

Woodlands Winding Brook HOA

Board Meeting Minutes

May 9, 2019

7:00 pm Conference Room, Noodles & Company

- I. Call to order / Welcome
 - Elizabeth called the order to meeting at 7:06pm. Brief introductions were given. Present included: Ken Shafer, Connie Beckwith, Sarah Taylor, Elizabeth Starr, Linda Scott, Carolyn Brown, James Eiermann, Homeowners: Alessandra Ferrerio, Joe Ferrerio, Sue (fbo Shelley Taylor), Kriste Lindberg, Steve Wennerberg, Michael Butcher

- II. Approval of minutes from March 31 called meeting, April 11 Board meeting, and May 5 working meeting.
 - Connie proposed an amendment to the May 5th working meeting description of the tree issues at 2362 and 2321 to reflect that they were both too close to the building.
 - Sarah motioned to approve all minutes as amended. Connie seconded the motion. No discussion was made. All voted in favor. All minutes were approved with the proposed corrections.

- III. Financial Manager Report – Carolyn Brown reported:
 - The imaging project is completed, and Carolyn has a list of files available to view.
 - The budget was revised and is balanced. Copies were available for review.
 - The total income for April was \$20,116 and after the expenses were deducted, the net income for April was \$13,603.
 - Receivables are approximately \$15,000. Part of that is because of the 2nd half of the insurance that is due June 1st. There are \$4,400 in lost receivables that will be written off because of a condo going to sheriff sale for less than was owed, and we did not receive any of the proceeds.

- IV. Property Manager Report—Jamar Properties
 - A walk around for termites with a vendor revealed that there were not any active issues.
 - The Mulch removable project is still ongoing.
 - The deck issues concerning moving posts are still being inspected with the assistance of Kevin Potter.
 - There was a roof repair completed by RCV.
 - Other roofs that have flashing issues have been identified.

- Foundation examinations are ongoing. United Dynmaics Inc. and Indiana Foundation have been contacted.
- James is still coordinating with landscapers regarding the various ongoing projects.
- Downspout project: There was some delay in getting the correct black downspouts that Ken L. wants to use to repair or replace downspouts that have been identified as priority because they are not working consistently. There was discussion about the delay and concerns were raised about Ken L.'s ability to handle both the landscaping and mulch pull-backs as well as the gutters and downspouts. James mentioned that he had worked with Fiscus gutters in the past if we would like to consider other options.
- Elizabeth asked James for a bid or estimate on how much the mulch removal is going to cost. Ken made a motion to approve \$2,500 for mulch and dirt removal. Once Jamar's contractors reach that amount, then they will report back to us for reapproval, so that we can get a better idea about how much this whole project is going to cost.
 - Homeowners suggested composting the mulch in the common area woods if possible to be able to reuse later.

V. Treasurer Report—Ken Shafer

- Ken reported on the Board's collaboration with Carolyn to revise the budget, but he cautioned that further revisions may be needed as higher ticket items are being considered.
- He reported that our cash balance is finally above \$100,000, but he cautioned that there are still many large expenses that will be coming due in the near future.

VI. Committee Reports

a. Building & Grounds – Connie Beckwith

- The social gathering schedule for May 19th is cancelled due to lack of volunteers.
- Suggestions from the April B&G meeting include:
 - The Board should consult with Hoosier Water Away to consult on the current status of their drainage work.
 - Connie is in the process of gathering bids for tree pruning and removal work that is needed. It was recommended that she request to include stump removal in these bids.
 - One resident has mentioned that there might be a possibility of making a donation to the Woodlands to restore the pond. This was mentioned to remind everyone that the pond still needs to be addressed.

b. Financial Committee—Ken Shafer

- Ken is wanting to survey homeowners regarding what our homeowners would be willing to pay in order to meet some of our needs over the next 5-10 years with respect to the types of services they expect. For instance, special assessment vs. taking out a loan with a fee increase or a gradual fee increase over a number of years (in which issues would be addressed over a longer period of time).
- He acknowledged the frustration over the time it is taking to get claims addressed. He pointed out that shrub removal, downspouts, tress, etc. were all believed to be contributing to the foundation problems. He reiterated that the Board is addressing the foundation problems from an external maintenance point of view as aggressively as we can.

c. Newsletter—Elizabeth Starr

- The Board is still seeking volunteers to restart the monthly or bi-monthly newsletter.

