Minutes of the Village Park HOA Board Meeting
3:00 PM, April 15, 2021
Virtual meeting using Zoom

Attendees

-Board Members:
Frank DiPalma
Raymond McClinton
Bob LeBoeuf
Tom Duckett
Arthur Harvey

-HOA Members
Tom Hofmann

1. Welcome
Thank you to Frank for hosting and running the virtual meeting. Frank called the meeting to order.

2. Review of HOA Loss Payee Requirement (Tom Hofmann and Frank)
Frank explained that the purpose of the requirement is to make sure that each townhome is adequately insured and that payments by an insurer for repairs to a damaged twinplex are used for that purpose.

Tom Hofmann has been doing an excellent job of working with Meadows residents to help them obtain the loss payee letters from their insurance companies, and to collect the letters on behalf of the HOA. Tom H. reported on the status of this effort.

All the twinplex owners responded to Tom's request for loss payee letters. Given the difficulty that some owners have encountered in trying to get the insurers to make the HOA a loss payee for casualty payments, Tom concluded that we need to explain more clearly to both owners and insurers why the HOA needs to be a loss payee for damages to property.

Accordingly, Frank and Tom had prepared and presented two letters to the board. The first letter explains more clearly the purpose of the HOA loss payee requirement to the Meadows resident and the second letter was designed to be given directly to the insurer. Both letters specify the reason for the HOA loss payee requirement and ask the insurer if for some reason the insurer cannot name the HOA as the loss payee, they provide a brief reason as to why.

There are various pitfalls to avoid. For example, package policies may include land and liability as well as home. Care must be taken so that the HOA is not included in liability or other claims. The HOA should only be a loss payee on the building.

Bob suggested that Tom H. let people know whether things are currently specified correctly with their insurer. The loss payee status needs to be renewed annually and a letter that effect must be issued by the insurer each year.

It was proposed that the HOA board send a reminder to residents annually with the explanatory letter. The board approved this unanimously.

Raymond asked if owners understand why this needed. Tom H. was not certain that owners fully understand. He thinks it would be good if it could be better explained to owners, for instance, by including a simple example with the explanation. Raymond agreed to review the two recently developed letters and provide suggestions to improve them.

Tom Duckett suggested either to have an MSC meeting on the topic or explain loss payee needs individually to each owner. Bob and Tom H. offered to help with explaining to owners why making the HOA a loss payee is necessary and how it should be phrased in the letters from insurers.

3. Reserve at Gashes Creek (All)
Frank has arranged a meeting Gary Hall on May 7. The goal is to try to reach agreement, or at least make progress on the following issues:

- Landscaping that provides adequate protection from audible and visible noise. In particular, the shrubs to be planted and their purpose/function.
- Understand what impact a newly created slope will have on the neighboring property.
- Discuss appearance and safety of a drainage ditch near Village Park.
- Agree on the design, location and implementation of fencing between the apartments and Village Park.

The board discussed how large a contingent should meet with Mr. Hall and who should be on this team. It was agreed no more than 3 HOA representatives should be present for the meeting. Based on experience, expertise and understanding of the issues, it was agreed that Frank, Raymond, and Tom Duckett, if possible, would be best the choices. Tom H. suggested that we should have someone from the Meadows if Tom D. can't make the meeting.

4. Review Action Items from Last Meeting (All)
A new gate code policy was devised by Charles Abbitt and approved by the board. Charles and Greg Blanc implemented the new policy. Charles has been notifying package delivery companies, trash collection and others who need regular access to Village Park of the new gate code. If there are questions regarding access by delivery and other service providers, they should be referred to Charles.

Raymond executed the recommended HOA insurance changes.

We do not yet have Bob LeBoeuf on the list of those with signature authority for the HOA bank. Raymond offered to call the bank and set up a meeting as all signatories must be present at the signing.

It was determined that the HOA board is authorized to select ARC members from the community. See the details in section 8 below.

Frank arranged a meeting with Gary Hall to discuss issues relating to the Reserve at Gashes Creek.

