***Woodlands Winding Brook HOA***

Board Meeting Minutes, Special Assessment called meeting

February 6, 2020

7:00 pm Monroe County Library, Auditorium

**Call to order/Welcome – Ken Shafer**

The meeting was called to order at 7:07pm

**Present:** Ken Shafer, Susan Seitzinger, Ed Gubar, Connie Beckwith, Brian Dahlberg, Beth Tankersley Homeowners: Jeanette Clausen, John Stavik, Aran Mordoh, Kim Gray, Joseph and Alesandra Ferrerio. Guest: Joseph Ferrerio’s caregiver

Board President, Ken Shafer, presented the revised 2020 budget showing special assessment and clarification of special resolution documents.

Ken discussed the revised budget with focus on the special assessment. He referred to the section of the resolution describing the HOA’s obligation to repair basement slabs, foundation walls and the means to finance those repairs.

The clarification document presented identified coverages under the three categories of repair.

Ken and Carolyn Brown, Financial Manager, revised the budget to include the special assessment of $1000.00 per unit, totaling $66,000.00 to be used specifically for foundation and slab repairs.

Other maintenance items such as decks repair, sidewalks, etc. were given a larger budget amount. This is in hope of balancing maintenance items for those not immediately benefiting from the special assessment.

It was noted that previously, the board had been given legal opinion that suggested it should not cover the expense for these types of repairs. The approval of the resolution in October 2019, provides the legal basis for the HOA to pay for them.

**Motion to levy special assessment**

Ken motioned to levy the special assessment in the amount of $1000.00 per unit to use exclusively for foundation walls and slabs. The assessment monies will be put into a separate special account and moved to the general account as funding is available to use for the repairs. Each unit may pay half the assessment amount by March 1st and the remaining half by April 1, 2020. Any late payment will incur a 14% interest fee. Motion was seconded and discussion began.

**Open comment period for homeowners**

Homeowner, Aran Mordoh, reported a list of comments she prepared and handed out.

There is concern for additional trees that need addressed. They are a safety issue being too close to buildings and branches falling off on to roofs, AC units and cars.

Vice President, Susan Seitzinger stated the Building and Grounds committee will address these issues at their first meeting. She also mentioned other items that are in the works.

* Master Gardener grant application: to remediate pond plant natives
* HAND grant application: to secure money for entrance signage and plants
* Citywide clean up grant application: HAND/City of Bloomington will bring in volunteers and will help get rid of large items and chipper to grind fallen limbs.

Ken emphasized that the Special Resolution clarification document specifies category 3 exterior tasks that the HOA is obligated to do are not related to the special assessment and are not to be funded by that. Susan is working on a property maintenance schedule and monthly task assignments.

Aran also discussed concern on moving forward with foundation work on a unit by unit basis instead of addressing individual buildings. She used her building as an example: Building 1 had a single unit’s foundation fixed although multiple foundation claims had been made for the entire building. The fix caused a shift and additional movement toward other units in the building creating additional issues. Board Director, Brian Dahlberg, stated he understands the issue with repairs on a building by building basis. Ken says we may have to do work unit by unit due to cost.

Homeowner Alesandra Ferrerio discussed her ongoing concerns with her building (3) and unit (2378). She is concerned that even with the special assessment, it will not be enough to cover repairs. She reported that the original cost of repairs was less than what the current amount is. She stated the board had waited too long and says the longer the board delays addressing issue, the more damage will occur.

Ken reminded her that it has only been since October 2019 that the board has had a legal basis to cover these costs. The previous legal opinions were suggesting the board not do so. Doing so would have been a misappropriation of funds.

Brian acknowledges that there is a general agreement to move forward as quickly as possible to not incur more damage.

There was discussion on how many basements have been affected and if there was a specific plan of action. It was discussed that units 2376, 2378, 2329, 2354 and 2382 are affected, but are still waiting for scope of work from Kevin Potter and property management.

Alesandra (Allie) asked for more specifics and a list of all units with basement issues and all repairs. She also stated the board should not be taking money from homeowners without a specific plan and wanted a court order to stop the assessment.

Ken asked how present homeowners felt about the assessment. Homeowner, Jeanette Clausen stated she was in favor of a modest assessment. The amount seemed enough to start some repairs instead of not being able to start anything.

The board agreed that $1,000 is a good starting point to test the waters for how many will send in the amount and when. Ken cautioned that if we are too aggressive and incur many additional special assessments, we may receive backlash from owners who will not benefit, and we need to temper the expectation of what our community can bare. He concluded that the board is obligated to all homeowners not just a few.

Homeowner, Shelly Taylor mentioned a past meeting at Noodles in which Michael Carmin stated these problems will eventually happen to all units in the Woodlands due to structural issues. She also mentioned Jamar, the current property management company had reported the number of basements that took on water were about 12 -16.

Ken commented that he was concerned that plenty of homeowners may not want to pay for slab and foundation repairs. If there are enough, then we are back to square one with litigation over fine print in our covenants.

Board Director, Ed Gubar reported that there was a 16 to 14 vote on the resolution. This included a proxy turned in without a name. The outcome would have been 15 to 15.

Ken reiterated that it is up to the board to come up with a plan. Everyone is in agreement to move forward in getting repairs started.

Brian motioned for a short recess and Susan seconded. All were in favor. The meeting reconvened at 8:07pm.

Discussion took place between the homeowners and the board on what the possible assessment installment dates should be. Some homeowners were concerned the dates were rather close together.

Ken mentioned the thought behind that was to motivate the start of repairs and gain monies quickly. A question was raised about what was currently in our reserves and what the possibility was to use those monies to start with.

Ken reported that there was $110,000 in the reserve and the reserve and assessment money should be kept separate as best practice.

Homeowners requested clarification on what repairs will start first and details of what will be done. Ken and Susan both stated that all information was not currently available, and the requested items need to be separated into categories based on Kevin Potter’s reports and the resolution clarification.

Brian summarized owners’ comments for a shared detailed plan and estimated cost of work. Owners want to see money used conservatively and for the Woodlands to utilize/re-use our current resources.

**Final discussion by board including adoption of amendments**

After all homeowners’ comments were heard, Ken put forth a motion to amend the total amount and dates of payment.

Ed suggested to amend installment dates to March 15 and May 1. Susan suggested to amend installment dates to March 1 and August 30.

Ken motioned to amend the special assessment installment dates to March 15 and May 1. Brian seconded. All then voted in favor of the amendments incorporating the dates of March 15 and May 1.

**Vote on amended special assessment resolution**

Ken moved the previous question to vote on the motion as amended, incorporating new dates of March 15 and May 1. Discussion ended, and the motion passed unanimously.

**Adjournment**

The meeting adjourned at 8:55pm.

The next scheduled meeting is Thursday, February 13, 2020 at 7:00pm - Monroe County Library Room 2A.

**Ref: handouts available at meeting:**

 Revised budget overview

 WWBHOA Special Resolution clarification document

 Signed resolution of WWBHOA

 Homeowner Aran Mordoh’s list of comments

Respectfully submitted,

Beth Tankersley