

Meeting Minutes Dec. 2023

Persons In Attendance – Board Members: Gretchen Bobst, Denis Mingallon (on phone), Joe Harwood, Kevin Buck, Seth Rector
HOA Members:

Old Business

Common area flooding on Dartmouth/Norfolk – Ongoing issue. *Joe said that the trench that he and his neighbor dug is currently helping but is not a permanent fix.*

Property Liens for Delinquent Dues – Ongoing issue. *Contacted Jeff Heck for information.*

Mowing – Mowing has finished for the year. The board decided to offer Meadows Lawn Care the mowing contract for next year, as he quoted that he would do it for the same price as this year, and the board does not expect costs to decrease. Total paid in mowing was approximately \$11,040.00 due to increase in fuel and labor costs.

Heard from a couple of homeowners that mowing was not happening near their homes, however, we were not told until after mowing had concluded for the year – 168 Otterbein, 35 Cambridge Court (where moving the fence off of common area and back onto homeowner's property was made a condition of the sale of the property). Gretchen will make sure that Dan Meadows knows about these areas.

Meadows Lawn Care was contacted and notified of the awarding of the contract by Gretchen in December 2023. Dan said that he would like to meet in-person closer to the start of the 2024 mowing season to discuss problem areas. Gretchen texted him about the March 12th meeting, in case he wanted to attend.

Common Area Tree Maintenance - No further word from Dan Meadows on downed tree near Steam Corners that someone is cutting up as to whether it is in the way of the mowers or not. Not entirely sure that it is the HOA's tree/responsibility.

A request of cleanup of dead trees and limbs behind 83 Otterbein was mentioned in fence & shed survey. *Costs for tree maintenance in 2023 were \$2,700.00. Please contact the HOA if you have a tree from the common area that is threatening life and property.*

New Business

Financial - Checking Account as of 9/12/23: \$3,824.25

Savings Account as of 9/12/23: \$8,987.48

Bills Paid since the last meeting:

Bank Statement Charges \$28.00

Mowing from 9/6/23 – 10/21/23 \$2,400.00

HOA 2023 Dues – Collection of past due dues is ongoing. *Jeff Heck will be contacted for assistance.*

Fence/Shed survey notification – Had 41 respondents to the 2023 Fence & Shed survey – 27 pro-fence, 14 anti-fence, 36 pro-shed, 5 anti-shed. Main concerns were upkeep and aesthetics of fencing and sheds, several mentioned having HOA board create fence/shed regulations to guide homeowners who would like those things. *This would be approx. 30% of the HOA membership who participated in the survey this time, which is less than the 40% that participated in the survey last year. The restrictiveness of the current fencing covenants has caused some sales of homes in the HOA area to fall through when the party interested in buying the property finds out that they are not able to put up an above-ground fence unless it is being used to secure a swimming pool.*

Wish List for HOA Covenant Modifications:

We need to start thinking of what we'd like to try to get changed in covenants. If Gretchen is interpreting the covenants correctly, the meetings to vote on these things need to be held at least one year in advance of the covenants' renewal date of June 1, 2025 (so between now and June 1, 2024). Members have expressed a wish

for a simplified voting process for modifying covenants, amendments that could potentially allow above-ground fences and storage sheds (and guidelines for both as to what are/are not permissible structures).

Gretchen has talked to several homeowners who have had questions regarding amendment of the fence or shed covenants to help them understand the challenges the board faces in getting ANY changes made (namely, participation from enough homeowners in the HOA to determine need for change (completing the fence/shed survey) or in the voting process itself. We cannot change the voting percentages needed to modify those covenants unless we get sufficient participation. Gretchen believes that it is currently 75% voting participation until June 1, 2024, otherwise it is 90% voting participation from a total of 134 homes needed to amend these particular covenants. *Would like to get this part of the covenants (Article IX, Sections 1 & 3) looked at by Jeff Heck to make sure we are understanding it correctly, as the legal language is somewhat convoluted.*

Tree Removal - Denis noticed that a tree company using large red trucks were removing a large number of trees and cutting branches for nearly a week at the end of November/beginning of December, possibly in the HOA common area between Berkshire and Steam Corners Road. *HOA was not contacted regarding this, but the logging may not have been on our property. The Village of Lexington was contacted to see if they have information on this.*

Additional method of voting – The Board unanimously approved adding an electronic method of voting to try to increase homeowner participation in HOA decisions. The electronic method is **in addition** to the in-person and mailed ballot methods outlined in the covenants. The property address will be required in order to ensure that only one vote is counted per address.

Next HOA Meeting should be ***Tuesday March 12, 2024 at the Lex Senior Center, 7:00PM.***