

This month's minutes also include the minutes of a special work session that was held on the evening of June 20, 2023. The special meeting minutes appear at the end of the regular monthly minutes.

**\*NOTE\*** These minutes are posted, but not approved, by the Board of Directors. Approval will be voted on at the next regular board meeting. Until then they are to be considered pending.

## Three Colonies Homeowners Association Board of Directors Meeting

June 27, 2023

Board Members Present:

Nancy Melton, Richard Hup, Cindy McCormic, Walt Mingle and Izzy Van.

Jack Smith, Karen Stein and Ruth Hair were not in attendance this evening.

Treasurer: Mitzi Hennessy

Secretary: Pete Horne

### Call to Order / Welcome:

Ms. Melton called the meeting to order at 6:30 PM. Ms. Melton welcomed all community members to the meeting. Our board will strive to follow Roberts Rules of Order. Ms. Melton explained the process for community input at our meetings. (Fifteen minutes will be allowed at the beginning and ending of the meeting for community input - three minutes per resident.) To respect the time allotted for resident input, individual board members will not address concerns during the community input portion of the meeting; however, questions will be addressed during the board member update or following the meeting, whichever is most appropriate. The board hopes this process will allow for more communication between this board and residents.

Ms. Melton opened the floor to any community member(s) requesting to speak.

Community member(s) shared the following concern(s):

Addendum/Rules/Regulations not updated on website

Gate sub-committee, Status?

Home on Gem Court, Status?

Concern there was not toilet paper in the women's restroom on a recent Sunday

Website – Homepage needs to be corrected and updated

Pool regulations/rules – want to have more than three guests per household. Upset that soldiers were asked to leave recently (found this was not a true statement)

Following the input from residents, Ms. Melton opened the business portion of the meeting.

Ms. Melton shared that the board has received two board resignations (Foster and Thompson). She asked for a motion to accept the resignations. Ms. McCormic made a motion to accept the resignations, Mr. Hup seconded the motion. The motion passed by the following vote: In favor – Melton, McCormic, Hup, Smith, Stein. (Mr. Smith and Ms. Stein provided their proxy to vote on all items to Ms. Melton) Voting against – Vann, Mr. Mingle abstained. Ms. Hair was not in attendance this evening.

Ms. Melton shared with everyone that the gate/guards sub-committee has not met since the community meetings. Once Mr. Smith returns to town, the sub-committee will soon reconvene. Hiring the engineer will be the next step for the committee to research.

Ms. Melton represented the HOA Board at a recent meeting with our attorney, Mr. Lonnie Player. Ms. Melton explained that our board has been challenged by differing opinions on items such as; rules and regulation updates, Statute 47F specifics, fees and fines, work sessions, etc. The lack of consensus led to the need for legal advice and determination to allow the board to move forward. Mr. Player will need to research covenants, rules and regulations beginning in 1974. Mr. Player feels a minimum of 10 hours of research will be needed. His cost is \$300.00 per hour. Ms. McCormic made a motion to approve 5 hours of research. The board will reassess after the first 5 hours. Mr. Hup seconded the motion. The motion passed by the following vote: In favor – Melton, McCormic, Mingle, Hup, Smith and Stein. In opposition – Van. Ms. Hair was not in attendance tonight. Ms. Van added that she feels the research is not needed. Ms. Van feels that since Mr. Player has been the attorney for Three Colonies for a number of years, he should be familiar with our covenants, by-laws and should be able to give an accurate opinion on questions asked of him.

Ms. McCormic made a motion to approve the May minutes. The motion was seconded by Ms. Melton and approved unanimously by the board members present.

#### **Treasurer's Report:**

Ms. Hennessey presented the Treasurer's Report. Mr. Hup made a motion to accept the treasurer's report. Ms. Van seconded the motion. The motion passed and was approved unanimously by the board members present.

#### **Security:**

Ms. McCormic updated all on the work done at the guard house. The electrical issue will be addressed as soon as possible. The heat/air unit is not working. The replacement has been ordered for a cost of \$918.00. The file cabinet is missing. Ms. McCormic is trying to find a replacement. After reviewing the security budget, Ms. McCormic has found that we can increase the hours of the security guards by two hours each day beginning July 1 through December 31, 2023. The increase in hours will not increase the budget. Ms. McCormic made a motion to increase the guard hours. Mr. Mingle seconded the motion and the board members present approved unanimously.

When we have 'walk-in' guests, the guards will call the destination resident. The resident will be required to pick up the guest at the guard house. Additionally, Ms. McCormic would like to hold a

car/resident registration update in September. Many residents have no sticker, outdated stickers and outdated information cards.

#### **Covenants – Colony I:**

Ms. Van stated that she has delivered another letter to the resident with the half glass front door. She hopes the resident will comply. We continue to have many concerns with overgrown patios and trash cans remaining at the curb beyond a reasonable time after trash has been picked up. Some residents are leaving cans for multiple days.

Ms. Van would like residents to be allowed more time to speak, possibly 5 minutes rather than 3 minutes.

