:30 PM  
Location: Library – Hiddenbrooke Golf Club**

- I. **Call to order:** The meeting was called to order by Joyce Estes, President at 6:35 PM. A quorum was present.
- II. **Attendance/Introductions:**
  - a. Board Members present: Joyce Estes, Ian Forsyth, Doug Eeten, Ed Pryal Kathy Wildermuth, and Chris Brittle
  - b. Board Members Absent: Kevin Dement
  - c. Service Providers Invited:
    - Desiree Conley, Valley Management Services – Financial Management - Present
    - Dave Caldwell, CC&R Manager - Present
  - d. Guests: Bob Schussel, Byrne Conley
- III. **Approve Minutes:** Board Meeting Minutes of December 3, 2009. **Approved**
- IV. **Community Forum** -- *Anyone wishing to address the Board on any matter for which another opportunity to speak is not provided on the agenda, and which is within the jurisdiction of HPOA may speak now. Each speaker should state his /her name, and address for the record. Each speaker is limited to three minutes. Valley Management will track the time.*
- V. **Consent Calendar and Approval of Agenda Approved**

*All matters are approved under one motion unless requested to be removed for discussion by a Board Member. Any item discussed separately may be voted separately upon request by a Board Member.*

  - a. **Changes/additions to agenda or order of agenda**
  - b. **Votes via email: None**
  - c. **Bills to be approved for payment** –See Management Report from Valley Management Services with listing of invoices for payment.
- VI. **Financial Management Company** – Desiree Conley
  - a. Collection update to be discussed in closed session. But the following resolution needs to be adopted in open session:

**Motion Approved:** Approve 5 resolutions prepared by Pro Solutions to record liens on six properties in Hiddenbrooke. Authorize the President to sign the resolutions in the absence of the Secretary for the following liens:

    - 0182-252-010 - ***On Hold***
    - 0182-233-010
    - 0182-352-130
    - 0182-191-560
    - 0182-371-260
    - 0182-101-040
  - b. HPOA Computer Files Transferred/Organized for HARC. Will keep by address and one copy in separate folder for easy access.
  - c. Report of telephone call to attorney John Gill. Have exchanged emails, but have not reached by phone.

VII. **President's Report-Joyce**

- a. Need for administrative assistant – **Board Approves**
- b. 2009 New Laws. Email sent to Board with Davis Stirling changes which include requiring an index to disclosures if requested.
- c. Mailing to non-resident owners (not banks) to get email addresses so HB-Times can be emailed to them to save money.
- d. CC&R Enforcement Article purchased from Beth Grimm, Attorney and given to Board. Copy is also saved on the HPOA computer.

VIII. **Committee Reports**

- a. **HARC**—Chris Brittle  
December meeting (Cancelled); January meeting.

Emailed golf course to have pine trees by Benington pruned. HMD will be adding two more garbage cans.

HARC has been discussing color schemes for the new summit homes. Six out of the nine schemes were accepted with small modifications. Building plans have been accepted.

- b. **CC&RS Manager/Verification Committee**—Dave Caldwell/Doug Eeten

New phone number for CC&R Manager—Dave decided to hold off doing this.

|  |    |
|--|----|
| Total Letters Sent   | 55 |
| Number of Courtesy Letters Sent-Regular  | 50 |
| Number of Final Letters  | 5  |
| Number of Violations on Hold   | 5  |
| Number of New Fines To be Voted Tonight:-zero  | 0  |
| Number of homes who have complied (X-complete)   | 10 |
| Number of Time to Stain Fence letters  | 2  |
| Had 6 emails from owners   |    |
| Had 8 calls from owners  |    |
| Update on illegal structure: Violation notice has been sent. Owner submitted for approval from City. |    |

