

## Clearview HOA Minutes, May 6, 2023

### Present:

President: Susan Newman

Treasurer: Kat Garrido

Secretary: Valerie Atchison

Director: Evan Archerd

Director: Erin Douglas

Director: Bram Larrick

Director: David Spinney

Approval of the Minutes for April is delayed because they were sent out too late for the Board to vet.

### Scheduling of Board meetings

The intention is to move to every other month, or quarterly. The President can always convene additional meetings if necessary, including meetings convened via email, such as the email meetings for approval of the Rules & Regulations and the CC&Rs.

The meeting schedule must allow for addressing critical issues in a timely fashion.

David: the CC&Rs require monthly or quarterly meetings. Any Board member may call for a necessary meeting.

Motion by David to move to quarterly meetings, Seconded by Kat.

The Motion was not carried, with 4 No's.

### Treasurer's Report

Walsh has issued a First Quarter Report noting a negative income of \$1,722 for non-routine expenses, and a positive income for the quarter of \$2,296.

There are two outstanding issues:

- 1) The CC&Rs require the assessment of late fees on delinquent dues in arrears by 90 days, and the HOA has yet to enforce this.
- 2) The Reserve Fund is currently at \$7,000, which is lower than recommended. It is recommended that the Reserve Fund reflect an estimated 3 to 6 months of expected routine funds, and that the Reserve Fund should have a regular agreed-upon deposit.

Kat will be meeting with Walsh next week and they will address:

- 1) instituting a process for charging late fees

2) the routine deposit of money to the Reserve Fund, and the best formula for determining the amount of the deposit. Kat will be doing the Review to ensure that the Reserve Fund will be sufficient to cover potential upcoming costs.

Potential Costs to Consider:

- Maintenance of the proposed playground equipment
- Aging irrigation system in the common areas

Motion by David to determine the amount of late fees: Walsh will assess a 10% late fee on the balance owed after a grace period of 20 days has elapsed.

Motion carried unanimously.

The 10% late fee will not generate income, but will cover expenses incurred in the process of collecting delinquent dues.

Susan will include the late fee information in the upcoming newsletter.

Motion by David to implement late fees

Motion carried unanimously

Motion by David for Kat to direct Walsh to direct 10% of any payments into the Reserve Fund

Motion carried unanimously

Evan noted that the Reserve Fund must be specifically titled as such, and kept separate from the other bank accounts in order to comply with the HOA documents. The Key Bank account allows for a “nickname” for different accounts, and this will allow for a specific account named the Reserve Fund.

Evan, Erin and Kat will work on the problematic CC&R language relating to this issue.

Kat will present a regular financial report.

US Post Office Box

Now closed, all mail will be forwarded to Walsh. Members were previously informed by Walsh that payment of dues and other communications were to be sent to their office.

### Management Company

The management company engaged by the HOA, Allcities, has not been fulfilling their contract with us.

David contacted Allcities requesting a meeting in order to discuss their performance, and has received no response.

Allcities has not been compliant with the contract:

Susan said that it took a month before Allcities fulfilled her request to send someone to repair a light pole. Allcities did not respond to Susan's emails, and no notification was given to the HOA that a repairperson had been engaged. Walsh automatically paid the invoice submitted by the repairman, without first getting approval. Susan noticed the debit from the account and contacted Walsh for the explanation. Walsh, represented by Chandra, offered to recover the payment, but it was approved because the work had been requested. At no time did Allcities communicate with Susan regarding the light pole repair.

Allcities also was slow to respond to a request to deal with a camper that was parked over the time limit. It took several requests from Susan before Allcities posted a notice on the camper. Ultimately, Board members resolved the camper issue, with no further activity on the part of Allcities.

Allcities has also refused to attend Board meetings, which is part of their contract.

Motion by David to end the contract with Allcities for breach of contract.

Carried unanimously.

Kat will share with Walsh our experience with Allcities.

Erin will work with Susan on the letter to send to Allcities.

Legal assistance regarding contracts: Erin said that there are legal assistance programs, such as Legal Shield, that review contracts without needing to hire a specific attorney, this results in much lower costs. Bram said that the current lawyer charges \$450/hour. Bram said that there are also HOA organizations with reasonable fees that assist HOAs. Erin suggested adding this to the next agenda.

### Groundskeeping

A number of homeowners have expressed concern about the proliferation of weeds this spring. In response to owners' concerns,

Edgar has proposed environmentally sound weed killers: Whitney's iron based weed killer, and 45% vinegar. He also suggested that aerating and dethatching of lawns should be taken care of by the individual owners rather than having the HOA cover the cost of that work. However, the contract specifies aerating and dethatching. David said that weeding and mowing were put off this spring because of the wet weather.

Motion by David to buy organic weed killer. Carried unanimously.

Bram noted that Edgar has been very hard working and a man of integrity. We need to clarify whether he is getting sufficiently compensated for his work—Kat said that according to Walsh, Edgar has not been getting his contractual fee of \$2,100/month. March 8<sup>th</sup> was the beginning of Edgar's contract, and Edgar received \$720 in March.

Motion by David to clarify compensation with Edgar. Carried unanimously.

Kat will talk to Walsh about paying Edgar retroactively to March 8.

Erin asked if Edgar could prioritize the weeds.

David said that we will need to modify the contract with Edgar to reflect changes, such as the current unavailability of the mini-clover seed.

Mini clover had been approved by the Board to be used as a living mulch after the bark was removed from the common areas.

Erin noted that soil or compost is needed in those areas that are no longer covered by mulch. The tree roots need to be shaded. Bram said that we removed the bark for fire safety, and once the area is covered with mulch, the weeds will be greatly reduced.

David said that Edgar had noticed that a lot of the irrigation in the common areas was insufficient in the first place. Erin said that we should get rid of the little drips and get spray heads in order to deliver water correctly to the trees. An estimate is needed from Edgar for the necessary irrigation repair.

The fencing along the alley closest to Highway 99 needs to be stained.

Erin is working with the City to beautify the entry to Clearview on Suncrest, and is waiting to hear back from them regarding obtaining more trees for the entry using the tree grant.

The swing set project is continuing. Susan is looking at sets that are not made of wood.

#### Architectural Review Board

No issues currently.

#### Traffic Safety

Erin followed up again with the City regarding the traffic signs we have requested.

#### Website

Bram will resolve issues with people emailing the website and not getting a response from the Board.

Meeting adjourned.