

Peacefield HOA Board Meeting
June 11, 2024 at 7:00PM
John Fullmer's Home

John Fullmer opened the meeting at 7:00PM

In attendance:

John Fullmer – President

Ray Allen – Finance

Brian Hill – Landscaping

Sean-Paul O'Neal – Landscaping

Larry Cook – Water Features

Trent Packer – IT

Michelle Hill – Secretary

Absent was Randy Pullham – Pool.

The May 17, 2024, meeting minutes were sent via email to all current board members and were approved and posted to the PeacefieldHOA.com Website.

Ray discussed the following finances: the HOA has budgeted \$100,100 with the receipt of dues of which \$94k has already been collected; the patio homes will pay their share of landscaping to be divided into 3 payments – the first of which has already been collected; last year LandMasters (Roger) billed \$65,188 – this year is expected to be approximately \$72k; the attorney retainer costs nothing until he/she is used; and, the Reserve Fund and General Funds are accruing interest. Then Ray left.

There was a lot of discussion of what is Common Area and what is Limited Common Area. This subject was tabled until it could be discussed with a pro-bono attorney of the Peacefield HOA at an additional meeting on June 14th.

In September 2023, the homeowners of 1907 Ridge Rd submitted a request to enlarge their kitchen by enclosing the patio and then added a new patio in the backyard. In accordance with the CC&Rs, 4.5 d), three Board members went to the home on Tuesday, May 21, to ensure the project was completed within the CC&R guidelines and the Approval. The homeowners were notified in advance by email, but were not home. While there, the Board members saw additional renovations and construction that was not requested of the Board nor Approved and not visible from the road to include, but not limited to, a rock wall along the west side of the backyard, a fence built upon the rock wall, a swimming pool being installed along with what appeared to be a pool house and a pump house. The Board agreed to give notice to the homeowners officially in accordance CC&Rs 13.2. Brian drafted a letter to send to the Dunns and gave each Board Member present a copy. The details of the letter will be discussed on June 14th with the pro-bono attorney who is a member of the Peacefield HOA.

Sean suggested using an online HOA Website as a repository for all texting, emails, etc. so as to make it easier for passing on info to future boards. He provided a demo for the Board and has asked Board Members to test it.

Brian had several questions regarding the CC&Rs. The Board members agreed to read them again and discuss Brian's questions at a future Board meeting.

Due to the time limit of the meeting, the Berms' Beautification Project will be discussed at a future meeting.

The meeting was adjourned by the President, John Fullmer, at 8:20PM with an additional meeting set for Friday, June 14 at 7:00PM to consult an unofficial attorney who is also a member of the Peacefield HOA for clarification of two primary issues, Common vs Limited Common area and the Dunn's issue identified on June 11th.

Continuation of June 11th's Board meeting at John Fullmer's house on June 14 at 7:00 PM with an unofficial attorney who is also a member of the Peacefield HOA.

In attendance:

John Fullmer – President

Brian Hill – Landscaping

Michelle Hill – Secretary

Also, in attendance was the Attorney who lives in the Peacefield HOA but wished to keep his name out of the minutes.

Brian also requested the advice of two previous Board Presidents on June 12 and 13, who wished not to be named in the minutes at this time, but one agreed to attend a future meeting, if necessary.

Below are the attorney's interpretations of the CC&Rs:

Common Areas are identified as those listed in CC&Rs 1.8 that are enjoyed by the entire Peacefield HOA population, including, but not limited to, the Peacefield Entrance, the Field, the Pool, Wilcox Way, and Poet's Rest.

Limited Common Areas are identified as those in areas 3, 5, & 6, commonly known as the patio homes, also referred to as "Units." Each Unit only owns and is taxed on their home's lot and within the curbing which is generally 3-4 feet surrounding the home. All of the rest of the property in areas 3, 5, & 6 are known as Limited Common Areas to include the front, back, and side yards, landscaping, trees, bushes, and berms. If a homeowner plants a tree or builds a "berm" in the Limited Common Area, it then becomes the property of the Peacefield HOA.

The Individual Homes with lots pay taxes on their entire lot and are responsible for their landscaping, and therefore, they are not subject to pay for the upkeep of the Limited Common Areas.

The upkeep of the Common Areas identified above is to be shared equally between all 91 homes.

The upkeep of the Limited Common Areas (around the patio homes) is to be shared equally between the 41 patio homes.

A patio home owner cannot build a structure within the confines of their curbing such as, but not limited to, a shed or a storage building. If the previous board approved it without understanding the CC&Rs, it must still be removed.

As for the Dunns at 1907 Ridge Rd, the attorney agreed with the draft letter previously presented to the Board at the June 11th meeting. He suggested the exception of using the word "May" instead of "Must" in the sentence, "...then you MAY be required to return your property to its original state."

He also said we worded the consequences correctly, and appreciated how we allowed to keep the conversation with the Dunns ongoing by adding "You must respond immediately and meet with the Peacefield HOA Board to discuss your options."

He actually thought we should have been more aggressive in the letter, but concurred that we were trying to keep harmony within the neighborhood and understood that we may want to allow Approval after the fact, keeping in mind that some of the infractions were contrary to the CC&Rs and would be Disapproved.

He also instructed us to send two copies of the letter: one via Certified US mail; and, one by regular US mail.

The meeting was adjourned by John Fullmer at 8:00 PM.