

November 17, 2013 Park River Oaks Estates HOA Annual Meeting

ATTENDED: Marguerite Elia, President; Greg Watanabe, Treasurer; Darrell Hamamoto, Secretary; Kimberly Harbison, Dorothy Franklin, Jack Schroeder, Ann Campbell, Tanya Hancock, Golda Mainville, Michael Mullins, and Jeannie Lee.

ABSENT: Eric Olsen, Vice President

Meeting called to order 5:05 pm. Quorum met.

Ballot Counters: Three in attendance—Golda Mainville; Michael Mullins; and Jeannie Lee.

01. Introductions

02. The agenda, which everyone received a copy of, and where members were given an unlimited time for comments and questions after the main presentation had to be abandoned due to continuous interruptions. Therefore, these notes reflect many jumps in discussions.

Marguerite Elia discussed local, state, federal laws in light of PRO HOA being a commercial corporation and a Planned Unit Development [PUD]. We do not have “options” in many matters:

We cannot hire unlicensed vendors.

We cannot hire inadequately insured vendors.

We must abide by annual County Health inspections or face \$200+ per incident.

We must regularly file with the State of California.

We must be held to higher and more expensive maintenance standards than residential homes.

By legal definition, a PUD is fully private property of the homeowner who is responsible for all internal repairs, and all external repairs; PRO HOA was forced to purchase condominium insurance policy to at least allow us to repair the roofs. We have never, nor should we by law repair balconies, windows, front doors, nor do cosmetic external repairs.

PUD most analogous to “single family dwelling.”

The homeowners association owns all the common areas: sidewalks; road, clubhouse, fencing, vehicle gates; pool, etc.

In answer to questions about BBQs and Fire-pits: The Fire Marshall came onto our property and told us that there can no barbeques nor fire-endangerments anywhere on our premises. The Fire Marshall stated that all devices fired by charcoal must be formally banned and gasoline-burners of all types should be severely restricted. The only marginally safe form of heating or cooking device is

electrical, because it can be completely controlled or contained if located away from all wood and fences and home structures, whereas coal and gas cannot be. If a home owner starts a fire in ANY way, NONE of the HOA insurance policy can be used to do or pay for repairs and the homeowner is responsible for full payment for everything damaged on the external features of their homes, to the neighbor's homes and to all the common areas, by law and by the CCRs. They would also be responsible to individual homeowners for private and internal damage that their fire caused. We have almost 175 people living in attached homes, in a dense lay-out where a fire catastrophe could wipe us out rapidly. Elia agreed to the suggestion to post this warning to our web-site.

In answer to a question about renters: Marguerite Elia answered currently twenty-five residents are renters at PRO HOA. CCR's does not currently have restrictions on number of rentals allowed at PRO, and the state protects the right to rent.

State of California cannot discriminate against children as residents.

Business Judgment Rule—First obligation is to civil law; expert professionals; even if it contradicts personal wishes of PRO residents.

Questions regarding \$250.00/month dues. Marguerite Elia summarized list of monthly and yearly expenses.

Vandalism was rampant this year. Pool was vandalized. Exercise room was vandalized. Our officers will increase their monitoring of passes.

US Postal Services says our roads are too narrow and that PRO HOA must leave parking space free by postal package boxes for their trucks or they are not obligated to deliver our mail by parking in the street.

Building construction defects lawsuit resolved. All the money came from insurance funds mostly earmarked for the roofs.

Board will allocate money only toward construction defects, as it was indicated.

Two units still not annexed into PRO. All rulings to date have been in favor of PRO HOA. Will be resolved in 2014.

03. Election tabulations Votes:

29 for Dorothy Franklin

31 Greg Watanabe

28 Tom Plunkett

02 invalid votes

All are voted in as PRO HOA Board members.

#### 04. 2014 Budget

Annual budgets distributed to all those in attendance.

#### 05. Question/Answer/Comments Period

All owners are responsible for renters being informed of policies and procedures.

Renters do not have a direct relationship to the HOA, just to their homes' owners.

Recommendation: Post memos and announcements on PRO HOA website in addition to bulletin board.

Question about replacing private backyard fencing. The fence is 100% the burden of the homeowner. The height of the fence cannot be changed, it is legally established.

#### 06. General Membership Meeting Adjournment

Meeting adjourned 5:58 pm