Next Verification Date: February 2, 2010

**Complaints from a member:** A member of the community has submitted an extensive list of CC&R complaints, including pictures and addresses for most complaints. To address these alleged complaints, we had a committee meeting to discuss violations, which was attended by: Joyce Estes, Chris Brittle, Doug Eeten, Kathy Wildermuth, Dave Caldwell and Jamie Clark. The committee has grouped the violations under various categories, discussed the alleged CC&R violation, and make the recommendations to the Board as follows (Note: the specific addresses of complaints is a topic for the following Closed Session):

**Motion:** Approve the following recommendations and/or actions: **Approved**

- A. Parking on Pads: Reviewed 17 complaints. Publish article in March HB-TIMES discussing CC&Rs and the issue of parking on pads that were not part of the original driveway or approved driveway expansion; after the article is published, verify that cars on complaint list are still parked on pads. After verification, send letters to homeowners on the list with cars parked on pads reminding them of CC&R requirements; after that, the Board will address on an individual complaint basis.
- B. Car in Side Yard: Reviewed 3 complaints. Send letter to one owner to make covered car less visible from street or remove from side yard.
- C. Extra Wide Gates: Reviewed 14 complaints. Design Guidelines do not address appearance or location of gates. Reviewed pictures of gates; most gates found to be aesthetically acceptable by the Board with two exceptions which will be followed up with.
- D. Parking of Commercial Vehicles on Street/Driveways: Reviewed 2 complaints. Check City business license for restrictions for one complaint.
- E. Ornamental gates: Reviewed 4 complaints. All homes either had gates approved or were acceptable to Board.
- F. Fence colors: Reviewed 5 complaints. The Board has reviewed the color of the fences and finds them in compliance with the recommended colors and/or aesthetically acceptable; 2408 Waterfall is an approved color. The Board has reviewed the lattice fence and finds it aesthetically acceptable. The Board will be more proactive about staining of certain fences that are highly visible and are not stained an approved color by notifying owners when their fences are about to need restaining.
- G. Garages: Reviewed 2 complaints. Garage door for one complaint approved by HARC; unable to verify that open garage door for another home is a recurring problem (garage is neat and tidy inside per CC&R's)
- H. Garbage cans left out/visible from street: Reviewed 7 complaints. This is an ongoing issue throughout Hiddenbrooke and compliance varies on a weekly basis. The issue is being addressed through periodic verification drives to determine who should receive courtesy letters and eventually be fined, if necessary.
- I. Basketball Hoops. Reviewed 2 complaints. Hoops are not permitted in front yards. One hoop was moved to reduce visibility from street; no action needed.
- J. Sports Net in Backyard/visible from Street: Reviewed one complaint. Two courtesy letters have been sent. Owner had agreed to remove the netting in October. Board will follow up with final notice and schedule a fine hearing.
- K. Encroachment in Open Space with private use of public property: Reviewed one complaint. Referred to City of Vallejo for action.
- L. Unapproved structures on Lot: Reviewed one complaint. Already referred to City for action.

M. Unapproved concrete driveway expansions. Reviewed 25 complaints.

HARC's *Policies and Disclosures* –Cement Guidelines

- 2 car driveways not to exceed 80 square feet, plus other requirements.
- 3 car driveways not to exceed 30 square feet, plus other requirements

It is clear that numerous extra concrete pads were added to driveways without HARC approval and prior to the Cement Guidelines being developed. Many of these occurred more than five years ago and are not actionable due to the statute of limitations on enforcing violations older than 5 years (Civil Code 336 effective January 1, 2001). Attempting to obtain removal of all of these extra driveway expansions exceeds HPOA's administrative and financial resources.

