

Windance Property Owners Association

Monthly Meeting Minutes

February 16, 2023

Location: Windance Country Club

The Board of Directors for the Windance Property Owners Association held its monthly meeting on Thursday, February 16, 2023, at the Country Club. The following board members were present: Lisa Connerly, Wayne Miller, Ann Moran, Tyler Gentry, Mark Kettner, Jim Faust, Bradley Walker, Michael Maley, and Kevan Brown.

Community members in attendance were Russ Brown, Mike and Linda Minear, Thomas Clare, Anthony Weeks, Kelly Kettner, and Sandy Hollis.

Call to Order:

President Lisa Conerly called the meeting to order at 6:29 p.m., after which she asked that board members introduce themselves. Following the introductions, she opened the floor for questions, comments, and concerns.

Tony Weeks asked how many more cable companies the neighborhood could expect to come and work in the area, digging up yards and causing other damage. Discussion followed about how at least three companies (AT&T, Sparklight, and Coast Electric) had been laying fiber optic cable. It was reported that some companies were not removing their flags after working. Bradley Walker explained that he had been in contact with Ervin Cable, who was under contract with the above companies, and that Ervin Cable had repaired some damage caused to his property while laying cable there for Coast Electric.

Tony also asked about the cable boxes left in yards and what could be done with them. Wayne Miller said he didn't see any problem with putting some landscaping or shrubbery around the boxes to conceal them, as long as the companies had access to them without having to enter the home.

Thomas Clare expressed disappointment about how the neighborhood was looking, including the main entrance, and about how some neighbors were continuing to park on the streets at night and allowing their dogs to relieve themselves on other people's lawns. He suggested finding a new landscaping person from our own neighborhood, adding that he hoped the new board members would concentrate on improving these conditions and eliminating the recurring problems. He also recommended fining repeat offenders.

Linda Minear complained that a landscaper in her neighborhood was blocking the entrance to her driveway. Tyler Gentry said he would find out who was responsible and contact him about this issue.

Business:

Secretary's Report:

Kevan Brown, secretary, announced that the minutes from the last meeting, held on December 13, 2022, had been approved by the board via email and text and had been posted on the Windance website, along with all the previous minutes that the website company had failed to upload over a number of months. She promised that she would do her best to make sure the minutes continued to be uploaded to the website in a timely manner and that Letch Kline, who had helped establish the site, had assured her that he would intervene if necessary.

Voting:

Lisa asked that the board discuss and then elect, or re-elect, new officers and also decide what committees each member would be responsible for. Following some discussion, the board decided to start over with a new slate of officers and committee members. After both Lisa Conerly and Wayne Miller were nominated for president, each board member voted on paper, with Sandy Hollis counting the votes and announcing that Wayne Miller had been elected as the new president. Wayne then began presiding over the meeting.

Lisa Connerly was elected as vice president.

After Kevan Brown and Ann Moran were nominated to continue as secretary and treasurer, the board voted that they remain in these positions.

Mark Kettner agreed to continue as chairman of the lake committee, and Jim Faust agreed to oversee the architectural committee as well as continue helping on the social committee with Tyler Gentry, who volunteered to remain as chairman of that committee. Mike Maley also offered to help on the social committee.

When asked to head the covenant committee, Bradley Walker agreed; Mike Maley volunteered to assist. Tony Weeks proposed that, since he walks the entire neighborhood multiple times per week, he would report to Bradley and Mike any covenant violations he finds.

When Mark Kettner said he would handle the beautification committee but would need help since he was already chair of the lake committee, Lisa Connerly said she would assist with beautification, including helping select the Yard of the Month.

Jim Faust agreed that he would also be in charge of the newsletter and website.

Once all the offices and committees were determined, Wayne asked for the treasurer's report.

