

Highlands Subdivision HOA Board of Directors Regular Meeting
April 8, 2020 – 7:00PM-9:00PM – Online Meeting
Minutes of the Meeting

I. Call to Order/Roll Call

President Kevin Campbell called the meeting to order at 7:05 PM. All Directors were present via online Zoom conference. Physical meetings will not be held until such time as the Covid-19 Stay-at-Home order is rescinded.

II. Approval of Minutes from Previous Meeting.

Minutes from the March 11, 2020 Board Meeting were compiled by Cindi Livingston and electronically provided to all Board Members for review. Erin Ryan motioned to approve, Phil Argenti seconded, all in favor.

III. Reports of Officers

- a) **President.** Kevin Campbell confirmed that he has spoken with Jim Batcho and mowing services will begin this week; they also clarified what common areas are mowable which will be discussed later.
- b) **Treasurer** Phil Argenti went over the current financial report. Noted that we currently have 84 owners that have not paid 2020 dues.

IV. Homeowner Open Forum. Five homeowners present. Inquiries made in regards to:

- a) **Drainage Issue.** Homeowner had contacted Board via email regarding ongoing drainage issue. Issue is not stemming from any HOA common area or property; it is unclear whether issue stems from city structure or country property. Kevin Campbell has a contact at the City Water/Sewer Department, however due to stay-at-home order offices are currently closed. Kevin will keep attempting to contact and follow up as offices reopen.
- b) **Query regarding Sidewalk Project.** Homeowner asked if there would be a sidewalk added between Rockport Road entrance and trailhead. Board confirmed this was already in process and expected to be installed later this summer.
- c) **CCR Enforcement Question.** Homeowner enquired as to enforcement conducted by the Board and why there were still CCR violations in the community; what is the purpose of updating the CCRs if they are not enforced. Board Members responded explaining the multiple reasons the CCRs need to be updated. Further discussion explaining the CCR enforcement procedures, which are used when a violation is reported by either a homeowner or Board Member submitting an observation. Board is comprised of five members volunteering for a large community. It is impractical

and untenable for the volunteers to note and enforce every violation without the help of homeowner input, observations, and volunteers. Homeowner asked why the Property Management company does not complete this, it is not part of our contract and would be an additional large cost to homeowners to have this be included in it.

V. Open Business

- a) **CCR Voting Plan of Action.** As the next likely step to discuss with homeowners and obtain approvals will involve door-to-door visits, any additional action on this is tabled until such time as the stay-at-home order and social distancing restrictions are rescinded.
- b) **Sidewalk Project.** Anna Bragin spoke with civil engineer Daniel Butler with Bynum-Fanyo whom was recommended by Tom Winger and is interested in meeting to verify scope and permits needed. Tom Winger confirmed he will do construction as long as we get permits and contract out the pre-work. Anna will arrange meeting with Daniel at site to get scope of what pre-work the Board would need to have completed and what is feasible in terms of layout and sidewalk width. Will ask about the unused gate installation and if that can be removed.
- c) **Newsletters.** Spring newsletters have been printed and are ready to be picked up and distributed. Next newsletter planned for July. Instructions to volunteers are to maintain social distancing and just leave on entrance areas, do not do in-person hand-offs. Erin Ryan motioned to reimburse Phil Argenti for up to \$50 for newsletter printing since regular volunteer printer was unavailable due to stay-at-home order. Anna Bragin seconded; all in favor. Phil Argenti will submit receipt to Tempo for reimbursement.
- d) **Trail/Homeowner property boundary issue.** Kevin Campbell discussed and shared pictures via email of areas in question to verify where we wanted to place signs that we previously approved expense for. Kevin will now install signs and place a post on website and Facebook page explaining installation.
- e) **Lien/Abandoned Home Issue.** Previously discussed possibility of lien on home that is in arrears and appears to be abandoned. Kevin Campbell received attorney advice and also spoke with a neighbor who has been paid to mow their property. They intermittently return to pick items up but live out of state and have not otherwise been in communication. Over \$565 in arrears dues are owed. Phil Argenti motioned to file, Erin Ryan seconded; all in favor. Kevin Campbell will contact attorney representative to begin process.

- f) Monthly Meeting Locations.** Previously, May meeting was confirmed for Batchelor and June onwards were unconfirmed. Due to unknown end date of stay-at-home and social distancing orders, discussed and decided that we will conduct May meeting via Zoom conference again. Will determine future meeting format or locations on an ongoing basis as more information is available.
- g) Consideration of Dues/Fees due to Covid-19.** Homeowner inquiry to Board and Tempo as to whether there will be any forgiveness of dues or fees to due to possible financial impact from Covid-19. Obtained attorney advice and discussed. As the original due date had already allowed 60 days from invoice date and was before the major impact of the pandemic, we will not be waiving the necessity of dues payment. However we will waive late fees and interest until July 15th, as well as not initiate any new collections until that date. Cindi Livingston motioned, Erin Ryan seconded; all in favor. Phil Argenti will notify Geri to include this information in reminders that she is preparing to send.
- h) Open Homeowner Observations**
1. Homeowner inquiring as to lawn debris blocking trail. Related to boundary issue above; debris was placed there by homeowner to help prevent encroachment on their property. Kevin spoke with observer and explained that this was not an extension of the trail. Stated that the debris would be removed but that a barrier would soon be present instead to prevent future trespassing.
 2. Discarded Christmas tree. Kevin walked area mentioned and could not find any issue. This may be similar as reference to above mentioned debris.
 3. Debris between two houses. Appears this may be related to the above mentioned drainage issues; three homes are affected. Will respond to observer and ask for clarification as well as take pictures to see if it is homeowner issue or drainage issue.

