

Woodlands Winding Brook HOA

Board Meeting Agenda

June 13, 2019

7:00 pm Conference Room, Noodles & Company

- I. Call to order / Welcome
 - Elizabeth called the meeting to order at 7:04 pm. Board members present: Elizabeth Starr, Linda Scott, Connie Beckwith, Ken Shafer, Sarah Taylor; Also present: Carolyn Brown – Financial Manager, James Eiermann – Property Manager. Homeowners present: Alessandra Ferrerio (accompanied by attorney Rob McCrea), Kriste Lindberg, Shelley Taylor, Linda Parrott, Steve Wennerberg, Keith Mize, Cathy Stone, Aran Mordoh, Doris Hahn

- II. Approval of minutes from April 11 Board meeting, May 9 Board meeting, and June 4 called Board meeting
 - Minutes were delivered by the Secretary shortly before the meeting began, thus no members had enough time to review.
 - The June minutes need to be amended to correctly reflect the date of the June 4th called meeting.
Given the short notice to review the minutes, Elizabeth suggested that we wait to approve any minutes until the next meeting and pending any needed corrections.

- III. Financial Manager Report – Carolyn Brown
 - Carolyn delivered the financial reports and briefly reviewed total income and expenses for May.
 - She advised that the long-term expenses account is approaching \$100,000. She also advised that she will be putting \$2,500/month into the long-term expense account so long as monthly net income allows.

- IV. Property Manager Report—Jamar Properties
 - There is a new homeowner in the red house adjacent to our entrance. James met with this new neighbor because of a fallen tree limb to discuss boundary lines. This neighbor is wanting to clarify mowing lines and responsibility for storm debris when it occurs.
 - James will be meeting with Cornerstone for another bid on the roofs that were identified for replacement (two dumpster roofs and Garage 6 roof).
 - James will be meeting with R&S to look at trees to remove for a 2nd bid to compare to Bluestone. He is still waiting on Ken L. to submit a bid as well for tree removal.
 - Fiscus fixed the gutter that was broken on the garage unit next to the pond and looked at some of the other buildings to address some of the downspouts.

- Fiscus advised James that the black downspouts that were recently retrofitted to the Hoosier Water Away design were only 3” in diameter and should have been 4”.
- There was discussion about what to do with the remaining 3” pipes that have not been used because these are still in our garage. James said that he would contact Ken L. to discuss the situation.
- James reported that he is working with many individuals on their individual unit issues to be discussed later.
- Mulch pull- back:
 - Ken L. is in progress with this, and the Board has asked James to supplement the work on it to expedite the process.
- Decks:
 - James is still waiting on the Kevin Potter report on deck posts that appeared twisted or otherwise unstable. In the meantime, he will be starting on those that have already been identified as dangerous and critical.
- Sidewalks:
 - James has still only received one bid to repair or replace sidewalks.
 - He reported that he is waiting to here from Hostetler Concrete. This brought up discussion about the need for them to come back and fix the entryway sidewalk that was replaced at 2372 and that is already crumbling and failing.
 - Ken cautioned that we should balance sidewalk repairs with deck repairs because they are both safety concerns.
- Re-Grading Estimates:
 - James is attempting to gather bids for re-grading work that needs to be done. However, he reported that at least one vendor who had previously bid on this work in the past is no longer willing to work with the Woodlands and was not interested in re-submitted a proposal.

V. Treasurer Report—Ken Shafer

- The Treasurer reported that there was not much to report this month because we haven’t paid for upcoming big-ticket items.
- He did reiterate that he is working with the financial manager to address the identified balance sheet issues, such as prepaid insurance treatment.

VI. Committee Reports

- a. Buildings & Grounds—Connie Beckwith:
 - Nothing to report.
- b. Financial Committee—Ken Shafer:
 - Nothing to report.