Treasurer's Report:

Ann Moran, treasurer, first said she needed a new person who could co-sign checks in place of Letch Kline, who was no longer a part of the WPOA board, while Kevan Brown would remain one of the authorized signers. Jim Faust agreed to be added as a co-signer. She reported that in January of 2023, the WPOA had \$51,000 in dues collected, over \$4,600 in debits, with a balance of \$46,435; and the balance in the savings account was \$30,069.96. Prior to the meeting, Ann had distributed copies of a detailed Income/Expense Summary Report from 2022 which showed the savings account ending balance as \$30,063.57. The income for the year was \$65,822.04, with \$12,000 withdrawn for deposit into the savings account. At the beginning of 2022, the income was \$70,690.25. All of the expenses for that year totaled to \$45,731.21. Ann further explained that she had broken down those expenses into money spent by committees and that those reports were available for anyone who wanted to view them, adding that the Yard of the Month had cost \$1200 for twelve \$100 gift cards for the recipients; landscaping was approximately \$13,000; Coast EPA was \$693; computer and internet expenses were \$1,873; and Ace Data Storage was \$181. Professional fees of \$1,967.24 included paying Rita Benz for treasury work during January and part of February, as well as some legal fees. Printing and postage costs were \$4,396, with annual postage and storage (for the post office box and warehouse storage unit) totaling \$872. After reporting that expenses for treating and maintaining the lake ran to \$9,080.39, Ann explained that this amount had been necessary due to the need to treat the severe algae conditions. She went on to say that even though this amount was over budget in 2022, expenses for the lake during the previous year had been below budget. Insurance was \$8,801.47, and taxes on a specific property owned by Windance totaled \$78.70. Expenses for events had cost \$4,399.33, and miscellaneous charges, such as Easter decorations, miniature American flags, keys for lake access, and pumpkins for entrances, totaled \$20,044.50. All of the above expenditures equaled \$45,731.26.

Wayne Miller asked if, in the past, the board had paid for an attorney on an as-needed basis or on retainer. Ann and Mark both said that when we had an attorney, he was paid on an as-needed basis.

Ann expressed the dire need for an attorney, as the WPOA has been without one for a number of months.

After Thomas Clare asked about how much money the Island View was contributing to Windance, Ann explained that all she knew was that years ago the casino and resort paid half the insurance in return for water rights to the lake. However, she did not know what had happened with that agreement during the ensuing years. Both Wayne Miller and Jim Faust recommended having a conversation with former WPOA president Walt Hack about what had transpired during his tenure regarding this issue to learn what the current agreement was and how it might be changed if the board deems it necessary.

When Wayne Miller asked for approval of the treasury report, the motion was made and seconded, and Mark Kettner asked that the report be shared with all residents via mailings, especially since there was no report given at the annual meeting and voting in January. Some discussion followed with Sandy Hollis suggesting that, as in years past, the report be mailed out

in January with the announcement of the annual meeting and the proxy form. After Ann expressed concern that a mass mailing to all residents would be quite costly, several ideas, such as emailing the 60% of residents who had signed up for email and mailing the other 40%, putting the information in the minutes, and issuing a special passcode for residents to use online to access the information, were discussed. Wayne tabled the decision until the next meeting, citing the need to research the situation more fully to determine the safest and most effective way to distribute the financial information. Kevan Brown asked if board members would each be willing to submit a brief report outlining the achievements of their offices or committees from 2022 since these reports were not presented at the annual meeting in January, as they should have been. The general consensus was that doing so was a good idea. Following all the above discussion and suggestions, the board accepted the annual treasury report.

Lake Report:

Mark Kettner, chairman of the lake committee, said he had new decals available for 2023 and that he still had plenty of chemicals from last year to use in and around the lake this year. He restated that the budget for maintaining the lake was \$5,000 and that, due to the issues with algae during 2022, he had had to purchase carp twice, as well as some shad, to help control the problem. He also reminded everyone that he had the keys to the gate which allows boaters access and that anyone who has a yellow decal from 2022 needs to get a new red one for this year. In addition, he reported that several residents are experiencing issues with beavers, which can cause and have caused serious destruction of property, and that it is actually legal to shoot them. Wayne Miller suggested contacting the local wildlife department, that they know of a trapper from Jackson County who will come over to trap and remove beavers from our area.

