

WINDSTONE COMMUNITY ASSOCIATION II
BOARD OF DIRECTORS MEETING
JUNE 4, 2019
Sugar Grove Fire Station

CALL TO ORDER: The meeting was called to order at 6:52 p.m. by President, Steve Risch.

BOARD PRESENT: Susan McKenna, Jeff Jordan, Eileen Rives, Steve Risch, Vivian Porretto

OWNERS PRESENT: Marilee Bielski, Steve Becker, Vishal Malhotra, Rob Edwards, Dwight and Teri Isaac, Laura File, Peggy Jordan.

OTHERS PRESENT: Tom Carlstead, RealManage Property Management

MINUTES: The Minutes of the March 19, 2019 meeting were not produced by the Secretary of the Board (Eileen Rives). Steve tabled the minutes and said they would be posted as soon as available.

TREASURER'S REPORT as of April 30, 2019: April budget balanced as expected. Jeff had questions as to where (which categories) certain charges were placed in the budget and is working with the Management Company to correct these issues. The Management Company stated that the \$3,100 will be put into the proper category of "Landscaping" in June (this was mis-categorized because the company is called American Tree & Turf and was placed in the Tree category). Jeff will be working with Tom on the CiraNet transition so that there are no missteps on categorization, etc.

As of the end of the month we had \$172,883 in our Operational Budget and \$267,140 in the Reserve fund (for a total of \$439,184 with prepaid assessments of \$1,229). There were no other questions about the budget.

Jeff went on to explain that the May budget will be done as it always has in the Baum system. It isn't until we get into the next couple of weeks before we transition over to CiraNet.

UNFINISHED BUSINESS:

- Peerless – Tennis Court Fencing – Pending South Court lock repair:
Everything is installed and operating on the North court. The South court is now having issues. Peerless is experiencing a mechanical problem with the alignment of the locks on the doors. Tom thinks that this will be fixed shortly.

- Pizzo: willow removal and naturalization update:
Pizzo was out to kill off weeds. Apparently, we are not supposed to be seeing a lot of plants growing yet [growth occurs over the next three (3) years]. Steve asked that we all be patient and assume that Pizzo is doing their job. Jeff stated that there is now more erosion around the lake than he has seen in the last 20 years. Steve asked about willow removal and asked if we are still having issues with this. Steve again stated that we will assume that Pizzo will do as they said they will do. Additionally, Jeff asked that the Membership around the lake be notified when spraying was to take place. Steve wanted to know if it was spot spraying. Eileen brought up the fact that we didn't know what is being sprayed and that we should keep adults, children, and pets off of the spray areas. Eileen stated again that there is a period of time that no one should be standing where the spray is being applied especially if we don't know what chemicals are being used. Jeff stated that Pizzo should be putting treatment "flags" up as they did on-site in the past, and Susan will make sure that this takes place in the future. Susan will stay in touch with Pizzo to make sure homeowners are notified. Steve said he will call Seth and find out what is going on. A homeowner brought up the fact that notification will help those that have homes who have a cancer survivor or someone who needs to be more cautious around chemicals. Peggy Jordan stated that there are children out there all the time fishing – so this is definitely a concern.

Jeff pointed out that there is a Windstone II website [<http://www.windstonehoa.com/>] that homeowners can go to for communications in the future. Steve committed to contacting Pizzo to find out what is being sprayed, and said that the Board would act appropriately. Another homeowner asked if wind conditions were taken into consideration when Pizzo sprays, and Steve said that they are trying to kill what doesn't belong there, so it is doubtful.

Another homeowner stated that there is a good 4-5 inches of standing water due to the weather. Steve ended the discussion and stated the meeting needed to move on.

