

Crosswinds Homeowners Association

Board Meeting

11 March, 2007 -- 4pm

Furnee Residence – 503 Crosswinds

Minutes recorded by Melissa Kistler, Secretary

Present:

Peter Furnee

Tamara Thompson

Melissa Kistler

Ron Kelley

Patrick Moylan

Ken Binder

Renaë Furnee

“MOVING FORWARD AS AN HOA”

4pm: Start of Meeting

Review Minutes from January 28

Noted: Javan McCutcheon has resigned as Director at Large, effective 3/8/2007

CHOA v Kathi Hare:

- Specifics to ongoing civil litigation; Due to the sensitive nature, these items are attached in an addendum for Board Members Only at this time. When litigation is concluded, this section will be included in the Permanent Record of Minutes to be available to the association general membership. Please See Addendum.

Dues/Assessment:

- Special Assessment
 - Account Opened - \$1400 transferred from Treasury
 - \$1400 based on new checks and photocopies of cancelled checks citing \$200 special assessment
 - Account opened at City National Bank (same as general treasury)
 - High Yield Money Market Business Savings account - 1.49% interest with a balance above \$1000.00
 - 3 debits per month allowed without fees; unlimited deposits.
 - Peter, Tammy, and Melissa to be signers. Tammy and Mel need to go to the bank to sign signature cards.
 - Unpaid Assessments
 - Collections for special assessment will be tabled pending review of forthcoming records of 2006 receivables.
- Notices of Intent to Place Lien
 - Content:
 - Note: 19 lots are in arrears for 2007 annual (\$100) dues
 - Intent to Lien Notices to be sent out after 3/15.
 - Peter will draft a notice, send out for review.
 - Notice to be in English and also translated to Spanish
 - Distribution:
 - Minimum of 10 days notice is required.
 - Notices must be mailed NO LATER than March 20 to ensure timely notice.

Landscape

- “Jeff’s Lawn & Landscape” - Cost for 26-week season estimated at \$2925 for bi-weekly contract. (Quote reviewed)
 - R&L proposed contract is declined. (Cost for the season > \$8000; quote reviewed at previous meeting)
 - MOTION: Contract with Jeff’s Lawn & Landscape for Mowing of Common Area for 2007 Season.
 - VOTE: Unanimously in favor by all present. Motion Carries.
 - Mel will be taking her edger to the shop this week for repairs; once repaired, it will be available for edging along the common area to clean up the overgrowth from last year. Alternatively, contracted landscape company can complete this for \$200.

- Shared Responsibility RE: Entrance
 - Discussion on approaching the City HOA regarding maintenance of the Crosswinds Community entranceway, specifically the landscaping of the island containing the "Crosswinds" development sign.
 - To be discussed with City Leadership:
 - County interest in sharing financial and labor obligations toward maintenance of that area
 - Possibility of approaching St. James Church to assess interest in participating, as they also use the entranceway.

Insurance Policy

- Review, Renewal
 - Current Policy with Erie will be expiring in May, and is through an agent out of state.
 - Nationwide has a policy specifically for Homeowners Associations, whereas current (and other) carriers cobble together a plan from various liability coverages. Alicia will get a quote from Nationwide to find out if the HOA-specific policy is a better/more cost-effective option.

Budget

- CHOA v Kathi Hare Impact
 - Less than \$500 to date for civil action; final resolution pending legal settlement.
 - \$75 fees for original filing and service of summons
- Proposed Budget
 - Compiled by Alicia and Renae based on the independently recovered bank and vendor records.
 - Preliminary Budget; pending review of expected records and transfer of any appropriate funds to Special Assessment account, we will have a better idea of exactly what the treasury looks like for the July 07 to July 08 fiscal year.
- Discussion RE: raising annual dues
 - Melissa will research with a CPA and find out the specifics of Consumer Price Index requirements/ maximum allowable dues level as per the ByLaws/WV Chapter 36B.
 - MOTION: Once correct dues increase is calculated, dues to be raised to the correct level
 - VOTE: Unanimous. Motion Carries.
 - Melissa will put together a break-down for review at the April Board Meeting and for presentation to homeowners at the April General Meeting
- 2007 Special Assessment
 - Based on the road conditions, which appear to have deteriorated less than originally projected, a professional opinion on resurfacing schedule is needed.
 - No special assessment to further develop the reserve for the Roads Project is proposed for 2007. Matter to be revisited for 2008.
 - Question raised as to who must approve Special Assessments. Homeowners voted in general session for the 2007 assessment; discussion as to whether this was done of necessity or courtesy.
 - Management Company
 - Discussion as to whether an annual contract with a management company could be funded with an annually approved Special Assessment to that purpose.
 - Topic to be revisited at a later date – to include cost/benefit analysis and info regarding City management company.

