# WWBHOA Board MeetingMinutes

## February 13, 2020

## 7:00 pm Monroe County Library, Room 2A

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

Ken welcomed everyone and called the meeting to order at 7:08pm.

Board members present: Ken Shafer, Susan Seitzinger, Brian Dahlberg, Connie Beckwith, Edward Gubar. Beth Tankersley present as Secretary.

Homeowners present: Cindy Johnson, Sherry Jeffers, Jeanette Clausen, Cathy Stone, Aran Mordoh, Sarah Taylor

Also present: Financial Manager - Carolyn Brown, Property Manager - James Eiermann

**Updated protocol for homeowner comments -Ken**

Board President, Ken Shafer, discussed an email he received from Kim Sutter concerning homeowners being called upon for discussion throughout the meeting. She recommended homeowners be called upon only during the open forum portion of the meeting so as not to start a debate while conducting board business. Homeowners are advised to jot down questions for the end of meeting. The board will try and save about 30 minutes at the end for homeowner discussion.

**Security update – Ken**

Discussion regarding removal of persons disrupting the meeting by security and the library’s approval of security during meetings. Ken introduced Naomi from Marshal security.

**Approval of minutes from January 16, 2020 – Beth Tankersley and board**

Ken stated he and Board Vice President, Susan Seitzinger, reviewed the minutes from the January 16 meeting. Ken moved to approve said minutes. Ed seconded. No objections. Motion approved.

**Executive session references**

Board conducted the following meetings to discuss fees and arrears and litigation issues.

January 4, 2020

January 9, 2020

January 16, 2020

**Financial manager report – Carolyn Brown**

Carolyn discussed budget overview. For January the total income was $45,186.34, expenses were $27,098.31 and net income was $18,088.03. The budgeted income amount was $40,094.83, the actual income amount was $5091.51 more than that. The actual expense was less than the budgeted amount by $ 14, 457.61.

The plan for special assessment money is to put it in the long-term account. It will then be transferred from the checking to money market account as money comes in. Carolyn will get info into google docs in the next few days. If anyone has questions, they can send them directly to Carolyn.

**Property manager report – Jamar Properties**

James reported on the water intrusion this month stating the largest was 2329. Findings included were based on removal of drywall indicating black mold which should be remediated as soon as possible. He reported 2354 also had water. A blower was brought in to 2329 to assist with the drying process. He said with Carolyn depositing assessment checks there may be enough to address quickly. Ken advised we need assess each and see what we could do.

He also reported on 4 trees that had been taken down and the only one left is behind Kathy Stone’s unit.

Connie asked James to email the bid on deck posts for 2325 and 2323.

**Presidents report - Ken**

* Update on attorney general complaints – Ken

Ken says the last report filed with the Attorney General was in September 2019. We are now up to 5 complaints. Currently there are no disposition of complaints or withdrawals of complaints by the complainants. Kim Sutter has advised not to disclose the names of complainants. Relevant documents have been sent to Kim Sutter regarding the Attorney General’s request for information about Hoosier Water Away. Kim Sutter states that the HOA needs a definitive opinion that the inadequacy of Hoosier Water Away’s work has caused basement leaks in order to pursue a lawsuit.

* Update on Hoosier Water Away (HWA) lawsuit – Ken

The HOA’s legal counsel has advised in order to pursue a lawsuit we need a definitive opinion that the inadequacy of Hoosier Water Away work is the cause of our basements water issues. Based on the current information we have obtained in reports from Sherlock Holmes, US Inspection, WJE and Bledsoe Riggert, there are no definitive causes of water intrusion. Only contributing factors. In conclusion, pursuing a lawsuit will not be cost effective or good use of the Boards time.

* Approval of special assessment - Board comments

Ken asked each Board member to share their reasons for voting for special assessment at the special called homeowner meeting on February 6.

Brian felt it was a good balance between cost and the need to get work done. Seemed to be the least amount of burden on the HOA.

Susan agreed with Brian and wants to see our neighborhood moving forward.

Ken thought it was the right balance between the interpretation of covenants vs our history of how these items were paid for in the past. The special assessment enables us to move forward.

Ed was originally opposed to the Special Resolution due to irregularities. However, he would like to move forward and see that main issues with the walls and slabs are taken care of. He mentioned he and Ken have already contributed $1000 toward the assessment and want to thank the previous board for their work.

Ken discussed the claims for foundation and slab repairs were in the process being sorted out and divided into the Categories from the Special Resolution Clarification. Once the items are categorized, we can begin to solicit bids.

Also discussed was the possibility of Attorney General or city oversight of HOA’s. The Attorney General may eliminate board members or make referrals but does not run an HOA's business. Connie spoke with Michael Rouker from Bloomington Legal Department. Mr. Rouker confirmed that the city does not provide services to HOA’s which are private properties. He also confirmed the city does not have any legal authority over a private homeowners’ association business operation.

**Treasurer's report – Ken**

Ken discussed a revised budget which projected a $65,000 loss for 2020. The revised budget included the amount expected from the special assessment to cover foundation and slab repairs. Inflation adjustment comparisons also show a short fall in our reserves due to an insufficient raise in HOA fees since 2008. For us to recover over a three-year time frame there will need to be an increase in monthly fees and possibly another special assessment.

