

SVHOA Board of Directors Meeting Minutes

Tuesday, February 13, 2024, 7:30 PM, via Zoom

Present:

Kevin Kelly, President
Sam Benen, Treasurer
Suzanne Lyman, Secretary
Kim Van Horn
Michelle Johnson, Property Manager
Tara Lacara

We have a quorum. Kevin went through the items on the agenda. The agenda for the meeting was approved unanimously.

Open comments:

Kim commented that Sam's report at the AGM was excellent and she was surprised there were no comments about the GPLB. She noted that the ARB lost two members including the president and gained one which brings their total to four, and the ARB must function with five members. She has not been able to get in touch with one member, so he is not included in the four. After next month there will only be four members. Kim suggested recruiting Bob Murden.

Michelle will add Kim's name to the ARB committee roster and will also add Suzanne and Rodger to the sustainability committee roster. There was a unanimous vote for the appointments to the committees.

Election of officers: There was a unanimous vote to keep everyone in the same roles that they held in 2023.

Subsequent board meeting schedules were decided and unanimously approved:

March 12, 2024 at 10:30 AM
May 7, 2024 at 10:30 AM
September 10, 2024 at 10:30 AM
November 12, 2024 at 10:30 AM

Parks:

Suzanne brought up a query from a homeowner about adding solar lights to the gathering shelter and also adding some cushions for the benches but noted that we might not have the funds at this time. Kevin stated that at this time we cannot assign any more money to the parks. Suzanne let the board know that she took a walk with Susana Darcy to look at the recently

planted plant beds near the corner parks and near the pond by Scroggs. She noted that it might be too early in the season to determine if some plants will grow and that she and Susana will return in April. Ruppert replaced some plants near Scroggs and Suzanne asked Michelle to check if any of the plants were still under warranty. Suzanne queried whether some of the plants may have been too fragile for the particular area. The consensus was that we need to stop park expenditures for a while. Kevin said we are happy to reconsider these plantings after the pond repairs are completed.

Treasurer:

The Reserve study was posted in Appfolio. Each townhome can see their own budget while the operating budget is shared. Kim wanted to know when the 2023 budget will be completed. Sam is working with Tara and said it was really close to being completed and that there are some difficulties with the Appfolio software. There was considerable discussion about the separation of the respective sub-association, ie. the 4 different townhome groups and whether there are restrictions on the sub funds. Tara would like to know from an attorney if there are restricted funds. Rodger suggested transparency. Every month every bank statement should be posted. Sam is concerned about the ambiguity of what is going on. There is one account. The practice is that we are going to continue with one account. SVHOA files one tax return per year, but Rodger said that Mr. Murden of Highgrove pays monthly dues and that should be in a separate account. Sam disagreed. Sam said we have to get to the bottom of this and change it. Tara would like for a lawyer to confirm there are not restrictions on the comingling of funds. Sam wants to get to the bottom of this. Rodger wanted to know if we are comingling funds and should they be separate. Kevin said keeping a single tax ID is simple. Kevin is happy to do the legal work to make sure there is no problem with comingling funds.

Sam mentioned that Vicky emailed him about a charge of \$400 she received for terminating her lawncare company in order to go with a company that uses electric leaf blowers. It was agreed that the board cannot do anything about that.

GPLB:

During the course of the GPLB discussion, Rodger stated that he drafted a contract for Mr. Flores which he had Mr. Flores sign. Suzanne pointed out that Rodger neither brought the contract draft to the contracts committee, nor the board, nor Michelle, but rather acted on his own. Mr. Flores is under the impression that SV is offering this contract. Suzanne stated that this was all wrong. The contract is not valid until signed by Mill House. Rodger said either countersign Mr. Flores' contract or don't. Sam said we need to put something in place where a resident of our community cannot just go willy nilly and talk to our contractors and present them with a contract. It is not a great practice going forward.

There was some discussion about how many yes votes we have amongst the 12 sub-associations for approval of the amendment. Kevin is in favor of the amendment however he is not in favor of the "nuclear option", ie, weighted voting. Sam is confident in this approach since

we are giving HOAs that didn't vote in favor of the amendment an opt-out. Suzanne pointed out that Mr. Edlin saw no difference between getting the 75% of sub-associations to agree to the ban and weighted voting. Sam said we have a legal opinion to support this approach. Rodger stated that now that we have the opt-out, D.R. Bryan is comfortable with the amendment and will most likely sign it.

We did not get the 9 yesses out of the 12 sub-associations. There was a unanimous vote to approve the revised amendment. The revision allows any sub-association that didn't vote to approve the amendment to opt out of the ban on gas-powered leaf blowers.

There was also a vote to use weighted voting to approve the amendment. There were 3 in favor and 1 abstention. Suzanne will work with the attorney to have the amendment and certification document drafted and signed by D.R. Bryan. Mr. Edlin would then record the amendment with Orange County.

Ponds:

Suzanne outlined the need to hire an engineer to oversee the replacement of the pipe in pond 3, dredging of pond 3 and dredging of pond 4. Ian Peterson was recommended by Tim Grady of G2 Designs and Brian King was recommended by Ernest of the Town of Chapel Hill. Suzanne had already talked to Ian and will talk to Brian. Kevin wanted to confirm that this is a role not provided by the contractor. He is not opposed to the engineer hire. Suzanne said the engineer is primarily needed for the pipe replacement. Kevin had some concerns about whether the engineer might cause the contractor to increase the cost substantially if the engineer wanted the contractor to do something differently. Ian would charge \$210/hour with a "not to exceed" clause of \$7000. Kim preferred Brian because he was recommended by Ernest, however it was decided to let Suzanne choose the engineer and get back to the board after talking to Brian. Suzanne mentioned that Triangle Pond is proposing both the replacement of the pipe in pond 3 and the dredging of pond 3 (the dredging isn't scheduled until 2025). Foster Lake and Pond would dredge pond 4 for \$15,000. Kim wanted to know if the projects could be split up: Triangle pond doing the pipe and dredging in pond 3 and Foster doing the dredging of pond 4. She was in favor of this. There were 3 votes in favor of Tringle pond for the repair of pond 3 and Foster Lake and Pond for the dredging of pond 4. Sam abstained. Michelle will go ahead and sign the contract for Triangle Pond and Suzanne asked her to wait on the dredging of pond 4 in order to get Ian's opinion of Foster Lake and Pond's work.

Pond maintenance and mowing: We have 3 proposals: Dragonfly, Triangle Pond and Foster Lake and Pond and Michelle said that are all about \$13,000/year. Suzanne made some comparisons and noted that one company mowed 8 times/year and another mowed 5 times/year. Also, one company treated for algae, but Kevin said that with aeration, algae wasn't much of a problem. Kim thought we could get our engineer to go out 3 times/year and inspect our ponds to make sure the maintenance was being done properly. Kim noted that if you look at past inspections, Dragonfly said this was coming (the major pond repairs). She also said we need someone to look over the ponds 3 or 4 times/year and give feedback, and it would probably be the

engineer. Suzanne said that the 3 maintenance proposals included maintenance, mowing and an annual inspection and Kim said that hasn't worked in the past. Kim wants to separate annual pond inspection from annual maintenance and mowing, that is have an inspector from a different company than the one doing the maintenance and mowing. We need someone in charge of ponds. Suzanne will look into that. Michelle said the ponds are aging.