

Minutes for Woodlands Winding Brook HOA Meeting
September 12, 2019
7:00
Noodles & Company

Board members present: Sarah Taylor, Linda Scott, Connie Beckwith
Also Present: Financial Manager-Carolyn Brown; Property Manager-
James Eiermann

Special Guest: Attorney Michael Carmin

Homeowners Present: Linda Parrott, Donna Davis, Cathy Stone, Cindy
Johnson, Aran Mordoh, Doris Hahn, Ken Shafer, Jeanette Clausen, John
& Chantel Stavick, Jeff Cupp, Kris Kuntz, Diane West, Pam Moore,
Shelley Taylor, Lisa Meuser, Edward Gubar

Before the regular meeting, the Board met in executive session in which
they discussed the following: homeowners in arrears, personnel, and a
homeowner threat of a small claims suit.

Call to Order Sarah called the meeting to order and introduced the
members of the Board. She said that she was pleased to see so many
homeowners present. She mentioned that the complaint that several
homeowners filed with the Indiana Attorney General was a call for the
Board to do better, and the Board is determined to do so.

Approval of the Minutes-Three sets of minutes were set forth for
approval: July 11, 2019; August 8, 2019; called meeting of August 22,
2019.

Discussion-Homeowner Aran Mordoh asked about the tree bid from the
August 22 meeting. She wondered if homeowners could access a list of
trees that are to be cut down. Connie said that 16 trees had already
been removed, and that the others earmarked for removal are marked
with caution tape or pink spray paint.

Homeowner Ken Shafer inquired about the minutes from executive
sessions. He said that while details are not available, he would like a
brief description of what took place. Linda agreed to prepare minutes
from the executive session on August 8 and push them out to Sarah for
posting.

Sarah made a motion to approve the minutes. Linda seconded. All in favor. Minutes approved.

Homeowners asked that Sarah post the minutes once they are prepared. She agreed to post the minutes as a draft.

Financial Manager's Report-Carolyn reported a bank balance of \$10,408.00. She stated that the unit formerly owned by Barb Bunch has a balance of \$4474.18 that was not recovered in the estate sale. She asked permission to write it off as a bad debt. Sarah moved to give permission for Carolyn to create a journal entry to write off the debt. Connie seconded. All in favor. Motion carried.

Property Manager's Report-James reported that Garage 6, Garage 4, and Dumpster 2 have received new roofs. He also told of plans to rent a wood chipper to make a trail from the trees that were recently cut down. Bluestone will arrive on September 30 to do \$5875 worth of trimming. James will send the Board a bid for repainting the parking lot.

Committee Reports-No report from the Financial Committee. Buildings and Grounds-Buildings and Grounds is an active committee that the Board approved. Sarah expressed interest in being the Board liaison. She would like B & G to organize clean ups, pick plants, plant flowers beds, and present ideas for contracts. She asked that interested homeowners see her after the meeting.

Special Guest, Michael Carmin-Attorney Mike Carmin was on hand to answer questions regarding the resolution that he drafted regarding treating basement and foundation repairs as a common expense. Sarah asked if the resolution amended the Covenants. The answer was no, that our Covenants call for homeowners to determine common expenses other than those specifically mentioned in the Covenants.

A homeowner asked if the resolution was retroactive. In other words, would homeowners with previous basement claims be covered by the resolution? Mike stated that the need can exist beforehand; the expenditure occurs afterwards.

Mike emphasized that this resolution is to address structural issues, not cosmetic defects such as small cracks. He likened the resolution to buying into a group medical plan where the risk is shared.

Homeowners expressed concern about the financial impact of the resolution. Sarah stated that the challenge we have in coming up with a financial impact statement is that every unit is different. Homeowners wondered if the resolution could be revoked or voted on each year if the financial impact was too great. Mike suggested a sunset clause where the resolution expires unless it is renewed at the annual meeting. He mentioned a one-year lead time on this clause to protect homeowners who were in the process of making a claim.

Old Business

Appointment of new Board members-Sarah moved to appoint Donna Davis and Diane West to fill positions vacated by Elizabeth Starr and Ken Shafer. Elizabeth's term expires in December of 2021, while Ken's term expires in December of 2019. Who would fill which position could be determined later. Connie seconded. All voted in favor. Motion carried.

Sarah reminded everyone that homeowners will elect 2 Board members at the annual meeting in October, as 2 terms are set to expire: one, the aforementioned seat vacated by Ken Shafer; the other the seat currently occupied by Linda Scott who will not seek re-election.

LaMontagne Contract-The Board and homeowners are dissatisfied with our current landscaper, LaMontagne. Sarah made a motion to give LaMontagne the 30 days notice to terminate the contract. Linda seconded.

Discussion-Connie asked James if he thought LaMontagne will stay the remaining 30 days. She also said that she was hesitant to reward a contract to R & S (who James had lined up to replace LaMontagne) before examining it thoroughly. Sarah reminded Connie that we were not awarding a new contract to anyone; we were merely voting to terminate our contract with LaMontagne. Vote was unanimous. Motion carried. James will give LaMontagne notice. Sarah will examine all recent invoices from LaMontagne and investigate any questionable charges.

Invoice for 2293-Repairs were made to the chimney, basement, and storage unit in the unit owned by Shelley Taylor. Sarah presented unpaid invoices from Evergreen that were several months old and said that Evergreen was asking to be paid. Linda stated that the invoice for \$5,900 had not been paid because she understood it to be Shelley's responsibility. She thought that Shelley had received the invoice and was surprised to learn that she had not. Connie presented email correspondence between Shelley and former president, Elizabeth Starr, and between Linda and other Board members supporting Linda's contention that repairs to Shelley's basement were her responsibility. Sarah responded by apologizing to Shelley for the miscommunication and said that she wanted to salvage the Woodlands' relationship with the vendor. Connie proposed that we negotiate with Evergreen by asking them to wait until we receive the WJE report, which could state definitively if the basement repairs are HOA responsibility. Sarah put forth a resolution that the HOA make a partial payment of \$1080 (20%) pending final determination of responsibility. She also wanted to ask Evergreen to correct a problem with Shelley's access panel. Linda seconded. Vote was unanimous. Motion carried.

Garage 4 roof repairs-Sarah stated that the repairs to Garage 4 had created a lot of debris. She was lead to believe that the debris would not be as prevalent as it is. She asked James to organize assistance to clean up the debris.

WJE-Two forensic inspectors/engineers from WJE will be on site on September 19 to inspect and prepare a report to determine the cause of foundation cracks and water leaks to several basements.

New Business

Security Concerns-The owners of 2307 were on hand to discuss homeowner complaints regarding their tenant. The tenant's lease expires October 5, but owner Kris Kuntz said that she expects to involve the courts in order to get the tenant to leave. Kris asked that homeowners report concrete evidence of wrongdoing that she could

present in court, should the need arise. Homeowners should send their reports to Sarah who will pass them on to Kris.

Garages 3 & 5-Sarah requested a bid for the roofs of Garages 3 & 5, as they are in need of repair.

Towing Contract-The Woodlands' contract with Bly's Towing has expired. Sarah presented 2 possible contracts for consideration. Since it was already past time to adjourn, Sarah tabled the matter, but mentioned that she might call a phone meeting of the Board to vote on a contract. At that moment, James reported a message from LaMontagne stating that their last day would be October 18.

Working Meeting-The Board will hold a working meeting on September 17 at 3:30 at Noodles to prepare the budget and other materials for the annual meeting that will be at 7:00 p.m. on October 10 at Sherwood Oaks Christian Church.

Meeting adjourned at 9:15.

Submitted by Linda Scott, Secretary