NEW BUSINESS:

- Lake Project
 - Next steps on the lake projects including the MARS system, silt, etc.
 - Feedback on MARS from Prestbury Board
 - Early Spring erosion concerns

Steve discussed that the components of the project as he is aware are the compressors and their location, power for the compressors, access to the lake, and then the approval itself. We've been discussing how to get the boat into the lake, what materials to use, whether the lake has a clay bottom or not. Steve stated that we do not have a clay bottom in the lake – he said he just knows. Jeff asked where this information came from and Steve could not answer the question. Jeff also stated that two communities around us have broken the clay bottoms of their lakes, and it is still causing issues. Steve said that we need to look at the original developer drawings and stated that he has seen them and knows that what is drawn is not what has been built. Susan said she

conferred with Jason, who said that none of this applies to what we are doing. We are not digging a hole, we are floating a boat. Steve wants to decide what we will do to get the equipment into the lake. Vivian had brought up permeable pavement and Steve says that this type of pavement cannot be installed into the water, as our launch needs.

Susan spoke with Jason and the boat launch does not need to be there to install the MARS system. The boat launch is for algae harvesting. Since we are into June already, we may not want to harvest algae at this time. Jeff also brought up the silt basin. Jeff also presented feedback about the MARS system from Prestbury. Prestbury has two lakes. One lake is larger than the other. The MARS system works much better on the larger lake than the smaller. Prestbury is in the process of draining the larger lake due to the fact that they need to replace their dam (\$1.3 million). Jeff also mentioned that Prestbury did not need to do a special assessment to replace their dam. If we had to replace ours, it would cost each homeowner \$2,300 in special assessments to get this done. Prestbury is having a difficult time with keeping up with weeds growing in their lake and the MARS system may not be keeping up as well as it should. Jeff Jordan's notes from the Prestbury visit have been attached to the end of these Minutes for reference.

Marilee asked why we aren't addressing the silt issue – said that the silt has always been the bigger issue.

The drain at Merrill New Road is still an issue and Susan called the City once again to get something put over the drain – which is once again plugged with corn stalks. A year and a half ago there was a silt fence and bales of hay in place that were removed when the road flooded and these items were never put back. Susan told them that this needs to be fixed.

Steve asked Jeff if Prestbury feels the MARS system was a good investment. Jeff said that for their larger lake, but not the little one.

Jeff brought up compressors and noise. Jeff said that you can definitely hear them and we will have to deal with this. Steve said his opinion is that we build a sound attenuation wall on the residents' side of the compressor to cut down on the noise. Homeowners asked what a sound attenuation wall was. Steve explained that the sound wall would be at least three and a half to four feet tall. Steve proposed that we install this wall. Homeowners pointed out that they will have to look at this "wall" all the time. Steve said that there are box with compressor, box where goose buster is, a meter pedestal, power for goose buster – all in the middle of landscaping (SW corner of lake). Steve says you don't know it's even there and he will make sure the sound attenuation walls will be the same. Eileen pointed out that the Board has not discussed this yet among ourselves or with the company that would be installing the MARS system and Steve said that he is discussing right now. A homeowner [sound engineer] asked why sound attenuation benches were not being considered. Steve said he didn't want a

bench -- Board Members Rives and Jordan said they thought attenuating benches were great idea and would like to consider them versus a wall.

Susan brought a proposal for electric installation so that the system could be installed spreading out the compressors to address part of the sound issue. Installing another post will cost under \$2,000. Jeff went over to Prestbury to hear the compressors – he said that they could be heard and would like to discuss the sound issue further.

Steve said that he just looked over the proposal that Susan just received and stated that our existing electrical service at the lake needs to be reworked because the way it was installed is improper – there is no main on the pedestal. The proposal states a main breaker needs to be installed on the pedestal and then a 12 space needs to be installed. Steve said it needs to be an 18 space not 12. Steve was asked why 18 when the proposal states 12. Steve said he doesn't know, but we need more than 12. Ideally, we need to get another post across the lake (to help with the noise question).

A homeowner asked when these compressors are running and Susan answered 365 days per year. The homeowner wanted to understand why they run in the Winter when the lake is frozen. Susan will get this question answered.

