

**To: Amber Fields Phase 3 & 4 Homeowners Association, Inc.**

**Annual Homeowners Virtual Meeting Minutes**

**Date: March 4, 2023**

**Time: 6:30 PM**

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VIRTUAL MEETING HELD ON ZOOM PLATFORM

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I. MEETING CALLED TO ORDER at 6:30 PM by Vice President: Eddie Faires.

It was explained Vice President Eddie Faires would be running the board meeting tonight as President Manuel Arruda would be present but not taking a leading role due to personal reasons.

II. ROLL CALL was taken by Secretary Judy Arruda.

III. Board Members Present were:

Manuel Arruda – President Eddie Faires – Vice President Shawn Milne Treasurer – Judy Arruda Secretary.

Homeowners Present were:

Jason Schofield and Tracy Gentry

IV. Judy Arruda read highlights of previous September 17, 2022, Homeowner Meeting.

- The city of Logon, Visionary Homes, and the Retention pond being negotiated by same, has been shelved as this is not being considered any longer.
- Homeowners were asked if there still was any confusion between the HOA and Westfield Properties as far as ownership and dues. There was no confusion as a response and this subject was closed.
- It was pointed out that some clutter had been left in the retention pond. Homeowners were asked to be aware and help manage that effort. This subject was closed.
- Possible Vandalism was addressed to sprinkler system. This subject was closed.
- Damages to mailbox cluster was discussed with dissenting opinions on who would be responsible for repairs. The board will look into further and report at the Annual Homeowners Meeting March 4, 2023.
- Homeowner Jason Schofield questioned HOA authority beyond the scope of the common areas.  
This was looked at intently by the board and it was determined that we needed to get a Legal opinion. This subject was shelved until the Annual meeting March 4, 2023, so we could get their opinion and the results from our Attorney.
- Shawn Milne gave the financial report.  
Vice President Eddie Faires called for a Motion. Manuel Arruda made a motion to accept the financial report as read, and it was seconded by Shawn Milne.
- Lacey Pearce brought up a thistle problem in her back yard caused by the thistles in the retention pond. The board will investigate this and discuss any actions taken at the Annual Homeowners Meeting March 4, 2023.
- Homeowner Blake Davis suggested that the HOA and the homeowner that owns the property that the turnaround is on, have a contract that the homeowner will be responsible for the clearing during the winter. Note: This homeowner has stated they would rather the association not be involved.  
While the Board appreciated this suggestion, it would not legally relieve the HOA of this responsibility. This subject was shelved.

- It was noted that not all homeowners were still not registered on our website. The board will try to determine if there is anything we can do and will address this subject at the Annual Homeowners Meeting March 4, 2023.
- It was asked if there was any homeowner input at this time, with no question response.

Motion was made to accept minutes as read and was seconded.

#### V. UNFINISHED (OLD) BUSINESS

- A Damages to the Mailbox cluster was covered. Appreciation was given to those that repaired the damage and this subject was closed. It was also determined that to establish who would be responsible financially, would take an actual event to happen as it would probably be a legal determination that decided.
- B Eddie Faires reported that all homeowners were now registered on our website. This subject is closed.
- C Shawn Milne reported that it appeared one homeowner may be in arrears.
- D Eddie Faires reported that the retention pond thistle problem had been addressed and had been treated, and that treatment for this year has been planned and this subject is considered closed.
- E Time for Homeowner Input and no response was given.

#### VI. NEW BUSINESS

- A Financial reports were given by Shawn Milne for the 2022 year end, and January 2023. Manuel Arruda made a motion to accept them as read, and it was seconded by Shawn Milne.
- B Manuel Arruda addressed the Question of HOA Scope of Authority brought forward from Homeowner Jason Schofield from last meeting and the legal opinion which was sought by the board was received from our lawyer. It is posted on the website for all to view.  
Click the heading of documents, then click on Homeowner Documents, then click on Minutes, then click on the 2023 folder, and then click on recordings. When it opens you will see items one through six on 030423 Annual homeowners meeting. If you choose number 6 you should get audio and video of the Annual meeting.  
Summary of the Legal Opinion given:  
Amber Fields Phase 3 & 4 Homeowners Association, Inc. is a “Limited” home owners association. This means that we do not have the authority to get involved in or address any situation other than with respect to the common areas. “The retention pond, and the snow turn around.” If any other problem were to come up between the homeowners or the appearance of the sub-division were to have some unsightly scenes, “weeds out of control etc.” this has to be addressed by each neighbor and not the HOA.  
**To sum up these statements, unless a problem arose from the common areas, as stated above, this HOA cannot and will not get involved.**  
This subject is now considered closed.
- C Shawn Milne presented the 2023 budget and requested a revision to it. The Legal and Professional amount that was budgeted was exceeded by the Legal interpretation asked for on HOA authority.

The requested change was that the Legal and Professional budget be increased and the reserve account be decreased to cover the amount needed.

Manuel Arruda made a motion to increase the Legal and Professional budget from \$1200.00 dollars to \$2000.00. and that the reserve account budget be reduced by \$800.00 dollars to reflect cover this revision and keep the budget in balance.

This was seconded by Shawn Milne.

Eddie Faires called for a vote, and the revision was passed and accepted by the board.

- D Prior to opening the voting process Eddie asked if there was any homeowner input. Tracy Gentry responded asking clarification if you voted on the proxies prior, do you vote again. Eddie answered, no. You only need to vote once. With no other questions, it was determined to allow two minutes for anyone who may not have voted to do so then and Manuel Arruda would be the timekeeper. Two Minutes were then allowed for voting. Shawn Milne then made a motion to close the voting which was seconded by Manuel Arruda and Approved by all board members.

Voting was then closed by Eddie Faires.”

- E Election Votes were then tabulated and verified by screen display for all to see. Results were as follows:

| Office:        | Name:         | Votes | Write in       | Votes |
|----------------|---------------|-------|----------------|-------|
| President      | Manuel Arruda | 0     | Eddie Faires   | 7     |
| Vice President | Eddie Faires  | 0     | Shawn Milne    | 2     |
|                |               |       | Jason Scofield | 5     |
| Treasurer      | Shawn Milne   | 0     | Manuel Arruda  | 7     |
| Secretary      | Judy Arruda   | 2     | Kelsey Richins | 5     |

Eddie Faires asked for a motion to accept the tabulation of the voting process.

Motion was made to accept the results by Manuel Arruda and seconded by Judy Arruda

Note:

This Annual Homeowners meeting has been recorded and is a part of the documents on the HOA website listed under the following:

Sign on, click on Documents, then on Homeowner Documents, then on Minutes, then on Recording. You will see 23 0304-1 through 23 0304-6. If you choose the -6 you should get the audio with the video of the Annual meeting.

### NEXT TENTATIVE BOARD MEETING

- A The next tentative virtual Board meeting Date was March 9, 2024. A motion to accept the meeting date was given by Eddie Faires and seconded by Manuel Arruda.

Meeting adjourned by: Eddie Faires Vice President \_\_\_\_\_ Time: 7:19 PM \_\_\_\_\_

Minutes by: Judy Arruda