Going forward, the Board intends to formally adopt and publish the Concrete Guidelines into the master Design Guidelines for Hiddenbrooke (see HB-TIMES March 2010), prevent any new concrete additions that do not conform to these Guidelines, and work with new owners who are interested in upgrading their front yards to reduce the amount of concrete where such additions do not conform to the Guidelines. In addition, the Board will send letters to several homeowners who did not get approval for their driveway modifications explaining the necessity of disclosing upon sale that their driveway additions were not approved by HARC.

c. **Vacant & Foreclosed Program**—Kim Dowdall/Ed Pryal

|  |      |
|--|------|
| Number of homes tagged with violation notice | None |
| Number of realtors/banks called              | one  |
| Number of homes with maintenance done        | None |
| Currently tracking two homes.                |      |

d. **Review latest list of foreclosures** – Joyce

e. **It's Time To Paint – Next Neighborhood to get letters**—Tabled to April 2010

Valley Management will forward list of homes that were sent letters to Ed Pryal who will follow up with drive bys.

f. **HCA Liaison Report**-Chris

HCA /HPOA Joint Committee has requested approval of the following resolution as a prelude to the transferring of the Hiddenbrooke Maintenance District responsibility to HPOA.

**Motion:** HCA/HPOA Joint Resolution of Cooperation and Support **Approved**

1. HPOA and HCA were created for the betterment of the Hiddenbrooke Community and each has an important part to play in continuing this mission.
2. In this spirit, we wish to re-state our complete support and appreciation for each organization and the volunteers who perform such valuable service to our community.
3. The HCA/HPOA Liaison Committee can serve as a forum to improve cooperation and coordination.
4. Either Board may refer issues to the Liaison Committee.

5. All Homeowners belong to HPOA whereas HCA membership is discretionary. Another means to foster increased cooperation and coordination between the two organizations is for members of the HPOA Board to join HCA and participate in HCA activities and community initiatives.

**HMD Committee Appointment:** Mike Baldwin has agreed to serve as Chair. Actual appointment of chair and committee members will probably be done at next Board Meeting pending HCA Approval. Possible committee members: Chris Brittle, Joyce Estes, Bob Schussel and Jane McWhorter, Richard Tirrell

**HMD Insurance**—The endorsement is in process for the City of Vallejo to be named co-insured on our insurance policy.

- g. **HB-Times:** Next issue is March which will contain the four pages rules and regulations and 2 pages of additions to the Design Guidelines. Ads and content needs to be in to Joyce by Feb. 5<sup>th</sup>. We have had three inquiries about ads. HB Times needs a new editor.
- h. **Graffiti-Maria Andrews:** Graffiti on Landmark and a spot on a yield sign have been removed.

## IX. Old Business

### a. **HARC Owner Records/Approvals:**

A request has been made for HPOA to update the old Triad spreadsheet which was never completed with all approval letters sent by HARC. This has been held over for several months. Bob Schussel has agreed to work on this project after getting input on possible categories needed.

## X. New Business

- a. **CPI Calculation** actually allows us to increase annual assessment to \$56.

**Motion Approved:** Approve setting the 2010-2011 annual assessment at \$55.00 per year with no increase in assessment.

- b. **Budget published in March HB-Times** – Refer to handout for discussion. Proposed budget shows \$84,000 of income and \$74,000 of expenses with a net profit of \$10,000 which will probably be offset by nonpayment of fees.

**Motion Approved:** Approve the budget for fiscal year ending June 30, 2011 with an estimated \$10,000 profit without any provision for nonpayment of assessments and for it to be published in the March 2010 issue of HB-TIMES.

- c. **Annual Meeting:** We have tentatively reserved Wed. June 23, 2010 for our annual meeting. Suggestions for theatre style seating to fit more homeowners; for HPOA to present first and HCA second.
- d. **Summary of CC&R Complaint Procedures, Notices and Fines; Billing, Assessment and Collection Policy; Schedule of Fees and Monetary Fines** – Second reading—see end of agenda for draft. Rules will need to be confirmed at April Board meeting so members have at least 30 days to review them before they take effect. We will actually vote final approval at the April Board meeting to allow members time to make comments. Do we want an attorney to review the rules before publication? We have time.

**Motion Approved:** Approve for publication in the March issue of HB-TIMES the four page summary of CC&R Complaint Procedures, Notices and Fines; Billing, Assessment and Collection Policy; Schedule of Fees and Monetary Fines.

- e. **Hiddenbrooke Design Guidelines** have been changed over the years. Attached at the end of this agenda is a summary of those changes. Rules will need to be confirmed at April Board meeting so members have at least 30 days to review them before they take effect.

