



Fern Crest Home Owner's Association (HOA)

HOA meeting every First Tuesday of the Month at 6:30 pm

Sunrise Elementary School
Mar 3rd, 2009 | 6:30 pm – 8:30 pm
<http://www.ferncrest.org/>

In Attendance:

Scott Manthey	President
Paul Dunn	Vice-President
Manminder (Manu) Parhar	Secretary
Gerry Shirley	Treasurer
Manoj Prasad	Member At Large
James Tungsvik	ATC Property Manager

Approximately **11** homeowners were in attendance

1.0 Official Monthly Meeting was called to order at 6:31 PM, by President Scott Manthey

2.0 Roll Call/Establish Quorum

- 2.01 Sign up sheet circulated
- 2.02 Quorum established

3.0 Review Agenda

- 3.01 Report of outcome of the CDC small claims action
- 3.02 Parking violations process
- 3.03 New PIC form
- 3.04 Design guidance for approval of window air conditioner installation
- 3.05 Pick up after pets (new signs to be posted)
- 3.06 Discuss Drinking in the Big/Small parks
- 3.07 Discuss Spring/Summer vacant-foreclosed properties basic maintenance

4.0 Review/Approve Prior Board Meeting Minutes

- 4.01 Motion to approve minutes of Feb 3rd 09 Board meeting by: Paul

Seconded by: Manoj Prasad

Pass/Fail: Pass

5.0 President's Report: See section 6.2

6.0 Treasurer's Report:

- 6.01 Treasurer stated that we recovered approximately \$4k from the small court case (CDC).
- 6.02 President briefly stated the background for this court case and discussed the mediation process with the CDC company.
- 6.03 Details of the outcome are as follows:
 - 6.03.1 We agreed to cancel the third case where we were looking for reimbursement for attorney fees (this was our weakest case but it worked well as a negotiation tool).
 - 6.03.2 CDC agreed to split the \$1850 early termination fee and pay us within 30 days.
 - 6.03.3 CDC agreed to pay 1/3rd of the \$5000 now (\$1666) and to negotiate with Prograss to recover another 1/3rd (\$1666). They guaranteed that even if Prograss declines to reimburse us for the overpayment CDC would pay half of the Prograss' part (\$833).
 - 6.03.4 Totals are as: \$1666 + \$925 = \$2590 right away (next check run) and either another \$1666 or \$833 depending on the outcome of the negotiations with Prograss.
 - 6.03.4.1 Minimum payment \$3424
 - 6.03.4.2 Maximum payment \$4257
- 6.04 Paul mentioned that mediation was beneficial to our community. It allowed us to present our case and see what other party had for it's defense. Given the overall situation, we came up
- 6.05 Gerry to send the e-minutes
- 6.06 Gerry mentioned that James is up to speed on the Reserve increase amount
- 6.07 Gerry stated that the NNO budget should be fine
- 6.08 Mr. Dhillon's fine for Feb' 09 would be reversed
- 6.09 Gerry was excused from the meeting at 6:35 pm

7.0 Committee Reports

7.01 Block Watch/Safety

- 7.01.1 Committee members have been stickering improper parking, per discussions at last month's BOD meeting. Compliance is way up. Also, the number of vehicles parked on street has gone down. Streets appear to be much clearer of vehicles. This result is similar to what happened when the FIRE LANES were painted
- 7.01.2 The south side of 126th Pl. has been posted by KCDOT as NO PARKING, per plat requirements. Compliance is good and access to Division 3 has improved. Number of cars parked in area has decreased also
- 7.01.3 Checked with KCDOT regarding streets bonds in Fern Crest. There are two, two-year bonds that occur. Performance and Maintenance. Div 1 and Div 2 are finished with the PERFORMANCE Bond. We are in MAINTENANCE BOND for about another year. DIV 3 is in the PERFORMANCE Bond phase and has another 11 months or so. Then DIV 3 will have two years of MAINTENANCE Bond. Until these bonds expire, the streets are not formally accepted by KCDOT for maintenance and signage.
- 7.01.4 Reports of drinking in cars parked by big park late on weekend nights. I asked Deputy Shirley to approach cars like this (during his scheduled off-duty patrols) to see if they are residents in the area. If not, if he would ask them to leave. If we do this enough, people who like to use our area for this will go some place else because they get "hassled" here. Also asked if regular patrol officers could also do the same if they see this when the drive through during the week.

