

Kingsgate 5 Homeowners Association

March 6th, 2018

Board Members Present:

Ashley Gillen
Lauren Johnson
Royal Hanson
Bill Keating
James Weinrod
Sarah Curde
Susan Schilling
Kelly McPherson
Alan Nelson

Visitors:

J Heflin
Jessica Vandenberg
Donna Smith
Candis Brink

Employees:

Cindy Klein
Dan Lund

A motion made by Ashley Gillen to approve the February 5th, 2018 meeting minutes was seconded and approved.

Gators Report:

Visitor and HOA resident Jessica Vandenberg shared her concerns with the HOA board about her belief that she is being “demoted” by the Gator Swim Team Board for an interaction between her and the coaches of the team at the final swim meet of the 2017 swim season. By being demoted, her child will essentially be denied placement on the team, as the demotion places this swimmer at the bottom of the priority list for joining the team. An HOA resident normally has priority for team registration.

James Weinrod shared his perspective as a Gator Board member. He stated that the board believes a “code of conduct” violation by Ms. Vandenberg would preclude her child from being on the team. James stated that the board was offended, and the interaction caused coaches and members of the team great distress.

After discussion by the board members and Ms. Vandenberg, it was decided that the board will support the homeowner’s right to have her child be on the swim team. Royal Hanson, Ashley Gillen, and Cindy Klein will attend the upcoming Gator Board meeting to discuss the issue and explain the HOA board’s position. They will report at the April 2018, HOA board meeting. Ms. Vandenberg expressed her intention to also attend the upcoming Gator Board meeting.

Candis Brink, Head Coach of the Kingsgate 3&4 Homeowners Association swim team, attended the meeting to share how she organizes that swim team. They have between 110 and 130 swim team members, all homeowner's children – no outside swimmers. She believes homeowners should have priority to join the team right up until the first week of practice. She shared how Kingsgate 3&4 distribute by age and number of swimmers. She also shared her philosophy of the importance of growing a swimmers' love of swimming and making the number of swimmers work for practice and meets.

After discussion, the board agreed that K5 homeowners are guaranteed a spot on the team if they register by March 15th.

Gators Board members pay \$113 for their children to swim on the Gator swim team.

Treasurer's Report: Ashley Gillen reported:

- Over 50% of dues have been collected to date.
- 161 homes have dues paid in full for the year while 90 have paid through the first quarter.
- 47 pool passes have been paid for.
- There was general discussion and explanation of the Treasurer's Report.

A motion made by Laruen Johnson to approve the Treasurer's Report was seconded and approved.

Pool Report: Cindy Klein reported:

- There were 18 new pool pass purchase applicants.
- Dan Lund and Cindy did a walk through all areas of the pool with Aquatic Specialties to make determinations for pool maintenance.
- Dan will meet with the electrician about upgrading and installing the sound system.
- New reader board mounts are needed.
- The BBQ will be held Sunday, July 15th.

Park Report: Bill Keating reported:

- He will contact Apol landscaping to mow and spread fresh bark just before the Easter Egg Hunt occurring on March 31st.
- Ruts in the lower field need to be repaired.
- There has been more garbage and broken glass in the lower parking lot.

Compliance Report: Alan Nelson reported:

- Only one property management company replied to his inquiry.
- Pricing depends on the services, frequency and scope of work.
- The board will discuss what services will be helpful to the HOA.
- Sarah Curde will contact references for the company and report at the next board meeting.

Recreation Report: Kelly McPherson reported:

- Eggs and coins for the upcoming Easter Egg Hunt have been counted.
- Signs designating areas for each age group are being made.
- We need an Easter Bunny.

Old Business:

- Ashley Gillen shared an email response from attorney Brad Carnine regarding various issues that the board has been searching for answers to. His response is as follows:

Ashley,

These are good questions. Neither is specifically called out in the current bylaws, and the best way to address this would be to include these provisions in the revised version of the bylaws. So, the safest thing would be for the board to pay dues like all HOA members until revisions to the bylaws have been made allowing for this waiver of fees. There is a chance that a member of the HOA could take this complaint forward, and against a strict reading of the bylaws it is possible that board member due waivers would be viewed as compensation. So, there is a risk here in continuing to waive dues for board members, but the board should decide how serious they think the complaint is, and how willing the member making the complaint is to fully raise the issue.

As for the bookkeeper question. Again, there is nothing specific in the bylaws here and it would be good to add a provision for this kind of hiring. That said, I can't find anything that would lead me to believe the HOA is banned from hiring service employees as needed. In this case, it also looks like the HOA is getting professional level bookkeeper service at less than market rate because they hired a board member willing to perform the service at low cost, and it looks like there is more than one person checking the bookkeeper's work. These would be, in my opinion, strong arguments that this method of bookkeeping is value additive to the HOA, not banned by the bylaws, and should be permissible.

In both cases, there is some risk until the bylaws are amended to give the board these powers explicitly. The board should decide what they think the level of seriousness to the complaint is and if they're willing to continue with each given the risk it presents.

Let me know if you want to get on a phone call today to discuss anything further. I am still sorting through the details on other HOAs in the area, but so far I haven't found anything that would bar the board from enacting the provisions they wanted. If the board is satisfied by that, I can prepare the first draft of the amended bylaws this month for you all to review in your April meeting. If not, let me know what other research or report back they'd like before I can begin the drafting process. Brad.

- Ashley is continuing to work with Eric who is drawing up plans for 2 new playground designs.
- There was discussion by the board whether to move forward on another playground improvement plan or wait and make the proposal further in the future.
- Sarah Curde will research other playground companies and report at the April board meeting.

New Business: There was discussion of issues with a fence which is currently a pass through from the Kingsgate Ridge Condominium complex and K5. Dan will determine to whom the fence belongs. If it is the property of K5 the board would like to close the pass through. Kelly will contact Dan about this issue.

The meeting adjourned at 8:41 pm.

The next meetings are:

April 9th, 6:30 pm, Kingsgate Library

May 7th, 6:30 pm, Kingsgate Library

Approved April 9th, 2018