

**TC HOA Board Meeting –**  
May 20, 2008

Participants: Ken Patrick, Rochelle Mitz, Gayle Voyles, Judy Brewster, and Jennifer Nearing.

The meeting was called to order at 6:15 pm by President Brewster. The reason we are meeting is to further discuss our meeting with Howard regarding the foundation issues. Board members reviewed the minutes of that meeting and discussed the various points of view on the subject. The dates selected to meet with Howard and Homeowners are June 3<sup>rd</sup> and June 11<sup>th</sup> the following week 6:15.

Judy: Howard seemed to think we had narrowed it down to two choices, but recommended to go with nonglobal because of the wording of the governing documents. Ken had brought up the fact that accounting issues would be horrible, but we wouldn't go backwards. Judy felt Howard's advice would be to make our decision based on our governing documents.

Ken: My opinion is the same as I voted previously, that we need to decide as a global issue due to the way things have been done in the past and because of the accounting issues with dividing the expenses across a building's homeowners.

Second floor units the same as first floor units? The L and C units; description to fix because of outside of unit (common sidewalk) documents clearly state.

Gayle: I believe that we would be setting us up for more trouble if we asked an attorney and don't follow his advice.

Ken: I disagree. The reason you buy homeowners insurance is so big things the insurance kicks in to take care of it. We are eliminating an insurance aspect that normally goes with condominium living. I don't think we can go too far wrong sticking with the way things have been handled all along. I think we should keep on doing what has been done in the past.

Judy: I understand and feel the pain. I think Ken may be right, but I feel we must follow the bylaws. If we fix all of these units, we would have to take the money out of reserves in order to stay within budget. This is another consideration for not having the HOA assume all expenses associated with these issues.

Ken: Obviously, if we continue to pay for these type of expenses we will have to increase HOA dues, in the future. I think we have to be responsible, step up and set a realistic budget.

Judy: The meeting we went to about new construction near our site had some issues that will affect our pond dredging and future expenses.

Ken: We can stop that project; they will give in and do what we want. We should postpone our dredging and have them pay half of the cost. We are the ones who would be changing how things are done.

Judy: The lawyer said we wouldn't have to have this meeting without re-zoning but they have to talk with us because of the drive-through for Walgreens.

Ken: The Discover Center is also big enough that they would have had to come to us.

Judy: Rochelle: You guys are for having the buildings handle the cost. Ken said he was for the global plan. So, let me ask you something. What are we talking about, individually – wouldn't we have to figure this out before we talk to our community.

Judy: That is another issue; down the road. We are just deciding how we think the expenses should be handled on the foundation issues.

Rochelle: I'm still interested as a homeowner, what would I have to be paying for that building.

Ken: For any one event there would be a difference in allocation. It prevents people from having the real high highs.

Rochelle: I'm trying to figure out, we're saying we'd pick the cost up in the HOA dues – like capital improvements. So, we'd go into more than a cost of living.

Judy: We are raising dues to cover all buildings possible problems – their building may never be effected. You got your inspection, you bought there – why should you have to pay for someone else

Rochelle: We fix it under the global, what if it happens again. How many times would the HOA have to pay? Talking from everyone's point, how many times?

Judy: If it is global – at the end of the year we set a budget and put in this cushion, so if that building went bad three times you have to increase.

Townhouses have less to go wrong; no patios or balconies. There are two units in each building that lack frost footings (they are further in than they were supposed to be); those are the ones where the concrete heaves. It will be ongoing until it is fixed properly. It effects the community as a whole.

Judy: Some of the L units have had to be fixed multiple times.

Ken: If we have a building or a floor plan where they can't be fixed right because the people can't afford to fix it; we'll all pay the price. To change the policy because it says in the document that that is how it is to be done. Why change our policy and make things more contentious.

Jennifer: This is something that is complex; I'm undecided. I know we should go by the governing documents and what the attorney said. I think we should go by the declarations and by what Howard has said.

Rochelle: Have any of the homeowners read the bylaws and made a comment about they say?

Judy: No, I think they're waiting to see what we decide. Rental unit with crack; homeowner had to lower the rent until this issue is addressed.

We need to go ahead with the 5 C and L buildings that the governing documents show this as an HOA cost. It is from the entrance and exit to buildings are common ground. I think somewhere before the June building we need to tell them where we are going.

Jennifer: How do they do it in other condominiums?

Judy: It depends on how the governing documents

Judy: We are not here tonight to change the declarations; let's stay focused on the decision we must make and vote.

Rochelle: Howard's thinking was nonglobal.

Voting:

Global – Aye – Ken

Non-global – Aye-Gayle, Rochelle, Jennifer, Judy

Ken: There is an argument for every repair that is done regarding who should pay. Gayle is dead wrong with her analysis. If you go up to buildings 15 and 16 that whole drive up there there is no one that can use that area except the people who live there.

Rochelle: No matter which way we go, we'll have homeowners upset.

Suggestion for meeting with the homeowners to see which way they would prefer?

Judy and Gayle – against

We do need to let homeowner

At this point in time – we are non-global.

You will have new board members – major change from previous decisions.

Judy – two against the whole community meeting to have them decide how we should move forward. Ken said, at the next homeowner’s meeting, you can make your thoughts known.

5L and 1C – According to the declarations these are association costs. These are the people we will be meeting with in June. That these particular costs are the associations.

**Declaration 6. Easement for Use of Common Areas and Facilities.**

Rochelle: Let me be sure I understand. The homeowners will pay for the ...

Judy – No all costs for 5L and 1C are home association costs because of entrance and exit to units – these are HOA expenses. I want to get that part passed so we can meet and share the board’s decision. The board unanimously passed moving forward with the 5 L and 1 C as HOA Expenses (Gayle – Aye; Judy – Aye; Rochelle, Aye; Jennifer, Aye; Ken – Aye) Howard will be available to answer any of their questions.

J – main support underneath the building –

Judy - Getting bids for the work

As I understand, J will be assessed back to the units affected – all homeowners will need to be notified. Meetings with homeowners will be for all homeowners of units that are impacted (by being in the building).

Judy – Because I will be moving, I am resigning and here is my key; Judy said she has decided to rent as soon as she can get it done. She said she no longer wants to be a condo owner.

Rochelle – When you were saying all this, you were already considering this.

Judy – When Howard said this decision needed to be made nonglobal I had to make some important decisions.

Gayle – We need to vote for our next President.

Board members thanked Judy for her hard work.

Ken: I think we should adjourn, give it some thought and then make a decision. The board will meet on Tuesday, May 27<sup>th</sup> at 6:15 pm to plan for the June 3<sup>rd</sup> Meeting.

The meeting was adjourned at 7:39 pm.