

****THESE MINUTES HAVE NOT YET BEEN APPROVED****

CASTLE COVE BOARD MEETING

Tuesday, January 13th 2015, 6:30 PM

Lawrence North High School

ATTENDEES:

Board Members/attendance indicated by an X

<input checked="" type="checkbox"/> Bruce Amrhien	<input checked="" type="checkbox"/> Charlie Spyr
<input checked="" type="checkbox"/> Scott Gallagher	<input type="checkbox"/> Mike Barger
<input type="checkbox"/> Rich Havlin	<input checked="" type="checkbox"/> Lana Stevens Vice President
<input checked="" type="checkbox"/> Tom Johnson Treasurer	<input checked="" type="checkbox"/> Marie Wright President
<input checked="" type="checkbox"/> Ron Sans Secretary	

Residents:

- The meeting was called to order by Marie Wright at 6:32 PM.
- The Board re-elected those officers currently serving to remain in their same positions for 2015.
- Minutes from the last Board Meeting were approved with no corrections.
- It was suggested that minutes from the Annual Meeting should possibly be approved sooner than at the next Annual Meeting in November. Being unsure if the bylaws would allow for that, it was decided that no such action would be taken at this time.
- Board member assignments to specific committees was clarified and will be updated on the website. Continuing concern about the lack of interest by other residents to participate in such a way was again expressed.
- Treasurer’s Report by Tom Johnson: as of Dec 31, 2014
 - Checking: \$17,736.61
 - Savings: \$9,093.71
 - Savings (Reserve): \$15,342.77
 - Total: \$42,173.09
 - The snow removal and common grounds mowing contract for 2014/2015 with Ski Landscaping has been signed with mowing cost increasing by \$ 50.00. Ski is aware that our mowing needs will be changing once the 82nd Street Project gets under way.

- No grace period will be granted this year for late dues or unpaid dues. (Note: the Covenants do not make allowances for late or unpaid dues and they do state that late charges may be applied.)
- Treasurer's Report was approved.
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- Don McInnis, our Tanner law Group attorney, had been invited to explain a number of issues facing the HOA.
 - A Non-Waiver Clause can be added via the following: giving all homeowners 15 days notice of a meeting at which the Clause will be presented with all attendees having the opportunity to pose questions and give input. Homeowner refers to any one person, bank, company or other entity holding title to a home/lot. The Board would then vote whether or not to add the Clause. This procedure applies to rule changes. Once in place, the Clause would be enforced from the implementation date forward.
 - Covenant Changes: A draft of any proposed changes must be drawn up. A vote for such changes must be done at a special meeting for which all homeowners must be given 15 days prior notice. Each item can be voted on separately. A 2/3 vote of 217 homeowners is required for any changes.
 - Changes to Standards: A quorum of 50%/109 of the 217 lots in Castle Cove would be required to hold such a meeting, again with the 15 day advance notice. Each proposed change could be voted on separately. A 2/3 majority, 73, of those lots represented at the meeting would be required to carry any vote.
 - He suggested that any notice of such special meetings be mailed to homeowners rather than using email.
 - Any such changes, once approved, must be recorded with Marion County Recorder after passing it on to our attorney.
 - He stated that if a Board had granted a waiver in the past for installation of siding considered non-compliant, it was not valid. Note that there is conflicting opinion amongst current and past Board members and a past resident as to whether or not such a waiver was ever granted.
 - He suggested that if we plan to force the owner of a home he purchased, refurbished and now has listed for sale to remove the low quality vinyl siding and replace it with a compliant product, we should "go after" owners of the several other homes which have non-compliant siding. Objection to this suggestion was strongly voiced by the Board.
 - Because we'd already sent two letters to the owner of record for the "vinyl" home (the first was not returned, the 2nd one sent certified was returned "undeliverable"), it was decided that a final notice be sent by the attorney who requested pictures of the already warping vinyl. Since the time that the home was for sale by owner, the owner of record has changed according to the Assessor's Office. Don stated that the HOA could bring a lawsuit against the current owner; this could complicate attempts to sell the home. (Note: During the work, more than one Board member and other residents spoke to the then owner and contractors explaining that the siding was unacceptable. The owner was totally unwilling to listen. He was also made aware that the owner from whom he'd purchased the home had received numerous violations, including one regarding the condition of the original siding.

