# Villas of Babcock (Summerwind) HOA Board

# Meeting Minutes

October 13, 2014

1. Call to order

Melissa called to order a regular meeting of the Villas of Babcock (Summerwind) HOA Board at 8:01 pm on October 13, 2014 via WebEx Online.

1. Roll call

The following directors/officers were present: Monica Moreno, Karen Mueller, Melissa Martinez-Carrasco & Angela Casas

Residents Loreen Edwards, Martin Salazar and Melanie Watson were also present.

1. Review of Meeting Minutes

a. Meeting minutes from 9/14 were reviewed. Melissa Martinez-Carrasco motioned we accept the minutes as presented. Karen Mueller seconded.

b. Meeting minutes from 6/6 were reviewed. Angela Casas motioned we accept the minutes as presented. Karen Mueller seconded.

1. Open Forum

a. Martin Salazar raised questions about the role of the Property Manager. It was indicated that the Property Manager will fulfill duties as outlined in the contract. Property Manager has the option at her discretion to determine what is in the best interest of the neighborhood.

b. Martin Salazar asked about a formal process for residents to follow to report issues. Discussion on what avenues should be used and what kind of things should be reported to the HOAKaren indicated that she checks the HOA Website contacts and HOA email usually within 24 hours. Angela mentioned that we should continue to keep Next-door as a social communication tool, and not an official way to report issues/concerns. Melissa agreed that a private message to a single board member via Next Door should not be considered official. If members are using Next Door we need to have a set process to forward those messages to Summerwind email so that it is tracked and need to inform members that messages via Next door may have increased turnaround time.

Angela suggested adding a section to the website to document the current items the HOA Board is working on. It was indicated that the options are HOA Phone, Contact Us link on webpage, HOA Email or via PO Box. If we do get input via Next door we should respond pointing residents to the above official methods for future.

Loreen Edwards raised questions about how the number of rentals are determined. Some discussions regarding Rental Restrictions also ensued. It was mentioned that when the ratio of rental homes vs. owner occupied exceeds a certain percentage, the neighborhood will be classified as investment property and that can affect the possibilities for financing. In addition, we are attempting the obtain 501c4 status which requires the percentage to be under 30%. Our declaration currently spells out that we are a non-profit, so we would like to be able to take advantage of the benefits of a non-profit.

1. Old Business

a. ACC Design Guidelines proposed amendments were reviewed. It was decided to remove the verbiage about the type of trash containers to be used as all containers are now the same. It was also decided to change the verbiage regarding where the trash cans could be stored to include allowing on the side of the house, flush with the house or on a driveway extension, but not in front of garage doors. Containers must be closed and not overflowing.

It was determined that this document is a resolution so the board can amend it.

Karen brought up also that there is a statement about hedges not exceeding 3' tall. This is not currently being enforced so suggest we change it. Angela suggested we change it to state they must be neatly maintained, must not compromise the integrity of the property or neighboring properties and may not impede the sidewalk. Monica disagreed and said we should enforce the 3' rule due to the size of our yards. Melissa indicated well-manicured vs 3' will reduce the burden of enforcement. Karen mentioned there are houses that have bushes that are less than 3' but they are not well maintained and they are weed ridden. The way the rule is written, they are meeting the requirement but it does not look good. It was decided that each board member should take it offline and submit what they think the item D under Landscaping should say.

Karen also mentioned under Walkways/Pathways the verbiage is confusing because the first sentence says concrete, brick or flagstone are pre-approved, but further down it indicates things in the front require ACC approval. It was determined that we need to add the 'any other material' to the statement mentioning ACC approval.

Last item was about the Signs not being allowed. If the HOA is posting it them, then they are inherently approved. Angela suggested we not allow signs for sale/lease at all since this is not an open community. Definitely no signs should be posted out front. Signs posted with the address should receive a violation. Melissa also mentioned that they should not be posting signs in their windows. Also, it was mentioned that the ACC Guidelines indicate no bed sheets or tinfoil should be posted over windows and we need to enforce this consistently. Monica will work on sending violations, starting with fences, windows, etc. Angela and Melissa suggested starting with the most severe. It was also noted that the ACC Design Guidelines do not specifically detail out that the maintenance of the fence. Melissa suggested adding the verbiage that the resident is responsible for maintenance of their fences. Agreed that we will do research to see how other HOAs spell out fence maintenance.

Some discussion ensued about who needs to sign the amended documents. Board was ok with one signature but signature must be different than who notarizes it.

