

Hembree Creek Condominium Association Board of Directors Meeting Minutes – October 13, 2014
GENERAL SESSION (6:35 pm)

Board Members Present: Victoria Boodoian, Ralph Stinson, David Wurtenberg, Laura Donnelly and Gerri Schwartz of Working Solutions. **Not Present:** Teresa Miller.

1. **Open Forum** – Due to preparation for the year end meeting, residents had five (5) minutes to present any unscheduled business or questions to the Board. Rick Richardt spoke to the Board regarding current status of communications between the Board and himself. He also asked again about obtaining a list of the legal fees for 2013. We explained that anything we could disclose was discussed at the Annual Meeting in 2013 and is included in the meeting minutes which are posted online. New owner of #512 came by to ask Gerri for the paint information so she can paint her front interior door. Gerri will follow-up.
2. **Recurring Monthly Business:**
 - a) **Neighborhood Watch Program (implemented April 2012):** Sherry Regel is the community coordinator. Captains: Bldg 100 - Pringle Johnson; Bldg 200-Ada D’Aniello, Tom Bryant, & Diana Billups; Bldg 300 - Lea Trevino; Bldg 400 -Tim Miller & David Wurtenberg; Bldg 500 - Roxanne Rosenberry & Bonnie Decker.
 - b) **Security Incidents:** None reported.
 - c) **Review & adopt minutes:** September minutes will be reviewed and adopted via email.
 - d) **Resident Directory:** No new closings so meeting packet did not include a new directory.
 - e) **Action List:** Items included on the agenda.
 - f) **Parking and Vehicle ID stickers:** All new units were sent vehicle registration forms and new list provided. Unit #402 has not sent in updated form to date.
 - g) **Hembree Village:** No new issues reported.
 - h) **Gate Code/Entry Issues:** Victoria was given the gate report. No new issues have been reported. All realtor codes and previous owners have been deleted.
 - i) **Gate Remotes:** (Cost = \$15) No Remotes sold.
 - j) **Pool Update:** Pool was closed on October 1st as approved.
 - k) **Architectural Control Inspection:** Victoria did inspection on Thursday, August 14th. All violation letters sent out as requested. All violations have been corrected and no new violations noted.
 - l) **Community Correspondence:** Message for October bills will include a 2014 Annual Meeting reminder.
 - m) **Hembree Creek website:** Homeowners/realtors will be referred to Laura Donnelly.
3. **Drainage Issues:** Marc was on the property and has written a proposal for review. Need to schedule an appointment w/Marc for Victoria & David to walk property now that all major projects have been completed. This project is on hold until 2015.
 - Building 100 Issues:
 - o Unclog drainage grates behind building 100 – may need to consider converting to domes vs. current drainage grate so they will not clog so easily.
 - o Consider using rocks & trench to divert water away from building on back left side (slope).
 - o Dome grate (last one on far left side in front) is not working properly. Always clogged.
 - Building 200:
 - o A couple of grates are clogged by mulch etc. Consider domes for this area as well. Eventually need to consider replacing woodchips with rocks on left side on slope/hill.
4. **Landscaping issues:**
 - a) **Wes/A+ Lawn Care:**
 - Contract will be due on November 1, 2014. We need to make sure this one has a 30 days cancellation clause.
 - \$100 – remove Muscadine vines from Magnolia tree in back parking lot. Vines are growing over a large area near the left end of building 500. This will be ongoing as a large area is covered with this vine. Board approved & assigned to Wes.
 - \$50 -remove two small saplings/scrub trees with dead vines all over them behind unit 412 (p/ David’s request) Board approved & assigned to Wes.
 - Cost ? – fill in dirt behind back porch by unit #511 to help combat erosion. Work order assigned per Kenneth’s recommendation. Work completed. No quote needed.
 - Cost ? - spray fire ant hill by unit 417. No quote needed – work order given to Wes per Gerri. Work completed.
 - \$500 building 500 woodchips. Board approved. Woodchips have been delivered. Due to rain, they have not yet been installed.
 - Following Items will be installed in late October:

