

Villas at the Country Club

Minutes of Meeting of the Management Committee

Held at 4:30 pm, Wednesday, June 5, 2024

Meeting to be held by Zoom & at the Clubhouse

Attendees – Scott Houston (President), Benjamin and Caralee Young, Ken and Sherry White, Gary Crosby, Pat Morris, Gene Wicks, Gordon Smith, Dicksy Rhoads (105N/204N), Cathy Moody (102N), Marco Griglio and Melody Mitton (306N/307N), Charles Stewart (206S), David and Gladys Starling, Rich Wells (TPM).

Welcome

1. Review and approve the minutes of the 24 April Management Committee Meeting for posting to the HOA Website, Documents page.

Motion: To approve the minutes of the 24 April Management Committee Meeting.

**Results – Approved Unanimous**

2. Set Calendar and start times for Q3 meetings. (Proposed: 3 July, 7 August, 4 September)\

Motion: To approve the dates of 3 July, 7 August, and 4 September 4:30 for the Management Committee meetings at the clubhouse and over Zoom.

**Results – Approved Unanimous**

3. Initiate a selection process to find a replacement for Management Committee member Bob Evans, who recently sold out and moved from the community.

Anyone interested please submit a name to Rich Wells at TPM to circulate to the board.

4. Appoint a secretary to keep the minutes for the Management Committee.

Motion: Benjamin Young was nominated to fill the role of secretary for the remainder of the year.

**Results – Approved Unanimous**

5. Remind Committee members of our commitment to attend Anti-discrimination and fair housing training (on-line) within 60 days. Ben Young to report on when and where the training is available and then follow-up at each meeting until all have completed.

Benjamin Young reported that UALD's preference is to wait until the pending complaint is settled before scheduling anti-discrimination and fair housing training. This agenda item will be carried forward until agenda item 10 is resolved.

6. Discuss possible Sub-Committee assignments. (Tennis court design, South Bldg update design, Financial Hardship Committee, Capital projects scope and cost control).

The following individuals volunteered to serve on these subcommittees:

Tennis Court Design – Jim Osborne (303), Cathy Moody (102N), Bryson, Marco Griglia (306N/307N), Craig Fowers (202)

South Bldg Update Design – Penny Fowers (202), Dicksey Rhoads (105N)

Financial Hardship Committee – No volunteers

Capital Projects Scope and Cost Control – Charles Stewart

#### 7. Housekeeping items from prior leadership

a. Where is the Amendment to the CCR's regarding the increase of transfer fees posted on the documents page of the HOA website?

It was reported that this has been registered with the county and TPM will update the website.

b. Motion (Proposed by Ben Young). That the parking lot map with parking stall and storage unit assignments be recorded as part of the CCR's.

i. Discussion: This motion stems from a dispute over the past 2-3 years between the Starlings and the Management Committee regarding Starling's right to occupy storage room closest to the south elevator referred to on the 2020 parking lot map as #306/"TOOL ROOM" without charge. Starling claims the space is Limited Common Area assigned to #306 as defined in the CCR's and, therefore, he should not be charged rent for the space. He claims the HOA owes him about \$9,000 in rents and penalties paid to date. (Rich has been asked to reconcile Starlings claimed amounts with the operating accounts.) In light of correspondence with former board president, Bill Moon, former owner of #306, who previously occupied that storage unit and then sold #306 to Starling, this is not a straightforward matter and needs to be discussed in greater detail.

ii. Second claim raised by Starling: The board has erred in its treatment of his installation of a 2nd EV charging station. He seeks to recoup penalties paid and acknowledgment that his installation is conforming and compliant. Again, this issue has become over-ripe and needs to be settled once and for all.

iii. Proposal: That this matter be addressed in a separately scheduled, closed executive session with David Starling in attendance to try to reach a resolution. All parties are to exchange documentation in support of their respective positions.