5. Main & Meadows Budget (Bob)
Bob presented the current status of our budgets. Generally, both the Main and Meadows budgets are on track.
- Taxes were filed and paid.
- All but one owner has paid their annual dues. Bob will send another reminder letter to remaining owner.
- Kim will transfer money from previous year operating reserves to pay invoices for gate cameras as the expenses occur.

6. Meadows Update (Bob)
Bob summarized his MSC report that is included below. Among the main items are: completion of the park new plantings this year; continued 'refreshing' of the older plantings around and between townhomes as scheduled; and, continuing to follow the deck maintenance schedule; there are no townhome paintings scheduled for this year. A few drainage/water management projects around the townhomes are also being evaluated.

Bob noted that Lynn Caputo and Jill Tourtellot are doing an excellent job managing landscaping requests and projects.

Meadows Update: Spring 2021

Meadows Residents,

With the 2021 Landscaping, Building, Drainage and Hardscape maintenance season just around the corner, we wanted to provide a preview of what's on our 'project list'. A brief summary of where we ended up with the 2020 budget is also included.

2020 Final Budget

As anticipated, the Meadows Operating budget came in $2,212.06 underspent (3 %) as a result of all of your volunteer efforts! These funds were moved into the Meadows Operating Reserve account in January, giving us a new Meadows Operating Reserve balance of $8847. This is a good amount to have in the Operating Reserve account and should cover most unforeseen/unbudgeted expenditures should they arise. We also added $5,345.16 to Meadows Paint/Deck Operating Reserve as planned, giving us a balance of $16,943.61. This amount plus planned future annual additions puts us on target to handle our scheduled townhome painting and deck re-staining projects over the next several years.

Landscaping

- We are excited to be planting more appropriate sized plants in various areas of the Park this Spring following the tremendous job of clearing out the overgrown plants that were there before.

Rhododendrons, Dwarf Butterfly Bushes, Coneflowers and Russian Sage, are just a few of the additions. *We hope that many of you will once again be able to volunteer to help with this project to enhance the landscaping in the Meadows.*

- The driveways between Pulido/Christy, Peteet/Echele-Gordon and Roberson/Burghart will each be planted with 5 low maintenance evergreens to replace the yews that were removed.
- Dwarf Golden Mop False Cypress will be planted to replace the large shrubs that were removed at the side of Burghart's unit.
- Armstrong's unit will get a facelift with the removal and replacement of their front foundation plants. Replacement plants will be Dwarf Japanese Cedar and Purple Pixie Weeping Fringe Flower.
- We will continue to remove and replace dead plants as the need arises.

If you have a landscape request, please contact Lynn Caputo at caputo679@msn.com

<u>Building, Drainage, and Hardscape Maintenance</u>

- Decks scheduled to be refinished this year are #3-Christy, #4-Hobbs, #30-Echele/Gordon, # 40-Buntyn, #42-Tourtellot, #44-Armstrong, #52-Roberson. We will contact you once we've spoken with Larry Gregory and have a better idea of the timeframe for this year's deck refinishing project.
- In addition to the deck surface, we will also inspect the top rail of the main decks that have not been painted or replaced in the past three years. We are finding these rails are requiring 'interim ' paintings (i.e., in between townhome painting) or replacement due to the extra wear and tear from sun, rain, planters, etc.
- No townhomes are scheduled to be painted in 2021.
- Hardscape/drainage-Projected 2021 projects include installation of a french drain behind #44, drainage/step stones installed next to #28 and some possible 'tune-up 'work required on a french drain installed last year between #50-#52.
- Address low area of stone path in Meadows Park where water collects
- Planned maintenance (e.g., irrigation hydrants maintenance, Terminix inspections, gutter cleaning, etc.)
- Any additional maintenance items that arise during the year including screen repair, blocked gutters/downspouts, mailbox lighting, etc.,

If you have a maintenance request, please contact Bob LeBoeuf at leboeuf100@gmail.com

As always, if you have comments or input, please do not hesitate to let one of us know.