Jeff said that we are not going to get any further on this project this evening, as we need more information on the silt, the compressors, sound, electricity, etc. Tom will ask for a proposal to be put together for a silt basin, as well as obtain other bids from a few more firms. Steve asked if we could put the MARS and silt systems into a single project. Susan said that the silt removal won't change the nutrient enriched water coming off the fields and won't stop the algae problem.

Steve then asked "as far as the MARS system, what do we need to do – next steps." Susan said proposal for silt. Steve wants to combine and MARS and silt proposals because he thinks it will take a couple years to get something put together for the silt. Susan disagreed. She stated that one does not have to go before the other. Steve then said we will table the MARS system and move on to the silt basin removal. Susan went on to discuss the algae situation and the spillway. Additionally, we can get a small boat into the spillway to drop aerators into the area.

A homeowner pointed out that if we don't even know how much silt is in the lake, [he also asked how deep the lake was and Marilee stated 25 feet] why are we spinning our wheels when we don't even know step one. Susan pointed out that six (6) years ago we had a vacuuming process and there were three (3) major bladders that were set on the shore. When the water filtered out and the sediment dried, the sediment was hauled away. The reserve study states we need to do this about every six years. The silt removal was down to the bottom of the lake, however it did not go to the center of the lake. Steve said the deep spots of the lake were 8-10 feet. Marilee said that this wasn't possible. Steve insisted now that the deep spots were 12 feet. The homeowner went on to say that we need to have an idea of the siltation problem first, then look at

environmental firms that do water cleaning – first they do sludge removal, then they clarify the water with certain potassium based jells or silver based salt. The desludging will be the first step, then the siltation will be taken care of – then the MARS system should be installed. Steve said that we aren't looking at something so sophisticated. We want to create a settlement basin to capture all of the silt. The homeowner said that the way he explained is the less expensive route. He left it up to the Board. Steve again tabled the MARS system and said we will look at the silt situation first.

Jeff asked Steve for the readings of the lake depth documentation. Steve didn't answer as to where we could find this/these document(s).

The MARS discussion continued for quite some time.

- Docks replacement/removal estimates and status on next steps (the little docks): Susan received two (2) bids – Tom was supposed to get bids as well, but none of us received them. Tom did nothing. Susan's bids were as follows: \$4,800 to fix existing docks; \$18,000 to replace them with new docs. A homeowner in the building materials business said that the pricing Susan received is in line with the market. Marilee thinks that the docks originally cost \$150 (quite some time ago). Susan asked the homeowner if he could supply a proposal to replace the docks, but he cannot. Whatever we replace the docks with needs to be environmentally sound so that we don't kill the fish and wildlife in and on the lake.

The docks that were originally there were all-weather docks. Steve said we were not going to spend \$18,000 on the little docks. Jeff said that some people have paddle boats that go with the docks that were damaged this Winter. Steve then explained how the docks came about and why. Marilee disagreed and stated the docks were purposely spaced out to be aesthetically pleasing. Susan said that the Management Company needs to get busy getting bids so that we can get this fixed. The Management Company asked the Board to vote on how much we would like to spend on the two (2) docks. Eileen and Susan said no – we want to see bids and will decide from there. Tom agreed to obtain bids.

- Front entrance monument status
Tuck pointing proposal received from Susan which is less than \$2,000. Tom/ Management Company has not provided anything. The Management Company was asked again to provide bids.
- The Iron Plate bid from Two Brothers (\$575) was discussed to be approved. On motion by Eileen Rives, seconded by Steve Risch, the Board unanimously approved the Two Brothers proposal.

Steve now wants to discuss the G. Snow proposal for Algae removal, which is from the March Board Meeting. He is using the wrong agenda.

- Approvals for new landscaping maintenance bids:
This is maintenance and does not require approval. Roger will be trimming an Ash tree and removing one diseased evergreen. We are still waiting to receive this bid.

