

Mountain Brook of Madison Homeowners Association Annual Meeting, 22 October 2013

The annual meeting of the Mountain Brook of Madison Homeowners Association was held at the Association's Clubhouse, **Tuesday, October 22nd beginning at 6:00 p.m.** Jonathan Pierce, President, presided. Board members Mark Thompson, Vice President, Pat Haas, Treasurer, and Dave Peebles, Secretary, and Susan Pierce attended, along with 32 homeowners.

Among the topics discussed were:

- A report on the financial position of the HOA
 - Bob Seaman
- A change in the 2014 Homeowners dues
 - Because we have reached our goal of \$36,000 (In the Capital Reserve Fund) in place before the Zierdt Road widening project begins, the Board of Directors has decided that we will reward Homeowners who have paid their dues and have no unpaid fines or fees. In your 2014 dues statement you will find that the dues rate remains \$400, but you will have a \$50.00 credit against your account, reducing your dues for 2014 to \$350. Once the Zierdt Road project is complete and the association has covered any costs we incur because of the project, we are hopeful that we will be able to permanently reduce the dues rate, but that decision is not guaranteed.
- Announcement of policy regarding shadow box fencing along Mountain Brook Boulevard
 - After close consideration with our attorney the Board of Directors recognizes that the "community" shadow box fencing on Mountain Brook Boulevard actually sits on the property of the homeowners concerned.
 - The shrubs and sidewalks are in the Association's common area.

- o Therefore we recognize that the Mountain Brook Boulevard fences belong to the homeowners concerned. They may maintain them to community standards for shadow box fences, they may remove the fence within their property as long as removal does not damage the shrubbery. Also, no entry may be cut through the shrubbery and no driveways can be cut into Mountain Brook Boulevard. **Due to strong opposition and our Attorney's advice that the Association can, if it wants, continue to maintain the fences, the Board will review the decision and consider a community-wide vote to settle the matter.**
- A report on the coming Zierdt Road expansion
 - o Clearing of the Zierdt Road expansion lane grounds will continue through 2014. In addition, homeowners along Zierdt Road can expect to receive notices of Land Acquisition and Easements, and temporary construction easements during 2014.
 - o We are informed that our entrance signs sit on property of four homeowners and a commercial business. Whether the homeowners or the Association will be paid for replacement of the signs, if necessary, is as yet unknown. The incoming board may need to redesign the signs to take up a smaller footprint. They may have to work with the owners on placement of the new signs.
 - o Actual road construction is not anticipated until 2015 and its completion is projected for 2017.
 - o A side note concerning the large field to the west and north of Mountain Brook of Madison. The City of Madison has reached an agreement with the land owner to cut a road through from Wall Triana Boulevard to Zierdt Road. This road, Kellner Road, will pass closer to the subdivision than was reported in the newspaper and is along the route we were briefed on nearly two years ago. Plans for development of the fields have not been announced.
- A report on improvements to the Clubhouse

- o Major repairs to electrical systems for the clubhouse, pool and tennis courts. The corroded electrical control box in the pump room was replaced.
 - o The club house chimney cap was in danger of collapse and it was repaired.
 - o Some tile work was done to the pool last spring, more work will need to be done this coming spring.
- Announcement of improvements to the common area behind the clubhouse and pool
 - o We have opened the south gate from the swimming pool into the grassy area beyond and have installed two grills and three picnic tables. **The area is open to all residents.** Access is by pool key, through the pool area. We also added drains through the pool garden beds to drain standing water through the fences.
- A discussion about enforcement procedures of HOA covenants
 - o Your Board of Directors are not full-time employees, we aren't even part-time employees, we aren't even employees. The Board of Directors are residents, just like you, who have an interest in maintain the value of the Mountain Brook community and your homes specifically. Covenant enforcement is done as we see problems or as residents raise concerns.
 - o It is not the desire or purpose of the board to raise money by fining homeowners for violations.
 - o It is the desire and focus of the board to maintain property values by alerting homeowners of possible violations, to insisting on compliance when friendly alerts don't work. We have had 25 violation cases worked this year, all but one resolved without fines.
 - o Enforcement uses four letters if needed:
 - A friendly alert, no fines mentioned
 - First letter asking for compliance within a specified time and warning of fines.
 - Second letter reminding homeowner that action is needed.
 - Third letter assessing fines.

- o Fines not paid go to the attorney for lien action when the total reaches \$200
 - o Fines under \$200 that exist when the dues statements are sent out in December will be added to the next year's dues
 - o Recognitions:
 - o Damon Dougherty who serves as the webmaster for the Association website
 - o Cindy VanBurg who serves as our legal liaison
 - o Kathy Thompson who has been in charge of our clubhouse rentals
- An explanation of the Ethics Statement that our HOA Board members are expected to sign and observe
 - o We believe that as Association members you have a right to expect that the Board of Directors will act ethically.
 - o To that end, we have developed an ethics statement we believe each board member should have to sign in order to enter service as a board member.
 - o We should like your agreement to requiring board members to sign the statement before entering on their duties. The current Board of Directors have all signed these statements. The community members present agreed by unanimous consent without objection to the policy.
- HOA Board of Directors election to fill seats that are coming vacant.
 - o Elections this evening were held for members of the Board who will enter their term of office in January. They will asked to begin attending and participating in the November and December board meetings.
 - o Four board members: Mark Thompson, Dave Peebles, Susan Pierce, and Pat Haas were reelected to new terms and Donna Brown was elected to a new term.

- Other action items for the Board as a result of a general discussion:
 - o Get cost estimates for replacing the four brick entrance signs and Zierdt Road fencing---in case we have to take those actions as a result of the Zierdt Road widening.
 - o Ask our CPA to send out next years budget with the annual dues statement to each homeowner
 - o Ask homeowners to communicate with city hall on the abandoned home next to the clubhouse.
 - o Ask our pool maintenance company about the pros and cons of converting our pool to a salt water pool.
 - o Ask city officials about any plans to repair potholes in the community roads.
 - o Compare electric costs and possible energy savings in the clubhouse.

Meeting adjourned at 1945