

RECORD OF PROCEEDINGS
MINUTES OF THE THREE SPRINGS RESIDENTIAL ASSOCIATION
SPECIAL MEETING

March 23, 2017

1:30PM

ATTENDANCE

Directors in Attendance:

Tim Zink, President (TZ)

Kurt Prinslow, Vice President (KP)

Jon Penny, Secretary/Treasurer (JP)

Residents in Attendance:

Barb Cannon

Mick Longley

Sara Herrick

Jarrold Nixon

Bonnie Rozean

John Wallace

Others in Attendance:

Sandra Tischaefter – AREM Property Management

Chris Bernard – AREM Property Management

Victoria Lopez – Clark, White, and Associates

Patrick Morrissey – Three Springs

Others phoned in:

James Kurtz-Phelan – Association Attorney with Spencer Fane LLP

HOMEOWNERS FORUM

John Wallace asked what services AREM provides. Tim Zink said AREM was hired in May 2015 as the Compliance Agent to enforce the Association's CC&R's (e.g. Proper trash can storage locations, weeds, trailers, satellite dishes, etc.), making on-site inspections once a month. John Wallace asked how much they charge. Tim Zink said they charge \$300/month (or \$60/hr x 5-hrs per month). John Wallace asked how long their on-site inspections took. Chris Bernard said they typically are between 1-hr and 1-hr and 10-minutes. John Wallace said that seemed that 1-hr seemed too long and shouldn't take that long. John continued to say that he thought AREM was too expensive, especially when they make mistakes. John said he lives on Confluence and he sees trash cans out all the time. John requests to eliminate AREM from doing trash can compliance.

REVIEW OF THE AREM PROCEDURES ASSOCIATED WITH THEIR CONTRACT TO PERFORM THE CC&R COMPLIANCE

Tim Zink asked Sandra to explain AREM's process and procedure. Sandra said from May 2015 thru March 2016, AREM would do a monthly on-site inspection and only sent out notices that were warnings since there was no fine policy in place and didn't keep copies of those notices on file. She explained in March 2016, the Board adopted a Policy and Procedure to implement a fine schedule and procedure. In April 2016, AREM started implementing the fine schedule but failed to keep copies of the notices on file through the June 23rd, 2016 on-site inspection. Sandra said not keeping copies on file was an honest mistake and apologized for this mistake. She said AREM recreated the June 2016 copies for their files from Chris Bernard's notes taken during the on-site inspection approximately 1-week after the on-site inspection. Starting in July 2016, AREM started keeping copies of the notices, along with proof of mailing. Kurt Prinslow asked what the confusion was between AREM and the Association's accounting firm (Clark, White, and Associates). Sandra said that AREM had thought people would pay from the notices and so AREM didn't notify Clark, White so that was the delay in the invoices (because Clark, White does the Associations invoicing). Sandra apologized for that too. She said AREM also had a spreadsheet problem which attributed to some of the confusion. Jon Penny asked AREM if they could reword the notices to avoid confusion in the future and AREM agreed.

Tim Zink asked James Kurtz-Phelan, the Association's attorney what his thoughts were and what action he recommended the board take. James said the homeowners deserve to be notified of any non-compliance issues in a timely manner and because of the mistakes made in the fine schedule and process, he recommended the board waive all fees thru March 31, 2017. Anybody who has paid can be refunded, etc. Kurt Prinslow moved to follow the Board's attorney's recommendation and waive all fees thru March 31, 2017 and to resume the fee schedule policy beginning April 1, 2017. Jon Penny seconded and unanimously carried, the Board approved the minutes as presented.

OPEN FORUM

Pat Morrissey said that the CC&R enforcement is supposed to be a benefit to the Three Springs residents and would recommended the Board or AREM send a letter to the residents clearly stating the CC&R compliance and fee schedule process.

Barb Cannon and John Wallace asked why there was such short notice on this Special Meeting and Kurt Prinslow said it was because it is extremely important to the board to resolve the issues and improve the process.

Bonnie Rozean wanted to compliment the Board and Three Springs for doing a good job with the development and thinks that code enforcement is a good thing.

ADJOURNMENT

There being no further business to come before the Board; and upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

NEXT MEETING

The next scheduled quarterly meeting of the Board of Directors is scheduled for Wednesday, June 21, 2017.