

RIVENDELL TOWNHOME ASSOCIATION

Meeting Minutes

A) Roll Call:

A meeting of the Rivendell Townhome Association was held at 6:00 pm May 16, 2017 at 2339 Rivendell Lane. It was acknowledged that a quorum was present and it is so noted for the records. Board members present were Raymond Moss III, James Moore, Jackie Barker and Scott Saylor.

B) Acceptance of previous years minutes:

There was no reading of the 2015 meeting minutes, as owner participation in 2015 did not represent a quorum.

C) Presidents Message:

The President (Raymond Moss) briefly discussed the status of the Association and the various plans and issues to be discussed during the committee reports and new business session.

D) Treasurer's report:

The Treasurer (James Moore) discussed the financial condition of the Association through 2016 and distributed a proposed 2017 budget for approval. After limited discussion a motion was made and seconded to accept the 2017 budget, as proposed by the Board.

E) Committee Reports:

- 1) **Architectural Review Committee** -- After some discussion regarding the grounds committee reports and the general appearance of the community the following decisions were made:
 - a) **Storm doors** - The ARC reported that a decision had been made and approved by the Board to allow the "Anderson contemporary deluxe" storm door in sandstone to be the standard approved door for all homes in Rivendell.
 - b) **Mailboxes** -- Due to the condition of current mailboxes the Board approved the request that the HOA begin replacing all existing mailboxes consistent with the type and style being used in the new home section of Rivendell.
 - c) **Landscape and Grounds** --
 - i) It was confirmed by the Board that a decision had been made to replace Metro Lawn care with the Lawn Commander firm, since the new firm was willing to provide hand mowing services, as needed at a cost 50% less than metro. The new firm was in place and added services requested had begun with the expectations that improvements would be visible by the end of summer.
 - ii) The replacement of the dead trees at the entrance of the community was also discussed at length and it was decided that the dead trees would be replaced with grasses & holly trees to be installed the first week in July.
 - iii) There was a lengthy discussion about homeowner front yard improvements (flower beds, trees, shrubs & landscapes) beyond what was originally established for the community. A consensus was not reached except to state that all additions to the front building exterior and yard will require

approval by the Architectural Review Board. It was determined that replacement of dead materials should be with the same materials unless something similar would be more suitable for the soil, sunlight or other conditions that would enhance successful recovery.

- iv) **Flags & Yard ornamentations-** The temporary display of seasonal ornamentations would be permissible for appropriate holiday periods only. Also, it was agreed that the American Flag could fly at anytime.
 - v) **Garage doors-** It was determined that homeowners will be encouraged to use garage space for automobiles and not as storage units, to minimize parking on the driveway apron throughout the community. Additionally, garage doors should remain closed when not in use.
 - vi) **Trash containers –** Trash containers should only be visible the day of pick-up and the evening before. At all other times no container should be left on the street, curb or driveway of any home.
 - vii) **Entrance Gate –** there was a discussion regarding the benefits of installing an entrance gate to Rivendell. After much discussion it was decided that the Board would contact the city to determine the impact of making the roads private within the community. Further decisions were tabled to be again discussed at another meeting.
 - viii) **Parking –** Unanimously, the members objected to overnight on-street parking at Rivendell and requested that the HOA documents be changed to reflect this policy. Additionally, the policy that all boats, motor homes and trailers are allowed to park only in the homeowner's garage will be more strictly enforced along with time limitations set for moving van parking.
 - ix) **Yard signage & advertisements -** In keeping with the intent of the covenants the homeowners wanted stricter enforcement of the rules governing front yard signage and commercial vehicles dressed with advertising. Signage can be no more than a real estate brokerage for sale sign and all messaged commercial vehicles must be parked out of sight.
 - x) **Street address signs –** A discussion was held regarding better visibility of house numbers from the roadway. The Board will review this situation and present suggestions to homeowners in this matter.
- 2) **Pest Control –** As required in the covenants the Board has retained Jody Millard Pest Control to begin regular pest control services for Rivendell. The pest control treatments and costs were discussed and it was agreed that all existing homes treatment bonds would be brought current and that regular service would begin in the 3rd qtr.
- 3) **Pet Policy –** It was determined that the pet policies outlined in the covenants will need to be more strictly enforced with the addition of the new homes. Pet stations will be added to the community and owners are expected to clean up after their pets and dispose of the refuse appropriately as determined by the Board.
- 4) **Insurance coverage –** a brief discussion was held regarding the pros & cons of the HOA providing hazard insurance coverage as part of monthly regime expense. Given the sequencing problems with existing policies, marginal cost benefits to be derived and the unlikely event that a mishap will occur the way to remain individually insured for the foreseeable future. With this decision, homeowners will be required to provide the HOA proof of insurance annually.

