

Special Meeting April 22, 2014

Attendees:

Leslie Horton
Janie Bryant
David Schneider
Brian McCarthy
Babs Petelos
Felicia Brewer
Lisa Hoyle
Lee Hood

Leslie recapped her March conversation with Jay Clark: Jay Clark stated his fee is \$295 per hour but he could have his paralegal file liens for us for about \$115 per hour. But they don't do much good without knowing where the person works or their banking info. Not really going to be any good unless we foreclose on the property. He also doesn't think it would be picked up on credit report. He doesn't have a problem with us posting in newsletter the names of those who have liens filed on property, because lien is public info. This is different from putting names of people who are delinquent. Publishing their names might shame them into paying. Jay doesn't see a problem with extending a grace period to those who have had a hardship and are late with their dues. He thinks we can extend grace period, but still file lien.

Leslie's April 17 conversation with Jay Clark: She asked if we could assess a \$30 per month fee for delinquent dues or interest of a certain percentage. He said it would be determined from what the covenants state. But he believes a judge will not find it reasonable to charge \$30 on \$100 fine. He also said he knows of HOA's that assess fees for covenant violations, but not for minor violation like leaving a trash can out. He has also heard thru the grapevine that Lake Crest homeowners are not happy with the board's actions.

Agenda item #1: The board moved forward with discussion of certain rules for which decisions need to be made right away

Rule #6, mulch-The board voted unanimously to change the language to read 'All ground cover must be natural color on all landscaped areas and surfaces. Examples include pine straw, pine bark, pine mulch or lava rock. Lawns and beds shall be maintained on a seasonal basis and kept free from weeds.'

Rule # 14, front porches, part B, planters-the board voted unanimously to change the rule to read 'Planters may not contain dead plants, weeds, or artificial plants/flowers.'

Rule #7, entry accessories-The board voted unanimously to change the rule to read 'Décor on front door shall be well-maintained, inoffensive, appropriate and in keeping with neighborhood aesthetics.'

Item #3 and #4, \$30/month fee and notice to homeowners of when this fee would begin- based on Jay Clark's opinion, Leslie doesn't think this is feasible. The collections attorney will send letters on fines of \$100 but he will not file suit for that small amount because it is cost prohibitive. Leslie suggested that, once we have resolved issues with the rules and the violations report is accurate, the Board consider paying him a fee amount for him to pursue \$100 fines until the Board establishes it means business and people begin to pay their dues/fines. The board voted unanimously 'No' on items 3 and 4.

Item #5; referral of delinquent fines to collections attorney-This issue will be decided at a later date.

Items # 6 and 7-Brian's proposal for fee collection was discussed, but based on the fact that not all board members had reviewed his email, the board voted to hold off on a discussion and decision on Brian's dues/fine payment plan proposal until all Board members have had a chance to review. We will also revisit issues #6 and #7 when everyone is on the same page, although as noted above, it was voted that the \$30/month fee will not be assessed.

Item # 9; playground mulch bid- We have one bid for removal of wood mulch, installation of rubber mulch and painting of remainder of tennis court. The bid is \$7,468. The board unanimously agreed that we need to obtain at least two other bids for this work. We also need to determine the longevity of rubber mulch and make sure Hoover City will not have any issues with this change.

Item #10-All members are asked to review the pool rules and suggest additions/changes. It was agreed, due to the pool opening scheduled for May 3 that we would all review by Thursday, April 24 and vote via email. Babs requested we disallow water guns. We also discussed large floats on busy days and decided to add the following verbiage: 'Pool monitors reserve the right to request removal of flotation devices when pool is at high occupancy.'

Item #, Flag Circle-The board needs to set up a meeting with the six residents of Flag Circle to discuss either the construction of an enclosure for trash cans at the top of the street, or if the residents want to get rid of their trash cans and put their bags out on the street. They may have other suggestions.

Item #2; letter templates- Due to time constraints, the board agreed to vote on only one letter, the Noncompliant Realtor Sign. David suggested we remove the sentence about 'honoring your commitment'; the board voted unanimously to remove this sentence and approve the letter.

There was some discussion regarding PPM and the meeting board and ARC members had with them. It was agreed that PPM will be notified that there are certain rules which are under review and, until they are decided on, they should not write them up as violations (eg. Flags and yard art rules).

PPM will also be told they should only be getting instructions regarding enforcement from the board and Jody. It was suggested that PPM send us the fine report for approval before letters go out. Then the board can review and make sure that all violations warrant letters. Felicia and Babs (and Leslie, for May only) agreed to review the report, send it to the other board members for review and vote, and then it will be returned to PPM for letters to go out.

PPM was also requested to send the board an exception report of small violations rather than putting them on the main violation report. If small exceptions show up continuously for the same homeowners, we can decide how to address them.

Janie read a letter from a resident who has experienced some personal hardships and is approximately \$2000 delinquent on dues. The resident requested we allow her to pay \$500 a month until delinquent dues are paid off. The board voted unanimously to allow the resident to pay \$500 per month.

Meeting adjourned at 9:24.