

Falling Waters HOA- Executive Board Meeting
Meeting Agenda

Date: Thursday March 21, 2024

Location: Garner residence

Time: 6:00pm

Invitees: Zac Garner, Bob Devine, Lovie Davis (link to Teams for virtual attendance sent),
Reginia Hinrickson, Jessica Howell

Meeting Called to order: 6:09pm

Roll Call: Zac Garner, Bob Devine, Reginia Hinrickson, Jessica Howell

President- Zac Garner:

1. Attorney search/communications –
 1. Need to vote on in new business **Zac continued to have conversations with attorneys and has successfully met with two. Notes from meetings are attached.**
2. ACC discussion –
 1. Email to be sent out for interested parties who would like to be part of the ACC **Jessica to draft email to Mario for community interest.**
3. Committees needed by next exec meeting with detailed description so we can email out to community before open meeting in April. **Sub committees- discussion on committees to include in community. Name of committee, duty, etc. to have ready for open meeting on April 18th. Reginia to confirm with Mario on all committee information (are there other existing committees?).**
4. Dates for Open Community Meetings for the year, to be confirmed by board. I suggest: **(All dates other than April 18th are tentative as they have not yet been voted on, intention is to have this confirmed in April)**
 1. April 18th (Already confirmed) Cross Church at 6:30
 2. July 11th
 3. October 10th
 4. January 9th 2025 – Nominations open for elections
 5. March 4th 2025 - Elections
5. Next executive meeting April 11th
6. Next open community meeting April 18th at Cross Church at 6:30

Vice President of Operations- Bob Devine:

- Security gates- Mario and S&K (current contractor) non-responsive- Bob and Zac have asked for the contract several times now and have yet to be provided with it. Invoice does not itemize billing. Concerns around the cost of service.
- Street lighting- Working on lights in the back to tie in. Lightpost at Durim and Mettico need to be reattached. 32 streetlights and 38 fire hydrants. Bob created a map for locations and will label all units. Monthly charge per light fixture is \$9.75.
- Dumpster for spring clean-up- Possible partnership with local vendors or interested parties in the community, Bob and Zac working together to secure.
- SOPs for-key request, RFP, T&M and Service contracts- Bob created templates for these for board review.
- Front and back signage at entry, who is owning this? Jessica to work on communication with possibility of removing and replacing. Model home at front of community...review agreement and communicate with FWA.

Treasurer- Regina Hinrickson:

1. Welcome Packet finalization and submission to Mario by 22 March
 - a. Make any edits and send to remaining Board members for approval
 - b. Send final to Mario
2. Meeting with previous Treasurers on 5 April (Nancy and Craig)
3. Meeting with Omar - FW HOA web page on Thursday, 21 March 4-5 pm- Omar would like to continue working on the website. Regina will make a mockup website. Hyperlink on website to the info@fallingwatershoa.com email has been removed but email address still exists, discussion around deleting as all communication goes to Mario. Add Facebook page link to website. Regina to bring mockup to the board once close to ready for suggestions on additions.

4. Meeting Results and Discussions with Mario on 19 March 2024
 - a. Awaiting his Director's approval of our list request
 - i. Most will more than likely be approved
 - ii. Daily Reporting - most likely denied
 - b. He would like to ask to have one person be the focal communicator with 1st American; however, we would decide and let him know
 - c. Treasurer access to Centier Bank – **to be voted on in new business**
 - d. Accounting and Budget
 - i. Revamp and Development of revised Accounting/Budget Lines for increased visibility and comprehensiveness
 1. Urgent Priority **to discuss in new business**
 2. Complete for this Budget Cycle 2024
 - ii. Develop new 2025 Budget
 1. Begin August 2024- **2025 budget will be presented to community in November**
 2. Utilize current and historical data for projections
 - e. 1st American and Treasurer Reoccurring Meetings- **Mario requested weekly meeting on Monday's with Reginia until financial role is understood from all parties. Concern around 2024 budget with dues (209 lots actively being paid on?).**
 - i. Weekly - Invoices and Bills
 1. Approval for payment
 2. Ensure Correct Coding
 - ii. Monthly **meeting with Reginia and Mario to discuss monthly**
 1. Overall Budget Assessment and Review
 - f. Delinquencies
 - i. Mario is requesting that the Board allow for approval from only the Treasurer to help expedite the process- **Yes, until process is established**
 - ii. Delinquency Letter sent to appropriate personnel by 1st American Mid-March
 - iii. Mario needs a named Attorney quickly to send Demand Letter by 19 April- **Budgetary constraint will be seen on 2024 budget with any attorney decision as 2023 payments were processed on 2024 budget**
 - g. Financial Web Postings - Balance Sheet, Income Statement, Expenses - No Invoices- **Future questions on budget information can contact Reginia**
 - h. CD Information
 - i. CD - Gina Manns (First American Management employee) and John F _____ owners; 1st American

