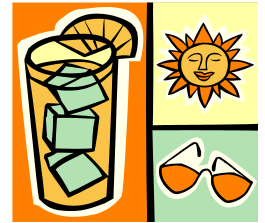


Fairmont Hill Happenings

August September 2020 Newsletter



NEW POOL AND MEETING RULES CLARIFICATION

The unfortunate use of the word “Permanent” sparked a number of complaints and misunderstanding. This was clarified by Taryn at the Board meeting and via the email list but here is the final. It was never intended to be permanent and the word was removed before the Board voted to approve.

The emergency rules that the Board passed due to the virus expired after 180 days and had to be sent out for homeowner approval in order to continue having any rules at all relating to the virus. After considering all comments the Board approved the rules. There will be another pool list of rules sent out for comment when the virus threat is over which will be mostly like what we have had before but with more health concerns. A hand sanitizer stand for the Echo Hill pool was approved at the meeting. You should still bring in your own just in case they run out or it is vandalized. When furniture returns you need to bring your own wipes.

COMPLAINTS, MISINFORMATION AND THE FACTS

There were only 12 responses to the rules review out of 496, 5 of those were from anonymous owners, but it pointed out confusion in some cases regarding the law and what the Board is required to follow that we want to clear up. There were also some good points. First, the Board does not arbitrarily set up rules. A need is pointed out, input is researched, if needed, from Community Associations Institute (which we are members of), Davis Sterling communication blogs, other HOA's, deliberation, and finally Attorney review and approval. We consult with O.C. Health Department as well.

Fact 1. At least 50% of Associations kept their pools closed due to fears of lawsuits which are unprovable but very expensive to defend against. Other Associations have required appointments to use the pool to avoid over-crowding and limit use time. Some hire a Pool Marshall to stay during pool hours. \$\$\$\$

Fact 2. Guests in the pool area take away some use by owners if crowded and are more likely to sue with nothing to lose. Recommended by all sources and it's financially responsible. Guests will be welcome again when this is over.

Fact 3. Orange County has not been removed from a restricted list. There was a new list created by the State with a level of 1-4 and colors eliminating the old list. We were a top level of 4 and have now become a level 3. We operate on what is best and safest for our community currently, not just the “I want.” Except for Labor Day weekend, the pool has not been used that much. Things change rapidly so we want to see what the statistics are two weeks after Labor Day before considering the expenses of opening White Springs pool. (continued)

We have increased Janitorial times and Patrol checks for pool times. Pool furniture is still delayed but is a priority to return with distancing.

MORE MISINFORMATION AND THE REAL FACTS

The following are compiled, with a couple of exceptions from recent comments, even though there were so few, regarding the Virtual Meeting Rules and hopefully set the record straight. Please ask for facts from the Board or Manager before assuming misinformation is true.

FACT 1 The Davis Sterling Act is specific to HOA's and over rides our CC&R's, By Laws and Rules or any other of our documents. They were significantly rewritten in 2012 so anything older is far out dated and useless for referencing.

FACT 2. The Law, Civil Code, Davis Sterling Act permit flags, banners and signs for political purposes that our rules do not. We have to follow them and not ours. There are limits to size and length of time to display for elections, however.

FACT 3 Attendees must be members of the Association. That does not apply to Directors. The new law only applies to being on the ballot to run for office. If there is no quorum the Board of Directors stays the same until the next election as always. It's the Law, not us.

Fact 4 Management may record a meeting for minute taking accuracy. The recording is erased after a certain number of days. Homeowners may not legally record without written approval by the Board for some special reason. Again, we didn't make this up.

FACT 5 Homeowner forum has always been scheduled for 30 minutes since most of the 32 years this writer has been an owner. The law states a reasonable amount of time is to be allowed for comments. The recommended time is 3 to 5 minutes. The congress of the United States is allowed 5 minutes to comment, cities usually 3 minutes. Typically, there were only 2 to 6 people attending a forum out of 496 before zoom so we let comments go to fill the 30 minutes unless the agenda needed more time. With zoom we had up to 12 one month but not everyone wanted to speak.

FACT 6 Landlords are assessment paying members of the Association with the same rights, responsibilities and interest in property values as any other member, as are Board members. This should be too obvious and common sense to even comment on.

VANDALS AT ECHO HIL POOL

One young man came over the fence and let 4 more in the gate. They threw pool furniture into the pool. We reported it to the Sheriffs with a copy of the video. Black T-Shirts said Chicago Police Dept. Kappa, McDonalds, Yellow and black thin striped t-shirt one bearded man, two skateboarders. Our cameras gave us great video of their faces too. Do you know them???

Board of Directors

Sharlene Dunn, President
Ricardo Perea, Vice President
Derek Bounds, Secretary
Shelley Fajardo, Treasurer
Ken Carlfeldt, Director at Large

Management Contact Information

StoneKastle Community Management
Taryn MARTIN, CCAM Community Manager
E-Mail: TARYN@StoneKastle.com
Facsimile # (714) 455-7064
Please call us at (714) 395-5245 for any questions
Customer Service related issues, we are here to help!

Emergency Numbers

Emergency Services – 911

Y.L. Police Services Non-emergency Dispatch 714 647-7000

Y.L. Sheriff Sub Station office 714 779-7098

Fire Department Non- emergency 714 744-0400

O.C. Patrol 800 525-1626

Yorba Linda Disposal

714 238-3300

Next Board Meeting 6:00 p.m. Wednesday October 14, 2020 Newsletter and alerts email sign up for owners and tenants: fairmontcable@aol.com Web page www.myhoa.com/fairmonthill