- \$500 Fall color
- \$200 -fill in Lyriope where needed in front of building 200.
- \$35 - replace dead large round holly bush in front of building 200/right breezeway
- \$35 - replace dead Loropetalums bush in front of building of 200/left breezeway.
- \$30 - replace variegated Lyriope that disappeared from front left of building 100
- \$35 - replace dead bush in front of Linda Pelton's unit 513
- Wes voluntarily removed some dead privets under trees opposite mailbox kiosk.

b) **Tree Removal:** Chipper Tree Service removed the Zelkova tree and dead tree behind building 200 for \$385

5. **Maintenance issues:** All requested work orders have been scheduled, completed or in process.

- a) **Pedestrian Gate:** No new issues reported.
- b) **Property Inspection:** David and Kenneth will need to schedule the last inspection for 2014. Unit #201 has paid the \$75 cost for work completed at home owner's expense.
- c) **Dumpster:** No new issues.
- d) **Repairing asphalt and striping parking lot completed:** The Board approved RP Paving to fix the pot holes for \$1,800 and re-stripe for \$1,365. Work has been completed. Looks great except one resident in front of building 200 ran over one of the parking space lines while still wet. David reported a pothole that was missed because a car was parked in the parking space in front of building 400.
- e) **Six (6) inch gutters:** The gutters were replaced in the rear of building 500 for \$1,350. Board voted to also replace the front gutters as well since they are over flowing without clogging issues for an additional \$1,375. Discussed issue that was reported regarding the gutter being cut too short in the rear. Kenneth will inspect the gutter to check for this problem.
- f) **Items for future consideration:**
 - Six inch gutters were added to the rear of the 500 building in Sept 2014. Six inch gutters were installed on all sides of building 100 and the rear of buildings 300 & 400 (the remaining area), and over #223 & #224 in 2013. Six inch gutters were installed in 2012 over #221, #222, #425 and #426. We currently have five (5) inch gutters throughout the remainder of the property.
 - **Deck Leaks/Membrane Repairs** (project tabled until owners report leaks): Repairs completed on 14 exposed upper decks in buildings 100, 200, & 500 (Q=10 in 2012: Units 121, 122, 123, 224, 226, 227, 523, 521, 522, 525 / paid \$18.5k) & (Q=4 in 2011: Units 221, 222, 225, 426 were completed as initial test to ensure sealant worked). Additional repairs needed to boards as discovered & repaired in the process of this project. **Determine schedule for additional decks in 2014:** Remaining 9 exposed upper decks in buildings 300 & 400 (Units 322, 325, 326, 328, 421, 422, 424, 425, 427). Amount estimated in budget is at \$1,950 per deck. Pricing is as follows: 1-3 decks; \$2,500; 4-9 decks \$1,950; 10+ decks \$1,800. May do half in 2013 & half in 2014 depending on any future unforeseen expenses that may arise throughout the course of the year. This project may be approved to move forward once the weather permits (warm temps, no pollen or leaves falling) & budget permitting. This project is still on hold for 2014. **There have been no new leaking issues reported.**

6. **Status of Units:**

- a) **Units for Sale at present:** #123 and #411. Unit #114- still not on the multiple listings. No realtor code assigned yet. Realtor codes have been deleted for all units sold.
- b) **New units for sale:** none
- c) **Review sales prices for units that sold in 2014:** No new units since the last meeting.
- d) **Current contracts:** none
- e) **Updates on foreclosure status to be given in Executive Session.**
- f) **Units with Board approval to rent:** #324
- g) **Units Sold in 2006 (18); 2007 (14):** 114, 213, 216, 217, 305, 315, 328, 411, 412, 413, 414, 422, 513, 527. **2008 (1):** 224; **2009 (5):** 212, 218, 225, 318, 511. **2010 (5):** 111, 206, 217, 316, 522. **2011 (4):** 101, 322, 406, 418. **2012 (4):** 113, 306, 315, 428. **2013 (6):** 327, 406, 414, 423, 511, 522. **2014 (9):** 102, 112, 201, 205, 223, 312, 401, 512 and 525.