*Reminder: All work planned for the exterior of your home should be submitted to the Architectural Committee prior to any work commencing. This includes any landscape changes in Colony I.*

#### **Covenants – Colonies II & III:**

Please continue to share with Ms. Stein, any violations you notice in our community.

Please be reminded to clean up after your pets. This is becoming an issue and residents are responsible to clean up the waste left by their pets. Please be certain you walk with a clean-up bag to address any waste left by your pets. **\*\* Do not dispose of pet waste in trash cans on community property or in the clubhouse trash cans. Dispose in your household can please!\*\***

We encourage all to look at the Three Colonies Facebook page.

#### **Grounds / Corral:**

Mr. Hup will work on the landscaping around our new sign at the neighborhood entrance. Mr. Hup would like to replace the playground equipment on Lox Drive. He will research replacement ideas. Additionally, he is researching the possibility of purchasing an ice machine for the clubhouse. He continues to remind all that vines, bushes and any other plantings at the townhomes need to be addressed. Plants should not be allowed to grow on fences.

#### **Maintenance:**

Mr. Hup shared that he has 10 open work orders. The most concerning is at 4602 Keg Court. This work needs to be completed to allow the resident to complete door replacement. The cost is \$2575.00 for the repair. (Mr. Hup supplied estimates.) Mr. Hup made a motion to move forward with contacting Stormaway to make the repair. Ms. McCormic seconded the motion and the board unanimously approved. (Ruth Hair provided Richard Hup with her proxy for this vote).

Mr. Hup reminded everyone to come and enjoy the cookout on July 2 at 1:00 PM.

#### **Special Projects/Playground/Tennis Courts/Newsletter:**

Ms. McCormic shared the neighborhood entrance sign replacement has been completed. The sign has been placed at the tennis court stating the hours for use. Ms. McCormic has tried again to contact Kristen from Metronet. Kristen is on vacation but Ms. McCormic will call again. This is regarding the interest survey. Once started, it should take 2-3 weeks to complete the neighborhood survey.

Ms. McCormic shared the 'calls for service' in our community last month.

**Clubhouse:**

On behalf of Ms. Hair, Ms. Van provided an update on the AC repairs at the clubhouse.

Additionally, Ms. Van thanked Mr. Thompson for his work while a member of the board.

**Pool:**

Ms. Melton hope everyone is enjoying the pool. She shared, again, a huge thank you to Mr. Campbell for working tirelessly to keep our pool in great condition.

Ms. Melton has hired three attendants to work at the pool. They rotate days and work 4 hours per day (2 morning hours and 2 evening hours). We ask that residents clean up after themselves when they are leaving the pool. We also ask that you close the umbrella. Leaving the umbrellas open and unattended poses a safety concern.

In response to a resident question, Ms. Melton shared the formula to determine the pool capacity. We are having issues with residents exceeding the allowable number of guests. This disregard for the guest rule created an unsafe environment on a recent weekend. Please follow the guidelines and help us keep the pool enjoyable for all.

Reminder... Resident children under 16 years of age are not permitted to have guests unless accompanied by the resident adult 18 years of age or older. Resident children ages 12 – 15 **must** have a waiver, signed by their parent, to be allowed to use the pool without a parent. The signed statement of liability must be on file with the pool board member (Nancy Melton) and the child must be able to swim. No lifeguards are on duty at the pool. No glass is allowed in the pool or pool area.

**Website:**

Mr. Mingle asks residents to continue to submit correct email addresses. It has been determined that we do not have the ability to send 'mass texts'. Mr. Mingle asked if we want to have a 'lost and found' addition to the website. No determination was shared. Mr. Mingle will add information for requesting an appearance before the board when requested and applicable.

**Additional Information:**

Ms. Melton provided an update on the Gem Court property. A civil action has been initiated and fines continue to be assessed.

Mr. Hup made a motion to adjourn tonight's meeting. Ms. McCormic seconded the motion. The board members present unanimously voted to adjourn at 8:10 PM.

**At the conclusion of the meeting, homeowners in attendance were encouraged to share any additional concerns with the full board or individual board members.**

A resident asked about the Security budget – Ms. McCormic responded and answered the question.

Resident asked about the fence along Fox Court. This issue will be addressed as soon as possible. The board is researching options.

Resident asked why the pool attendants pay was not in the financial report. The attendants did not receive their first check until after the report was finalized.

Resident asked (on behalf of another resident) why she has not heard from anyone regarding the curtain on her porch. The Architectural committee has not received her request.

Resident shared a concern regarding damaged shingles on her Dow Court townhome. This home was part of the group of townhomes that required shingle replacement/repair recently. The same shingles are again in disrepair. Mr. Hup will investigate.

A letter will be sent to the owner of the Day Court home needing attention.

Landscapers will trim the bushes at the townhomes. If your home has bark/nuggets/rock or material other than pine straw, the landscapers will lay a tarp and try to keep trimmings out of your groundcover. However, if trimmings remain, the homeowner is responsible for clean-up.

Resident asked Mr. Mingle to please update the website to make it current.

