Holiday Estates Maintenance Association
Board of Directors Meeting
Minutes
March 16, 2006

Board Members

Frank Blenn	President
John Milner	Vice President (absent)
Tessy Albin	Treasurer
Eva Schaffer	Secretary
Nancy Schultz	Director/Communications
Greg Potter	Director/Beautification
Sandor Drobilisch	Director/Marina/Roads & Ditches
Kerry Roller	Director

Others Present

Tim Dillon	Access Association Services, Inc.
Isaac Rabinovitch	Access Association Services, Inc.
6 Homeowners	

Item I Order

The Board of Directors meeting was called to order at 7:00 p.m. by President Frank Blenn.

Item II Agenda Review

The Board of Directors accepted the agenda as submitted.

Item III Open Forum

- A homeowner proposed that the Lower Meadow be given a more interesting name. He suggested "Frog Meadow" as a possibility. The issue was referred to the Lower Meadow Committee.
- A wild goat has been seen in the area. It often runs with local deer herds. Some concern was expressed that it might present a danger to small children. Board members agreed that goat herders should be consulted when they bring in the herd that grazes in the upper meadow. A homeowner asked if the wild goat might have escaped from this herd, but all adults in the herd are tagged. The goat probably escaped from a farm that used to be in the area.
- Recent airplane flights over the HEMA area were discussed. There was disagreement as to whether they have become more frequent. Board members agreed that there was little the Association could do in any case. It was suggested that individual homeowners express their concerns directly to the FAA.

- A homeowner talked about “No Trespassing” signs that had been posted along his boundary with a neighbor’s property. He finds them unsightly, and feels that they were posted to intimidate him and his family after previous disputes with this neighbor. He described the neighbor as “volatile” and was unwilling to contact the neighbor directly. Several board members have in the past offered to meet with the neighbor to resolve this dispute, but the neighbor has not responded to letters attempting to arrange a meeting. Board members again offered to meet with the neighbor. A letter will be sent asking for a meeting.

Item IV Consent Agenda

- Minutes – The board reviewed the minutes for its meeting of December 15, 2005. A motion was made, seconded, and carried to approve the minutes as submitted.
- Financial Report – Tessy Albin presented the financial report for the period ending February 28, 2006. A motion was made, seconded, and carried to accept the financial report as submitted.
- Correspondence – The board reviewed the correspondence for the previous month.

Item V Committee Reports

- Architectural
    - 17065 Copper Hill – The board approved a landscape plan as submitted.
- Beautification – Greg Potter reported that the goats will return to the upper meadow in April.
- Roads and Ditches
    - Sandor Drobilisch reported that the City of Morgan had reached agreements with two HEMA homeowners for the installation of a drainage pipe. However, these agreements state that pipe will be buried at HEMA’s expense. There had been a previous understanding between the City and HEMA that HEMA would not bear expense for what he considers to be a purely cosmetic measure. He asked for authorization to renegotiate the agreements so that the pipe will either remain above ground or be buried at the homeowners’ expense. A motion was made, seconded, and carried, authorizing him to do so.
    - Sandor reported that a contractor has failed to clear one of the vertical ditches. The resulting flooding caused serious erosion. He is preparing a list of vertical ditches, working partly from an old map, that will enable him to check that all have been cleared according to plan.
    - Kerry Roller asked about the preparation of a Road Engineering Report. The board agreed that this needs to be done in anticipation of the

upcoming reserve study. A motion was made, seconded, and carried approving a maximum of $1,500 for this purpose.

- Communication – Nancy Schultz reported delays producing the newsletter, due to late submission of content.
- LAFCO – Kerry Roller reported on the progress of the planned annexation by Morgan Hill of those parts of HEMA in unincorporated territory. The LAFCO committee has prepared a "frequently asked questions" document that attempts to present a balanced description of the pros and cons of the annexation. The primary purpose of the annexation is to enable the creation of a sewer district to serve homeowners whose septic systems are approaching the end of their useful life. Without a sewer hookup, some homeowners face a difficult upgrade process, with a possibility of having their homes red-tagged. On the other hand, the assessment for the sewer district would be a hardship for some homeowners on a fixed income. The LAFCO committee is moving forward with efforts to inform affected homeowners, including a door-knocking campaign. The City of Morgan Hill will hold a public meeting on the issue April 10.
- CC&Rs
    - Kerry Roller reported on various actions of this committee. Their research has revealed that the existing CC&Rs require that any change be approved by the owners of 75% of the land, excluding roads and common areas. In view of previous participation levels, it seems unlikely that this level of approval could be obtained. It is possible, however, that the Association could have this requirement changed by judicial action.
    - The committee has also discovered that the CC&Rs contain many provisions that are a dead letter or that have been superseded by changes in the law. They feel that before the CC&Rs can be amended, they association needs to verify which provisions are actually still in effect. Kerry proposed that a legal firm be retained to analyze the CC&Rs to prepare a report for this purpose. A motion to this effect failed when a majority of the board abstained. At this point Kerry proposed that the CC&Rs committee be disbanded.

Item VI Other Business

A. IDR – A planned Internal Dispute Resolution hearing was postponed because the homeowners who requested it were unable to attend.

B. 17111 Holiday Drive – Escrow has closed on this property.

C. Legal Update – A update of case law and statutes was provided to the board.

Item VII Next Meeting Date

The Architectural Committee will meet April 20, 2006. The full Board will meet June 15, 2006

Item VIII Adjournment

The meeting adjourned at 9:08 p.m.