

**Fourth Special Meeting
Reflection Lane Homeowners Association
Minutes
14 September 2004
7:00 - 10:30 pm**



Location: Bailey residence (8982 Reflection Ln)

Attendees:

Dave & Kaye Kimbrell

Terry & Stacy Poyzer

Toni DuGal

Steve & Margaret Marlatt

Chris & Kim Bailey

Calvin McDonald

Todd Henry (had to leave early)

NOTES

Lots not represented (in Person) at the meeting: 40B (Hayhurst), 38B (Green)

Proxy Votes: Lot 40B gave written voting permission to David and Kaye Kimbrell
(Document on file)
Lot 38B gave written voting permission to Toni DuGal
(Document on file)
Lot 41A gave written permission to Terry & Stacy Poyzer
(when he had to leave the meeting early, Document on file)

Lots not eligible to vote due to delinquent annual dues: None

PROCEEDINGS

The meeting began with discussion on the data collected from the HOA members regarding irrigation system repairs and improvements. Kim distributed copies of current bids for all members to review and discuss. The proposals include equipment/materials and labor prices for the following items:

1. Replace 3 HP pump -Existing pump is no longer operational, action would restore intended mechanical operation
2. Installation of board - Installing a “sleeper” control for compatibility, reduce wear and tear on pump and reduce electrical costs.

3. Install Weir - Installation of Weir to control water levels and quality of water.
4. Application of Chemicals - Action would provide pond plant control of String Algae, Cattails and Duck weed.

The Bailey's presented reasons why they strongly support installation of a Weir as a solution to improve our irrigation system. The Weir is designed to pump in ground water which is clean and free of unwanted substances such as pesticides, and seeds that promote duck weed, cattails. Thereby reducing the growth of these pond weeds in the first place and possibly reducing need for chemical treatments. If the weeds take over the pond they may cause blockages and cause equipment failure. In addition, The Weir would control the water level, preventing the pond from dropping too low with the possibility of Mud and silt entering the system. The Bailey's have landscape plans which include planting around the perimeter of the Pond and they are concerned about water levels effecting their landscaping. Along with replacing equipment and possible chemical treatment, the Bailey's consider installation of a Weir as a long term solution which will pay for itself by preventing future maintenance problems and costs.

Many HOA members agree that many maintenance issues need to be addressed however further discussion continued about determining what is necessary and what is an improvement. The weir is very expensive and many members argue that the pond is a ground fed pond in which water levels fluctuate and the HOA is not responsible for maintaining water level. In addition the weir runs 24x7 which would incur a large utility bill and make it impractical. Another point was brought forth regarding the weir and playing with and disturbing ground water sources. There are a lot of concerns regarding use of chemicals. Some feel they are dangerous - certainly we must take great care and be informed - MSDA sheets will be distributed before any future chemicals are applied. A fountain or other device would be beneficial to aerate surface water to break up surface algae and oxygenate the pond.

Tony DuGal presented a proposal (see Appendix A) to address the irrigation issues. The guidelines were reviewed and discussed in detail as follows:

1. Research - There are many unanswered questions about our unique system. Terry suggests we contact the design engineer for answers. It could be very beneficial to talk with the person who designed the system.
2. Address known system mechanical failures - Replace 3 hp jockey pump and install new board "sleeper" control.
3. Implement an annual silt removal service as a maintenance procedure - In addition possibly install an intake filter to reduce solids passing through system.
4. Restore existing recalculation system to the HOA Irrigation system - Extend the intake piping upstream in the irrigation canal. After the Water District dug out the canal it

changed the dynamics by reducing or stopping flow from the Canal to the irrigation Pond. The intake piping was installed by the developer and until the canal was altered, worked as intended.

5. Implement an expert system shut-down and start-up for each irrigation season.

Discussion of the pond continued. Bailey's initially opposed giving the HOA approval of access on their property to work on extension piping, or allow gathering water shares. However, after further discussion they agreed to allow implementation of a extended intake pipe under a temporary agreement – They are not granting expressed right or easement. Kim is also concerned about who will make the determination on whether it is working, timing and use of chemicals.

After lengthy discussion several motions were voted upon.

MOTION 1 - Authorize use of \$75 existing dollars for professional shut down of system this season.

Vote Results - 9 for / 0 opposed

MOTION 2 - Adopt Toni's proposal with following modifications: #3 increase the amount for installing new board from \$400 to \$1000. Complete work outlined in proposal by start up of next irrigation season - approximately April 15. Total funds required for work is \$2,950.00. Said funds will be assessed for each lot as one time special assessment of \$328.00 due April 1, 2005. Further approve assessments for chemical treatment to control string algae, duck weed, and cattails (see first page of Appendix A). Total funds required for chemical treatment is \$2,065.00. Said funds will be assessed for each lot as a one time special assessment of \$230.00 due April 1, 2005. The board is authorized to make the decision to call chemical contractor if the pond needs chemical treatment - timing is also at the discretion of the board. Total of both Special Assessments is \$558.00 for each lot.

Vote Results – 7 for / 2 opposed
(Poyzers and Henry (by proxy) voted no)

MOTION 3 - Fees for future annual system shut down/start up and silt removal to be incorporated with Annual Homeowners dues. Annual fees will increase by \$28 per lot, beginning with next annual dues collected June 1, 2005.