- The HOA can place a lien on the property of a homeowner who is 1 year or more behind in Association dues. This should be done after letters from the HOA and then from the attorney are sent.
- The HOA can move to foreclose on a homeowner whose dues are in arrears; legal and court fees possibly between \$3500 & \$6500, with no likelihood to recoup unless a buyer agrees to payment. There is a process by which the HOA can opt not to bid on or place a bid during a Sheriff Sale after foreclosure. Concern over the HOA possibly having to pay back taxes on such properties was expressed. The option of going to Small Claims Court is another approach for non-payment of dues.
- It was decided that we send a final letter to a homeowner who has received multiple notices from the Compliance Committee regarding the need for repair and/or replacement of siding, painting, repair of yard-light. Pending no action by that homeowner, the matter will be turned over to the attorney.
- Common Grounds
 - Plowing has been done once this season.
 - Landscaping at entrances: with impending work on the 82nd Street Project, seasonal plantings are likely to be on hold.
 - Just one bid has been received for the project to prevent vehicles from driving across the lawn between the gates at our parking; additional ones will be solicited so that the project can be accomplished early this year. Concern that installing a privacy fence alongside part of the northern edge of the parking lot might impede utility vehicles needing access to the easement running north and south behind two of the Castle Cove properties. This fence would be intended to block the view of a deteriorating shed on an Eagle Nest property. Information from an Eagle Nest board member explaining that they would look into the shed issue has been shared with one of our Board members. The Board agreed that planting some shrubs along the parking lot there would suffice.
 - The playground equipment will receive its usual re-staining and repairs by Recreation Unlimited. After Committee research, purchase and installation of additional items such as stationary “rocking horses” for smaller children will be discussed at the next meeting.
- Pool
 - After discussing the date for the Pool Opening Party, it was decided to have it on Memorial Day although there is a concern about attendance since so many residents are out-of-town that weekend. Methods of payment for purchase of the food and beverages were discussed: using the HOA credit card or reimbursing a Board member. In the past, \$2.00 per attendee has been charged in the past to recoup expenses. It was suggested that we consider not charging at all but no definite decision was made. Planned activities for the event will be announced in advance.
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- Compliance

- Most yard-lights are working.
- In spite of the City Ordinance requiring homeowners to clear sidewalks in front of their homes, many are not cleared. Code Enforcement can fine homeowners for not doing so. Reminders have been sent via newsletters numerous times in the past.
- Contractors are in violation of a City Ordinance when they leave their advertising signs in yards before and after work is done. The Ordinance for signs only during the job. This can result in fines for the contractor.
- Because the Compliance Guidelines contained within the Standards of Castle Cove regarding signs apply to only those placed in our Common Grounds area, it was suggested that we review that guideline for possible changes to include signs on private property. Our attorney advised us that the law prevents us from prohibiting the placement of political signs; this stipulation currently is part of our sign guideline and will need to be removed.
- - Crime Watch
 - Vehicles drove through several yards on two different nights in December. Some residents did report to the police. Officers are doing extra patrols as a result of the reports and a request by our Crime Watch Coordinator.
 - Garage Sale
 - No report.
 - Lake
 - Muskrats have been noticed again recently. Critter Control is aware and had said they would check.
 - .Other companies providing lake and retention pond maintenance will be investigated since we had issues with our current contractor.
 - Newsletter
 - This is going out via email using MailChimp. Other Castle Cove information is also being disseminated in this manner.
 - Nominating
 - Tennis
 - No report.
 - Website
 - No report.
 - Welcome
 - All new residents whom we know are “in” have been welcomed. When the Committee is certain that another sold home is being occupied, that family will be welcomed.
- Old Business
 - Landscaping: see Common Grounds.
 - Master Repair List
 - See Common Grounds.
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- Pro-Clean, contractors used last year for restroom cleaning, will be contacted for this year.
- The 82nd Street Project: IPL has obtained easement agreements from all but one resident along 82nd: that homeowner is not in Castle Cove. DPW will be starting their work this week. IPL's tree trimming and removal has begun working east from Teal Way, then west along Castle Cove. Pole installation east of Teal Way is underway. Pole installation west of Teal and along Castle Cove will begin in February after AT & T finishes their work.
- When it is icy we want the street entrances salted.
- New Business
 - It was suggested that we consider a membership in CAI, an organization comprised of legal firms specializing in HOA law; our legal advisors are part of that organization. It presents seminars educating HOA Boards on the law and issues they face. Seminars are \$25 for non-members, annual membership is \$120. One of our Board members has shared useful information from one such seminar. It was decided that we send a Board member to select seminars rather than join.
 - Regular meetings will remain scheduled every other month with the option of scheduling special meetings should the need arise.
 - Next meetings
 - March 3rd Possible Covenant, Standards and/or Rules changes will be discussed. Board Members will be given a copy of the Non-Waiver Clause to review in the interim.
 - May 5th
 - July 7th
 - September 1st
 - October 13th – Annual Meeting planning
 - Annual Meeting – November 10th
 - We will be using the billing cycle to obtain updated information for the phone/email directory. Discussion of privacy issues ensued and remains a concern.
- Meeting adjourned at 9:10 PM.

Submitted by:

Ron Sans - Secretary

Reviewed by: Lana Stevens VP