7. **Financial Presentation as of October 13, 2014:**

- a) **Operating Account Balance:** **\$ 6,683.80**
 - September Financials were delivered and emailed before the meeting.
 - The new insurance policy is now in effect. We will need to pay 25% down and the first installment in October. That bill is \$7, 242.40 and the 1st installment is \$2,413.86. The total is \$9,655.36. Working with the Agent to see how we can make the payment.
 - All flood insurance premiums have been paid in 2014.

- 2014 Water Usage (monthly budget = \$2,166.67)
 - Jan 2014: \$2,798.10 (wtr \$989.98/ sewer \$1,808.12) 12/02/13 – 01/02/14
 - Feb 2014: \$3,264.44 (wtr \$1,150.79/sewer \$2,112.75) 01/02/14 – 02/05/14
 - Mar 2014: \$2,254.81 (wtr \$802.64/sewer \$1,452.17) 02/05/14 – 03/04/14
 - April 2014: \$2,563.46 (wtr \$909.07/sewer \$ 1,654.39) 03/04/14 – 04/01/14
 - May 2014: \$2,883.47 (wtr \$1,039.42/sewer \$1,864.05)04/01/14 – 05/01/14
 - June 2014: \$3,221.72 (wtr \$1,135.85/sewer \$2,085.27)05/01/14 – 06/03/14
 - July 2014: \$2,084.09 (wtr \$ 743.77/sewer \$1,340.32) 06/03/14 – 07/01/14
 - Aug 2014: \$1,513.22 (wtr \$851.65/sewer \$1,545.39) \$883.72 credit 07/01–08/01/14
 - Sept 2014: \$2,330.50 (wtr \$828.74/sewer \$1,501.76) 08/01/14 – 09/02/14
 - Oct 2014: \$2,211.81 (wtr \$787.85/sewer \$1,424.07) 09/02/14 – 10/01/14

b) Reserve Account Balance: \$ 81,927.95

- 2014 monthly reserve allocation was \$2,750. We transferred 2014 reserves through October 2014.
- Per January Board Meeting, Gerri will transfer \$459 per month from Operating into Reserves to catch up from missing November and December 2013 reserve payments due to unexpected legal fees incurred. We have transferred funds through October 2014.
- Following items were completed in 2014:
 - \$ 28,125 for painting project (white trim and railings) and painting of the shutter. The project is now complete.
 - \$ 15,822 replace front side of roof for building 300. This project has been completed.
 - \$ 2,725 6" Gutters for building 500 (\$1,375 front only, \$1,350 rear only)
 - \$ 3,165 Asphalt repairs and re-striping
 - \$ 4,010 Tree Removal

c) Asphalt Resurfacing Reserves: \$ 22,626.22 (this is amount to be allocated year end 2014)

- \$9,000 was allocated as part of the budget in 2013 and 2014. Therefore we will have \$22,626.22 allocated to the Asphalt Project at the end of 2014. This does not include the monies we hope to collect from legal resolution.
- \$4,626.22 was part of the #205 lawsuit garnishment received. Plan to add \$1,980 to this account once the new settlement is received. We have not received these funds.

d) Contingency Savings Account: \$ 6,659.11

- 2014 allocation is \$416.67. We paid this amount through October 2014. We borrowed \$5,866 to pay the mulch in August. We will be transferring \$1,466.50 each month beginning in September. This was done for October 2014.

General Session adjourned at 7:00. Executive Session commenced at 7:00.

Meeting minutes created by Laura Donnelly and edited by Victoria Boodoian. Board approved minutes via email.

Hembree Creek Condominium Association Board of Directors Meeting Minutes – October 13, 2014
EXECUTIVE SESSION 7:00pm

Board Members Present: Victoria Boodoian, David Wurtenberg, Ralph Stinson, Laura Donnelly and Gerri Schwartz of Working Solutions. Not present: Teresa Miller.