VII. Old business

a. Rogers Road project:

- We will be receiving \$9,220 from the City for the Rogers Rd. project that is resulting in a partial taking of our sidewalk and some of our forest (0.021 acres).
- The fence along the sidewalk will remain even though it is in the right of way and technically encroaching on the city's property because there is no need to remove it.
- According to the city's engineers and project manager, there is no real danger to our foundations from the blasting and excavating.
- If the HOA wants to keep the retaining wall rocks, we will have to coordinate with the vendor who is going to be removing them.
- The entrance sign is currently in the right of way, which is allowed. The City will allow us to re-hang our sign on the new retaining wall that is being constructed. However, the sign must be officially donated to the city and an application must be submitted. If approved, maintenance for our entrance sign will pass to the city.
- Per Covenants and Conditions Section 27, the money received from the City for this partial taking is going to be distributed equally among all owners.

b. Update on 2307 Nuisance:

- Homeowners present were very concerned about the ongoing suspicious activity surrounding unit 2307. They questioned what the Board has done thus far to address the situation. They also asked about liability risks associated with the used drug needles that we are now finding around the property.
- Various Board members spoke about the issue. They advised that an initial letter had been sent to the owner regarding the tenants in that unit. They advised that Carolyn is sending a letter to all owners who rent their units to please provide us with updated names and contact information for all tenants.
- The Board also advised that they are actively working with city police officers and detectives on this issue.
- The Board has advised all residents to be safe and use good judgment when photographing or otherwise confronting anyone associate with the suspected drug dealing in this unit. All homeowners are encouraged to

continue to report any and all suspicious activity to the Board and to call the police when necessary.

- c. Roof bids (dumpster roofs, Garage 6 roof):
 - Jamar is still getting additional bids.
- d. Tree removal bid(s):
 - Jamar is working with Connie to get additional bids.
- e. Basement issues:
 - i. Policy "framework" for basement leaks and foundation issues -
 - At the last regular meeting we made a motion to have our HOA attorney vet the pending policy. The response was that we did not really need the policy framework because it simply reaffirms our covenants.
 - Essentially, the new framework is restating that the HOA is not responsible for basement issues unless they are caused by HOA maintenance or other Common Area issues. The burden will be on the homeowner to prove the HOA fault.
 - Elizabeth advised that she had received an opinion from the HOA attorney Kim Sutter (Eads, Murray, Pugh) stating that there was insufficient evidence submitted by owners linking current basement leaks to HOA maintenance or neglect. She stated that unless it was completely clear what was causing the damage, the HOA would not be repairing anyone's basement going forward. To achieve this certainty, she explained the attorney had advised the Board to obtain a forensic specialist who would be willing to document any and all causes of basement leaks on the record. She explained that although Kevin Potter's reports suggest possible causes, he was unwilling to state on the record definitively what was the proximate cause for anyone's basement.
 - There were many owners who were concerned that the Board was taking too long to address actively leaking basements. There was also concern expressed from owners who have provided detailed "claim summaries" as requested who must continue to wait for the Board to make a decision.
 - Ken made a motion that we contact structural forensic specialists to get proposals for their ability to determine causes of basement issues. Connie seconded. There was discussion that this was not necessary from some claims because we already have Kevin

Potter's structural engineering reports and other engineer and inspection reports all stating same or similar causes. Others felt that it was necessary to definitely establish HOA liability. During the vote, Ken, Connie and Elizabeth voted in favor. Linda and Sarah opposed. The motion passed.

- Ken made a motion that after we receive the above forensic report we have a special meeting. There was no second. The motion failed.
- Sarah made a motion that we have a special meeting within 10 business days to address all pending basement claims. Linda seconded. Ken, Sarah, and Linda voted in favor. Connie and Elizabeth opposed. The motion carried. (This was subsequently scheduled for 6/27 at 7pm at Noodles & Co.).
- Ken made a motion to approve \$10,000 to be spent on obtaining structural inspections as quickly as possible. Connie seconded. Discussion: Sarah reiterated her concern that this is a waste of money given the sufficiency of Kevin Potter's reports in the past. The vote was called, and Ken, Connie, and Elizabeth voted in favor. Sarah voted opposed. Linda abstained. The motion carried.

ii. Update(s) on basement claims: 2378, 2293, 2354, 2376

- These were not specifically addressed.

VIII. New business – The meeting was called at 9:24pm and no new business was discussed.

IX. Adjournment – Not Applicable.

The Next regular meeting is scheduled for Thursday, July 11, at 7 pm at Noodles & Company.

Respectfully Submitted,

/s Sarah Taylor