



Meeting Minutes  
March 28, 2018

BOARD MEMBERS PRESENT: John Andesilich, President  
Kathy Juergens, Secretary

LOCATION: Corporate Parkway Library-Wentzville

OTHERS: 12 Homeowners

**Call to Order**

Board President, John Andesilich called the meeting to order at 6:00 p.m.

**I. Meeting Minutes**

**A. January 22, 2018 Meeting Minutes**

The meeting minutes of January 22, 2018 were unanimously approved.

**B. Special Meeting March 7, 2018**

The Minutes of the Special Meeting of March 7, 2018 to appoint City & Village Tax Office CVTO) to collect the monthly assessments effective April 1, 2018 were unanimously approved.

**C. Reading of Repeal and Replacement Fine Resolution March 6, 2018**

The December 31, 2016 Resolution establishing a fine schedule was unanimously repealed and replaced by the Resolution dated March 6, 2018. The following paragraph was omitted from the December 31, 2016 Resolution: "Any violation which continues for over ten (10) days will be subject to additional fines which double for each subsequent ten (10) days that the violation continues."

**II. Unfinished Business**

**A. Process for delinquent accounts – CVTO**

If the monthly assessment is not paid by the 10<sup>th</sup> of the month, a \$25 late fee will be assessed. If it is not paid by the 30<sup>th</sup>, interest will start to accrue. At 60 days past due, a letter will be sent warning that a lien will be placed on the unit. This item was continued pending further discussion with CVTO.

**B. Pet Policy**

There are several tenants in violation of the pet policy. Dogs are being tied to stakes, allowed to run loose and owners are not picking up their pet's waste. The owner of units 133, 135, 137 and 139 lives out of state and John has been in contact with him. By the end of March, the dog stakes will be removed and dog waste will be cleaned up. If not, the landscape company will restore the lawn and bill the owner \$150. John has also been in contact with the owner of unit 148 and the tenant has offered restore the lawn.

### **C. Financial Report**

Most of the reserve money had been placed in Reliance Bank. Discussed dismay with Smith Management's handling of the Association financials. Several vendors have not been paid in a timely manner. Never received a year-end financial report or check register for the year.

### **D. Painting of Medallions**

Received a bid from Rock Solid to paint the medallions and the wood window trim. Weather permitting, work will begin in a couple of months. Someone suggested power washing the units before painting is started. John will discuss with Rock Solid and Dan Sager.

### **E. Painting of Shutters**

Weather permitting, Dan Sager will finish painting the shutters on Homeshire Circle.

### **F. Smoke Alarm Report for 222**

This matter has been resolved.

### **G. Patio Work for 217 Homeshire Circle**

Smith Management received a bid for the work. However, the current status is unknown. John will contact the owner.

### **H. Missing Shingles at 214.**

Work completed by Quality Roofing along with several other shingle replacements.

### **I. Dryer Vent Letter**

Smith Management received two bids for dryer vent cleaning but they were not based on the same scope of work. Since this is an owner responsibility, it was decided that a reminder letter will be sent out and include a reminder to replace smoke detectors.

### **J. Amendment Ballots**

Ballots will be opened after the meeting adjourns and those present were encouraged to stay. The proposed amendments need a vote of 67% of owners in good standing. We have not received 67% but the ballots will be opened to see where we stand. Thirty ballots have been received but still need a total of 44. Two amendments dealt with rental units to ensure that our percentage of non-owner occupied units do not reach our FHA threshold. The third amendment would allow the placement of privacy fences or shrubbery between the units. This practice is currently prohibited in the Declarations.

### **K. Roof Replacement Status**

Curtis Litchfield advised the Board that the Architectural Committee is working with Kevin from Quality Roofing. Kevin is setting up informational meetings with three different shingle manufacturers. After the meetings take place, the Committee will make a recommendation to the Board for the preferred shingle and color. With the manufacturer's installation requirements, the Board will prepare bid documents and solicit bids from three or four roofing companies. Five buildings have been identified for immediate roof replacement, however, depending on the bids received, it may be possible to include more buildings. The Committee is recommending that the shingle color chosen will blend in with the existing shingles.

## **L. Trash Enclosure Stabilizer**

John will be working with Natural Lawn & Landscape to alleviate the problem. A stiffener is needed between the two parallel sections of screen.