New Business:

1. **2014 Annual Meeting**

- 2014 Annual Meeting will be held Monday, November 10 in the larger room.
- Michael Zenner is confirmed for the meeting. Gerri will Jack Houseal (accountant) as well.
- Reviewed and approved the 2015 budget draft with a \$15 per month increase in Association Fees.
- Reviewed Annual Meeting Notice and other pertinent documents to be used in the meeting.
- Discussed if we can request proof of liability insurance. Gerri will follow-up with Michael.

2. **Update on #513 issues:**

- 24 by 7/Active Pest Control is working with Linda fumigate her unit on a monthly basis. No infestation has been found to date. There were a few fruit flies found in September but no infestation.
- Linda is still using Heather Patterson to clean and Heather finds the unit clean each time, with no signs of hoarding or bugs. Will follow up with her for her October schedule.
- Linda was sent a violation letter from Victoria/Ralph's inspection and she has cleaned her balcony.
- Kenneth put the screens back up.

3. **Plumbing issue in #214 and #212.** Incidental damages still not completed in #212 and the remediation bill for #214. Once we send the check to #212, Clarence will write to #214 for reimbursement. The waiver for the incidental payment has been sent to #212. Once we received the signed waiver, we will send the check.

4. **#214 sent a violation letter about her daughter parking in front of building 200**

5. **#102 sent an email complaining about #112.** Neighbor upstairs works out in morning. Recommending that they talk to the neighbor. That's not something the Board can typically can involved in.

6. **Unit #206 (Rick Richardt):** No new emails this month. He came in to review financials Friday, October 3rd. He also was asking about the legal fees for 2013. We explained that anything we could disclose was in the 2013 end of year meeting minutes.

7. **Unit #205 (Aba):**

- Current lawsuit for 2013 unpaid Association fees: An out of court settlement was reached on June 2nd prior to appearing in court. Consent order is in place. Aba promised to pay a total of \$6,500 via a payment of \$1,779.57 by 7/1/14 and monthly payments of \$400 starting 8/1/14. Association waived \$1,099.21 in late fees, interest, and some attorney fees. We have received a \$500 check and it was deposited. **We received the default judgment and sent a copy to the Attorney for a response. No response to date so we are proceeding with Garnishment.**
- Received final garnishment on the first lawsuit, \$1,963.84. This was all legal fees so we deposited all funds in the operating account.

8. **Routine/Recurring Business:**

a) **Parking or speeding issues:**

- **#402 parking and vehicle issue:** A new letter was sent to owner from Clarence requesting vehicle information. The deadline date for his response was Monday, October 6th. We will get with Clarence to fine him. Ralph reported he parked an unregistered vehicle on the property last week. The car was stickered and the car was moved on Monday, October 6th.
- **#111 parking of commercial vehicle resolved:** Review correspondence sent to owner about her nephew's black pickup truck. He is complying and parking near the mailbox.
- **#318 was given permission for 3rd vehicle as approved.** She has responded and thanks the Board. She has not purchased the new vehicle yet.

b) **Pedestrian gate code & pool gate code updates.** Pool code is 1-0-1-9 for the 2014 pool season. The pool is now closed. Pedestrian gate code 5-4-1-3 in 2014. Shed combination lock is 3-0-7-6. Lock on hose at dumpster: 1-6-3.

c) **Gate code issues:** Gate code report given to Victoria.

d) **Violations:**

- **Architectural Control Inspections:** Victoria conducted inspection on August 14, 2014. All violations have been corrected and nothing new reported.

