

Mixson Assembly Board Meeting
April 11th at 6pm. Location: 4617 Scout Aly.

1. Call to Order- 6:10pm
2. Final Motions to Amend Business
3. Review of March Minutes
 - a. Review - Keegan had a couple questions for Trever
 - b. Discussion
 - c. Questions
 - d. Motions - Postpone, review and approve via email. Motion passed at 6:12pm
4. General Updates
 - a. Reserve Study
 - i. Were able to update and better itemize the study.
 - ii. No longer doing a full transition study as that has already happened.
 - iii. Initial quote was for two associations (Mixson Assembly and Row), will now bid just Assembly - master association. Row can bid for a study separately.
 - iv. Reduced the cost of the study by about \$4k - from \$10.4k to \$6.4k
 - v. Initial payment of \$2,996.26 was paid. First meeting is scheduled for Tuesday the 16th.
 - b. Tree Replacement
 - i. The work to the parks is taking longer than expected because they have to go through landscape design and zoning and planning, where lines are, etc.
 - ii. Plan is to have RC come out and do a thorough cleanup of the neighborhood. Lots of little things that need to be addressed (removing debris, fixing entrance fence, exposed pipes, etc.)
 - iii. Stephen noted that back perimeter fence has trees/bushes on the other side that are pushing into it, pushing boards loose. Need to bring to the attention of RC.
 - iv. Need to do a tree audit, want to connect directly with an arborist, not go through Manale. This will likely consume totality of allocated repair/maintenance budget.
 - v. Flagged and are removing between 8-11 trees (some are just coming in late, all warranted through Manale). We have bid out 17 new trees (chestnut, sycamore, magnolia, some oaks), over half will be warranted. Waiting on a quote for that.
 - vi. Pine straw will happen in a few weeks.
 - c. Letter to Residents about Landscaping (Keegan) - questions addressed at 6:28.
 - i. Final draft will be sent for review/approval after meeting, then sent to Miranda to go out to residents.
 - d. Inspections and Enforcement (Sign Document for County)
 - i. Reviewed and signed at 6:36pm
 - ii. Secretary will write and finalize draft of letter to residents re: rules and guidelines by next meeting, President will share FAQ sheet to Secretary for assistance.
 - iii. President has reached out to state gov re: funding for fence since we're next to mixed commercial areas
 - iv. President has reached out to local wildlife programs for any potential grants for wildlife houses, preservation, etc. Needs more work though.
5. Treasurer's Report - 6:41pm
 - a. Review
 - i. Reviewed P&L statement for Year to Date through March. Net income of \$278,166
 - ii. Initiation fees have brought in \$11,890 through April 11, 2024
 - iii. Current bank balance - \$231,582.65
 - iv. Current total shortage is \$9,735.87
 - v. Assessment (Special and Annual) and Delinquency Report
 1. Assessment delinquency is at 8.56%
 2. Special assessment delinquency is at 5.14%
 - vi. Actions to Collect Outstanding Debt
 1. Treasurer recommendation is that we are in a sustainable cash flow situation. Should not break up when we file collections - do special assessment and annual assessments all at once. Suggested we send demand letters. Debated best approach for timing and requests based on CCRs and resident feedback.