VII. Old business (Elizabeth proposed the order below after the meeting had begun.)

a. Basement issues:

- i. Policy for Insurance Claims under Master Condo Policy (update)
 - Ken is still requesting feedback on the draft condo policy.
- ii. Policy "framework" for basement leaks and foundation issues.
 - At the end of a working meeting, the Board began drafting a policy framework for basement leaks and foundations. Elizabeth explained that this is being developed in accordance with some of the attorney opinions that have suggested the HOA is only responsible for basement leaks if they are caused by negligent maintenance or common sources. This is a switch in policy based on past precedents from old HOA repairs that would cover any and all basement issues.
 - The policy is asking for more work up front from homeowners to prove that their issue is caused by HOA negligence or another common source. The policy is still in draft form and still needs to be reviewed by our attorney.
 - Ken made a motion that the policy framework as written be submitted to Eads Murray Pugh for vetting as the basis for development of a written policy statement (this is only a framework). Elizabeth seconded. Discussion: Linda wants to keep this moving forward because it could go on forever. Sarah opposed; Linda abstained. Connie, Elizabeth, and Ken voted in favor of the motion. The motion passed.

b. 2378 basement claim:

- Rob McCrea, attorney in Bloomington, presented a 96 page claim on behalf of the Ferrerio's, who were also in attendance. The claim included estimates for repair, engineer reports identifying structural issues with the unit, and a homeowner's inspection report, and it claimed that HOA lack of maintenance regarding drainage and grading, along with the faulty downspouts on the building, have caused the unit's basement to leak. The Board thanked Mr. McCrea for his presentation and claim summary. They advised that they will turn the claim over to their attorney for review.

c. 2293 basement claim:

- Sue presented with Shelley on the phone. Sue asked whether it was the responsibility of the homeowner to get their own estimates and engineering reports. There was no definitive answer given, but the Board encouraged homeowners to take this step to help expedite their claim.
- However, Elizabeth mentioned that this claim was not forwarded to the attorney because it was not apparent it was complete without the estimates.
- Ken clarified that the Kevin Potter report does not clarify nor specify that the foundation issues and other items reported in her claim were related to HOA negligence.
- Ultimately, it was decided that Shelley's claim was lacking important information that would link her damages to HOA responsibility. She determined via phone that she would resubmit once she had all of the necessary documentation.

d. 2354 basement claim:

- Kristie submitted a written claim to the board about a week ago. She did not have a template, so she presented what she had. Ken responded that he appreciated her summarizing the communications.
- Kevin Potter had inspected the unit, and everyone is awaiting his report to be able to better identify sources to the damages reported in her claim.

e. Update on termite inspections:

- There were two inspections completed with two vendors. Both did not reveal active termites although there was old damage from past infestations that was observed. One vendor found active termites in woodpiles outside of some units and in stumps.
- Since there have not been any active termites, it may be because of past treatment still holding.
- Bait trap systems are being considered once all of the tree and shrub removal projects have been completed.

- For units with woodpiles, the HOA may send out warnings that after a certain amount of time it will get removed at homeowner expense. We also need to encourage owners to get wood out of their storage units.

f. Center for Justice And Mediation (CJAM) update:

- Two homeowners have request board participation at CJAM. They wanted to meet before today's meeting, but there was not enough time. We are going to reach out to those owners to schedule one soon.

g. Update on syringes:

- Two homeowners and Connie went to a "coffee with a cop" meeting at Lucky's Market in order to make the police aware that we are having syringe issues and suspected drug activity going on in our neighborhood.
- They advised homeowners to take pictures of suspicious activities or take down the license plate numbers, but only to do so if it can be done without jeopardizing their own safety.
- The next Coffee with a Cop meeting is Thursday, May 30th from 2-3:30 at Cloverleaf Restaurant.

h. Update on sidewalk issues:

- James got a bid from Acculevel to address all of the known trip hazards for about \$19k. We still need an electronic copy for the bid.
- Connie walked around with Tony Somes to inspect the sidewalks. He wanted to use a form of grinding machine which may be cheaper or cut out sections of the affected areas.
- The Board is still seeking another bid. Discussion on how to prioritize affected areas did not reach a conclusion.
- Elizabeth will seek out more information and whether putting down reflective tape would bring on more liability.

VIII. New business

a. Fence request for 2391:

- Michael has requested permission for and sent pictures of a shadow box style of wood fencing that would be stained to match the siding.
- Elizabeth motioned to approve. Linda seconded. No discussion. All were in favor. Motion approved.

IX. Adjournment

- The meeting was adjourned due to time restrictions.

Next regular meeting is scheduled for Thursday, June 13th at 7 pm at Noodles & Company.

Respectfully Submitted,

Sarah Taylor,

WWBHOA Secretary