



## Board of Trustees Meeting Minutes – July 29, 2006

*The Board of Trustees met at the Woods at Mill Valley Park on June 29, 2006 at 8:00 a.m. Those present were Board Trustees: Steve Smith and Sharon Weller, Officers: Kyle Keator, DRB Chairman Mary Faulkner.*

- I. **Order of the Day** - Added to the agenda
  - Forum Concern
  - Neighborhood Watch
- II. **Approval of Minutes**
- III. **Officer and Board Reports**
  - A. **President –**  
Need to follow up with Lawnsclapes
  - B. **Treasurer – Kyle**
    - 12 more people paid dues - Thursday
    - Letter sent on July 17, 2006 to extend
    - Balance is currently \$28,159.58 (minus the \$80.00 check for the electrician).
    - As of Thursday, July 27, 2006 - 47 lots have not paid HOA dues
    - If the unpaid HOA dues are not paid by July 31, 2006 there will be a \$10.00 late fee added.
    - Steve Smith's suggestion to Dues and Fees - Send another letter- August 3, 2006. Include the entire timeline – Original date of Dues Letter & the Extension information with dates. Indicate currently the property is behind in payment and now owes the HOA fees and a late fee. Also state something to the effect that if the Dues and Late fees are not paid that a lien may be placed on the property.
    - Place "Final Notice" on the letter.
    - Kyle Keator asked if the letters should go out registered mail.
      - Steve Smith is in favor of sending out registered mail.
      - Sharon Weller is not in favor of sending out registered mail.
      - Brian O'Kane was absent from this meeting so it was decided to get Brian's vote via email on this topic since they have to go out before the next Board meeting.
    - Kyle Keator will call the HOA insurance company to discuss the policy and what is covered within.
    - Request for ream of paper, envelopes, printer cartridges and stamps by Kyle Keator. Approved by the Board of Trustee members.
  - C. **Board Members – Brian O'Kane** – absent so Weller reported on what he had emailed her
    - Sonny & Sons – Corrected the Sprinkler issues.
    - Farmers' Market is growing
    - Garage Sales Signs are removed weekly – Brian O'Kane is removing the sign from the front entrance.



- Follow advice on HOA lawyer on documents and website. Brian indicated that Sharon Weller be the point of contact to the HOA Lawyer.
- Repair the light in the front that shines on the front sign. Homeowner notified Brian O'Kane that light is out.
- **Steve Smith** - Smith did not have a report on anything.

#### **IV. – Committee and Design Review Board Reports**

- Neighborhood Watch: Sign in front states the next meeting date and time
- Beautification – no report
- Design Review Board (DRB)
  - Ask the Board about Fines to violations and fees
  - Assessments of property
  - Steve Smith does not agree with the letters the DRB is sending out on variances. Steve Smith's opinion is that letters should have two signatures by members of the Design Review Board. He also stated the letters should state the DRB members names and their signatures.
  - Weller again suggested purchasing a raised stamp to make the letters more official looking. Steve Smith stated he is okay with some official raised type stamp. It was agreed that Weller is to purchase one. He suggested the DRB then re-deliver the variance letters with an attached statement that lets the homeowners know this is an updated letter for their records since the DRB for the 2006 year has updated their procedure to include an official stamp.
  - Discussion on the assessment of property was brought up and utilizing Board of Trustee members to assist in the assessment. Steve Smith stated he would not volunteer to assist with the assessments. He stated he does not agree with performing such assessments. It was decided to just have the DRB members perform the assessment without volunteers from the Board of Trustees.

#### **V. – Unfinished Business**

##### *A. Deed Restriction Violation Fines*

No action was taken on this item. At the next meeting, the Board of Trustees will discuss the assessment findings and how to handle the findings. The Board will be the body that will perform any enforcement on findings. The DRB will still issue violation letters to properties that are not in compliance with the Deed Restrictions.

##### *B. Web ---Smith*

- eMail Specific Accounts. – Smith will check with Bull about the accounts. Nothing has been done on posting guidelines.
- C. Systems in Place- Smith---No work has been completed on either of these items.

The DRB provided documentation for his review. Due to time constraints, Steve Smith was unable to finalize his review of the last binder, 2006 documentation.