1. New Business

a. Pet Policy Resolution was reviewed. Some discussion ensued about just referencing Chapter 5 of the city document instead of outlining details in our resolution, to ensure we don't end up in conflict with the city document. Angela suggested adding a blanket statement at the end indicating that HOA will defer to the most recent city document. Discussion about the expense of micro-chipping ensued and what benefit a micro-chip provides to the HOA. Angela suggested the HOA grandfather as of a certain date that allows registration of existing pets without the micro-chip. The board agreed. If at any time a grandfathered animal poses a threat or problem, they lose their grandfathered status and will be held to all rules in Chapter 5 Additional discussion ensued. It was then decided that everyone submit the HOA Pet Application, and the HOA Pet application will offer the option to provide city license OR the following required information.

Karen motioned we accept the Pet Policy Resolution and Application as amended. Angela seconded. Motion passed.

b. Payment Plan Policy was summarized by Monica. Some discussion about the Payment Plan Administrative Fee of $75 maybe needing to be a percentage or somehow based on the balance or the length of the payment plan. It was suggested that we assess a Payment Fee per payment. For example, $10 per payment so someone with a 3 month plan would pay $30 and someone with a 6 month would pay $60, etc. Monica suggested keeping it to a flat fee regardless of balance, length of plan, etc. Angela mentioned that we have already charged them a late fee and should the late fee cover the cost of administration. Additional discussion ensued and it was agreed to change the flat fee to $50.

Karen motioned we accept the Payment Plan Policy as amended. Melissa seconded. Motion passed.

Payment Plan Request Form and Alternative Payment Plan Request Form were reviewed. HOA Board agreed the forms were acceptable.

c. Monica mentioned that Assessment Collection Policy had corrections made according to our Declaration. ie. Late fee is $30 and interest is 10% per annum. Angela mentioned that Declaration does not dictate a late fee. Reviewed the Declaration and it indeed only covered the 10% per annum in interest. Previous legal counsel indicated that we need to ensure the fees we charge are reasonable based on the cost the HOA incurs.

There was an old existing Assessment Collection Policy from 2003 and it indicates the late fee of $30. There was also an amendment in 2006 and the only thing that needed to change on the amendment was changing the 25% late fee to a 10% late fee based on input from legal counsel. After comparing the old policy and amendment to the newly passed Assessment Collection Policy, it was determined that we are in compliance.

d. Discussed guidelines for the use of NextDoor. Karen motioned that we accept the Nextdoor guidelines as presented. Angela seconded. Motion carried. In addition, we registered a Next Door account under Ms. Summer Wind so that the board can post as the board vs having to post as themselves.

d. Discussed NNO/Fall Fest Party and Games. Melissa and Angela approved the expense of purchasing the games for about $35. Discussion about the moon jumps that will be setup and food for the party ensued. Monica requested limit of $1000 for expenses of the party. Melissa suggested we should pay Monica for the use of the moon jumps. Monica declined and agreed to continue to donate the moon jumps at no cost. The limit of $1000 was approved since this is a combination of National Night Out and a Fall Festival. Menu will be finalized.

We also looked at purchase of a Karaoke machine for use at events. Board approved to purchase the Karaoke USA with 7-inch TFT Color screen for $140.88.

e. Discussed HOA Dues and whether we should consider an increase. Melissa suggested not increasing for this upcoming year until we can continue to improve collections and stabilize.

Monica brought up the Yearly Rental Property fee. Discussion ensued and the Board settled on a fee of $195. We need to add this fee and the fact that a lease must be at least 1 year in length to the Rental Restriction Resolution. We also need to confirm we are requesting a copy of the lease.

Discussion ensued about an upcoming sale and whether or not it was being sold as an investment property. Angela stated that Title Company must obtain clear statement of account from the HOA before they can sell. If this is being sold as an investment property, then it will be denied since they are closing on 10/25 which will be after the bylaw changes on 10/18 and we are currently over the targeted 30%. This needs to be disclosed to them now via the Title Company.

Monica questioned if the $195 fee should be included on their Annual Assessment invoice or a separate invoice. Board agreed it could be done either way.

It was discovered after discussion that the $150 fee for adding lien needs to be added to the new Assessment Collection Policy. It was decided that we will immediately begin to send the payment plan options to the delinquent members. All payment plans above the agreed upon 6 months must be approved by the HOA Board.

1. Scheduling of Next Meeting was tabled.
2. Adjournment

Melissa adjourned the meeting at 10:40p.

Minutes submitted by: Karen L. Mueller, Secretary