

**Forster Woods Homeowners Association
(FWHOA)**

Annual Meeting Minutes

June 28, 2018

- Owners in attendance = 29
 - Via proxy 36
 - Total participation = 65
- Meeting called to order at 6:05 PM
- Board Member, Jason Gram, present
 - Bill Stovall has volunteered to serve another term, but is out of town on business so could not attend the meeting.
 - Board member Jean Hoedl resigned. Matt McHugh has been appointed to the remainder of Jean Jean's position, but he is ill and cannot attend the meeting.
- FWHOA Manager Dennis Howard present
- FWHOA Attorney Greg Cromwell present

- 2017 Annual Meeting Minutes were approved as submitted

- Treasurer's Report showed a balance thru May 2018 of \$11,383.29 in the operating account. The reserve account had a balance of \$14,021.22.

- The 2017 budget was reviewed and explained. The line item for other landscaping was exceeded due to many fallen or diseased trees requiring attention. The reserve account balance needs to be increased.

- The 2018 Budget was discussed reflecting expenditures to date through May 2018. The reserve account balance is beginning to increase. A budget goal for 2019 should be continued contributions to the reserve account. This will allow future reserve study expenditures without expending budgeted operation account funds.

- The FWHOA website has been redesigned. Owners were encouraged to use the website to view current events on various topics and participate in community communication. Due to security and privacy concerns owners are asked to register at www.fwhoa.com for access to financial information. This site is public so the Board, upon advice of Attorney Cromwell, has determined the FWHOA financial information should be limited only to owner access.
- Activities Committee discussed the egg hunt and picnic. Due to budget constraints the expenditures for these items are less than in previous years. The owners in attendance indicated interest in continuing these activities. Additional volunteers were requested to work with current committee members to keep these activities viable.
- Welcome Committee activities were discussed by chair Brett Kobes along with Lauren Kobes. The committee is considering altering the committee gifts to new owners. More will be discussed on this at the 2019 meeting.
- The Reserve Study, the annual review of reserve item expenses by an independent reserve study company (Association Reserves), was discussed. The annual study recommends expenditures on various items such as fence repairs, bridge refurbishment, new mailboxes, etc. Due to budget constraints no reserve items were accomplished this year. There are no immediate major reserve projects planned for this year or 2019. It is necessary to replenish funding for the reserve account to allow for future reserve project funding. A suggestion was made to levy a special assessment to replenish the reserve account.
- Suggestions were made about questioning the need for the lower park and whether it should be retained as a park. Not keeping this area as a “people” park would save money in the budget. Perhaps this could become a dog park. Most owners thought the park should be retained in its present form. It was also suggested the play equipment be power washed to remove moss, etc., and the bridge surface be somehow made less slippery. The placement

of a sign at the lower park would be helpful in enforcing park rules. These items will be addressed by the Board.

- It was suggested the mailboxes be cleaned, and the entry sign be refurbished. The Board will also address these items.
- The HOA attorney reviewed the status of the City's position on the City addressing the maintenance of sidewalks and street trees damaging sidewalks in FWHOA. The City is still maintaining it has no responsibility for these matters despite a 1992 Bill of Sale agreement between the developer of Forster Woods and the City whereby the City agreed to maintain the sidewalks and street trees within Forster Woods. The City contends a City Ordinance enacted in 2009 negates the effectiveness of the referenced Bill of Sale because this ordinance requires the HOA to maintain the sidewalks and street trees within the HOA. The HOA attorney indicates an ordinance cannot retroactively alter the effectiveness of a Bill of Sale and the City is indeed responsible for such maintenance. The HOA has six years from the time the HOA became aware of the City's position on these maintenance matters to challenge the City on their position or the HOA assumes responsibility for this maintenance. The six years expires in June of 2022.
- Many owners indicated irritation at the position of the City on these matters. The attorney indicated were the HOA to address repairs to the sidewalks and trees the HOA would be assuming liability for all maintenance of the sidewalks and trees, thus relieving the City of its responsibility for such maintenance.
- The status of the engineering report on the condition of the detention ponds and any recommended repairs and remediation was discussed:
 - HOA owns the ponds;
 - The history of ownership was discussed. At one time the City had ownership and the HOA agreed to take ownership; (this was during the time the developer controlled the HOA);
 - Some owners suggested the ponds are fine and should be left alone;

- Some owners suggested engineering recommendations, when completed, should be studied to determine if anything should be done to make the ponds as safe as possible, thus making the HOA more proactive in mitigating any potential future liability by performing due diligence maintenance on the ponds, demonstrating responsible actions by the HOA;
 - It was pointed out the HOA has already received a preliminary report and the City (the work permit authority) has reviewed and proposed changes to the preliminary engineering report and has asked for more detailed information from the engineer;
 - Several suggested courses of action revolved around completing the engineering report and not sharing the results with the City as it was felt there is no obligation to share this report with the City;
 - A motion was made and seconded to not share the final engineering report with the City. A motion was made and seconded to do nothing further on the ponds (except to perhaps do enough so they were brought back into a condition that complies with the Codes existing at the time they were built, in order to minimize risk of liability). The motions passed unanimously.
 - It was suggested the ponds be cleaned twice a year to minimize plant growth on the banks and as much as possible in the pond water. Another vendor will be consulted to compare costs and services the HOA currently receives in its annual detention pond maintenance.
 - One owner, Russ Lea, who is experienced in stream remediation and detention ponds, suggested the engineering reports be studied carefully to ascertain if any work is indeed needed for the ponds.
- Election of a Board of Director position. Bill Stovall's position as secretary is due for election. He agreed to serve another term. There were no additional nominees. Bill was unanimously re-elected to a three-year term.
 - Meeting adjourned at 8:03 PM