9. **Hardship Requests:**

- a) New Requests: none.
 - b) Current/Approved Requests: See historical data page for detailed information.
 - c) Denied Requests (2014): See historical data page for previous requests that were denied.
10. **Foreclosures** (current/possible – see historical data page for all previous foreclosures):
- a) Unit #305 (Christopher Lawatsch): Owner is trying to get the lender to take back the unit. There was an agreement to take back the unit in lieu of foreclosure, but I do not know if this will take place. Jana has checked and the deed has not been filed yet. A warning of lawsuit letter was sent to the lender. Background Info: Received information to contact his Attorney (Russell G. Small, 3715 Main Street Suite 406, Bridgeport, CT 06606). Chapter 7 was discharged on February 17, 2011 and is still awaiting foreclosure. Lost \$ 3,344 after bankruptcy and \$9383 (thru January 2014) to date still owed by the owner, but waiting for the unit to foreclose. Account has been adjusted. Corrected delinquency as instructed by Attorney. Unit is still not the foreclosure list. Jana wrote a letter to the mortgage holder, Bank of America, to see when they plan to foreclose since the bankruptcy was discharged on 2/17/11. Warning of lawsuit letter was sent to owner who relocated to Connecticut to see if he can push the foreclosure process. **Still no new information.**
 - b) Gerri updated data in the Foreclosure/Unrecoverable Dues chart on historical data page.
11. **Delinquencies as of October 13, 2014: \$17,272.00**
- a) Reviewed Delinquency Report as of October 13, 2014. The October late fees are not due until October 14th since there was no mail today due to Columbus Day. We have 9 homeowners that are using ACH Debit. Lisa needs to run the ACH Debits from the 5th and 10th. We still have 10 homeowners that owe October fees (includes 1 seriously delinquent owner #305).
 - b) **Delinquency issues:**
 - i. #205 has not paid since September 2011; account also includes \$2,450 in fines. Lawsuit was authorized and filed on 4/16/12. He has not responded. We won the default judgment on Friday, 10/19/12 at 11:30 AM. The judgment included accelerated fees thru Dec 2012. We received one garnishment check for \$7,497.58. We also garnished another account and the account has been frozen, \$1,931.84. This judgment is settled. A default judgment is being requested for the second lawsuit. **This unit foreclosed October 1, 2013 and sold in January 2014.**
 - ii. #212 only owes a partial payment for October, \$105.
 - iii. #302 still owes July, August, September and now October. We did not receive the checks as promised. Turning over to the attorney if no response by Friday & car will be towed.
 - iv. #305 still no foreclosure. Chapter 7 discharged on 2/17/11. Letter sent to lender and the owner in Connecticut. Trying to get this unit foreclosed.
 - v. #322 (Verona) emailed again. They paid \$760.51 for September but nothing in October as discussed. Sending this to the attorney if no response by Friday & car will be towed.
 - vi. #414 now owes September and October, new letter being sent. Amount owed is \$529.
 - vii. #422 is trying but has slipped back again, will monitor and call if not caught up.
12. **Units that are reported to be empty:** #211 and #305.
13. **Units that have Board approval to rent:** Unit #324 is due for a new lease, expired 7/31/2014. We need a copy of the new lease. Rented to Derrick and Barbara Scoggins. Unit # 324 was “grandfathered-in” prior to leasing amendment.
14. **Possible illegal renting situations:** None known at this time.

Executive Session adjourned at 7:31.

Meeting minutes created by Laura Donnelly and edited by Victoria Boodoian. Board approved minutes via email.

Historical Data:1. **Foreclosures and/or Unrecoverable Dues** (2009 to present):

