

**Mountain Brook of Madison
Homeowners Association
94 Clearbrook Court
Madison, AL 35758**

**Minutes - Board of Directors Meeting
13 February 2017**

The January meeting of the Board of Directors was held at the Association Clubhouse at 6pm on 13 February 2017

Attendees:

Louis Ramirez	President
Neva Rogers	Vice President
Dave Peebles	Secretary
Doug Stork	Communications
Ken Booth	Treasurer

Adam Duaro	Association Attorney
Crystal McLafin	CPA

Dave was elected to the Board and assumed the position of Secretary.

All Board members signed and completed the MB Board Code of Ethics.

Adam briefed the members on the current situation with the Zierdt Road project. The cities of Madison and Huntsville will be managing ROW acquisition using the law firm of Wilmer and Lee. There is substantial confusion about fence easements and what the cities will be offering to reimburse the different owners. It appears that they do not intend to pay for shrubs and trees. There is no HOA fence easement to the north of the north entrance to Mountain Brook or to the south of the southern entrance to Mountain Brook. Adam is in frequent contact with those agencies and advised that we do nothing for the time being. With regard to the fencing on Mountain Brook Boulevard, Adam advised that if the fence is within ten feet of the street, the HOA is responsible for maintaining the fence. If it is not, the fence is the property of the respective homeowners, the HOA cannot maintain it. Dave will do a series of measurements before the next Board meeting and report.

Crystal reviewed our finances. Dues payments are on schedule and there are no other issues at this time. We reviewed our practice of adding late fees to the annual dues of homeowners who are not paying those late fees. When they pay their annual dues (with fines attached), the late fees are paid first. If there is not enough money left to completely

pay the annual dues, those dues go in arrears and begin to accumulate additional late fees. In addition, the Board reaffirmed that the policy on liens is that a homeowner with a lien cannot pay on any kind of payment plan. They must pay the lien in full to clear the lien. Crystal will charge late fees for the three yearly payments found in the mailbox on 13 February since they did not follow instructions and mail the payments.

Crystal will do a review of our insurance with the insurance agency.

Adam will research and advise us on how to get abandoned cars in the tennis court parking lot removed. We decided to hold on trying to have the box truck removed, since it is used on occasion and is using the lot to preclude parking on the street. Adam further advised that we cannot take action on a car partially parked in the driveway and overlapping the sidewalk. If the car is partially in the street, we can take action under our covenant restriction on street parking.

On the issue of the new homes on Mountain Brook Boulevard that are not in the HOA, Adam advised that they could join the Association, but it would require replatting and a two thirds vote of the homeowners, it would be expensive and not practical, so we agreed not to pursue that approach. We might be able to have the occupants sign an agreement to agree to obey all covenants as a prerequisite to a membership, but we will need to consult with Adam should we want to follow that path.

Dave will start covenant violation cases on five homes. For privacy, they will be handled separately but available for discussion at any Board meeting.

The next meeting will be at 6pm on 13 March.

Dave Peebles
Secretary

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