**7-16-2018 Board Meeting**

New Meadows Condominium Association – Board of Directors Meeting

Meeting location – Jack and Carmen Dolan’s home*. Thank you Jack and Carmen.*

Attendees – Pat Grant, Tim Pudvah, Michael Durant, Jack Dolan.

Absent – Denis Gallagher

Observer – Su Comeau

Meeting Called to order 5:30pm

1. Review of Previous Board Minutes for open items and clarification.
   1. Improve Communications

UPDATE: 7-16-18 the board is planning on additional community meetings to discuss open issues. An October meeting is in the planning stages.

* 1. Landscaping Quality

UPDATE 6-19-18: Board members Tim and Pat walked the property with our Landscaper and agree that immediate attention is needed for identified items: DETAIL to follow in the Assessment update. SPECIAL THANKS to Carmon P and Catherine for volunteering for the Spring planting selections.

UPDATE: 7-16-18: Landscaper has followed through with items identified for immediate action. A walk through the property shows improvement. The Board notes that in the future, the Landscapers scope will be widened to include this work early in the growing season to optimize results.

* 1. Snow Removal Contract

UPDATE 6-19-18: SPECIAL THANKS to Bill Power. Bill is working on multiple quotes. The Board will review proposals when Bill is satisfied with the quotes received.

UPDATE 7-16-18: Bill Power did a great job by taking the time to work with at least 3 vendors to quote our Snow Removal Contract. This is a time consuming job and the Board and community are thankful for Bill’s work. This helps the community evaluate its current suppliers work and quality to others in our area. The Board received the quotes in advance and reviewed them prior to the meeting and discussed the pros and cons of each plus the incumbent Snow Plow vendor.

UPDATE: 7-16-18 (items b and c) Our current Snow Plow vendor has expressed an interest in becoming our year round vendor for both Landscaping and Snow Plowing. Tim and Pat have spent a number of meetings with Chris (vendor) and listen to Chris thoughts on improving the overall quality of our landscaping. Additionally, Chris has met with the Landscaping Group (Carmon P and Catherine) for input. A lot of constructive discussions on improvements have been suggested. Board members Tim and Pat have recommended and the other Board members agree to pursue a contract for combined services with our Snow Plow vendor.

* 1. Reserve Analysis

Restating last meetings minutes on this subject:

Also discussed was the Reserve Analysis. Pat G noted that an independent report was generated and it is available to all. To fund the reserve at 100% would add ~$135/unit per month. Mike D notes that he knows of no development that funds their Reserve at 100%. *Clarifying here: As a young development unforeseen expenses and therefor Assessments occur. As items like the already implemented water well, the proposed wall repair assessment etc become less frequent the ability to have a highly reliable budget will become possible. At that point adding expense to fund a reserve may fit better financially. The Board is considering holding a separate meeting with the community to discuss the Reserve Study, present the Board’s recommendation on the amount to fund and ask for the unit owners to vote on the amount we will fund the reserve.*

UPDATE 6-19-18: This item tabled for this meeting for a future meeting.

UPDATE 7-16-18: This item tabled for this meeting for a future meeting.

* 1. By-Laws

Restating last meetings minutes on this subject:

The Board has received an hourly estimate to update the By Laws with simple changes. The Board began a discussion (lasting over an hour) on a couple of the survey results that would require By Law changes. “Simple changes” to by-laws the Board understands to mean a reasonable vetting and understanding of the impact and costs of changes. When the survey was conducted, no cost of implementing changes was included.

The first consideration is the restriction on the number of occupants each unit is allowed. The current community consensus is three (3). The Board wants to be sensitive to “temporary situations”. The Board consensus was a maximum stay of a temporary occupant of 90 days with Board approval. The adding of this provision needs some legal clarification.

The second by law adjustment concerned the assessing of penalties for violations of By Laws and the Master Deed. This was a spirted discussion lasting a long time. The issue is violations of By Laws and the possible strict interpretations of what can and cannot be done in “common areas”. Example of this is if an occupant puts a “pink flamingo” in the front yard. Technically flowerpots in the common areas are violations. Can we sanction one and not the other? A Board member suggested adding “under Board discretion” to make the topic of fines or the power to fine a unit owner be added “somewhere”. More research is required and a more full reading of both the By Laws and Master deed is to be done by the Board members.