**The motion is tabled until the disputed matter is resolved with the executive committee. The executive committee will reach out to David and Gladys Starling to schedule a meeting. During public comment, it was requested that Benjamin Young recuse himself from that vote because of a familial relationship to David and Gladys Starling and he stated that he would recuse himself. He was asked if he would not attend the meeting due to the conflict of interest and the matter was deferred to Gordon Smith for a read on the obligation to not attend the meeting.**

#### 8. Building Matters (Ken):

i. Jeanne Quinton's Request for a handrail: Disability accommodation and cost-sharing. She wants to have a handrail installed along the sidewalk leading from the parking lot to the front

door of the South building. Estimated costs is \$7,000. Jeanne has requested that the HOA pay 1/2 the cost.

Motion: Motion to approve this proposal and that the \$3,500 out of the operating budget for maintenance and the item will be added to the reserve analysis.

### **Results – Unanimous Approval**

ii. (Ben) We should implement a process for community members to bring requests to the board either as a one-time request or to have them added to the reserve analysis for ongoing maintenance by the HOA. Perhaps it should go through TPM to conduct the analysis.

Motion: Motion to approve the process of submitting all maintenance requests through TPM. All owners can submit concerns and requests or repairs and maintenance requests to TPM who will bring it to the management committee to resolve.

### **Results – Unanimous Approval**

iii. Do we have a firm proposal and cost estimates for the stucco repair on buildings yet?

This item will be turned over to Rich to bring back to the committee based on the previously approved process. No action was taken at this time. It was pointed out that the reserve study allocates \$52,710 to stucco repairs this year, however, that is contingent on there being funds in the reserve fund.

iv. Do we have an approach and vendors yet to resolve the garage leaking?

There are three major leaks, one on either side of the garage door and one under the south building. We haven't been able to find where the leak is coming from. TPM will move forward on initiating the repairs.

9. Proposed 2024 HOA Assessment: Status report

a. Rich to report on the early returns to date. MC to discuss concerns being voiced or other feedback and what response, if any, should be considered before the end of the voting period.

Rich reported that 20 ballots have been received. Currently, there are 7 yes and 13 no. The motion will remain open until June 12, 2024, or until all votes have been received.

Public Comment:

Public comments about the special assessment was made by various community members, concerns were raised and addressed regarding the proposed special assessment. This includes a question about how the payment options of a yes vote are less expensive than the annual assessment of \$5,000 per year over 7 years. This is due to repairs needing to be more extensive if they are delayed due to not having a pay upfront option. A question was asked if the management committee intends to assess \$5,000 per year until the reserve is fully funded and the answer was yes. The management committee asked if there would be an option to do the board assessment monthly rather than annually and the ability to offer a monthly payment option is tied to the cash flow requirements of repairs to be done, if the special assessment is approved the management committee will have more flexibility to allow monthly payments, but if it is not approved there will be less flexibility. The question was asked that the expenses will be incurred either way basically does the special assessment just allow for a pay

early option and the answer was yes. A few community members expressed the need to do the special assessment was due to owners who have lived in the community for the past several years who have not paid their fair share and the option now is to move and pass those costs on to someone else or to pay your fair share. Concern was raised that the assessment may be used in settlements of litigations of the HOA, the management committee clarified that the reserve fund can only be used for items on the reserve analysis, and it would not be legal to use it to pay for settlements.

b. Re-introduce the notion of next year's monthly HOA fee increase to \$725 being re-characterized as \$285 for HOA administration and operations, \$265 as contribution to the reserve fund, and \$175 as contribution to common area utilities. Optically, that keeps the HOA fees and reserves at \$550 per unit per month and utilities as \$175. To the extent we can implement energy conservation measures, we can conceivably reduce the rate of utility expense growth.

Public comment about the dues was made by various community members asking if the management committee intended to increase dues to the amount required by the reserve analysis immediately and the response was that the management committee intends to increase it to the correct amount next year.

#### 10. Discussion of Legal Matters

- a. Status of the UALD discrimination complaint brought by the Youngs.
- b. Status of the HUD Complaints by Young (#204 S & 305 North).

Proposal: That these matters be addressed in a closed executive session with Ben & Caralee Young in attendance to try to reach a mutually acceptable resolution.

**Result – Unanimous Approval.**

#### 11. Adjourn