After Ann Moran asked about the resident who continues to shoot geese and about whether removing the geese's eggs before they hatch would help alleviate the algae problem, both Mark and Jim Faust said that the algae problem was state-wide and not caused by geese or their eggs. Wayne added that last year's drought contributed to the growth of algae. When Mark encouraged people not to feed the geese, Tony Weeks said that the man shooting the geese has a permit to do so, as long as the geese are on land and that no more than fifteen geese are shot in one day.

Architecture Report: Wayne Miller, the outgoing architecture committee chairman, said he had no new constructions to report but that he was expecting some new requests in the next month. He added that there is a serious issue on the north end of Calcutta, where there is a triangle-shaped detention pond that is against Robinson Road and along the east property line of the Church at Windance, and that, according to the subdivision plat, it is the responsibility of the WPOA to maintain. Because this pond is overgrown, it is causing flooding issues for at least two residents and has caused their fences to cave in. After Wayne said that we needed to get a contractor to clear out that area, Mark Kettner suggested we get quotes from at least three different companies which would be presented to the board for approval at the next meeting. When Kevan Brown asked about the landscaper who is currently employed by the WPOA, there was some discussion about whether to retain that person or begin looking for someone new. Wayne said that if the board chooses to do so, it can begin getting bids from other landscapers.

Although not mentioned during the meeting, in December of 2022 the board approved via email the building of a six-foot privacy fence at 20052 Bogey Court; then, in January of 2023, the board approved, also via email, the installation of a concrete patio at the home of Brittany and Jordan Underwood at 14780 Calcutta Drive.

Covenant Report:

As Bradley Walker had just been named chairperson of the covenant committee, there was no report at this time.

Beautification Report:

Wayne Miller announced that Letch Kline, who had previously been in charge of beautification, had awarded the Yard of the Month for February 2023 to Marie Parker of 14894 Calcutta Drive. Since each Yard of the Month recipient receives a \$100 gift card, usually to Lowe's or Home Depot, Wayne asked for approval to spend \$1200 to purchase those gift cards for the coming year. Once the motion was made, seconded, and passed, Ann Moran asked that the person who buys the gift cards give her that receipt.

Social Committee Report:

Tyler Gentry said that because the most popular event from last year was the crawfish boil, he is planning for the POA to host another this spring, perhaps in late April or early May. The next event, he said, would be the Easter Egg Hunt, to be held at the old tennis courts, adding that he was open to any suggestions for other types of events.

Newsletter and Website:

As Jim Faust had just taken over the responsibilities for the WPOA newsletter and website, there was no report at this time.

Old Business:

Wayne Miller reiterated the need for a new attorney. After some discussion, Sandy Hollis recommended Joel Blackledge, who has experience with both homeowners' associations and litigation. Further discussion included the need to find a new registered agent, which Wayne said would be addressed later in the meeting. He also confirmed that he would contact Mr. Blackledge to discuss the possibility of becoming the WPOA attorney.

Wayne asked if the board thought we should have a newsletter that, like last year, included introductions of each board member, and that the cost would be approximately \$700 to have

printed copies made. The motion to spend no more than \$700 to have a newsletter, along with the Newcomers Brochure, published with a photo of and information about the current board members was made, seconded, and passed.

In reviewing last year's Survey for Board Projects, Wayne reminded everyone that one of the top interests was in having a pier installed on the lake. In response, an engineer with Covington Civil Environmental Engineering will be attending the next board meeting to discuss the issues involved. Mark Kettner recommended that, before the engineer's visit, that person be given a plat of the property that is being considered for this project so he would know what would be involved in constructing a pier on that spot. Wayne agreed, saying that the engineer also needed to see the property during daylight hours prior to addressing the board and community during the March meeting.