## **III. New Business**

### **A Termination of Contract with Smith Management Group (SMG)**

There are numerous reasons for the contract termination. A few of the reasons are listed below:

- Tax return – incomplete information submitted to the CPA, difficulty in receiving supporting documents to correct the submission.
- Delinquent accounts – before SMG, we had approximately \$1,200 in delinquencies, we now have approximately \$7,800.
- Lack of follow-up on violations.
- Financials – no report for FY 2017.
- Vendors are not being paid on time.
- Website blamed for problems with receiving monthly assessment through the Website.
- In the past year, we only had a manager assigned to property for 4 of the 12 months.
- Meeting announcements have been sent out late.
- Not responsive to Board President's inquiries.
- Association insurance premium was not paid for March.

The Association's attorney advised that SMG has a history of suing HOA's when they terminate services early. Because we notified SMG just 6 days short of a 30 day notice of termination, SMG demanded payment for the month of April even though their services will end March 31. Our attorney advised that it was in our best interest to pay for April to avoid the expense of a lawsuit. All complaints have been documented in writing. SMG has been given instructions to return to the homeowner any assessments they receive after March 31.

### **B. City & Village Tax Office (CVTO) to handle finances**

John provided a brief history of City & Village Tax Office. When calling CVTO, you will talk to a real person, not a recording, and you can talk to anyone that answers the phone as there is not one person assigned to our community. CVTO's fee is 2% of collected funds, which will be approximately \$2,500 a year instead of \$12,000 currently paid to SMG.

### **C. 2017 Tax Return**

John is working with the CPA to get our taxes filed on time. SMG has not provided the 1099-INT forms received from the banks.

### **D. Wet drywall 229 Homeshire Circle**

A request was received to repair wet drywall inside the garage. It could be the roof, but the property manager working for the homeowner will investigate and advise John of his findings.

### **E. Revise other resolutions that reference the Revised Fine Resolution approved at tonight's meeting.**

Remove item that states that any violation which continues for over ten days will be subject to additional fines which double for each subsequent ten days that the violation continues. This makes all resolutions with fines consistent.

**F. Approval to pay outstanding bills/invoices**

Outstanding invoices were approved and will be submitted to City & Village Tax Office for payment on April 2.

**G. Answering Service**

John has solicited bids from various answering services. He intends to set up an 800 number for residents to call when requesting maintenance, questions for the Board or when requesting general information. The service will be available 24 hours a day. Also discussed developing an Association website.

**IV. OPEN FORUM**

In response to a question regarding SMG suing the Association, John indicated that it is not likely. The Association’s attorney has been involved during the entire termination process. Everything is well documented, and the Board agreed to pay them for the month of April with the understanding that our contract will end March 31. John also stated that we will be self-managed and that CVTO will be handling the financial aspect. As there is no management company, residents are to use the following email account to contact the Board:

[homeshire.asktheboard@gmail.com](mailto:homeshire.asktheboard@gmail.com).

**V. ADJOURNMENT** - The meeting adjourned at 7:10 p.m.

**VI. POST MEETING – OPEN AMENDMENT**

Homeowners present when ballots were opened:

- Billie Austin
- Eldonna Reed
- Curtis Litchfield
- Doug Nix
- Kathy Juergens
- John Andesilich

The results were as follows:

**Proposed Amendment A**

12.12 Leases – defines a “lease,” Unit owners may only lease one Unit, however, current leased Units are exempt as of the effective date of the Amendment, lease requirements, ramifications of violations of 12.12. See cover letter for the complete proposed amendment.

**Yes – 36                      No – 3**

**Proposed Amendment B**

12.13 Sale – Any Unit owner who has leased more than one Unit as of the effective date of Proposed Amendment A, may not sell a leased Unit to any person or entity that intends to lease the Unit. See cover letter for the complete proposed amendment.

**Yes – 30                      No – 9**

**Proposed Amendment C**

3.7 Alterations – allows for the erection of a fence or planting of shrubbery between Units to function as a “fence.” with Board approval

**Yes – 39                      No – 0**

There are approximately five delinquent accounts, so only 40 “YES” votes are required for passage of each amendment as votes can only be accepted from owners in good standing. Eldonna offered to take a ballot to the owner at 223. She stated the owner is home this week and she will hand deliver it to her. Kathy agreed to print out another ballot and Doug Nix will make sure that Eldonna receives it.