Vote Results – 9 for / 0 opposed

There was further discussion on the fact that liability insurance has not been implemented. At the previous meeting it was brought to our attention by Kim that coverage may not be necessary as the Association does not have assets. In addition, these funds which have already been collected could be used towards expenses for the irrigation pond.

MOTION 4 - Do not buy insurance immediately, investigate scope and need for coverage.

Vote Results - 3 for / 6 opposed (Action: buy insurance immediately)

ASSIGNMENTS TAKEN

Kaye - Buy insurance

Terry - will contact engineer who designed our irrigation system and seek counsel

Kim - Will contact Skinner to get clarification on nature of ownership on common area boundaries

ADDENDUM: Kaye has applied for Liability Insurance. Waiting for underwriter approval.

Appendix A

Reflection Lane HOA Homeowner Initiated Proposal Irrigation System issues

14 September 2004

Author: Toni DuGal

Guiding principals for proposal:

1. Homeowners support active, on-going research and expert advice on resolution of HOA Irrigation System issues as they are identified.
2. Homeowners agree to address known system mechanical and electrical failures
3. Homeowners agree to maintain the pond to the extent required for the maintenance of the water available for the HOA Irrigation System
4. Homeowners agree that the HOA CC&Rs do not require the Association to address water level in the HOA Irrigation System pond

Recommended Actions:

1. HOA Board continues to research and seek expert advice on HOA Irrigation System issues. Board facilitates information sharing with HOA members through special meetings where experts present findings and recommendations and by providing copies of all materials and proposals related to such research. This action will ensure that the Association is informed sufficiently such as to facilitate decision making as required.
2. Replace the three (3) hp jockey pump at a not to exceed cost of \$875.00. This action will restore the intended mechanical operation of the HOA Irrigation system since the existing jockey pump has failed and is no longer operational or installed.
3. Install a new “sleeper” control model in the pump controller at a not to exceed cost of \$400-\$1000. This action will correct compatibility issues with the pump design and is expected to reduce wear-and-tear on the pumps and to reduce electrical costs to operate the system.
4. Implement an annual silt removal service at a not to exceed cost of \$100.00. This action will help the HOA to understand if silt accumulation is impacting the operation of the HOA Irrigation System such that any impact can be addressed. Additionally, annual silt removal is a recommended maintenance procedure.
5. Plan for the potential need to install a new intake filter for the HOA Irrigation System at a not to exceed cost of \$300.00. The intake filter is intended to reduce the accumulation of solids in the system intake plumbing. If further investigation or

experience indicates this action is warranted, the funds will be available in the HOA budget. If this action is not warranted, these funds can be applied to unknown future maintenance and repair costs for the HOA Irrigation System.

6. Improve the existing recirculation system to the HOA Irrigation System pond by extending the intake piping upstream in the irrigation canal at a not to exceed cost of \$600.00. The proper operation of this existing recirculation system has demonstrated the ability to maintain sufficient water quality for system operation in past irrigation seasons. This action will restore the proper operation of this existing recirculation system.
7. Implement an expert performed system shut down/start up for each irrigation season at a not to exceed cost of \$150.00 per year.

Total funds required: \$2,950.00

Assessment recommendation: One time special assessment of \$9.00 per lot due by October 1, 2004 to generate funds for the 2004 system shutdown. One time, special assessment of \$262.00 per lot due by April 1, 2005 to generate funds for the remaining actions.

Timing recommendation: Complete work at system startup for 2005 irrigation season (estimated at 15 April 2005)

Additional consideration: on-going fees for annual silt removal (\$100.00) and annual system shut down/start up (\$150.00) to be incorporated into annual assessment at the next annual HOA meeting (estimated at 10 April 2005).

Appendix B



PROPOSAL

PROPOSAL NO. <i>Pond Treatment</i>
SHEET NO.
DATE <i>07/21/04</i>

PROPOSAL SUBMITTED TO:

NAME: *Kim Bailey*

ADDRESS:

CITY/STATE: *Middletown, ID*

PHONE NO.: *585-3598 / Fax 334-4298*

WORK TO BE PERFORMED AT:

ADDRESS:

CITY, STATE:

DATE OF PLANS:

ARCHITECT:

We hereby propose to furnish the materials and perform the labor necessary for the completion of

- *String Algae Treatment & clean up (1x) \$280.00*
- *Pond Weed Treatment (1x only needed) \$385.00*
- *Cattail Treatment (1 year)(2004) \$235.00*
- *Duck weed Treatment (1x only needed) \$995.00*
- *Subsequent Algae Treatments \$85.00*
- *Monthly Maint (includes algae treatment & weed/water care in pond) \$75.00/month*

All work includes chemicals.

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of:

with payments to be as follows _____ Dollars (\$ _____)

(1) Alteration or deviation from above specifications involving extra costs will be required only upon written order, and will become an extra charge unless stated otherwise. All payments contingent upon strikes, delays or claims beyond our control.

Respectfully submitted, *Scott Graham*

Per _____

Note - This proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

DATE: _____

SIGNATURE: _____

SIGNATURE: _____