	Unit	Owner	Foreclosure Date	Funds Lost	Comments/Information:
1	318	Mary Green	7/7/09	1,617	Deceased 10/27/07. 7 months @ \$210 = \$1,617 including late fees. Fees paid thru 11/2008 by estate; probate estate case # 209098; executor- Sharon Scott; lender – Wells Fargo. Re-sold to Adriana Hernandez (678-591-7066).
2	511	Manual Rodriguez	7/9/09	924	Sold 11/19/09. New owner is Allen Hankins.
3	101	Diane Smith	6/1/10	none	Sold 6/16/11. New owner is Pringle Johnson.
4	206	Steve Randall Craig	3/2010	348	Sold back to Chase Home Finance for \$65,034.75. As of 3/8/10, lost \$348. Received \$1,907. Re-sold on 10/5/10 to Rick Richardt. (Realtor David Barnes, 770-984-0000).
5	406	Heidi Hancock	6/1/10	4,920	Received warranty deed from Jana and it is recorded. Chase Home Mortgage and Federal National Mortgage. Unit has now sold.
6	418	Geraldine Barrow	5/3/11	3,102	Marilyn Micelli (daughter). Working Solutions re- sent foreclosure warning of suit letter to the daughter's address at 4478 Orchard Trace, Roswell, GA 30076, (770-619-1725). Balance was \$ 2,376 through April 2011 (waived). Received new deed, Federal National Mortgage. Unit closed August 22, 2011.
7	316	Sarah Grannis	n/a	none	Deceased Feb/March 2010. Unit re-sold 7/7/2010.
8	217	Nancy Hachez	1/5/10	1,617	New deed filed 1/27/10 by mortgage holder. We received \$1,914 (Jan-Aug 2010).Unit re-sold.
9	305	Christopher Lawatsch	TBD	3,334 11,660	Filed chap 7/has been discharged, awaiting foreclosure. Amount we lost calculated after Bankruptcy is \$3,344. \$11,660 through October 2014.
10	315	Jessica Czekala	8/2/11	242	Foreclosed on 8/2/11. Unit has now re-sold.
11	205	Yigya Aba	10/1/13	2,150	Unit foreclosed 10/1/13 & was re-sold Feb 2014. We should be collecting these funds through lawsuit.

site address is 2911 Windrose Drive, Marietta, GA 30062. Steve gave his tenant 60 days notice & he moved out 8/1/2011. Steven moved back in, no longer a rental unit.

- ii. Unit #405 (John & Anna Miller): Original hardship approved in 2011 for one year. Hardship *re-approved* January 2012 for one (1) year firm, no additional extensions granted. Lease expires 3/31/13. Tenant is Zelda "Yogi" Blackmon. Board denied request for extension on lease & owner was notified. Tenant moved out. Anna's mother has moved back into the unit.
- iii. Unit #102 (William Stahl & Rebecca Daniels): Her second request was denied and she was notified of this decision back in 2009. Her third request was approved on 2/13/12. Approved for one year and lease must be executed within 6 months of approval date of 2/13/12. Owner rented the unit August 13, 2012 to Preston Houton. Due to the over weight dog issue, this rental was terminated as the tenant did not want to get rid of his dog & informed Association he was unaware of pet restriction. Renter moved out December 1, 2012. Unit is now empty & for sale.
- iv. Unit #401 (Jean White) – Update: Unit is now for sale and under contract. It has not sold yet. Original hardship request approved at February 11th 2013 Board meeting (for 1 year & has 90 days to execute the lease). She relocated to North Carolina to care for ailing father. Realtor friend would screen the renters and manage the unit. She was granted an extension until August 15, 2013 due to water issue that was discovered in her unit & repairs that were needed that impeded her ability to rent unit within 90 day requirement. She was also emailed that her 3 year lease/hardship request was denied. Board only approves hardship for a maximum of one year. The Board granted another extension until December 9th 2013. Hardship approval has now expired & she will need to resubmit request. Unit is for sale as of Jan 2014. **UNIT SOLD IN 2014.**

b) Denied Requests:

- i. Unit #102, Rebecca Daniels, her second request was denied and she was notified of this decision back in 2009. Her third request was approved in March 2012. See above.
- ii. Unit #322: Tracy Granesh was denied her hardship request. Her unit has now sold (owner financed sale but it was a legal re-sale)
- iii. Unit #205, Yigya Aba, Unit #205 (Yigya Aba) requested hardship in 2011 and Board denied this request. Unit was occupied with a potentially illegal renter. Unit sold January 2014,
- iv. Unit #423, Robert Shultz, requested a Hardship in March 2012. The Board denied this request. Gerri emailed the Attorney comments to Robert to give him the reason for not being granted the Hardship.
- v. Unit #112 (Sarah) – Board denied request in early 2014 & Gerri sent letter as instructed. Owner has sold her unit.