Steve now wants to do resident comments versus following the Agenda. The first homeowner to speak discussed issues with his neighbor and a string running between the properties that needs to be removed. Steve asked Tom to send a letter asking for an explanation of why the string is there and to state that the string needs to be removed. In addition, someone planted tiny trees in the cul-de-sac. The rings were empty for a number of years. The Board was asked why trees were never planted. Susan stated that those Ash trees were only cut down a couple years ago, and we will be planting new trees. Our biggest issue with the trees is that no one is able to water them. We will need help from the Members living on the cul-de-sac with watering.

Marilee brought up that there have been no Minutes posted and she is concerned because the Members cannot read what is going on. She also pointed out that each meeting is ended with an Executive Session that no Minutes are published for. She did some research and stated that no business should be conducted during Executive Sessions and that Minutes are required. Steve argued with her.

Steve told Marilee that Minutes were being kept in Executive Sessions. Eileen said that she was told not to keep minutes in Executive Sessions. Steve said that we need to change our procedures then – Eileen asked where the procedures were? Marilee went on to say that the plantings around the lake – kids are running through mud and destroying the planted areas. She asked if they lived in the neighborhood and was told “no, that they were there by invitation of a village official”. Marilee also stated that she planted Milkweed and American Tree and Turf cut it down. She suggested fencing or roping may help with situations where we are trying to grow plants around the lake. Susan said that she cannot accommodate this – and that the Landscaper is cutting/mowing exactly as they should.

Merilee discussed the sediment basin – said that this absolutely needed to be done. It was proposed years ago. Suggested an area be dug up. Susan said that this area would never be dug up --- Steve explained that this was not a possibility.

Marilee said a neighbor wants the tennis court fences removed (she thinks this is ridiculous). Someone actually wrote the code on the fence and kids are going over the fence as well. She thinks homeowners should be vigilant versus letting the property be destroyed. Susan suggested calling the police.

Rob Edwards asked what he needed to do to re-do his deck. Eileen explained how he needs to do so.

Vishal Malhotra spoke with regard to notices about fines. Vishal asked if there was a Covenant Committee. Stated he had requested a hearing last year [via Tom] and never

was contacted for the hearing. Vishal asked if the Covenants/Rules and Regulations were any more current than 2006. Vishal was told he needs to discuss this with the Board in Executive Session. Vishal continued to discuss that the letters did not state exactly what was wrong with his home. Vishal stated that the notice he has received is not actionable. He went on to describe his thought process around this assumption. He stated that his fine does not reference what exactly is wrong. Susan stated that the Management Company sends the letters and is supposed to include exactly what is wrong and why. She again suggested Executive Session is the proper forum for this discussion. Steve then explained the procedure the Covenants Committee goes through before fining or sending a curtesy letter. Steve said that Vishal deserves an explanation and needs to come to an Executive Session to receive one. Steve directed Tom to set up some time in the next Executive Session for Vishal.

Homeowners said that the signs announcing the meeting really helped bring them in!

On motion by Steve Risch, seconded by Eileen Rives, the Board unanimously adjourned to Executive Session.

The RealManage discussion was slated to be discussed with the Membership, however Steve decided that we would discuss RealManage in Executive Session versus with the homeowners.

Three specific homeowner's fines were discussed in detail. We discussed maintaining homeowner's property and the legal process that needs to be followed prior to engaging.

Steve brought up the fact that Tom was asked/told to approach the Attorneys to pursue collections on certain homeowners, which still has not been done. Tom committed to do so on June 5 and update the entire Board as information became available. Liens were also discussed, as was Lis Pendens. Jeff asked Tom to provide a cost schedule for filing liens, which Tom agreed to do.

Minutes of the meeting were also discussed.

The Board election process was also discussed.

Pool landscaping was discussed.