**Formation of committees – Susan Seitzinger and Ken**

Susan talked about the committees, their descriptions and how they can and should work together to address the needs of our community. Homeowners are encouraged to apply.

Currently Brian Dahlberg is the lead for the Buildings and Grounds Committee. Susan Seitzinger is the lead for the Communications Committee. Ken Shafer is the lead for the Finance Committee. Ken and Susan are the leads for the Executive Committee. Ed Gubar is the lead for the Governance Committee. The Executive and Governance Committees will consist of board members only.

A handout with descriptions and application form for committee membership was available. Ken will send out copies of these items via Google groups. Susan will send him a PDF copy.

**Governance / Legal - committee restrictions - Ed Gubar and Ken**

There was discussion of the five complaints submitted to the Attorney General. Common topics in these complaints included foundations, slabs, water intrusion, drainage, gutters, HWA, roofs and trees, and landscaping.

Kim Sutter advises committee members to not discuss any of these items or items under threat of litigation. She also encourages any complainant to recuse themselves from being involved with any issues via committee that they have submitted a complaint to the Attorney General about.

**Old business**

* Handicap parking for 2380 – Susan

The HOA is responsible if a homeowner asks for this type of parking space. We need to have a step by step procedure in place to follow. Susan has been looking into writing a standard operating procedure for these requests.

* Deck post Inspection and repair, especially Units 2323, 2325, 2354 – Connie Beckwith

Kevin Potter should inspect all deck posts to see if they need replaced. We currently have not received a recent report on building 3 regarding foundation.

* Progress on Outdoor Improvement downspout / grading work – Connie

All the 26 that were on the contract were replaced and finished within two days.

The grading is completed on buildings 13 and 14.

* Progress on McCoin new roof: building 3 – Connie

Connie stated that building 3 was next on their schedule. They will be here in week or two.

* James reported all five trees will be taken down.
* Susan suggested any contractors or construction companies should alert the board of their schedules so the board can notify homeowners. James agreed.
* Progress on R&S tree removal – Connie
* Discussion of whether the grading work will need a permit. Ken will continue speaking with Liz Carter of the City on how the threshold of 1000 squae feet is applied. We need to know if the square footage is in total or per building, so that we are complying.
* Rules and regulations update – Ken

Ken briefly discussed the proposed changes in rules and regulations. Some of the wording is confusing and we are not ready to move forward at this time so it will be tabled for now.

* Master insurance deductibles and claim guidelines – Ken

Ken stated Frank Eberle has vetted the guidelines and they are ready to be approved. There was a brief discussion of the guidelines and a handout was available. Homeowners should petition the board to make a claim with our master policy. Homeowner should not directly make a claim with First Insurance. Ken moved to adopt the Master Policy and Brian seconded. All approved.

* Updated clarification of special resolution – Ken

Ken discussed how the special resolution maintenance categories first drafted with the assistance of counsel Michael Carmin, were later fined tuned by Kevin Potter to clarify wording. Claims regarding foundation and slabs will be sorted based on these categories.

* HAND grant application / Roger Road project update – Susan

Susan explained the Rogers Road project will have our neighborhood entrance torn up for some time. The rest of the trees will be cleared down to the boardwalk and the ground will be leveled to street level for the walking path.

The stones from the front entrance will be kept and recycled. Susan has asked for assistance for our signage and plants. She sent letter in on the 17th for the HAND Grant. She received a response stating it would be best to apply for the Grant for 2021 due to contractors signing off on projects in November.

* Property maintenance schedule – Susan

Susan stated the property maintenance schedule will be forwarded to Building and Grounds Committee for review. She is also estimating it will take approximately three years for our neighborhood to get back in shape.

**New Business**

Due to time constraints new business will be tabled for next meeting.

* Communications - email infrastructure – Brian
* Communications - HOA-owned maintenance reporting software – Ken

Ken will use binding authority as President to purchase a $20 prototype of WuFu.

* Foundation wall / basement slab repairs – Invitation for bid (IFB) progress

**Homeowner general comments**

Homeowner Aran Mordoh asked for a correction of last months meeting minutes to state that she and Kriste Llindberg contention that were in fact already active on the Building and Grounds Committee. Ken pointed out that this was only from previous Board's approval.

There was discussion of sharing any tree removal, drainage plans and neighborhood plans ahead of meetings for homeowners.

Homeowner Sara Taylor discussed her concerns regarding Hoosier Water Away. She stated she will be sending a Derivative Suit against HWA and will be forwarding a letter to the board.

**Meeting was adjourned at 9:00pm.**

Next meeting is to be held March 12, 2020 at 7:00pm at Monroe County Library Room 1B

**Action Items**

* James to email Connie bid for deck posts 2325, 2323
* Ken to send via Google Groups Committee descriptions and application - those interested Buildings and Grounds should re-apply if previously served
* Susan to email Ken the PDF files for these applications
* James contact construction crews to have them alert board of where/when they will be working. Relay this info to Susan so she/board can alert homeowners
* Ken to purchase WuFu prototype