

# Drumlins HOA Board Meeting

01/22/2017

**Present:** Glenn Cooke, Barb Starr, Rick Thomas, Donna Meier, Ron Uhlig, Mary Walpole

**Minutes:** The minutes of the previous meeting (December 18, 2017) were approved with the following changes:

Minutes approved unanimously with changes proposed by Donna.

The minutes of the special deck meeting (January 8, 2018) were unanimously approved as presented.

**Manager's report:** Rick reviewed the November financial summary, which is attached. Rick also supplied a list of contracted repairs. His report is in a separate file.

Rick also supplied the first of the landscaping and lawn care quotes that he has received. A table summarizing the quotes so far. (Attachment A)

Rick handed out copies of a letter he had received from Jim Mehan expressing his opinion on the issue of decks repairs and replacements. (Attachment B)

## **Old Business:**

Rick stated that the following landscaping repairs are on hold until spring:

- 1 Waltham: side erosion problem.
- 17 Medford: side yard erosion.
- 1314 Wellington: side yard

Cambridge catch basin: This refers to the manhole cover on Cambridge Circle that is recessed a couple inches. The traffic cones have been removed. Rick will contact Wesley Corporation, the paving contractor that last worked on our roads, to arrange for repairs.

**Road Dedication:** No new information.

**Deck Maintenance:** Donna and Mary contacted our insurance carrier to determine who would be liable, the HOA or the homeowner, in the case of an injury caused by poor deck maintenance. They reported that the insurance carrier refuses to render a legal opinion to a hypothetical situation.

**Landscaping proposal.** Barb handed out a flyer from the county of Ontario (**attached**) where they offered a package of tree and shrub seedlings for a very reasonable price. Barb is proposing planting these in the woods behind 1 and 3 Medford Way. The hope is they will provide some privacy for the residents on the south side of Medford Way from the traffic on Wellington. Motion to approve \$20 for 10 plants in the area near the front entrance was made, seconded and approved.

**Signature card for checking account:** A motion to authorize Donna and Glenn to have signature authority over our checking account was made, seconded and approved.

**Motion to adjourn:** Made, seconded and approved.

**Next meeting** 2/26/2018, 4:00 pm at Glenn's.

## Attachment A

### Quotes for Landscaping and Lawn Mowing for 2018

Company	Service	Price for 2018	Price for 2017
<b>Mowing Quotes</b>			
Bay Landscape	Mow and trim (per week)	530	510
<b>Week Killer Quotes</b>			
Bay Landscape	Weed killer application	440	425
One Step Tree and Lawncare	Weed killer, fall visit	735	
One Step Tree and Lawncare	Week killer, late spring visit	923	
One Step Tree and Lawncare	Fertilizer and Grub or Grub only	868	
<b>Weeking Quotes</b>			
Bay Landscape	Weed control - rear unit beds, per unit, per visit	40	40
<b>Landscaping Quotes</b>			
Outward Landscape	Spring cleanup (of lawn and bed areas)	1641	1641
Outward Landscape	Spring cleanup (edging and weeding)	3333	3333
Outward Landscape	Shrub trimming - based on three trips	8181	8181
Outward Landscape	Bed Maintenance - first trip	3272	3272
Outward Landscape	Bed Maintenance - 2nd and 3rd trip, each	2273	2295
Outward Landscape	Fall cleanup - first trip	1364	1364
Outward Landscape	Fall cleanup - second trip	3200	2363
Outward Landscape	Mulch - foundation plantings (\$85 per yard)		6800
Outward Landscape	Mulch - common area planting (\$85 per yard)	2700	

## **Attachment B**

### **Letter from Jim Mehan**

January 19, 2018

To: Glenn Cook  
Drumlins HOA Board  
From: James Meehan  
2 Brookline Ave.

Subject: Drumlins HOA Deck Replacement

I do not believe the Drumlins HOA Declarations of Covenants, Conditions and Restrictions provides for the HOA to replace owner's decks.

I am adamantly opposed to the HOA funding and constructing new decks for any resident.

#### **Background**

For well over a decade HOA Boards have required owners in writing to provide maintenance of their decks ( washing and staining hand rails, posts and decking planks and not causing structural damage through carelessness). This implies ownership and responsibility on HOA members.

Deck repair by the HOA has been on a piecemeal basis except in 2012-13 when the HOA Board authorized Crofton Associates to make structural repairs that were specifically defined in a deck inspection report authorized by the Board. This was a one time good will effort by the Board and did not declare or imply to owners that the HOA was responsible for continuous structural repair or replacement of their decks.

In July and August of 2015, Crofton Memos and HOA Board meeting minutes referenced a legal opinion by Paula Lapin of Woods Oviatt Gilman that the HOA was not responsible for decks. Lapin was requested to investigate the Drumlins Declaration on this matter on request of the HOA Board, The opinion was never forwarded to the HOA owners and the Board did not take any action.

#### **Summary**

There is no evidence drafted by any past Board or HOA owners meetings to address or amend the Declarations requiring the HOA to provide deck replacement.

To move forward, a legal opinion ( by an attorney) regarding HOA deck responsibilities as defined in the Drumlins declarations must be provided in writing to the HOA membership at a general meeting to discuss and resolve this matter.