1. Renewed for 11 months until February 2025 in same names as above
 2. Discussion and process inquiry to change ownership
- ii. CD - Nancy Ellis, Mark Langbehn, and Gina Manns (First American Management employee)
1. Renewal Due November 15, 2024
 2. Discussion and process inquiry to change ownership- **Reginia to determine who the owner of the CD is for both CD's. Owner should be Falling Waters HOA and authorized signer(s) on current board. Suggestion would be to have First American and Jessica Howell.**

Vice President- Lovie Davis: **Not present**

Secretary- Jessica Howell:

- Spring clean up: contacted last year organizer and coordinated assistance for event on May 4
- Meeting with previous Secretary scheduled for April 2 to discuss best practices on role
- Advertisement and sold signs in community that have been posted recently have been addressed with Mario. **Follow up with Mario to address with builders per variance for builders' signs policy and Article VII, Section 8 of the Declaration. Zac to confirm with Mario on whether letters were sent to builders.**
- Falling Waters HOA Addendum Agenda to be continuously worked on and issues addressed

Old business:

- HOA Addendum still being worked on by Zac – tabled to next meeting
- Spring Clean up – Vendor sponsors, Projects, supplies.

New business:

- Attorney- vote between Craig and Nathan Vis- **Present board members of 4 unanimously voted to retain Craig and Nathan. Nathan was contacted and made aware. We thank him for all his dedication to Falling Waters for all the years.**
- Treasurer access to Centier Bank- **Present board members (Jessica Howell, Zac Garner and Bob Devine) unanimously voted yes.**
- Signature card for all CD's at Centier Bank to include Jessica Howell- **Present board members (Reginia Hinrickson, Zac Garner and Bob Devine) unanimously voted yes.**

Meeting close: 8:18pm

Attorney compare sheet			
	Nathan Viz	John Craig	Rhame Elwood
Questions			No Response
Do you have any business dealings or pre-existing relationships with FWA, Woodward Family or businesses?	None outside of the dealings within Falling Waters where he has represented CD and HOA for a number of years.	None.	
# of HOA or associations represented currently and at your high.	4	5 himself, Partner has 2 or 3.	
Experience with filing community liens	Yes, He has assisted this HOA in a number of collection issues and others filings.	Yes. In fact he informed me there was a few different ways to file a lien. One helps more on collecting now than the other.	
Experience with collections	Yes he sends letters per the boards direction .	Yes, sends letters per the board/management companies direction	

Court litigation experience (Was not a standard question asked, but added as provided) .	Nothing was offered or discussed or asked on this matter at time of discussion.	He volunteered that he has taken developers in situations like ours to court and has won rights and fees back for the community. He has also taken and defended HOA's in court when actions have been brought against them.	
Flat monthly rate vs Hourly retainer	Flat monthly rate then hourly after 6 hours	Hourly Retainer	
Rates			
Monthly fee (includes 6 hours)	\$1,150	Retainer only paying for hours used.	
After 6 hours	\$180 and hour	\$250 / hr.	
Litigation rates	\$235	no change	
Paralegals	\$100/hr.	\$100/hr.	
Law Clerks / admins		\$65 / hr.	
Increases	hourly rate will increase to closer to \$210 - \$220 around the end of summer. Assume other rates will adjust at that time.	No planned increases at this time but those would be discussed prior to any action taking place.	
Direction or communication to board members or community members	Nathan would like this to become what it should be where he advises the board on their policies and not used to create policy.	John was very clear that he represents the board members. His office staff has a very specific line they use when contacted by members of the community demanding or requesting time of his. they are referred back to the board.	