

Monaco HOA Board Special Meeting November 16, 2021 at 5:00 via Zoom

Present: Gregory Royston, Randy Coleman, Susanne Coleman, John Lasiter, Tom McGiven, Ailin Silverman and Mary Ross

Discussed was the loss of the lawsuit on the issue of view involving the Garcia's ,6374 Chartres and Jankowski, 6364 Chartres. As per Gregory , Problem for HOA is that this sets precedent. We don't appear to have control over anything a homeowner wants to erect in terms of view obstruction. Seems court has issue that we as a board have a one-person committee for architecture leading it to believe that the decision was arbitrary. For the most part one-person committees aren't a problem until it's a problem. Now it's a problem that we as a board will have to rectify - most obvious way is to put more than one person on that committee. This way it doesn't seem or appear to be an arbitrary decision. 2. (second option) - let the judgment ride and accept it. It effectively neuters the HOA in terms of future decisions, assuming we don't implement any changes. This option stops the bleed - i.e. we don't have any more costs except for our portion of the costs and motions to set aside those costs.

Ailin reported that we have about \$33,000.00 in our HOA account. Late January or early February, notices to residents to pay association dues will be sent.

After a discussion of the lawsuit and CC & R's needing to be updated, the following actions were taken.

Greg moved that the HOA will not pursue an appeal of the decision. Mary seconded this and all approved the motion.

Greg moved that and we will split the costs of the legal fees associated with the loss of the judgement up to \$5,000.00 with the Jankowski's. Susanne seconded this motion and all approved the motion.

Greg moved that the bill from the attorney, Jeff Lewis, for work seeking to lower the cost of the judgement be allocated at \$2,000.00. Susanne seconded the motion and all approved this motion.

It was agreed by all members that the Architectural Committee be made up of three HOA members so John will continue and Randy and Tom will serve as well. Emails and other details will be shared among the committee and any questions about concerns will come before the full Monaco HOA Board.

Tabled: new CC & R's for Monaco- questions for lawyer , do we need "upper and lower Monaco CC & R's? , wording to prevent future loss regarding view issues, do all residents need to approve changes or can just the HOA Board approve them.

Adjourned at 5:40 p.m.

Mary Ross, Secretary Pro Temp