Next, Wayne submitted a proposal of volunteer work by Letch Kline, who, although having recently rotated off the board, had offered to continue doing at no charge. The duties Letch was volunteering to continue included being a liaison for the WPOA website and be the point of contact for adding to and changing the website; being a liaison for email communications to the neighborhood; maintaining electronic copies of all correspondence, minutes, and other documents; being a liaison for Ace Data Storage, where printed copies of WPOA files are being kept, and accompanying anyone who wants to peruse any of those files to that facility; being the liaison for any printing that needs to be done; continue to be the registered agent for notification of lawsuits (until another person or entity is named); and maintaining the spreadsheets of property owners of each house in Windance. Dr. Kline's duties would not require him to attend board meetings, unless invited for any explanation of these duties, and he would not be a member of the board. All of these tasks would be handled via emails with board members. After Ann Moran added that Letch had also said he would help her with addressing yearly insurance payments, and that the neighborhood insurance covered any events that were held in Windance, she moved to accept Letch's proposal. Kevan Brown then seconded the motion, and the board voted to accept Dr. Kline's generous offers.

The final topic under old business was the replacement of streetlights. Wayne said that he had spoken with Coast Electric multiple times, learning that there are no color options for the new replacement bulbs, that the only ones available are white LED bulbs, some of which had already replaced old bulbs that had burned out, and that the entire section of Windance West had the new bulbs. He went on to explain again that the cost of each new bulb would be around \$45, that although there are 95 streetlights in the neighborhood, some of these are already burning the new bulbs, and that once all the bulbs are replaced, Coast Electric would exchange burned-out bulbs for free. He asked if the board wanted to approve replacing the remainder of the old bulbs in the neighborhood, volunteering to count the number of old lights that need to be replaced, giving that number to Coast Electric, and asking them for a quote of how much it would cost to replace all the old bulbs at one time. After Ann Moran reminded everyone having better safety and security in our area was among the top results of the survey taken last year, upgraded, brighter lighting is a necessity. The board then agreed to allow Wayne to contact Coast Electric for more information and a quote.

New Business:

When Wayne asked if there was any additional business any members of the board wanted to discuss, Ann Moran asked at what point in 2023 were unpaid dues in 2022 considered in arrears. Sandy Hollis explained when she was on the board some years ago, homeowners who did not pay dues for the prior year were sent a letter. If the past year's dues were not paid by April 1, a lien was filed for non-payment of dues. She added that it is her understanding there is a 3-year statute of limitations to file a lien for unpaid dues and if not filed before the end of the third year of past dues being owed, the lien would be invalid. Ann stressed that dues are not paid by a homeowner's mortgage holder through escrow, even though many new residents tend to believe that they are. Wayne expressed concern that because there are a number of issues among units' covenants that are not "syncing," these discrepancies need to be examined.

Because a number of people had asked Kevan Brown about being able to pay dues via a service such as Venmo, Cash App, or PayPal, she posed the question to Ann about whether such a service would be forthcoming. Ann's response was that since the manager she spoke with at the First, the bank used by the WPOA, strongly advised against offering this option, citing extra fees and a number of potential security problems, it would not be offered to residents at this time.

Jim Faust asked if the board could start looking at updating the WPOA covenants and by-laws, reminding everyone that this topic had been discussed at a previous meeting. Wayne agreed that this was an issue that needed to be examined more closely, especially since the by-laws were a 1994 document and because there are disparities among the covenants from different areas of Windance. When Kevan Brown said that, if she understood the situation correctly, changing the by-laws would require a neighborhood-wide election, a number of people confirmed this to be true, with Wayne saying that a certain percentage of those voting had to agree to any changes. Ann added that since any one section of Windance had to have a 75% approval in voting to change its covenants, it would be impossible to have the covenants in every area be the same. Citing a posted sign prohibiting motorized boats, Wayne read from the covenants that there is an allowance for a person living in Unit 2 on the lake to own a motorized boat up to a 25-horsepower, adding that this is one of the inconsistencies that needs to be addressed.

Finally, Jim Faust recalled that, in a previous meeting, the board had discussed installing surveillance cameras at the main entrance to Windance to have a video record of vehicles coming into and leaving our neighborhood. After several board members voiced support for this idea, Wayne agreed that this was an issue that the board could also study this year.

Adjournment:

Wayne Miller adjourned the meeting at 7:49 p.m. The next board meeting will be held at the Clubhouse on March 14, 2023, at 6:30 p.m.

Respectfully submitted,

Kevan Brown, Secretary