The Meadows Sub-Committee (Bob LeBoeuf, Lynn Caputo, Jack Sales)

7. HOA Transition Team & Timetable (Tom)
on behalf of the team, which consists of Tom, Raymond, Willy Morgan, and Bob Christy,Tom Duckett presented the team report, which is included below. The team is making great progress. They all give a special thanks to Raymond for his considerable contribution of time and help with this plan.

The majority of relevant documents have been found and stored in Google Docs which will eventually become content on the Village Park web site, with the exception of some paper documents that Frank has showing sewer locations.

Tom D. suggested that we give priority to things that require changes to the declaration. For example, the meaning and list of "common elements". Raymond noted that amendments to the declaration need not be tied to the timing of the transition. Most can be done before or after the transition. Also, it would be best NOT to have things in the amendments that are likely to change over time.

Some questions around management of reserves require further study by the transition team. For our purposes, do we need a professional reserve study? Our community may be small enough that it can be handled by the Asset Committee with support from other residents. Do we need reserves to be 100% funded to safely cover all maintenance on assets?

Frank suggested that the team start to flesh out the highest priority items that potentially require amendments to the declaration. The definition and listing of common elements were the best candidates to be addressed at next board meeting. Tom offered to start a document on common elements and on the question of whether all residents need to vote on all amendments or whether certain items could be voted on by a subset, for example items that might be perceived as relevant only to Meadows residents might not require single-family owners approval.

TEAM GOALS and KEY TASK assigned by VP HOA Board

Team's goal: getting the owner-controlled board off on a solid footing as it embarks on self-governance.
Team Members: Tom Duckett (team leader) Raymond McClinton, Willy Morgan, and Bob Christy
Timing: target date for shifting from a developer -controlled HOA to an owner - controlled HOA is December 31, 2021.

Key Tasks:
1. Identifying which documents should be obtained from the developer. For example, easements, maps, deeds developer agreements, articles of incorporation, etc.
2. Obtain and place various documents on the appropriate location on the Village Park website.
3. Confirm that the Association actually does own all the common areas.
4. Determine if reserve studies for the major components that comprise the common assets are required and recommend the desired frequency for conducting future reserve studies.
5. Determine what components of the transition might require an attorney's guidance.
6. Determine if the Village Park declaration needs to be rewritten or just amended.

Team will work independently but report to the HOA Board by providing updates on progress and issues at Board meetings. If determinations 4,5, and 6 result in recommendations, the team will seek board approval.

1. DOCUMENTS TO OBTAIN

- 30+ documents identified or created
- majority are recorded documents

2. DOCUMENT STORAGE LOCATION

- Google Drive > VillageParkHOA > Transition
- Four Reference Documents
    - Village Park Document History by category
    - Village Park Document History Chronological Order
    - Questions/Answers
    - Village Park Attorney Communication
- Five Sub directories
    - Attorney Communication
    - Declaration
    - Paving
    - Property Deeds/Plats
    - Utility Easements/Plats

3. COMMON AREA OWNERSHIP

- VP HOA owns 4.370 acres in the Meadows
    - Excludes private ownership of townhomes footprint
    - HOA / Meadows maintenance, landscaping, etc responsibilities
- Village Pointe Ln, Meadow Village Ln, and Meadow Vista Ct are on a right-of way
    - HOA maintenance responsibility, landscaping, gate, sign, security, etc responsibilities
- Concrete Driveway Lots 1,2,3,4 is on an easement
    - HOA maintenance responsibility

4. RESERVE STUDY

- Not required by state law
- Recommend
    - Initial professional study ~ $2000 (2 estimates)
        - Question? Can this be done internally versus professionally?
    - Annual update by HOA
    - Consider follow-up professional study every third or fourth year
- Questions/Actions for Board consideration post initial study
    - Are current reserve accounts satisfactorily funded?
    - Determine desired level of reserve account funding?
    - Make appropriate adjustments to funding

5. ATTORNEY GUIDANCE

- Release Control Document - developer document
    - McClinton (and/or Developer) delivers to the Board (Release date)
    - Record with Register of Deeds
- Opinions/Clarification
    - No additional known needs
- Declaration Update or Amendment(s)

