

Linwood Heights HOA Board of Directors Meeting
Monday, January 7, 2019
3009 N. Kristin Drive

Present: Odie Christensen, Adam Graff, Cecelia Lodico, Bryan Randall, Larry Richardson, Mac Rominger, Andy Rusk

Absent: Janean Quigley, Wayne Stoltz

Greg Hartman is not a board member but both does and supervises maintenance.

Other property owners: Lillian Ostrach

Meeting convened: 6:34 p.m.

Agenda:

Approval of the October 1, 2018 meeting minutes **Adam**

Motion by Larry to approve; seconded by Odie. Approved

Financial report **Mac**

Three property owners still haven't paid their annual assessment which was due July 2018 and was considered late as of October 2018. Email reminders have been sent, and on December 19, 2018 letters were sent to them. Registered letters will be sent in February 2019. If the HOA Board needs to invoke the help of the HOA lawyer, that cost will be the burden of the property owner, as per the CC&Rs.

There are no out of the ordinary expenses.

Maintenance report **Greg**

Greg has restocked the six dog waste stations and the toilet paper in the outdoor toilets, which he claims seems to be disappearing rapidly. Siberian elms were removed from Lot 5 and along the road at the minor expense of the HOA. These are invasive trees which spread rapidly. On U.S. Forest section 5 and the City of Flagstaff, section 6, there were cattle roaming up to the LHHOA fence, but the fence did its job and kept them out. The fence has required only minimal repairs.

Road signs were put up on November 1, 2018, as per the direction of the LHHOA Board of Directors, instructing property owners that the road to Jesse Gregg Park is

closed until the spring. The HOA padlock was taken off, but the 911 lock remains on. The swing gate up the road will be kept open, allowing skiers, sledders etc. uninhibited access.

Lawyer's advice re "enforcement" of 2400 square feet requirement—Cecelia

Recently a potential buyer of a lot in LH requested to build a home less than the required 2400 square feet of livable space. That request was denied, and the potential buyer was informed this recent amendment to the CC&Rs passed overwhelmingly and is the wish of the majority of property owners here. The Board consulted the HOA lawyer for advice as to how to conduct business should this request happen in the future. There are 14 vacant lots remaining in the LH community.

A summation of the legal advice is

- a) the City is not responsible to ensure building plans comply to private CC&Rs
- b) if the LHHOA has notice of a potential violation, the HOA Board should send a notification to the owner of their potential violation of the CC&R and the Board should cite the CC&R provision, noting the violation will be subject to court/legal action. The HOA can file an action in the Coconino County Superior Court to seek a temporary order to halt construction
- c) the HOA has the right to view public records, including plans submitted to the city for construction of homes in LH

The attorney also said that livable space does not include the garage. The Board secretary completes paper work for title companies when a property enters escrow. In the future the secretary will be sure to include the requirement of square footage on such paperwork. Also, at times potential owners contact the secretary with various. The secretary will use those opportunities to ensure they are aware of this requirement in order to avoid conflicts or misunderstandings in the future.

Old Business

Siberian Elm removal—Greg

As reported under maintenance, this was completed October 2018 on Lot 5 and along Fremont Blvd.

"Required" maintenance of Jesse Gregg Park road for emergency vehicles—Cecelia

Jerolyn Byrne, Firewise specialist with the Flagstaff Fire Department has been contacted. We have not received a response. Cecelia will report out at the next Board meeting.

Options for the basketball court—Andy

Andy contacted LH property owners who have basketball courts made of interlocking plastic mat that is rather expensive—approximately \$4,000 without the expense of installation. If we put something like that up in the park, it could be stolen by someone. In addition, an interlocking court needs a good foundation underneath, and pine needles would be an issue getting in between the pieces. What to do with the old basketball court continues to come before the Board. Other options discussed were: finish scraping the current surface to the outside of the three-point line and then apply a sealant. The current court is not a hazard; it's ugly. Another option discussed is to just leave it alone.

Odie moved that Greg brush/scrape and seal the current court and do no more work on it. Total cost will be about \$35. Larry seconded the motion. Andy abstained. Motion approved.

New business:

Cecelia to ask Native Plant and Seed Company if the HOA needs to apply a pre-emergent to the cheat grass again this spring.

Odie agreed to head the annual Firewise educational session for LH; this is a requirement to maintain our Firewise Community status. The Board decided the Firewise session will be the same day as the annual meeting. Larry committed to assist this effort.

Depending on the weather, April 1 is not a magical date for opening the road. The HOA Board will direct Greg on the opening, depending on weather conditions.

Mac moved to adjourn. Bryan seconded.

Adjournment: meeting adjourned at 7:23 p.m.

Next Board meeting: April 22, 2019 at 6:30 p.m.