

March, 2020, LEHOA Board Minutes

The March meeting was held on March 10, 2020, at 6:00 PM at unit #42. The meeting date was changed from March 9th to the 10th due to a scheduling conflict. The members present were: Mike Sweeney, President; Graham Spurrier, Vice President; Joe Tummers, Treasurer; Betty Jackson, Secretary.

Old Business:

- The February, 2020, Minutes and Financial reports were approved and can be viewed by the community at: www.lehoa.net
- The explanation of the legal expenditures will be given, as an attachment, with these minutes.
- The downspout extension at #42 has not been completed. Mike will contact Isaac Villanueva for him to complete the job.
- With Spring coming soon, Isaac will be contacted to spray the Dogwoods as soon as they begin to bloom.
- Isaac has given a quote of \$65 per unit of the gutters that need cleaning out. Mike will have Isaac inspect units number #18 & #28 as samples that are at high risk of needing to be cleaned out and proceed from there.
- The Board has not heard back from Unit #48 in reference to the roof leak. Mike will follow up with the homeowner.

New Business:

- Maintenance request received from Unit #28 to fix the erosion from the driveway runoff baring the tree roots. Isaac gave a quote of \$280 to add topsoil, grass seed and straw around the tree. Approved by the Board.

To all homeowners: At our Annual Homeowners' meeting we will be losing two board members as they rotate off the Board. We will need to elect three new members since we have been operating one short for more than a year. Please consider becoming a member of the Board. We meet only once a month for about one hour. If we cannot fill the Board, the HOA will find ourselves run by a management company again and result in a permanent, monthly increase in fees of at least \$25. If you have any questions concerning the functions of the Board, you may contact any one of us. The contact information is listed below.

Mike Sweeney, 483-6927, michaelsweeney50@gmail.com

Graham Spurrier, 483-3153, bucmangs@gmail.com

Joe Tummers, 283-9854, tjtummers@icloud.com

Betty Jackson, 612-3445, bettyjackson@chartertn.net

Bruce Hoff, 202-3111, behoffer@outlook.com

Explanation of Legal Expenditures since November 2019

On November 23, 2019 all five (5) current Board members were served with a civil summons to appear in General Sessions Court on December 2, 2019 to respond to a lawsuit filed by Elsie Holley, unit #4. The reason for the lawsuit appeared to be the failure of the Board members to provide a functioning water drainage system, resulting in water flowing from the banks above unit #4 into the crawlspace.

Facts are the Association contracted with Total Lawn Care of TN, Inc. to have a collection pit installed at the SW corner of unit #4 and have that pit connected to the storm sewer. This work was completed on or about November 1, 2019 well before Ms. Holley filed the lawsuit.

This was not the remedy Ms. Holley sought; she wanted a sump pump installed to pump the water out of the crawlspace at a total cost of \$2,504, whereas the Board wanted to prevent water from entering the crawlspace, costing \$1,280. So far, the crawlspace is dry.

After receiving the summons the Board contacted the insurance company (Auto-Owners Insurance), which in turn assigned an attorney to represent us in Court.

At the hearing the judge, at the urging of our attorney, dismissed the case based on the fact that the Association, not the individual Board members should have been sued. He gave plaintiff until February 15, 2020 to re-file the case against the Association, which she has not done.

This frivolous lawsuit could have cost the Association a total of $\$959 + \$672 = \$1,631$ (or \$51 per unit owner) in legal fees. Initially, Auto-Owners denied coverage, contending that Ms. Holley owns the property; therefore the Association is not covered under the liability clause. After multiple letters from the Board explaining the fallacy of the reasoning for denial the adjuster at Auto-Owners admitted to having ruled in error and indicated the Association will be reimbursed for the expenditures made. Thus far, that has not yet materialized.

The Board wants to emphasize, that it will defend its integrity and the integrity of its members to the full extent of the law, up to and including countersuing for filing a frivolous, vexatious lawsuit and demanding recompense for damages incurred.

It is incidents, like this lawsuit, that make it harder and harder to find owners to serve on the Board. If we cannot maintain a cordial atmosphere in our community and communicate our maintenance requests in a civil manner we will find ourselves run by a management company again in the near future, resulting in a permanent, monthly increase in fees of at least \$25.

For the Board of Administration
Limited Edition Condo-Owners Association

Michael J. Sweeney
President

LE Income / Expense 2020 (prepared by Joe Tummers)

Account Description	Budget	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Oct.	Nov.	Dec.	YTD	Bal.
Operating Account															
Income															
Association Dues	\$ 60,000	10,480.00	3,920.00											14,400.00	\$ 45,600.00
Late Fees and Returned Checks	0	0	0	0										0	0
Interest	\$40.00	1.94	1.98											3.92	\$ 36.08
Total Income	\$ 60,040	\$ 10,481.94	\$ 3,921.98											14,403.92	\$ 45,636.00
Expenses															
Administrative	\$150	20.46	0											20.46	128.54
Annual Meeting															
Legal Consultation															
Postage		20.46													
Annual Report to TN Sec. of SL		20.46													
Insurances (Erie Insurance)	\$16,750	0	0											0	16,750.00
Insurance Deductible Fund	\$2,000	0	0											0	2,000.00
Bldg. Repairs & Maintenance	\$7,500	260.00	0											260.00	7,240.00
Painting, Caulking															
Gutters		260.00													
Roof															
Driveways															
Other															
Lawn Care	\$18,500	3,262.00	1,350.00											4,612.00	13,888.00
Grounds Maintenance	\$5,000	0	0											0	5,000.00
Tree Maintenance															
Other General Expenses	\$600	0	0											0	600.00
Office Expenses															
Holiday Decorations															
Donations															
General Reserve Fund	\$7,560	630.00	630.00											1,260.00	6,300.00
Total Expenditures	\$ 60,040	\$ 4,172.46	\$ 1,980.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 4,612.00	\$ 53,428.00
Total Net Operating (Income)	\$ 0	\$ (6,308.48)	\$ (1,941.98)											\$ (8,251.46)	\$ 8,251.46
Reserve Account															
Transfer from Operating Account	\$7560	630.00	630.00												\$ 1,260.00
Dividend	\$150	26.49	13.45												\$ 39.94
Reserve Account Change	\$ 7,710	\$ 656.49	\$ 643.45												\$ 1,299.94

Bank Info February 2020 (Prepared by Joe Tummers)

Operating Bank Acct# xxxxx4911			\$ 14,734.63
Income			
2/3, 2/10	HOA Dues	\$ 3,920.00	
1/31	Dividend	\$ 1.98	
	Total Income	\$ 3,921.98	
Expenditures			
2/10	Total Lawn Care of TN	\$ 1,350.00	
2/11	Reserve Deposit	\$ 630.00	
	Total Expenditures	\$ 1,980.00	
	Balance February 29		\$ 16,676.61
Reserve Bank Acct# xxxxx4903			
	Balance January 31		\$ 56,166.14
2/11	Reserve Deposits	\$ 630.00	
2/28	Dividend	\$ 13.45	
	Total Income	\$ 643.45	
	Balance February 29		\$ 56,809.59
	Total Balance Both Accounts February 29, 2020		\$ 73,486.20