6. VILLAGE PARK DECLARATION

- Recommend
    - Amend (versus updating or re-writing current Declaration)
- Potential amendable items
    - Reference Release Date and Homeowner Association Control; and/or remove reference to developer and development company
    - Reference a. Single-Family Property Maintenance Guidelines b. Yard Decor or Other Externally Visible Items Guidelines
    - Change wording to reflect the intent where the words “structural members” are used on p4 item “aa (viii)” of the Declaration
    - Include reference to HOA maintenance and repair responsibility for the concrete driveway easement on Lots 1,2,3,4
    - Clarify process for adding/selecting new Architectural Review Committee members

7. BOARD DISCUSSION ITEM

- Common Elements versus Limited Common Elements
    - Background
        - Limited Common Elements is defined as property that is shared by one or more but not everyone in the association
        - Limited Common Elements mostly benefit owners in the Meadows
        - Examples in Meadows: driveways, walkways, mailboxes, front steps (not under drip line), pergola, landscape lighting, mailbox lighting, etc
        - Examples outside Meadows: Concrete Driveway lots 1,2,3,4 on easement
    - Responsibilities for maintenance and repair
        - Combined Meadows community responsible for limited common elements in the Meadows
        - Townhome owners responsible for repairs on utility easement (water, gas, electric, cable, sewer)
        - HOA responsible for Concrete Driveway lots 1,2,3,4 on easement
    - Question? Is there inconsistency between townhome owners repair responsibility and HOA responsibility for Concrete Driveways on lots 1,2,3,4?
- Voting to approve updates or amendments to Declaration
    - Issues affecting only one entity (ex: expense elements in Meadows)
        - Entire membership vs Meadows membership only

8. ARC Members (Frank)
The board has the right to appoint any HOA member to the Architectural Review Committee. It was agreed that we all should think about who might be a good candidate for the ARC and should solicit potential candidates. There is a write-up that can be shared with potential candidates explaining the function of the ARC. D It would be useful to bring new members on before current members begin retiring from the committee.

Raymond observed that it would probably be helpful to have members experienced with construction, landscaping, etc. and with yard décor, since there will be less new construction and more changes to existing property in the future.

9. Other Topics of Interest (All)
The recent heavy rains have had their impact on Village Park. In one instance the flowing water expanded an existing dirt/rock drain forcing debris into the right-of-way along Village Pointe Lane. In a second situation, heavy water flow was experienced in the cul-de-sac at the end

of Village Pointe Lane. The board intends to bring in a landscaper, who is well-qualified in remediating water drainage problems, to address the issue.

We were recently made aware of a potential construction hazard that was created in conjunction with a new home being constructed in Village Park. The owner/contractor was contacted and has agreed to schedule backfilling the area between the outside wall and the sloped hill ASAP. Backfilling was delayed due to rain and the county requirement to inspect the cinderblock waterproofing prior to backfilling. In addition, we requested the owner/contractor to put up barriers, caution cones or yellow tape along the cul-de-sac where there is a steep drop off.

Recently we were contacted to confirm that the HOA annual dues were paid in connection with an undeveloped property ownership change. Once we are aware that plans are to develop a lot, it is important that we reach out to the new owner to make them aware of our declaration, the role of the Architectural Review Committee, tree removal policy, etc. Currently we do not have a process in place to accomplish this. It was recommended a letter be crafted that could be sent to any new undeveloped property owner in Village Park making them aware of our HOA policies and requirements.

10. Adjourn

Action items:

- Frank will develop a letter to make new undeveloped property owners in Village Park aware our HOA policies and requirements. This generic letter will be sent to new undeveloped property owners as soon as we are aware that they have purchased the property within Village Park.

- Tom Duckett will start a document on “common elements” for a future board meeting.

- Frank, Raymond and Tom D. will meet with Gary Hall.

- Raymond to review the current loss payee explanatory document and provide suggestions to improve it