VI. New Business

a) Architectural Requests.

1. Follow up on request 2020-01, to extend addition footage. Reviewed documents and no encroachment or issue in doing this. Erin Ryan motioned to approve, Phil Argenti seconded; all in favor. (2020-01)

2. Informal request regarding which fence proposal is acceptable to submit when ready to submit and have work done. Discussed and verified acceptable proposal of the available options, Erin Ryan will communicate information to homeowner.
3. Fence replacement. Complete replacement of existing, no changes to existing lines or specifications. Reviewed, form in order and all requirements met. Erin Ryan motioned, Kevin Campbell seconded; all in favor. (2020-06)
4. Pergola. Non-permanent pergola structure to be erected on existing concrete pad. Reviewed, form in order and all requirements met. Erin Ryan approved, Kevin Campbell seconded; all in favor. (2020-07)
5. Backyard Shed. Reviewed, not all details are present; drawing is in line with requirements; appears to be non-permanent installation type. Approved with conditions that it may not be installed on a new concrete slab and exterior must be either natural wood color or must match the color of the home. Cindi Livingston motioned, Phil Argenti seconded, all in favor. (2020-08)

b) 2019 Financial Audit. Discussed beginning audit process now rather than later in the year; per Tempo this cannot however be complete until 2019 taxes have been filed. Kevin Campbell motioned that we request that Geri initiate return with same tax firm as last year, Phil Argenti seconded; all in favor. Kevin Campbell then motioned that following filing confirmation, Tempo will then initiate 2019 financial audit with Comer-Nowling. Phil Argenti seconded; all in favor.

c) New Homeowner Observations.

1. Garage door. Observation submitted by homeowner during homeowner open forum of multi-colored garage door. Address noted, will verify and begin enforcement process.
2. Above-ground Pool. Observation submitted regarding presence of permanent type above-ground pool. Verified by two board members, will send letter.

VII. Adjournment. Kevin Campbell adjourned the meeting at 8:45PM.

VIII. Addendum. Recording of Actions Taken without Meeting

- a) **Sidewalk Extension Project.** Following meeting with the Daniel Butler, it was determined that while Tom Winger has agreed to complete the actual construction free of charge, the HOA is responsible for related fees including the surveying and design submissions required in order for this to be approved

and receive necessary permits; this project area is alongside a city right-of-way. Received quote from Bynum-Fanyo for \$3,950.00 for this work. Discussed via email, previous quotes reviewed; this is the least expensive and most practical option. Action Taken Without Meeting completed via email on 4/18/2020: Kevin Campbell motioned to approve the proposal and quote from Bynum-Fanyo, for design and survey services related to the sidewalk extension from Hennessey Street and South Rockport road to the trailhead. Anna Bragin seconded; all in favor.

- b) **Architectural Approval.** Kevin Campbell observed a fence installation at a newly purchased home that had not been submitted for approval. The basic fencing type is allowed by the CCRs but contained additional masonry structural details that are not addressed, and it was unknown if it was correct per property lines. Upon speaking with the homeowner, they stated that they had not received any information that there was an HOA or required approval at their time of purchase. The homeowner indicated they would stop work and submit for approval but asked if review could be expedited so that the scheduled work could begin again promptly provided it was approved. Kevin asked homeowner to submit documents as soon as possible and he would discuss with Board to consider action. Kevin also spoke with the neighbor sharing property lines with the new homeowner who indicated they had no issue with the fence installation. Board discussed via email and reviewed submitted request. It was determined that although the fence masonry was not addressed in the CCRs, the style and aesthetic is higher-scale than required and represents an improvement to the appearance and value of the property and community; all other requirements and restrictions were met. Due to the lack of information to the homeowner and in the interest of allowing reasonable completion of the work already begun, it was agreed to proceed with Action Taken Without Meeting on 4/27/2020; Erin Ryan motioned to approve, Cindi Livingston seconded; all in favor. It was noted that lack of information provided to new homeowners at closing has been an issue and should be discussed in the future.

Minutes submitted by: Cindi Livingston

DATE: 5/11/2020

Minutes approved by: Kevin Campbell

DATE: 5/13/2020

Phil Argenti

Erin Ryan

Anna Bragin

