



FALLING WATERS HOA, INC.

Minutes of Membership Meeting held March 4, 2014

6:00 P.M. at the Cross of Christ Lutheran Church

Meeting called to order at 6:00 P.M. by Don Plumb

APPROVAL OF MINUTES:

- Craig made a motion for the minutes of the last membership meeting held on November 14, 2013 to be accepted as written, Mark seconded the motion
- Vote- all in favor, none opposed; motion carried.

REPORTS:

- Election Results: Don explained there was no need for an election since only two positions were available and two letters of nomination were received. Craig Paden submitted a letter of nomination as well as Alex Kazmierczak, therefore they will each serve on the board for a period of three (3) years.
- Don also thanked Omar Estrada for his service of three years and for his invaluable help in designing and maintaining our website. He has also volunteered to continue to help us in this endeavor of updating and reviewing our website.
- The proposed positions to be held by the board members is as follows: Don Plumb-President, Mark Langbehn-Vice-President, Alex Kazmierczak-Assistant Vice- President, Craig Paden-Treasurer and Deb Mann-Secretary. Deb made a motion to accept the slated positions, Craig seconded.
- Vote- all in favor, none opposed; motion carried.
- Covenant Vote update- Don explained that all the covenant changes voted on had passed, with the exception of two of them (items 10 & 11 on the ballot) cannot be changed due to the covenants themselves. We have notified all first mortgage lien holders, as we are required to do, and we were waiting for new legal representation before we finalized them in written form, to be filed for public record after being signed by necessary parties. This should all be completed in the near future.
- Don also wanted to inform the community that Randy Hall did in fact, own the 22 1/2 lots when he purchased them in November 2012, even though his deed did not get recorded until recently. He did not, nor did the HOA Board mislead the membership as to ownership of these properties. This statement is based on input from our new attorney, Mr. Ted Fitzgerald.

Falling Waters HOA Board Members

President
Don Plumb
dPlumb@PlumbTuckett.com

Vice President
Mark Langbehn
oMarkLangbehn@yahoo.com

Asst Vice President
Alex Kazmierczak
Alex@wnplumbing.com

Secretary
Deb Mann
rfdlMann@Comcast.net

Treasurer
Craig Paden
CraigPaden@Comcast.net



- Update on new Legal Representation- Don introduced Mr. Ted Fitzgerald, who has extensive background in HOA/POA law, and is currently representing LOFS and Double Tree neighborhoods. He is hired on a retainer basis, and will help us enforce the covenants as well as legal assistance in all areas.
- New Resident: Deb reported that Jaron Kaczmark has moved into the new Luxor Home at 66 Bergamo Lane, and Mike & Emalee Satoski have moved into their home at 76 Morena Terrace.
- Budget: Craig explained the current budget and answered questions from residents. Our budget has been affected the most by the snowplowing this year. It will also be influenced by new legal representation. The monies will come from another category on the budget, most likely from improvement projects, like improved lighting, etc. these may be put on hold temporarily, to keep from implementing a special assessment. It is a goal of the board to post the budget quarterly on the website, under “Members Only” section for review by all residents.
- Open Forum:
- A question was raised regarding attorney’s fees. Ted Fitzgerald explained that he would collect the fines and costs directly from the offender and not necessarily the HOA. He also mentioned that in other communities he collects much more than his fees cost.
- Another resident inquired about possibly purchasing a snowplow ourselves, as we have done with the lawn mower. The expense and storage of such a vehicle is a real issue. We would need an out-building of some sort, which we have discussed in the past and may look into in the future.
- A resident asked about the flags put up by the snow plow service last year, and how it may have helped with guidance of curbs, etc. Many of us agreed, however there were many complaints about the “flags” so he did not do it this year. We will ask about this and possibly have them back in place for the next snow season.
- Promoting the neighborhood was once again addressed, to alleviate some of the negative, or misinformation that is out there. A 5-K run was suggested last year as a way to showcase the development. This was investigated and the Insurance Company required a very large cost for additional liability coverage. The cost being so high, it may be possible to get some local sponsors to help cover these costs, and have an event here which would definitely promote our neighborhood.
- We were informed by a member of the Conservancy District Board of the lack of cooperation by Allstate, and the Receiver to move forward on this seemingly “air-tight” litigation. They are hoping for some information within the next couple of weeks. It was also discussed that maybe with more attendance at the Conservancy Board Meetings, it would reflect a larger, committed group to help it move forward. We asked that Ted Fitzgerald call the Conservancy Board Attorney and try to expedite a meeting between the two boards, so that with a combined effort we may be able to make progress.
- Motion to adjourn: Mark, after thanking the community for attending our meeting, made the motion to adjourn, Deb seconded-meeting adjourned at 7:00 p.m.

Respectfully submitted, Deb Mann-Secretary

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