

Montgomery West HOA Board Meeting
October 16, 2018

Board Members in attendance: Rod Olaya, Michele Heffner and Vincent Delgado (via teleconference)

Board members absent: Lula Davis and MaryAnn Holleran

Non-members: Janet Fujikawa and Bill Roberts

Opening: Meeting called to order. Motion made and approved permitting the recording of the minutes in the absence of the secretary.

September 12, 2018 board minutes were approved with the correction of Janet's request to have "Dr." removed from her name within the minutes of the HOA, and a request by Janet that a full disclosure of the Board's "signage issue" be captured in detail to reflect the actual proceedings. Board noted and agreed.

Treasurer's Report: Status of outstanding accounts (Aging summary)

11 homeowners are one quarter overdue

Emails have been sent to five as a reminder

5 overdue two or more quarters – letter from Board

3 very outstanding (2 letters from lawyer and 1 is on payment plan)

Mr. Roberts inquired about the late accounts and if there was any success in getting HOA members to pay on time. The Treasurer advised that just in the past quarter, both she and the President have made personal visits to homes and was warmly greeted and thanked for their concern, which in turn has led to some homeowners becoming more responsible and responsive.

Mr. Roberts also inquired about who does the billing for HOA fees. He was informed that the bookkeeper does and that there has been an issue with a couple accounts about prepayment and getting a quarterly bill even though they paid for the year. The Treasurer was immediately in touch with the bookkeeper and these minor errors were corrected post-haste. Mr. Roberts also indicated that in the past, when he served on the Board, roughly 10% of homeowners were late with payments, which seems consistent with current experience.

2019 Budget: Budget reviewed, discussed and motion to approve, as outlined by Treasurer, agreed to. 2019 budget will be presented to HOA at the annual meeting next month. Budgeted amounts are same as last year, except for landscape funds which Board previously agreed to increase. The increase amount was derived from zeroing out reserve fund and transferring to Landscape/Annual/Debris. As noted in September 12 board meeting with respect to increasing this line item for 2019. The increase to this account is to accommodate any needed action with respect to aging trees and other landscape issues in the neighborhood.

Annual audit: 2017 taxes filed. HOA owed \$16 to federal, and \$1 to state.

Profit/Loss: Checking and savings accounts all in good standing. Reserve funds on target and at levels recommended by CCOC. Bill Roberts inquired about account 556 and was advised that under a previous leadership, it was determined that all the HOA records (archives) should be in one location, therefore the HOA is renting storage space for that purpose.

AERC Committee Report: Fall survey conducted with some violations noted. AERC Chair indicated that when violations are noted, he normally waits a short time—7 days—before sending out violation notices, since in many cases, the homeowner will correct the violation. In the case of Lot 20F (as noted in previous minutes) no action has been taken, letters have been sent, and the next step is to schedule a hearing before the Board (as noted in the enforcement policy of the HOA).

With respect to community AERC surveys, Board noted that more notice should be given to AERC members and the Board when a schedule is established. A discussion commenced about how much time was needed for scheduling purposes—a month was suggested--and that a form to identify items should be developed—identifying items which might need the attention of the homeowner--i.e, condition of garage door, garage door in need of painting, shutters that might be in need of attention. The Board agreed that a AERC form is a good idea and would be helpful when surveys are conducted, thus ensuring that any violations are properly identified and noted.

Retaining wall on common area near Marsh Hawk. Note to keep an eye on the retaining wall.

Parcel Z: an area that borders the neighboring community. Determined that future discussions on maintenance next year.

Lawn Maintenance: A contract from current vendor—Greenlink—has been received for next year. Amount same as the current year. Cost reflected in budget.

Annual Meeting: Steve Kwilas has arranged our usage of a room in Strawberry Knoll for our annual meeting. Various documents for the meeting are in process of being collected. All ballots and proxy forms were mailed on October 10th, therefore, all HOA members should have those forms. Several copies will be available at the meeting. Treasurer will complete a report on accounts as the day approaches for meeting, in order to ensure that the most up-to-date information is provided to homeowners.

Community News/County Liaison issues:

“Signage”: Janet Fujikawa and Bill Roberts were in attendance to discuss a piece in the newsletter with respect to “signage.” A piece in the community newsletter indicated that Board agreed that 2 signs (front and back of property) from a commercially licensed company should be permitted. The Roberts took issue with this statement in view of the fact that in a March Board meeting there was discussion of the “signage” issue, and the Board agreed to the provisions of the mediation letter—outlining the agreement between the CCOC, HOA and homeowners. The gist of the mediation agreement is that there would not be enforcement of covenant policy with respect to signs, and the previously sent letter noting the violation was rescinded. Janet indicated that her notes and recollection at March meeting was that the President said let’s “leave as is”. Subsequent to that meeting and the Board’s agreeing to the provisions of the mediation letter, no homeowners have been cited for any violations of covenants with respect to signs.

Question from Janet: Has the Board conducted a full review of signage? When did the Board vote on a change? Who wrote the piece for the newsletter and when did the Board come to that decision? Concern about how Board came to that conclusion, was there a vote? Janet states her recollection of the meeting and recalls that President indicated that we should establish a committee to review, and asked Janet to serve on said committee. No committee was ever formed. Janet and Bill do not believe that a full review has been done and that the statement in the newsletter is premature. In March

newsletter, community was asked to weigh in on the “signage” issue, since the covenants expressly prohibit all signs. The Board received about 3-5 responses. From feedback, it does not appear that homeowners have much interest and do not care. Those who did respond expressed the view that security signs from commercially licensed companies should be permitted. The Board’s interpretation of this feedback was that security signs should be allowed. Michele indicated the following: “While not discussing in great detail, there was some mention of permitting 2 signs on property. Granted we did not vote on any specific proposal. “

Vincent: The Community does not appear to have much interest here, clearly. Clarification of whatever decision made is paramount.

Bill: there should be a paper chain of Board decisions, and any recorded votes should be reflected in minutes.

The interest on the part of the Board was to get some clarification of the “signage” issue, especially in view of the covenants. There was never any intent to ignore the contents of the mediation letter, nor to unfairly impact any homeowner. In view of this discussion, the Board believes that more discussion and community impact warranted. The Board encourages all homeowners to become involved in this process for full and open disclosure.

Question: In view of the statement in newsletter, should a mailing go out to HOA members to clarify. What is cost? Why not just wait for the annual meeting and have the discussion? Janet: what about accountability and honesty? Where do we go from here? Do we leave this matter on the table until next year? The bottom line here is that this issue is tabled until further notice. The provisions of the mediation letter remain as agreed upon by all parties.

Meeting adjourned: