

## SQHOA meeting: Minutes of November 1, 2017

In attendance: Brenda J. Majdalani, Lola Torres, Wesley Thomas, Nicole Reece, John Walczak, Linda Bloomquist, LaTasha McDonald, Kevin Graber, Mike Nowak.

Meeting called to Order at 7:02 p.m.

- I. **DR Violations Report:** Erin's DR violation report was circulated among those present. People are responding to the HOA's request for repairs.

Kevin Graber asked about the status of the white vinyl fence at 7630 Long View. He believes that item should be removed from the list, since the fence issue has been resolved.

Nicole Reece reported that she is looking into the possibility of obtaining and using automated software for DR reporting. The software will take a picture of the violation, it can be uploaded into a report. Violations are then captured and would create a database that the HOA can use to document a problem and can be used to monitor progress on resolving that issue. Such a system can be used to monitor progress of enforcement and would enable the Board to monitor how well Erin is doing in regard to reporting DR violations. It was also noted that some of the old violations, since remedied, have not been removed from the DR list.

Nicole would like to explore this software as an option for 2018. She noted that the program runs on a tablet or Iphone. It would also make it hard for a homeowner to refute a reported problem.

Board members expressed interest but had concerns about what the cost of such a program would be and whether the benefits of such a system would justify the cost.

- II. **Homeowners Forum:** None present.
- III. **Secretary's Report:** Outgoing Secretary Lola Torres reported that the minutes from the October meeting had been circulated to the Board members.

Motion to approve the Oct. minutes: Mike Nowak.

2<sup>nd</sup>: Nicole Reece.

All in favor, none opposed.

- IV. **Treasurer's Report:** Nicole Reece reported that there was no income for the month of October. Total expense was \$6, 279.40. \$2,401.77 of that was for sewer & water. The electric bill was \$867.95. The electric is higher this month than it has been since the fountain pump is now running again.

The Board expressed that one goal is to have a budget spreadsheet made available for the next meeting with the 2018 SQHOA budget.

President John Walczak suggested that members of the board look for items that should be included in the 2018 budget. John requested that members email him and Nicole of any such items. John wants to be able to go over the budget figures at the next meeting.

John also stated that the board should specifically look at the landscaping budget and consider adding Landscape Improvements as a line item in the landscaping budget. This would be a separate item from maintenance.

The main islands (Stone Quarry entrance) have tall grasses growing up which obstruct the view of traffic. These need adjusting /trimming at a minimum. The Board will consider replacing them in the future.

Kevin Graber expressed concern that the split rail fencing at the entrance is ageing and will need replaced sometime in the future.

Nicole Reece added that the 2018 budget should include an item for the annual picnic.

John Walczak stated that the board should focus on keeping the cost of picnic down- perhaps by not supplying alcohol to what is a family event. He added that the alcohol could also be a potential liability issue for the Board. John asked if Nicole could get a budget figure for the picnic that can be used in the 2018 budget. Nicole reported that the biggest expense is obtaining the tents, chairs and food. The food runs about \$9.95 per person. RSVPs average about 150 people. Nicole said that it hard to get accurate numbers due to no shows, the number of people who attend with children etc.

The October financial report, as circulated, was approved.

Motion to approve: Mike Nowak 2d: Nicole Reece. All in favor, none opposed.

**Delinquencies:** Delinquencies total \$8800. The delinquencies involve the same lots that have been reported for 2017. John Walczak noted that the Erdmann family moved, yet they are still on the Delinquency list.

Kevin Graber suggested that someone check the delinquency list against a list of homes sold or for sale so that the HOA can make sure that the appropriate lien paperwork has been filed on those properties.

7960 Quarry- has a line item for back dues. Notice was mailed to the trustee- Louisville Title back at the beginning of 2017.

Nicole reported that Todd Mitchell bought the lot next to 7960 Quarry. Mr. Mitchell has been in contact with Louisville about the condition of the lot. Louisville stated that they are considering withdrawing as trustee.

John Walczak suggested the Board consider foreclosing on the lot and forcing its sale. This would probably involve legal expenses, but ones which could be recouped on the sale.

**V. Architectural Report:** Ben Krasner was absent- no report.

Kevin Graber and John Walczak expressed some concern about homeowners that were not keeping up their properties, untimely grass cutting & trimming, lack of edging around sidewalks.

Board members noted with approval that the house on the corner of Back Bay and Quarry which previously lacked landscaping prior to its sale, now has added exterior lighting this year.

Nicole Reece stated that this is an area where the enforcement software program would help- it would help document a problem exists. John Walczak expressed concern that homeowners would be upset if these pictures and information were publicly posted. This problem arose and resulted in the resignation of a past SQHOA President.

Brenda Majdalani suggested that any pictures and enforcement information not be made public and kept for use of the Board only.

Lola inquired about the status of the approval of the project at 2845 Quarry where the owner was going to extend his property line out towards the pond to repair erosion to his lot. Ben was going to follow up on what would be done.

**VI. Welcome Committee:** LaTasha reported that no Welcome baskets were distributed this month.

**VII. Grounds:** Lola Torres and Mike Nowak reported that the sprinkler lines have been blown out in the front and in the park. The fountains have been removed and winterized. Renovating the front entrance has been put on hold. The contract with ProEdge is current through December 1<sup>st</sup>.