- RealManage
 - Homeowner communications approval – **not approved**.
 - Integration with CiraNet including the validation of data entry, Files Anywhere, and the Windstone Community website

Integration of our documents and information is much more labor intensive for this Board than has been explained. At the end of July we will begin receiving reports of

phone calls, email, etc. Everything will be at our fingertips, however, we need to check everything. We should continue maintaining the Windstone II website. Our concern is making sure that the right information goes to the right people. Also, the data going into the new system will need to be validated. For example, the number of lots in the community is not reflected properly in the system right now. Jeff asked if homeowners will be able to view our documents as a document (versus just pieces of the document). Tom said that he thinks homeowners will be able to view the entire document. Jeff requested Tom tell us when our documents begin to be loaded into the system; Tom agreed. Jeff is still under the impression that our documents will be uploaded piece meal into the system per the advanced training session he attended. Vivian asked about the archives – what will be in this section of the system? Tom said that nothing historical will be uploaded into the archives. Another question was posed about DMRC documents, the annual reports, etc. and if they will be included – Tom said that none of the old documents will be included. The Board concluded that the historical information needs to be incorporated into CiraNet and we are going to have to figure out how to get these documents into the CiraNet system. Tom committed to helping the Board obtain this information.

On motion by Vivian Porretto seconded by Susan McKenna, the Board unanimously reconvened then adjourned the Board Meeting.

JEFF JORDAN's NOTES FROM PRESTBURY VISIT:

General information:

- They have 2 lakes. One large (16+ acres) that is behind the clubhouse and one smaller (5 acres) clear lake on the north end of the subdivision
- The large lake receives flow from the Carson Slue and is part of the Blackberry watershed
- On the larger lake they have a mix of members that own land to the water edge and association owned. Where the homeowner's own the land there is no buffer but one exists on the association owned property
- There are a few docks owned by homeowners where the on the land down to the lake edge. For all others there are 3 boat areas where homeowners can leave their boats for a small fee year round. Each area had a combination on peddle boats, canoes, etc.
- The lakes are more shallow than ours (about 6-8ft)
- Due to the shallowness of the lake and some chemical usage they have had several fish kills over the years. Clean up and disposable was an expense.

- They don't seem to have the same silt issues that we do. I'm assuming that that is because they are downstream from Carson Slue and much of it has been dumped or filtered before getting to Prestbury.
- They are currently replacing their dam on the larger lake. They have been advised that it wasn't up to expected standards and will cost about \$1.3MM to replace. You can see some of the draining for the dam when you drive along Hankes Road. The amount of rain lately hasn't helped their effort. The Prestbury Board did not have to do a special assessment for the dam replacement project. **Note:** if we had to replace the dam at the same price we would need a special assessment of about \$2900 per household and use most of the existing reserve fund.
- Prestbury has a budget this year of \$55K for both lakes
- The pavers pictures that Vivian sent were from the smaller lake. It was an area very much like ours but not quite as steep.

MARS feedback:

- On the main lake they have about 16 units
- We did not look each of the compressor sites but they have 3 behind the clubhouse. Using those as a sample they were covered by plantings but were a bit noisy. In a quiet place like ours you would notice they were there
- They are happy with the service provided by S&R and stated they were very proactive
- The smaller lake did have a few units but they were not active when we were there. The small lake has a much larger issue with weeds than their main lake or ours. You could see weeds on a majority of the lake. George felt that the MARS units and the harvesting from the S&R boat could not keep up with the growth and this was much less a success than the main lake.
- The smaller lake was very clear and the shallow so weeds will continue to be a large issue. This was something I thought MARS would be good at but we might want to talk with them about it so we could get both sides of the discussion
- We didn't talk about the monthly rate but I will follow up on it so we can compare it to the rates that S&R quoted was us.

Things to Consider:

- Prestbury doesn't have the silt issue we do. It seems we need to determine how to deal with that before entering into a MARS deal
- S&R did offer to provide a solution and bid for the silt issue. We should follow up on that with them.
- If/when we do decide to use the MARS units we need to be careful on where we place them, how many in each area and how we will deal with hiding the units and reducing the noise they will emit
- Validate the boat ramp solution regarding the impact to the lake bottom

Respectfully submitted,
Eileen Rives
Board Secretary