

SOUTH BAY COMMUNITY ASSOCIATION  
BOARD OF DIRECTORS SPECIAL MEETING  
December 19, 2022, 9:30 am  
Draft Minutes

1. Call to Order

President Skinner called the meeting to order at 9:34 am.

2. Determination of Quorum

Quorum present to start the meeting with seven Board members in attendance; Gil Skinner, Christine Spagle, David Jurca, Randy Edwards, Peggy Ponto, John Cacho and Peggy Thuotte. SBCA's GM, Mark Torres and two SBCA members Noele Miller and Tanya Gardanar were also in attendance.

3. Approval of Agenda

Spagle moved to approve the agenda the motion was seconded and passed 7/0.

4. Old Business

a. Complaint/Enforcement review

Mark introduced the board members to Ms. Miller.

Ms. Miller

Thanked the board for their time. And stated she respects the fact that there are rules to be followed.

The two Leland Cypress trees in question are on the Miller's property, they were leaning on the Miller home and towards the neighbor's home. Branches were falling off. Mark, the Miller's yard man, took care of the fallen branches.

Mark consulted with Patrick Wakefield, an arborist, who said that if you just take off branches on one side of the tree the tree will eventually fall on the house. Ms. Miller was out of town. Mr. Miller has health problems. Mr. Wakefield spoke with Mr. Miller who directed him to do whatever Barbara Globus wanted. Barbara was concerned about safety and wanted the trees gone. The trees were cut down, leaving a 12' stumps, due to a perceived emergency situation.

Dave Jurca expressed his opinion that apparently the trees were a hazard and if the Millers had applied to ACR they probably would have been granted permission to have the trees removed.

GM Torres pointed out that 20 years ago, the Millers cut trees without making an application to ARC. At that time, there was no system of fines in place. Currently there is a policy in place to levy fines for violations.

After a lengthy discussion, Gil moved that the board assess a fine of \$500 per tree, subject to receiving written reports from both Patrick Wakefield and Barbara Globus confirming the facts as presented by Ms. Miller. Randy seconded the motion. Motion passed 7/0.

Board members expressed the need to review the policy regarding fines at the next meeting.

5. Adjourn

Spagle made the motion to adjourn. Dave seconded the motion. Motion passed 7/0 at 10:30 am.

Next SBCA Board Meeting: January 12, 2023. Next SBCA Board workshop date: TBD.