The Board has decided NOT to engage a lawyer UNTIL the breadth and depth of the changes required are understood and a budget can be presented. As the Board as previously noted this is an elective decision by the community and before action is taken a reasonable budget for all the changes necessary will be created. “*This is an elective expense and information on these changes will need to be communicated and approval maybe sought.”*

UPDATE: The Board takes changing of the by-laws as an extremely important step. Avoiding unintended consequences is a high concern. Discussions on this are being deferred in this meeting as it is one that needs to be addressed in a separate meeting, which the Board will be scheduling in the near future.

UPDATE 6-19-18: This item tabled for this meeting for a future meeting. One item is being pursued by a Board member with legal council to clarify a concern. This concern when addressed will enable the Board to proceed.

UPDATE 7-16-18: Su lead a discussion on the Maximum Occupants of 3 that had a 75% approval by the community. Discussion around unintended consequences. Su has volunteered to look for wording that has been used by other neighboring developments with a restriction. Thank you! This maybe a discussion point in the October community meeting.

* 1. Open House signage – The Board has received a request to be able to display Open House signs.

UPDATE 7-16-18: Closed

* 1. Landscaping Quality – The Board discussed the current state of the relationship with our Landscaper. General consensus is that while they are doing high quality work, a lot of follow up is required to maintain/improve our current standard.

UPDATE 6-19-18: This is the first discussion point on management of Landscaping services. Many suggestions were discussed. This is an open item for future meetings.

UPDATE 7-16-18: See discussion in 1.c. (above)

1. Assessment Update

UPDATE 7-16-18: End unit - $964 and inside unit - $892. Due August 1 as a separate check along with your monthly condo dues.

1. New Agenda Items
   1. Assessment allocations for Inside and End units. A number of questions about using inside/end unit allocations is appropriate for Assessments or should other methodologies be applied

Special Thanks to Denis for spending the time to review all our docs with respect to this matter. Please find below excerpts of his review. The thread that we are following is for “Common Expenses”

“I just spent some quality time reading the Declaration of Trust, By Laws (Ex A of the Declaration of Trust) and Master Deed in an effort to determine how "common expenses" are allocated among the unit owners.”

*By Laws, Section 2 A, Common Expenses and Profits, page 13.*

*Each Unit Owner shall be liable for the Common Expenses...in the same proportion as his beneficial interest in this Trust bears to the aggregate beneficial interest of all the other Unit Owners.*

“"Supplemental assessments" are addressed in D at the bottom of page 13 and top of page 14.

As "Common Expenses" is a capitalized term in the documents I'd expect it would be defined somewhere. However I was unable to find a definition and am using common sense to assume it means all expenses associated with maintaining the Trust/property.”

Declaration of Trust, Section 4 (a) Beneficiaries and Their Beneficial Interest, page 5.

*...The beneficial interest in the Trust hereunder shall be divided among the Unit Owners in the percentage....as set forth on Ex C of the Master Deed.*

Fifth Amendment to the Master Deed, Ex C lists the following Percentage Interest for each of the 24 Units. While the square footage of each unit varies somewhat;

*The exterior units are all 4.321%*

*The interior units are all 4.012%*

…”common expenses, both budgeted and supplemental assessments are charged based on the percentages in Ex C of the Fifth Amendment to the Master Deed; 4.321% for exterior units and 4.012% for interior units.”

"In the Master Deed each interior unit owns 4.012% of the Trust x 12 units = 48.14% and exterior units own 4.321% x 12 units = 51.85%."

**Board input**. Historically, before the term “Assessment” was being used (note this was addressed in earlier minutes this year and all checks written over and above the monthly fee must be called “assessments”) previously the Board asked for Checks from members. Technically these *were* Assessments. Technically, charges for Common Area items should have been charged in the manner described above.

* The Board has taken the position that it is not going back in history to change past *Checks*.
* The Board is taking the position that all Common Area charges will be allocated with the Inside/end unit allocation.

The Board adjourned at 715pm

Thank you Jack and Carmen for the use of your home.