- 5) **Renters** – An extensive discussion was held regarding renters at Rivendell, their compliance with HOA rules & regulations and overall adherence to the covenants & Restrictions of the community. It was suggested that owners must insure that their renters are made aware of HOA policies and that the HOA needs to strengthen its control over violators through fines, rental restrictions and potentially legal action.

F) **New Business:**

The focus of new business for this meeting centered upon the Board's recommended changes to the covenants. In keeping with this purpose, motions were introduced and seconded to the following:

Issue #1-Short term rentals: The Board had recommended that Item #5 of the rules & regulations of the Association be amended to include the following: **Short term rental leases (any period less than six months in continuous duration) will be prohibited on all homes at Rivendell.** This motion passed unanimously with no dissenting votes.

Issue #2-On-street parking: The Board recommended that an Item #26 be added to the rules and regulations of the association that states: **Overnight on-street parking on streets in Rivendell is strictly prohibited without specific Board approval.** This motion was passed unanimously with no dissenting votes.

Issue #3 – Fines & late fees: It was brought to the attention of the Board that although the Covenants give the Board authority to set fees, fines and other charges, none had been established for violations of covenant requirements or nonpayment of dues in a timely manner. Thus the Board recommended that an Item #27 be added to the Rules and Regulations of the Association that states the following: **Any persistent violation of the association's rules and regulations or the covenants will result in a fine of \$50 per day for each day the violation persists following written notification from the board that a violation exists. The procedure followed in assessing these fines will be as follows:**

- 1) Owner will be notified in writing that a violation exists.
- 2) Owner will have thirty days to correct the violation. At the end of the 30 day period the owner will be sent a second letter (if still in violation) stating that the \$50 daily assessment will begin on a specified date (not less than 30 additional days), notifying owner that these daily charges will be added to his account as a "Special Assessment".
- 3) On the day following the specified date this special assessment will be charged against the owners account daily until the violation is removed.
- 4) Recurring violations of a similar act in any given year will automatically trigger the assessment when notified of the recurring violation by the board.

Additionally, a late payment fee of \$15 will be assessed each homeowner account that has not paid the monthly HOA fee by the 15th of each month. Accounts in arrears more than six months will receive a certified letter of delinquency and assessed an additional \$50 to cover the costs. On accounts in arrears for one year or more a lien will be filed against their property and their account will be assessed an additional \$500 to cover these legal expenses. The Board retains the right to waive any all of these fines for any reason, at its sole discretion. This motion was passed unanimously with no dissensions.

Issue #4 – Fire and Hazard Insurance: The Board recommends that fire and hazard insurance protection for all Rivendell homeowners be paid by the association as part of the monthly assessments. This motion did not pass, by majority consent.

Issue #5 – Motor homes & towed vehicles: The Board recommends that the time allotted to allow these vehicles to park in an owner's driveway be changed to 48 hours instead of 10 days. This motion was passed given the following conditions: The above vehicles cannot be parked anywhere in Rivendell for more than 48 hours unless specifically approved by the Board of Directors and in no event can remain for more than 10 days in any given year.

- G) **Developer's Update** – The developers of the new homes section stated that sales YTD had been good with five new homes under contract and several more under reservation. Construction was to begin shortly on two new buildings with the expectation that 15 or more would be occupied by the end of the year. Construction progress was slower than usual due to sub-contractor shortages, weather and a change in primary contractor.
- H) **Question & Answer** – All questions had been asked during the discussion stage of the meeting.
- I) **Adjournment** – With no further business to discuss the meeting was adjourned at 9:00 pm.