

**PINNACLE MARINA TOWER ASSOCIATION**  
**BOARD OF DIRECTORS MEETING**  
September 16, 2009

**OPEN SESSION MINUTES**

**NOTICE OF  
MEETING:**

Upon due notice given and received, an Open Session of the Pinnacle Marina Tower Association Board of Directors was held on September 16, 2009 at 6:00 p.m. in the Amenity Room.

**ATTENDANCE:**

Directors Present: Chris Eddy, President  
Steve Sparta, Vice President  
Pete Thistle, Secretary  
Jim Cox, Director  
Roger Dyer, Treasurer

Also Present: Bruce Heckman, The Prescott Companies  
Rob Hussey, The Prescott Companies

**CALL TO  
ORDER:**

Chris Eddy, President, called the meeting to order at 6:15 p.m.

**EXECUTIVE SESSION**

**DISCLOSURE:** The Board of Directors disclosed proceedings in the Executive Session:

- Three Hearings
- Approval of Minutes
- Collection Action
- Insurance Proposals
- Emergency Executive Session Overview
- Construction Defect Lawsuit Update

**APPROVAL  
OF MINUTES:**

**Motion:** Upon a motion duly made, seconded, and carried, the Board of Directors approved the minutes from the Open Session on August 19, 2009, as presented, with Roger Dyer abstaining.

**FINANCIAL  
REPORT:**

The Board of Directors reviewed the financial statements for the period ending August 31, 2009. A summary of the financial activity is as follows:

	<b><u>August 2009</u></b>
Operating Assets:	\$301,788.00 (\$17,785.00 Delinquencies)
Reserve Assets:	\$532,755.00
YTD Total Assets:	\$834,543.00

**Motion:** Upon a motion duly made, seconded, and carried, the Board of Directors accepted the August 2009 financial reports as presented subject to the auditor's year end review.

**COLLECTIONS:** There was no collection action required.

**INVESTMENTS:** There were no investment decisions required.

**COMMITTEE**

**REPORT:** Tim Cloonan, Vice Chair, presented the following information as recommendations of the Committee from a meeting held on September 10, 2009:

- Committee withdraws their recommendation to reprogram fobs to allow access to the Amenity Room.
- Committee recommends a change to the Amenity Room Rules with regard to holidays. The topic is still under discussion.
- Committee recommends the addition of two lights on top of the building.
- Committee discussed rules with regard to length of construction projects.

Stan Marder of the Social Committee reminded those present of upcoming events, including a Royal India night on September 17, 2009 and a movie night scheduled for October 1, 2009.

Melanie Branca reports the Financial Committee reviewed the proposed budget and resolved all their questions. Financial Committee recommends the Board of Directors move forward with the proposed 2010 budget.

Jim Cox of the Lobby Design Committee showed portfolios of two design companies for ideas with the lobby. He expects to have picked a designer and received cost estimates within 60 days. He plans to fund the project through donations from the Membership.

**OLD BUSINESS:** Strategic Plan: The Board of Directors informed the Membership present of their continued efforts to improve on their vision with regard to the building's aesthetics and amenities.

2010 Insurance Proposals: The Board of Directors reviewed the proposals from Michael Abdou of Farmers Insurance Group (\$78,567.00) and Robyn Thaw of Barney & Barney (\$74,299.00) for the Associations Insurance coverage for 2009-2010.

**Motion:** Upon a motion duly made, seconded, and carried, the Board of Directors tabled this item until such a time where the Board Members could receive additional information from the insurance representatives.

**Resident Reimbursement – Second Request:** Management presented a second request from a Homeowner asking the Board of Directors to waive the late fees which accumulated on his account due to non-payment. He contends he never received a statement informing him payment was due. The Board of Directors previously denied his request quoting Civil Code and the Governing Documents. The amount of the Homeowners late charges (not mentioned in the request) according to the account balance is \$693.80.

**Motion:** Upon a motion duly made, seconded, and carried, the Board of Directors denied the Homeowner's request based on the reasons set forth in Civil Code and the Governing documents.

**Commercial Water Use Reimbursement:** The Board of Directors discussed the monies owed to the Association by the Owner of Richard Walker's Pancake House for water usage which has been paid by the Association since its opening. To date, the Association has paid for approximately \$19,890.00 worth of water bills. The Board of Directors discussed methods with which to collect the monies owed.

**Motion:** Upon a motion duly made, seconded, and carried, the Board of Directors deemed the sub-meter currently in place at Richard Walker's Pancake House as an acceptable means to measure water usage. Management is to read the sub-meter every two months, calculate the proportionate sewer charges, and invoice the Commercial Owner for reimbursement to the Association. Additionally, the sub-meter is to be calibrated to ensure accuracy. Management is to meet with Richard Walker regarding the past due bills and inform the Board of Directors of the results so they make take action.

**Water Detection Device Installation:** The Board of Directors discussed the costs involved with installing the water detection devices into each residence. The costs involved with installation include, \$89,000.00 for the installation and approximately \$3,000.00 for a security guard needed to assist with entering each residence. It was suggested to delay the purchase of new signage

for the building until 2010 to ensure sufficient funding for the 2009 budget.

**Motion:** Upon a motion duly made, seconded, and carried, the Board of Directors approved the costs of installation (\$89,000.00) and security (\$3,000.00) to install water detection units beginning on September 24, 2009. The Board of Directors also postponed the purchase of building signage until 2010.

**NEW BUSINESS:** 2010 Budget: Management presented a proposed budget for 2010 with no increase in assessments to the Board of Directors.

**Motion:** Upon a motion duly made, seconded, and carried, the Board of Directors tabled the agenda item until the next meeting.

2010 Annual Meeting: In keeping with the schedule for the Annual Meeting, the Board of Directors considered meeting dates and venue for the 2010 Annual Meeting.

**Motion:** Upon a motion duly made, seconded, and carried, the Board of Directors tabled the agenda item until the next meeting.

Association Debit Card: The Board of Directors reviewed the recommendation from Management to supply them with debit cards to purchase supplies for the Association rather than use their personal credit cards.

**Motion:** Upon a motion duly made, seconded, and carried the Board of Directors approved the recommendation to provide debit cards to each of the Managers with a spending limit of \$1000.00/month.

Resident Request – Reimbursement: The Board of Directors reviewed a request for reimbursement of \$100.00 from a Homeowner who had rented the Guest Suite on a night where the a/c unit had failed.

**Motion:** Upon a motion duly made, seconded, and carried the Board of Directors approved the reimbursement of \$100.00 to the Homeowner.

Resident Request - Reimbursement: The Board of Directors reviewed a request for reimbursement from a homeowner for plumbing repairs in the amount of \$473.00.

**Motion:** Upon a motion duly made, seconded, and carried the Board of Directors approved the reimbursement of \$473.00 for plumbing expenses to the Homeowner.

**HOMEOWNERS  
FORUM:**

The floor was opened for Homeowner's comments.

- Request for visual inspection of the inside of a unit believed to have audio/visual equipment attached to a Common Wall.
- Complaint about ongoing noise on the 35<sup>th</sup> floor. Resident would like to be informed of an end date. (Board of Directors resolved to check with the Association Attorney and encouraged the Homeowner to investigate if there were remedies available to him personally which are outside the Association rules.)

**NEXT MEETING**

**DATE:** The next Open Session of the Board of Directors will be held on a date to be determined.

**ADJOURNMENT:** With no further business to come before the Board of Directors at this time, the Open Session adjourned at 8:12 p.m.

**ATTEST:**

 **DATE:** 10/7/09