**Motion Approved:** Approve for publication in the March issue of HB-TIMES the summary of changes to the Hiddenbrooke Design Guidelines and for their insertion into the Design Guidelines as Appendix B.

- f. **Information Request from Robert Schussel** re information received at last attorney conference. Chris Brittle and Doug Eeten discussed different aspects of lawyer's advice and how it applies to Mr. Schussel's concerns.

XI. **Next Meeting Date:** Thursday, February 25, 2010 at 6:30 pm at the library.  
**No meeting scheduled for March.**

XII. **Adjournment to closed session.** Topics For Closed Session: Hearings, Fines, Collection Issues, Homes with Continuing Problems, Legal Issues, Complaints and Contracts.

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Members who have notified the President that they can't attend a future scheduled meeting:

Kathy Wildermuth                      Feb. 25, 2010

**The Minutes of the meeting were approved by the Board of Directors on 1-28-10**

**Certified by Kathy Wildermuth, Board Member 1-28-10, 2010.**

# Hiddenbrooke Property Owners Association, Inc

## Financial Management Report December 2009

Board Meeting January 28, 2010

Valley Management Services

Phone 707 644-0922

Fax 707 644-0922

Email [valley-manager@sbcglobal.net](mailto:valley-manager@sbcglobal.net)

|   |                    |
|---|--------------------|
| <b>Total Owner Deposits for Dec.</b>              | \$ 2,059.07        |
| <b>Checking Balance 12/31/09</b>                  | <b>\$25,432.73</b> |
| Deposits thru 1/26/09                             | \$ 2,171.77        |
| Current Checking Balance<br>(As of Jan. 26, 2009) | \$27,604.50        |
| Checking Balance after payables                   | <b>\$24,551.64</b> |
| Current Certificates of Deposit                   |                    |
| FB Matures 6/20/10 5 - Month                      | \$17,113.61 @1.5%  |
| FB Matures 6/4/10 9 - Month                       | \$20,000.00 @1.74% |
| FB Matures 10/10/10 52 - Week                     | \$16,217.92 @1.10% |
| Matures 8/5/10 52 - Week                          | \$15,000.00 @0.85% |
| Matures 1/28/09 4 - Week                          | \$15,064.90 @0.15% |
| <b>Total CD Value</b>                             | <b>\$83,396.43</b> |
| <b>Bills to be Approved</b>                       |                    |
| <b>Valley Management Services</b>                 | \$2,735.41         |
| <b>Jamie Clark</b>                                | \$ 50.00           |
| <b>Kim Dowdal</b>                                 | \$ 132.50          |
| <b>Ian Forsyth - Foreclosure Radar</b>            | \$ 134.95          |
| <b>Total Bills</b>                                | <b>\$3,052.86</b>  |
|   |                    |

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## Financial Management Report December 2009 Board Meeting January 28, 2010

Valley Management Services

Phone 707 644-0922

Fax 707 644-0922

Email [valley-manager@sbcglobal.net](mailto:valley-manager@sbcglobal.net)

|   |                  |
|---|------------------|
| Phone Calls Month to Date<br>HARC<br>Questions/Complaints<br>/Clarification/Title/Appraiser<br>info. only | <b>TOTAL =25</b> |
| Fines voted for Nov.  | 4                |
| Delinquent Accounts Accruing<br>Interest and Late Fees  | 211 of 12/31/09  |

### **Valley Management Services – Services Paid by Requestor**

|   |                   |
|---|-------------------|
| Homes with ownership changes<br>due to sales, foreclosure, owner<br>calls to notify, etc. Dec. 2009 | 4 Sales<br>1 Bank |
|---|-------------------|

Sent 181 statements to delinquent owners

Sent pre-collection letter to last two homeowners. All accounts voted to collections by the Board have been either sent to collections or are in pre-collection stage.

Rolled \$17,000 CD into another 5 month First Bank Promotion – see above.