Enforcement of Restrictive Covenants

- Availability to Homeowners, HOA Responsibility
 - Individual owners responsible for reading and abiding by covenants - agreed as a condition of home purchase;
 - Hard copies available to any homeowner on request, or publicly available at Jefferson County Courthouse
 - The Association will put the Covenants on the Forms section of the website as a courtesy.

- Lot Appearance: Driveway – Sidewalk Parking
 - Sidewalk parking is not allowed.
 - Agreement that this is primarily an issue for the City side; Appropriate complaint form (via city website) to be submitted as necessary.
- Violations
 - Proposed Violation Complaint Form presented by Peter for review
 - Form Approved by the board for general use.
 - Anonymous complaints will not be accepted.
 - Form will be made available on the Association website as a PDF
 - Possible online form submission for the future.
- “Pretty Committee”: For the present, the board will serve as enforcement body for covenant violations.
 - Confirmed violations will be served with USPS Certified letter (constitutes “Notice”) and shall have 10 days from date of receipt to correct the violation OR provide explanation and request a temporary exception for extenuating circumstances. Any such request shall be reviewed by the board and a ruling made as to the validity of any extenuating circumstances. (Constitutes “Hearing”). If no such temporary exception is granted, as per the bylaws, the board may, by resolution, impose a fine of up to \$25 per day for each day that the violation continues.
(See: Bylaws, Sections 5.1 and 5.2, inclusive, for further clarification)

Board Vacancy

- Per the Bylaws, the board may fill by way of election, vote by the Board, should they choose to do so.
- Tammy states Buck McCia is interested in serving as a Director.
- Discussion of possible issues RE: Civil Case. New director would become a direct Plaintiff in the current litigation.
- MOTION: Table discussion of filling the vacant position pending resolution of the current litigation
- VOTE: Carried by majority vote in favor.

HOA Events

- General Meeting – APRIL 15
 - Agenda
 - Board members should submit suggested Agenda Items by 3/16 for inclusion on the published agenda.
 - Agenda will be completed by 3/25 and ready for delivery
 - Latest date for hand delivery of notice would be 4/5 (minimum 10 days notice)
 - Current Agenda Items
 - Election Procedures: explanation of procedures for the June meeting
 - Top 3 priorities/concerns for each homeowner, with the overall top 3 to be the primary Board initiatives in the interim to the June General Meeting. (Fill-in form to be handed out at the meeting)
 - Homeowners may submit a request to add subsequent item to the agenda.
 - Code of Conduct (similar to City side) to be distributed and reviewed at the start of the meeting
- General Meeting – JUNE 24
 - Agenda Items to be discussed following the April 15 General Meeting
 - Elections
 - Procedures to be outlined at the April 15 General Meeting
 - Board will discuss further at the next regular Board Meeting.
- **Community Events**
 - Egg Hunt – April 7, 4-5pm, Common Area. (Combined with City)
 - Participants should provide 1 dozen filled plastic eggs per child.
 - Tammy will create a flyer for distribution this week

- Beautification Day, April 22 - "Earth Day" (Combined with City)
 - Combined with City; They suggest sharing the cost of a rollaway dumpster. Further details to be obtained from City RE: costs and restrictions on waste items prior to decision on County participation. The Board will vote on participation following further details.
 - Focus on both Common Area beautification, as well as individual properties.
 - Discussion of possible sponsorship; anyone willing to approach possible sponsors should do so and report back on any positive responses.

- Crosswinds Community Wide Yard Sale, June 2 (Combined with City)
 - Get the word out early; give those wishing to participate plenty of time to clean out closets, etc, and prepare.

- Crosswinds Community Picnic/Fun Day (Combined with City)
 - Originally selected date, July 14, will be in the new fiscal year for County, as well as possibly a new board. The event should be slated for a date prior to the regular General Meeting on June 24.
 - June 17 suggested as an alternative. Tammy and Pattie will discuss with City side to coordinate Calendars.

NEXT BOARD MEETING: Scheduled for Sunday, April 1, 4pm, Furnee Residence

6:03pm: Meeting Adjourned