2. President suggested informing delinquent residents that, if they do not pay and demand letters are sent, an additional \$230 legal fee will be added to cover Sean's costs (Miranda will confirm exact \$ amount and wills end to Stephen). Use form letter. All agreed.
- b. Discussion - 6:54pm
 - i. Treasurer brought up strategy question re: putting together budget comparison spreadsheet for budgeted vs actual monthly in order to inform next year's budget. Asked if there were any other actions he could take as Treasurer in order to set things up for success down the line, seamless future transitions.
 1. President suggested maintaining record of budgeted vs actuals by month and quarter, organized and filed for record keeping. Possibly a Notes column as well.
- c. Questions
- d. Motions
6. Maintenance Items - 7:02pm
 - a. Review - knowledge that entire repairs and maintenance budget will be consumed by 3 things is concerning. The \$32,000 budgeted is grossly insufficient for repairs and general maintenance. Need to make smart decisions on what to replace vs what no longer makes sense (e.g. sun-loving plants in shady areas).
 - b. Discussion
 - i. Concern re: high cost of deferred maintenance items - necessary but out of budget.
 - ii. Some items would be beneficial but hard to maintain/guarantee (e.g. easements - would need watering, would get foot traffic, etc.)
 - iii. Need for fences along parks and/or speed bumps in alleyways to improve safety. Stephen raised point that some alleyways were originally meant to be one-way. That could be a solution, or speed bumps.
 - iv. High cost deferred maintenance items are a big challenge, result of Stanley Martin's failure to maintain. Budget is grossly inadequate. Landscaping budget should be closer to \$75k, repairs and maintenance \$20-30k.
 - c. Questions
 - i. Ideas for how we can creatively fund these items, especially the deferred maintenance. Secretary brought up idea of having residents vote on what to prioritize based on list of options within budget. Treasurer suggested less formal option. Miranda suggested sharing plan with residents for what will be done over next 3 years to show momentum, plan. President said we'll likely need to raise dues next year.
 - ii. Treasurer pointed out that we basically have one board meeting before the mid-year neighborhood meeting. Need to get quotes on all line items and specific action plans for the key ones so that we can present them to residents, explain budgetary restrictions, needs, etc.
 - iii. President requested help with deferred maintenance costs. Treasurer requested President send out list with assignments and estimates he already had. President said some things can be done ourselves (e.g. replanting areas of parks).
 - d. Motions
7. Legal Recommendations/Followup - 7:43pm
 - a. Per Sean and CCRs section 15.19, Association was supposed to collect club initiation fee for club at homeowner closing, and first several years as obligated by CCRs. Club then bills us. Club does have the right to collect the dues themselves, though - doesn't have to wait for us. Vestigial part of CCRs left over from when builder/declarant owned club and managed HOA. Should have been struck upon transfer to residents/new club ownership but was likely missed.
 - b. Step 1 is to find out how many homes (single-family and townhomes, built within last 4 years) are affected, how many didn't have dues collected, and then respond. Must be applied equally to all affected properties per Sean. Audit and collection could be major issue. Miranda will pull records, share with board and Sean.
 - i. Any homes where initiation fee and first year of dues were collected are all good.
 - ii. Any homes of those where they did not continue the extended membership obligation could be pursued by Boris/club.
 - iii. Any new purchases in the neighborhood must also be billed the club initiation fee AND the first year's membership fee. We collect the initiation fee, cover the first year.
 - iv. Need to also clarify time period for any affected, since first year would be prorated, per docs.
 - c. Step 2 is to meet with Boris to discuss, come to agreement re: how we collect, plan going forward.
 - d. Paradiso/Mixson Club membership agreement does not necessarily overrule the CCRs.

- e. Treasurer will email Roger at Stanley Martin to ask re: updated documents, filings, etc. re: at any point did they amend it or sever the relationship between Association and Club, membership obligations, who pays, etc. and if so, when as it done. Will also investigate re: should fee have been paid by Stanley Martin at that time.
 - f. Treasurer asked re: our rights to amend documents. President said we do have that right. A mistake that Stanley Martin, New Leaf, Eastwood, didn't pay these bills when they governed the association, and any affected homeowners should seek redress from them, not Association. Need to first triage scenario for current residents, how many are affected, what potential impact on community would be if retroactively enforced. Then look into revising contract for how to make it make sense going forward and do what's in the best interest of the neighborhood.
- 8. Projects for Miranda
 - 9. Open Discussion
 - 10. Next Meeting Date and Time - Treasurer requested 6:30pm start time for next meeting.
 - 11. Adjournment - Meeting adjourned at 6:23pm.

Decorum for Board meetings and process is guided by a system of respect. This process also ensures transparency and accountability. Decorum will also assist the secretary with minutes. Finally, meeting decorum and process is essential in avoiding confusion, and avoiding litigation. Board meetings should be guided by mutual respect and understanding.

Some Notes on Board Meeting Process:

Board meetings should be as targeted and structured as possible to respect every member's time.

It is important to limit our scope of discussion to items on the agenda. Try not to allow discussion of one item into another item before each item is individually managed. Be mindful of the time you are taking up for discussion and questions. If all board members speak for 5 minutes on an individual item that is already 25 minutes!

Be respectful of every member, their thoughts, and opinions. We are not here to sway opinions or convince each other to act or vote in a particular way.

Every voice is valid and equal.

Motions to amend the agenda should be made after the meeting is called to order.

All motions should be respected. No more than one motion on the table at a time. If a motion fails to receive a second, the motion dies. All motions that receive a second proceed to a vote. Motions can be amended before a second is called.

Language to Use:

I make a motion to....

I second the motion to...

All in Favor?...

All Opposed?...

I make a motion to Table/postpone... (This allows us to put an issue down and come back to it at the next meeting)

Point of Order... (This allows for a review of meeting rules)

I call the question... (This would allow us to review the CCRs to determine the legality of a motion)

This will help us get our feet wet and have a great productive meeting!