Minutes taken by Pete Horne

---

---

### **Three Colonies Homeowners Association Board of Directors Work Session**

**June 20, 2023**

Board Members Present: Nancy Melton, Ruth Hair, Richard Hup, Cindy McCormic, Walt Mingle, and Izzy Van. Karen Stein and Jack Smith joined the meeting remotely via online meeting platform.

Secretary: Pete Horne

#### **Call to Order:**

Ms. Melton called the work session to order at 6:30 PM. Ms. Melton opened the work session by asking each member to provide input from their area of responsibility.

Colony I – Ms. Van asked Ms. McCormic to include a newsletter reminder to all residents regarding trash cans. Some residents are leaving their cans on the curb beyond a reasonable amount of time.

Ms. Van asked if we could consider legal action regarding overgrown/excessive debris on patios. Ms. Van is also concerned that residents are not submitting architectural requests properly. The resident with the red/glass front door has received multiple warning letters. Next steps?

Ms. Melton shared information regarding her recent meeting with Attorney Player. At this time, Mr. Player advised the board to continue as we are. To find answers to some board member concerns, Mr. Player will need to research our covenants and bylaws (including any updates and changes) from the time the community was established in 1974. Ms. Melton asked for specific legal advice on Statute 47F, our rules regarding resident fines, right of HOA president to vote, do all changes need a board vote, work sessions, rules and regulation updates more than once a year as well as any other concerns presented. The research cost will be \$300.00 per hour and we should plan for a minimum of 10 hours.

Ms. Hair does not believe the research should take 10 hours.

Ms. Stein shared the bylaws and covenants are legal documents and include legal terminology which many of us are not qualified to interpret. Many of us 'think' we know what it says however, interpret differently; therefore, we need legal interpretation.

Colony II & III – Ms. McCormic, on behalf of Ms. Stein, has addressed the basketball goal, the birdbath outside of the fence, cars parking permanently in visitor spaces and the car permanently covered in a driveway on Ewe Court.

Grounds and Maintenance – Mr. Hup addressed damage to a Keg Court townhome. The damage is preventing the homeowner from replacing doors on the home. Mr. Hup has obtained bids. The board will vote on this item at the next meeting. Mr. Hup added that the playset in the common area along Lox Drive needs to be replaced. Until the board can replace the set, the current equipment needs to be removed.

Mr. Hup will begin set up for the cookout at 10:00 am on July 2<sup>nd</sup>. Please let him know if you are available to help.

Clubhouse – Ms. Hair shared that we have rotted wood that needs addressing at the clubhouse. Mr. Hup will obtain bids for the repairs on behalf of Ms. Hair. Ms. Hair is still waiting for the urinal replacement in the men's restroom.

The air conditioning upstairs in the clubhouse is now working. We need to have the unit serviced once each year. The kitchen unit compressor is not working. The cost to replace the compressor will be approximately \$3,000.00. To completely replace the air handler, compressor and outside unit the cost will be approximately \$8,000.00.

Mr. Hup added that he can get the ice machine replaced in the clubhouse for well under \$1,000.00.

Special Projects and Security – Ms. McCormic updated the board on the entrance sign. Work will continue to replace the sign as weather allows.

We need an updated vehicle registration to be conducted in September. Too many residents have no stickers or outdated stickers.

Ms. McCormic met with the security company. They were very accommodating to our requests. Mr. Jack McCormic will spray the guardhouse to address the insect issue. Ms. McCormic is updating and cleaning

the guardhouse. Ms. McCormic found electrical issues and will bring bids to correct the issue. Additionally, the heat/air unit is not working properly and has mold. Ms. McCormic will bring bids to correct that issue as well. Our current budget will allow us to add two hours to each weekday for the guards. The proposed schedule will be Monday and Tuesday: Noon – 9:00 pm, Wednesday and Thursday: 10:00 am to 7:00 pm and Friday and Saturday: 4:00 pm to 2:00 AM. These schedule changes will cause no change to the current budget. Ms. McCormic shared security signs she obtained. Mr. Hup will place the signs in the community.

Pool - Ms. Melton shared concerns regarding use of the pool. We have issues with use of profanity, roughhousing, residents not signing in, residents bringing an excessive number of guests and not using/logging key numbers properly. These issues caused a very unsafe environment on Sunday, June 18. Ms. Melton suggested hiring an adult resident to sit at the sign-in table on weekends, possibly 5 hours on Saturday and Sunday. This person could monitor the number of guests and verify keys. The issues may possibly be resolved by monitoring this for a few weekends. Ms. Hair and Ms. Van feel we could get board members to volunteer. No volunteers spoke up for the upcoming weekends.

Website – Mr. Mingle asked about the open positions on the board. Mr. Mingle would like to send an email to all residents to solicit volunteers for the positions. Mr. Smith and Ms. Melton would like to announce the vacancies and request interested homeowners to sign up at the next board meeting. Their hope is to get a homeowner that typically attends meetings to join the board, however, Mr. Mingle stated that he will send the email.

Ms. McCormic will update the resident cards and send all information needed to Mr. Mingle.

Strategic Plan - Ms. Melton asked each member to share any updates/progress on their items included in the Strategic Plan.

The work session adjourned at 9:10 PM.