**D. – Question for Renee Hatfield – Need to complete**—nobody has submitted any questions to Weller about the non-profit status. Sharon would like to ask her some questions for clarification. Steve said he is not informed enough about the topic to ask particular questions. He would like the Board to meet with her at a mid-year point before the taxes.

**E. Insurance –Indemnification Policy**—will have to check with past Treasurer

**F. Future Voting – need to be put on hold for further discussion.**

Suggestions:

- a. On-line Voting is an option
- b. Send out Voting Letter to homeowners. Re-send the voting letters to the homeowners whose vote was not received via registered mail.
- c. Steve’s opinion is the vote should be clearer to state the choices are “Yes”, “No” or “Choose not to Vote”.
- d. Steve suggested to word the choice in a way that if the homeowner does not want the item, they would vote ‘Yes’
- e. Weller suggested a Polling Area

## **VI. - New Business**

**A. – Homeowner Muskrat Problem**

Tifani Payne contacted Weller and is asking if the HOA is willing to pay for the damage to her property. Board Members agreed that it is the homeowner’s responsibility. The Board of Trustees Member, Steve Smith, is willing to contact the City to see what advice they may have on how to handle muskrats and if there are any companies that handle muskrat issues. Steve Smith indicated he would contact the homeowner Steve: will call about this and contact the Homeowner – Tiffani Payne – 449 Mill Wood Blvd.

**B. Attorney Contact** – The attorney has asked there be one contact from the Board so he knows who to respond to.

Steve’s comment – No problem with one point of contact for the lawyer. However Smith requested that if there are discussions that need to take place with the HOA Lawyer that a meeting be set up to have other Board of Trustee members present. Steve Smith does not agree that one member should hold a conversation with the HOA Lawyer and that member reports back to the other members. If the HOA lawyer is contacted then 2 out of the 3 Board Members should be on the call. Smith modified his statement to say that all three should be on the call.

Smith also stated if there is a topic that needs to have the HOA lawyer contacted, then the lawyer should be present at an actual meeting with all three board members so there will be no non-intentional misinterpretation.

**C. HOA Meeting** –

- a. Weller suggested holding a meeting to include Homeowners if there is enough information to warrant one. The question is what will be presented.
- b. Some topics may be – DRB Findings. Weller is to contact all of the officers and Board members to have them bring material that they might want to



present at an HOA meeting, to the next Board meeting so it can be determined if a meeting is necessary.

- D. *Forum Concern* –Weller commented on a concern from a homeowner about the discussions that take place on the forum by Board member Smith. The homeowner suggested it was defamation and could cause big problems for the association, including homeowners. Weller mentioned that she had left a message with the attorney for his view on this.
- E. *Neighborhood Watch* – Weller mentioned that the committee is now calling itself the Safety Committee and wants to encompass much more than the Neighborhood Watch program. (including poison control, etc. per a report at a previous meeting) While she did not disagree that other safety issues are important, that this is not the original intent of the committee. Therefore, she felt the Board needed to decide if the committee should remain as it was originated or should be changed to encompass more. Since Smith had not been present at the meeting where this was reported, it was put on hold for next meeting.

**Other topics discussed not on agenda:**

- Secretary Position – Steve Smith stated that the secretary position has gone vacant for 3 months. There are currently 3 homeowners that have applied. Weller agreed and said she had it on the agenda at last meeting, but nobody was voted in.
- It was stated that Weller had not acknowledged that Kelli Smith even wanted the position. Weller stated that she had emailed Mrs. Smith within a short time the same day Mrs. Smith had emailed her. It was stated that the only concern about have Kelli Smith residing as a secretary is that her husband is a Board of Trustees members.
- Steve Smith made a motion to nominate Steve Smith, Kelli Smith and Mary Faulkner as secretary. A vote was taken again. (Brian O’Kane is absent from voting, but voted on the same nominees during the July 13<sup>th</sup> Board meeting)
- Vote:
  - Steve Smith’s voting result.
    - Kelli Smith – Yes
    - Mary Faulkner – No
    - Steve Smith – No
  - Sharon Weller’s voting result.
    - Kelli Smith – No
    - Mary Faulkner – Yes
    - Steve Smith – No

This vote resulted in no one placed in the position of Secretary. Since no decision was made, Steve Smith suggested letting Brian vote by email. While Weller did not concur since O’Kane had already stated his position, she agreed to have him vote between the three candidates Smith nominated.