- 7.01.5 The National Night Out 2009 is August 4 (which conflicts with the BOD meeting that month). Registration has been sent in.
- 7.01.6 Scott mentioned that there were numerous requests from the HO for speed bumps in the community. It was brought to everyone's attention that last week two cars were racing in the neighborhood (laps). Scott mentioned that during his recent trip to ATL he came across fire dept. approved speed bumps (sectional pieces bolted to the road). Paul Dunn will investigate with the Kent Fire Marshall and report back to the Board.

7.02 Communications

- 7.02.1 Paul Dunn will be taking on the FC communications role (newsletter) effective immediately (April 15th publication)
- 7.02.2 Board unanimously thanked Johnlyn for her work for the past 19 months

7.03 Parks

- 7.03.1 New signs ordered for the 3 parks addressing the issue where HOs are not picking up after pets.
- 7.03.2 Board discussed the drinking in community parks. Members discussed various scenarios in which outsiders have abused the community parks. Members collectively agreed on 'no drinking', 'no fireworks' signage in our parks.
- 7.03.3 Board can look into the FCW signage which already addresses these concerns and follow the same verbiage
- 7.03.4 John M. mentioned the irrigation problem to the big monument at the entrance to the SE 226th Pl. When the new house was constructed, the double check valve was buried. John M. will get together with the community HO (who has a metal detector) to locate the valve. He will address the findings in the next meeting

7.04 Property Improvement

- 7.04.1 Received two resubmit PICs. One DENIED (owner had already done the work). He was asked to remove it. He has complied. One resubmit just received and sent to Ania
- 7.04.2 Six new PICS received
 - 7.04.2.1 Two sent to Ania for review and APPROVED
 - 7.04.2.2 Two were APPROVED through the PIC Committee without Ania review (simple PICs that were well documented)
 - 7.04.2.3 Two PICs rejected for lack of proper information
- 7.04.3 Met with Mr. Dhillon on his fence, per BOD request at 02/09 BOD meeting. We came to an agreement on how to bring the fence into compliance. Documentation on the discussion was cc:d to BOD members.
- 7.04.4 Submitted proposed seasonal Window Air Conditioner rules to BOD for consideration this meeting. Was submitted to President for inclusion in NEW BUSINESS

- 7.04.5 Submitted proposed new PIC Form to BOD for consideration this meeting. Was submitted to President for inclusion in NEW BUSINESS
- 7.04.6 Board to provide feedback to the PIC committee on the proposed Window Air Conditioner rules and the new PIC form via e-mail
- 7.04.7 Motion to release PIC member Barkley from the PIC committee. First: Paul. Seconded by: Manoj, Motion: Passed

8.0 Property Management's Report

8.01 Nothing new to report

9.0 New Business

9.01 Proposed Seasonal Window Air Conditioner rules

9.01.1 See 7.4.4

9.02 Proposed new PIC Form

9.02.1 See 7.4.5

9.03 Nothing new to report on Parking as it was covered in section 7.1

9.04 Parking violations by community home owners (owners who block driveways, wrong side parking) was addressed but board is not sure how to best handle this. Paul will try to clarify some aspects of parking in the upcoming newsletter

9.05 Paul addressed the Spring/Summer vacant-foreclosed properties basic maintenance issue. There are 3-4 properties in bankruptcy and few that are very near to that situation. These vacant homes would require lawn maintenance in the very near future. As per the discussion, two possible solutions are at hand. Board can take this role (where available members can volunteer to mow the front yard) or seek community volunteers. Paul will include this topic in the upcoming FC newsletter (April edition)

9.06 Paul addressed an incident that transpired between a HO and one of the BOD (Gerry Shirley on 1/29/09). Vadim S. (HO, who is not directly involved) provided the necessary details/background, which is also documented in the KC Sherriff's incident report. In a nutshell, it is an incident involving the scratching of a vehicle. Vadim, asked the Board to take action against Gerry. After debating this for some time, it is unanimously decided that the Board is not in a position to address this matter until the judicial outcome, upon which further action will be determined as deemed appropriate

9.07 HO (Natie) addressed the issue where neighbors are throwing garbage in their back yard. As next steps, ATC will send out a violation letter following the established process/timelines.

9.08 HO (Millers) brought the issue of a Wall which was in their property before but after a recent measurement now belongs to the HOA. After discussion, it was determined that one or two board members, our community Lawyer and ATC would visit the site and strategize the best course of action.

10.0 Call to Adjourn the HOA meeting: Motion called by Paul at 7:48 pm, Seconded by Manoj. Motion: Passed

10.01 Opened Home owners forum at 7:48 pm

10.02 Next Board Meeting on **April 7th at 6:30 pm**