Brenda Majdalani reported that the lights are not working on the Quarry sign at the main entrance. ~~Lola called but received no response.~~ Mike Nowak will call Ed and get someone out to repair the lights.

Lola asked John Pogee to get her the serial numbers from the repaired fountain to see if there is an extended warranty that the Board can purchase. The spare parts that Aqua Ponds had were given to Mike Nowak and he will put them in the Guard House for now. He will get those to John Pogee.

John Walczak would like to set up regular meetings with Mr. Pogee about the pond maintenance. We need a 5 year plan. The water report came back. Mike Nowak suggested we invite Mr. Pogee to address the Board at a meeting after 6 months. John Walczak and LaTasha suggested that the Board put Mr. Pogee and a Pond Report as a regular agenda item. Lola Torres reported that Mr. Pogee will borrow her paddle boat to inspect the pond every week or so.

**VIII. Old Business:** The Board is waiting to hear back from Louisville about the status of the past due SQHOA dues on 7960 Quarry Rd. The Board discussed the possibility of using a foreclosure as a way of forcing the owner and/or Louisville Title to resolve the matter- there is about \$6000 owed there. John Walczak will touch base with attorney Paul Radon about the foreclosure process.

**The Gully between 7910 and 7930 Quarry:** There was to be a conference call with HOA members and Lucas county officials- that did not happen. John Walczak discussed this issue with Attorney Radon- who suggested that it would be in everyone's interests to come to a compromise solution.

John discussed the history of how this problem developed with Cavalear Realty as the former developer. In order to research the possible extent to the HOA's liability for the gully problem, the Board would be charged \$250 /hr with no guarantee of how much or how long the research/investigation would cost. The Board has previously agreed the fountain wires which contact the current pipe are a potential problem that the Board needs to address.

The Board still needs an estimate from an electrician on the cost of insulating and burying those wires. Attorney Radon informed John that this issue could drag on 2 years or more and the Board would have to seek a Declaratory Judgment in order to have its responsibilities, if any defined. That could cost thousands of dollars to pursue.

To that end John proposed the following as a start to a written negotiated settlement:

## **Proposed Motion to Address**

### **Salisbury Quarry Storm Drainage System Issue at 7930 Quarry**

I Propose SQHOA agree to a settlement agreement with Rahil and Rawan Kasmani 7910 Quarry Rd Maumee, Ohio 43537 and Maria (Lola) Torres, 7930 Quarry Rd, Maumee, OH 43537 regarding the Salisbury Quarry Storm Drainage System Issue at 7910 and 7930 Quarry Rd.

The SQHOA will accept the donation of services of T&L Home Repair to correct the Storm Drainage System Issue at 7910 and 7930 Quarry Rd. per Lucas County Engineering requirements and approval.

T&L will act as project manager to correct the storm drainage system, (at no charge to SQHOA) by scheduling all services by vendors and suppliers as needed to accomplish the job and will comply with Lucas County Engineering permit requirements. Lucas County Engineering will oversee the project approving the permit work.

T&L will do the following:

- Submit all costs of permits required and any vendor and supplier invoices to the HOA Treasurer for payment without adding cost or margin to the SQHOA.
- Complete the electrical hazard and safety defect repair at the Gully to current code requirements, by using a vendor that is a certified electrician.
- Purchase culvert pipe from supplier.
- Find a supplier to haul fill dirt to fill the Gully, once the culvert pipe is put in place.
- Will provide all topsoil and seeding required without expense to the SQHOA.
- Total cost of all work to satisfy the Salisbury Quarry Storm Drainage System Issue at 7910 and 7930 Quarry Rd. per Lucas County Engineering requirements is not to exceed \$9,500.00. With the exception of any unforeseen hidden costs that could arise. If that were to occur, it will be reviewed by the parties for further action.

This will satisfy the request to address the gully issues and comply to Lucas County Engineering specifications.

The Motion was discussed by the Board. Kevin Graber recalled that the Board had previously discussed a compromise but was awaiting a revised quote from T & L. Lola stated that T & L is Talmadge's business and not hers. She stated that his previous estimate did include all the needed electrical work.

Linda Bloomquist expressed concern about the lack of homeowner contribution to this project.

Brenda Majdalani stated that in Ohio all contracts, to be valid require a "give and take" between the parties, known to the legal community as "consideration" or "Quid pro Quo." She suggested modifying the proposal to add a release of liability (as to the HOA) by the homeowner in return for the HOA funding the project.

Lola Torres expressed concern that a written settlement could be construed as creating homeowner liability in the future. She suggested that any proposed settlement would have to involve the owners of 7910 Quarry.

Mike Nowak stated that 2 months ago, the Board had discussed splitting the cost with the homeowner(s) affected. The HOA would back fill in the pipe after extension, now that cost has risen to \$9500. Given that the other estimates are \$11,000 and \$14,000 without the needed electrical work, Mike moved that the Board proceed with negotiating the terms of a settlement, agreeable to both affected homeowners.

Mike Nowak moved that the Board have attorney Radon draft a proposed settlement agreement. 2d- Nicole Reece. All in favor, none opposed.

Kevin Graber submitted his written resignation as Trustee, citing increasing work travel requirements. The Board thanks him for his service. His resignation was accepted. John Walczak nominated LaTasha McDonald as trustee.

2d- Brenda Majdalani. All in favor, none opposed. The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Brenda J. Majdalani