

# Woods at Mill Valley Homeowners Association Meeting of the Board of Trustees

MINUTES

MAY 10, 2007

1893 CHIPROCK DRIVE

<b>MEETING CALLED BY</b>	Steve Smith, President
<b>TYPE OF MEETING</b>	Meeting with Charles Williams, HOA lawyer
<b>FACILITATOR</b>	Board of Trustees
<b>NOTE TAKER</b>	Kelli Smith
<b>TIMEKEEPER</b>	None
<b>ATTENDEES</b>	Steve Smith, Debbie Richmond, Todd Lewis, Terry Quinlan, Kelli Smith, Charles Williams and Assistant

## Agenda topics

### FORECLOSURES/LIENS

STEVE SMITH

<b>DISCUSSION</b>	<ol style="list-style-type: none"> <li>Steve Smith gave foreclosure notices to Charles Williams for review.</li> <li>Steve Smith stated that we have several homeowners who paid all of their past dues and are now paid up to date. The board would like to release the liens on their homes.</li> </ol>	
<b>CONCLUSIONS</b>	<ol style="list-style-type: none"> <li>Williams stated that it would be more financially sound to review the paperwork in his office and get back to the board with his conclusions. The board voted to authorize a maximum of 2 hours at Mr. Williams regular rate to review the documents.</li> <li>Mr. Williams stated that in order to release the liens, he would provide the board with the proper forms. They need to be filled out, notarized and filed with the Union County Recorder.</li> </ol>	
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>DEADLINE</b>
1. Williams and assistant will sort and review foreclosures.	Charles Williams	2 weeks
2. Williams will send forms to Steve Smith	Charles Williams	ASAP

### DEED RESTRICTIONS

TODD LEWIS

<b>DISCUSSION</b>	<ol style="list-style-type: none"> <li>Terry Quinlan stated that the deed restrictions are specific, however, currently the neighborhood contains vinyl sheds; vinyl fences, Wrought Iron fences, 6-foot fences etc. and they have existed within the neighborhood for years. The past DRB members have written numerous variances for these items. The board needs to clear up what is and is not permitted without writing variances for every item.</li> <li>Todd Lewis asked what is needed to change the documents permanently to include accepted items.</li> <li>Steve Smith asked what is involved in "Grand fathering" and how would it be legally implemented.</li> <li>Todd Lewis asked how to handle the people who have already complied with the past DRB's instructions since some of them have asked for refunds if others are granted approvals this year.</li> </ol>
<b>CONCLUSIONS</b>	<ol style="list-style-type: none"> <li>Mr. Williams suggested that the DRB determine and then write a Design Review Standard that incorporates those items that the DRB deems acceptable to the community. He then suggested that the board "Grandfather" in those items that have been established within the neighborhood.</li> <li>Mr. Williams stated that the board must obtain a vote either in writing or by proxy from 2/3rds of the homeowners. Then the board must have a quorum and submit the vote at a Homeowners meeting.</li> </ol>

<p>3. Mr. Williams suggested that the board have an informational meeting to let the homeowners know the extent of the problems and confusion with the deed restrictions; then present the architectural standards. Next, document which houses have which items and set a date to implement the grand fathering clause (be specific about what is being grand fathered) followed by the date to start enforcing the deed restrictions (30-60 days). Be fair, keep good documentation and act reasonably.</p> <p>4. Mr. Williams said that refunds should not be given since rules change all the time. He gave the following example: "It happens in the government all the time. It's legal to smoke one day and the next day it's not. Am I going to get a refund for the cigarettes that I bought that I can't smoke now? No. It's just the way it is. Rules change".</p>		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
1. The DRB will meet to discuss Design Review Standards	Todd Lewis	Next Meeting
3. Discuss Grand fathering at the next board meeting	Steve, Todd, Debbie	Next Meeting

**DOCUMENT REVIEW**

DRB

<b>DISCUSSION</b>	1. Todd Lewis expressed concern over the missing DRB documents, stating that part of the problem with giving variances is that in the past many homeowners/boards misplace the variances, causing the homeowner to have to appeal to a new board for acceptance time and time again.	
	2. Todd Lewis asked if the board could combine the multiple phased documents into one unified set.	
	3. Todd Lewis discussed the confusing text from previous variance letters that read... "Not in compliance....Keep this document as your approval".	
<b>CONCLUSIONS</b>	1. Continue updating records to ensure the all variances are on file from this point on.	
	2. Mr. Williams says that it can be done with a vote of 2/3rds of the homeowners approval, however he does not recommend putting the time or effort into it since the documents all have the same basic information with only minor differences.	
	3. The DRB went door to door to approximately 80 homes to talk with those individuals who received this type of letter from the previous DRB. They viewed the property and gave clear letters of approval or denial based on an onsite evaluation.	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

---Meeting Concluded---