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## Meeting summary for Broadwater Board of Directors Meeting (07/02/2024)

### Quick recap

The Broadwater Homeowners Association reviewed its finances, discussed the need for improved internal communication, and addressed new HOA law updates. They also deliberated on the handling of infractions within the community, the potential for charging for arc requests, and the need for a fines committee to enforce rules. Lastly, they addressed concerns about property maintenance, particularly landscaping, and the composition and role of the Infractions Committee and the Fines Committee.

### Next steps

- Scott to send copies of HOA documents and covenants to board members and meeting attendees
- Scott to check with Richard's Landscaping about concerns raised regarding their service
- Meredith to confirm with Ryan Baker if he's willing to serve on the Fines Committee
- Scott to research and advise on the process for formally establishing the Fines Committee
- Allan to draft an email and bulletin board notice about what requires ARC approval

### Summary

#### Broadwater HOA Finances and Communication

The Broadwater Homeowners Association reviewed its finances, with Meredith's reporting a generally positive budget situation, although taxes were over budget. Two transfers to

reserve accounts were noted. Chris proposed using a bulletin board to improve internal communication, and there was a discussion about the community's near-complete email database and protocols for updating it. Banning highlighted new HOA law updates, emphasizing that associations with 100 parcels or more now must create password-protected websites containing various information, including bid details. The bidding process was identified as a current hot topic.

### **New Legislation and Architectural Enforcement**

Banning discussed the new legislation requiring the retention of official records and the need for board members to complete a 4-hour continuing education class for reelection. He emphasized that failure to comply with these requirements could result in suspension from the board. Banning also highlighted the increased scrutiny on architectural enforcement, specifically the need to justify denying a request with specifics from the covenant. Chris suggested that the association should clarify and possibly update their documentation regarding nuisances.

### **Streamlining Request Approval Process Discussion**

Chris proposed creating a streamlined form to better document and track requests, including any concerns or justifications for approval or denial. Banning agreed to explore this idea, but expressed uncertainty about whether such a form would be challenged by the board given their broad request powers. The group also discussed the need for formal approval processes and record-keeping, with Banning suggesting that new rules could be adopted and communicated to owners at the annual meeting. Meanwhile, Alex noted that most requests are currently approved, and any denials would need to be justified.

### **Board Policies and Budget Discussion**

Banning, Alex, Allan, and Bernie discussed various issues related to their board's policies. They agreed that reimbursing board members for class costs was at their discretion and should be added to the budget next year. Banning suggested that certain fines were better handled by the attorney to avoid lengthy appeal processes. Lastly, Bernie and Banning clarified that the restriction against commercial vehicles with insignia on the property was a legislative matter, not included in their governing documents.

### **Handling Infractions and Enforcing Rules**

The team discussed the issue of handling infractions within the community. Banning suggested that sending a letter from an attorney might be more effective than a fine. Meredith's noted that the lack of a functioning fine committee had led to no actions against infractions. Bernie proposed displaying repeated offenders' details publicly as a deterrent, but Banning clarified that this approach could be legally questionable. Alex suggested establishing a fines committee to enforce rules, but there was confusion about whether this committee is included in their governing documents. The team agreed to consult with an attorney on the matter.

### **Discussing Documents, Arc Requests, and Fines Committee**

Banning agreed to send around the most recent list of documents and covenants to the board and other relevant parties. The team discussed the potential of charging for arc requests, with Alex expressing openness to discussions about this. Meredith's proposed the idea of charging for the management team's time, particularly for producing letters of good standing. The team also discussed the need for a fines committee to enforce rules and covenants, with Alex suggesting that three people from the community could be recruited for this. Banning brought up a new law regarding restrictions on backyard activities, particularly those that could be seen from neighboring properties, stating that he would need to look up further information on this.

### **Addressing Richard's Landscaping Contract Issues**

Bernie expressed his concerns about the maintenance of properties in the neighborhood, specifically highlighting issues with Richard's landscaping. Bernie pointed out that Richard was not fulfilling his obligations as per their contract, including maintaining the turf at a height of 4 inches, removing debris, and providing turf and shrub applications. Bernie offered to help manage the situation, as he believed Banning's management was not effectively addressing the issue. Banning agreed to follow up with Richard regarding the situation.

### **Infractions and Fines Committee Roles**

The team discussed the composition and role of the Infractions Committee and the Fines Committee. Banning confirmed the appointment process for the Fines Committee and its neutral role in reviewing fines, which are initially determined by the board. Scott was assigned to distribute covenants, establish the Fines Committee, and to discuss landscaping issues with the landscaper, including tree removal. Bernie and Chris agreed to remind the community about the requirements for tree removal and to post information about the Arc issue on the bulletin board.

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