

**COURTYARDS AT JETTON**  
MINUTES FROM  
THE BOARD OF DIRECTORS MEETING  
DECEMBER 21, 2018

The meeting was called to order at 8:55am at Tom Studer's house. In attendance were Tom Studer, Chris Ashworth, Deke Schroeder, Patrice Winovich and Dennis Brophy. Jill Savona from Henderson Properties also attended.

**Election of Officers** for 2019 were held with the following results:

President	Tom Studer
Vice President	Dennis Brophy
Secretary	Deke Schroeder
Treasurer	Patrice Winovich

Tom Studer ask all board members to read the CC&R's and ByLaws before the next meeting to be more familiar with them. He also asks us to reach out to other Epcon Communities, (Best Practices) to determine how the communities are handling Epcon turning over to the respective boards.

Tom ask Henderson Properties to have our HOA attorney review the CC&R's Article VII, section 7.2.(g) and provide an interpretation of the HOA responsibility regarding the word 'repair' in that section relating to the exterior maintenance of the units.

Minutes of the Annual HOA Homeowners meeting held on Dec. 11 were reviewed, amended and approved from the last meeting.

### **Roofing Issues**

As part of our future budget expenses and to determine if the HOA should repair the roofs in reference to "possible" improper installation of roof boots; it was decided that Dennis Brophy and Patrice Winovich should form a committee to finalize this matter. We need to consider roof depreciation for any future losses. Patrice feels we should hire a special roof consult to determine what is really going on with the roofs versus hiring another roofer for a second quote. She referenced RCI - Roof Consultants Institute - the Institute of Roofing, Waterproofing and Building Envelope Professionals). This organization is a very highly specialized group of roofers that are considered the experts of experts. Their website is [www.rci-ontariochapter.ca](http://www.rci-ontariochapter.ca) Dennis and the Board agreed with this approach. Dennis suggested we can just have them spot check 5 roofs starting with the roofs that have been identified as having the most "potential" damage. Patrice suggested that when it comes to experts and consultants, we should put a pre-

determined amount on these expenses so we can make sure they don't become run away budget items. A motion was brought up to budget \$300.00 for Dennis Brophy and Patrice Winovich to spot check the roofs. Motion passed.

## **2019 Budget**

We had a lengthy discussion about the proposed budget and went item by item on expenses that have already been incurred. We need to also consider the potential for even more expenses that we have not accounted for and could be incurred due to some large projected expenses. These items include the roofs, the capital reserve fund, the irrigation system and the sewers.

We have a shortfall to make up for and Patrice suggested that we perhaps have a special assessment rather than raising the monthly dues. If we want to consider a special assessment, we would need to call a special meeting within 30 days and notify homeowners of the special meeting. We will need 2/3 of the community to vote yes on a special assessment for it to pass. The increase is needed to cover our 2018 overage and prepare for projected 2019 expenses.

## **Special Motion**

Tom made a motion to call a special meeting and to vote on a revised budget for 2019. The motion read as follows:

Proposal A will ask the community to vote and keep the monthly HOA dues at the current \$295.00 and collect a special assessment of \$354.00 on each homeowner to fully fund the proposed budget.

OR

Proposal B - if Proposal A is not adopted, then the members of the community will be asked to vote on a Proposal to raise the current monthly HOA dues by 10% as outlined in our by-laws. This means we would increase the monthly dues from \$295.00 per month to \$324.50. Proposal B budget shall be deemed ratified unless rejected at the meeting by Owners of at least 90% of the total number of Lots subject to the Declaration.

Tom said he would agree to this if Patrice conducted the presentation. Patrice accepted the challenge to conduct the presentation to homeowners at the special meeting.

Jill Savona will double check the by-laws as to how we need to conduct the meeting; proxies will need to be drafted. Patrice asked that the proxies not have the legalese language at the top, but rather on the bottom of the proxy. The previous proxies were confusing to some homeowners and they did not know what they were voting for.

Chris Ashworth will check the availability of the community room at the Chamber of Commerce. Once he secures the dates, he will let us know so we can schedule the special meeting in a timely manner.

## **Sewers**

Tom asked Denis and Chris to get together and determine what needs to be scoped on the sewer/drainage issue. Chris will reach out to Tyler Beardsley with the Town of Cornelius. Dennis and Chris had a discussion about the necessity for a partial or full scoping of the sewers. We need to know exactly what we are dealing with so we can determine who is responsible. Is it construction debris or something else?

## **Questions about Epcon turnover**

Epcon turn over. Patrice raised the question as to why Epcon was allowed to just deed the community to us without a proper walk through and Chris agreed. Patrice feels we need to have an attorney send a letter to Epcon telling them we have rights and we are looking into what problems we may still have outstanding with the builder that have not been addressed. This simply protects the community's rights to pursue any future legal action against Epcon.

There was a suggestion made that maybe we need to have a legal committee with Patrice on it. This would be a way to cap our future legal expenses. We will discuss it at a future meeting.

Chris Ashworth made a suggestion to have Jill Savona, Henderson Properties, look into the possibility of having their legal department conduct a reserve fund study. We will discuss further at a future meeting.

Meeting was adjourned at 11:49