

**Palm Lake HOA  
Board Meeting Minutes  
Saturday, February 24, 2018, 8:30 AM**

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**Attendance**

Board Members Present: Russ Carlson, Fred Lenz, Meredith Fitzgerald, Katherine Adams. Purvi Jayswal absent.

Homeowners: Beverly Carlson, Neil & Melanie Bennett, Steve & Lisa Maloney, Mike & Rose Anne Ketchum, Scott Ziegler.

**Call to Order** - Meeting called to order at 8:30am at Katherine Adams' home

**Secretary's Report – Purvie Jayswal**

In the absence of the Board Secretary, no report was provided. Meeting minutes were taken by Meredith Fitzgerald, Board Treasurer.

**ARB Report – Katherine Adams**

Requests were received and approved for one exterior home repainting, to be completed in 30 days or so; and some landscape/lawn updating. An unapproved real estate sign has been reported and removed. Katherine noted she would like the board to approve upcoming improvements at her own home and will submit the ARB request to the board for their consideration and approval.

**Operations Report – Fred Lenz**

Fred reported that estimates had been received for tree trimming and new sod near the retention area. After review of the budget, the board agreed there was adequate funding to move forward on both.

There was a question about the sod along Palm Lake Drive needing attention. The board agreed to table the discussion until further budget review could be made.

The newly established committee tasked with design, selection, and maintenance the front entrance landscaping had received no volunteers except for Scott Ziegler. After some discussion on the scope of the committee's responsibilities, Beverly Carlson, Rose Ann Ketchum and Mike Ketchum volunteered to join the committee. The committee will meet on their own and will submit their design to the board for approval to move forward.

**Treasurer's Report**

Meredith reported that all financial documents and software had been successfully transferred to her and she was fully operational.

Meredith provided hard copies of end-of-month financials for January 2018, prepared by outgoing Treasurer Joe Sikora, reporting no anomalies. Late notices had been sent to all delinquent accounts and follow up would be made at month end.

**Old Business** – n/a

## New Business

- Website Usage and Maintenance – Russ asked if anyone else on the board would like to assist in posting to and maintaining the PLHOA website. Meredith indicated she was interested. Russ will meet with Meredith separately to activate.

There was discussion about not all homeowners being signed up for email communication through the website. Meredith suggested that since there had been several direct email attempts, a final in-person visit to request participation or a verbal opt-out should satisfy the board's duty to try to include all homeowners. After which, the website could then be used as the sole official means of email communication to homeowners. Russ indicated he would personally reach out to the remaining non-participating homeowners.

- Temporary Rental of 8734 – Russ motioned to approve Fred Lenz's one-time request to rent his property for no more than 2 years, based on the Governing Documents Section 4 Paragraph 2, limiting rentals to up two years. After some discussion about the precedent such an approval would set, and past enforcement of the policy prohibiting rental properties, the motion was withdrawn.

Russ recommended the board clarify the language in the Governing Documents to be clearer and reflect the spirit of the rule.

- Recurring BOD Meeting Schedule – Meredith made a motion that the board select a recurring day and time for regular board meetings. Katherine seconded the motion. The board agreed to set board meetings for the 1<sup>st</sup> Saturday of every month at 8:30 am at the home of Russ Carlson. Due to the late date in February this meeting occurred, the next meeting will commence on the 1<sup>st</sup> Saturday in April.
- Sharing of Operational Tasks – Meredith readdressed the suggestion from prior meetings about the board sharing some of the operational tasks so as not make Operations board position overly burdensome for future holders of that office. Fred indicated that most of the burdensome items were one-off and had been completed, and any assistance would be requested as needed moving forward.
- Wall Ownership & Maintenance – Russ reported that due the need for significant repair of the wall on the Maloney's property, and conflicting information between the Governing Documents and the association's historical documents as to ownership and maintenance/repair of the wall, the board obtained legal counsel to review all related documents and provide a formal legal opinion.

The legal opinion, provided by Neil McCullough, indicated that there was no question that the wall was the property and responsibility of the PLHOA.

When asked what financial implication this had on any past wall repairs made by homeowners, Russ reported the attorney did not believe this was not a viable concern as to the recovery of costs.

Steve Maloney suggested a dedicated reserve fund be established for wall repairs. After some discussion and review of the Governing Documents 9.37 regarding insurance, it was determined that the PLHOA is required to have insurance on all common property. Meredith will verify existing coverage, and any costs associated with additional coverage that may be required in order to be in compliance with the Governing Documents.

Scott Ziegler suggested the board utilize a local community association that specializes in providing guidance and best practices and solutions for homeowner's associations. The board agreed that could be a useful tool.

- Steve Maloney asked the board when repair on the wall would begin. He also reminded the board that this has been an ongoing issue for over two years, and that an estimate had been obtained by them and shared with the board. Lisa Maloney added that time was of the essence, as the damage is steadily getting worse. Fred stated he would obtain additional quotes as soon as possible so the work could begin promptly.

Lisa Maloney stated the wall near the front entrance, facing the keypad, was damaged as well. The board agreed that a full assessment of the wall would be obtained along with the estimates for the wall repair.

Russ shared comments texted to him during the meeting from Robert Rene, noting his disapproval of HOA funds being spent on the wall repair in question. Russ posited a legal question about the feasibility of transferring ownership of the wall to the homeowners. After further discussion it was determined that was not a viable option.

There was additional discussion on the financial responsibility for any repair of damage to landscaping and personal property resulting from any repairs made to the wall. The board agreed that there was some liability there and would mitigate that liability by reminding homeowners not to attach anything to the wall to avoid any potential damage, as well as submit for homeowner approval an amendment to the Governing Documents to establish a maximum dollar amount for replacement and/or repair to damaged homeowner landscaping.

Next Steps – Russ reiterated next immediate steps for the board as being:

- Tree Trimming and Sod Replacement
- Landscape Committee commencement and follow up
- Wall Repair and Assessment
- Insurance Coverage Verification

There being no further business, the meeting was adjourned at 10:00 am.

The next meeting of the PLHOA Board of Directors is set for 8:30 am on April 7<sup>th</sup> at the home of Katherine Adams.

Respectfully submitted,

Meredith Fitzgerald  
PLHOA Treasurer