

## **Masters at Deacon's Walk Board Meeting**

**September 24, 2015 2:00 p.m.**

**Present: Bob, Carri, Barb,**

1. Meeting was called to order by President Bob Sturm at 2:00 p.m.

### **2. Secretary's report:**

Minutes had previously been sent to BOD. There were several clarifications to the minutes of August 17, 2015 (See Old Business):

Correction: Change the date that the new garage doors are to be replaced to 2024 NOT 2014. (found under Management update e)

Moved to accept as clarified and corrected-Sturm

2<sup>nd</sup>-Johnson

### **3. Financial**

There was no financial update at this meeting.

### **4. Old Business**

Refer to minutes from August meeting. The following items have follow-up:

4-Conversation with Mel Kuhens

a) Have Blair's been informed of the decision of Alex's and advised to refer to own insurance?

The BOD would like an estimate of the cost to repair Blair's garage door.

b) Blair's door has not been painted as of 9/24/2015 as agreed to by Mr. Kuhens.

c) Has a cost estimate for the irrigation controls cover been obtained?

d) Did Mr. Kuhens report on the evergreen damage at 2324? Follow-up?

e) 2381 was told by Mr. Kuhens that she should get the downspout repaired and send him an invoice. Email from Sue on 7/7/15 said that ABC had completed all downspout work. Carri reports that her downspout has not be replaced.

5-Management Update

b) How were the owners notified that the downspouts need to be on the rocks and not into the lawn?

c) Is the window inspection scheduled? We need a description for the minutes. Has there been an answer about whether Sundance is responsible?

d) BOD would like an estimate of the cost to replace the seals on the bottoms and sides of the garages.

g) The annual meeting has been set for Oct. 22, 2015 and Fred K. has sent notice to owners.

### **5) New Business/Discussion Items**

#### **a) Sales Tax**

Follow-up discussion about whether MADWA should have to pay sales tax for service from Juberts. Sue had sent the BOD a document from Phil's CPA which supported his position that he does have to charge us sales tax. (MN RST 121A).

Carri had the opinion that we do not have to pay sales. She supported that by providing a document from Minnesota Revenue-Landscaping Construction Contracts (MN RST 121B).

The BOD reviewed the documents and is of the opinion that, since we do not have an on-going maintenance contract with Juberts, we do not have to pay sales tax. The distinction seems to be if the vendor has a Maintenance contract (such as we have with Alex's) sales tax is charged. If the vendor has a construction contract (done one a job-by-job), it is exempt from sales tax.

"Note: Planting trees, shrubs, and perennials is always an improvement to real property, and therefore exempt from sales tax." Taken from 121B Sales Tax Fact Sheet (Revised April 2014).

Carri will remove sales tax from the invoice when we receive it and pay the balance. Sue will be asked to pass the information on to Phil.

**b) Officers' terms**

It was the understanding of each of the BOD members that the terms were for three years. It has been that way in the past and seems to make sense. We do not want to replace 2/3 of the BOD in one year. We realize that the by-laws indicate that the terms of office are for two years. We will request that Sue put replacement language together in an addendum that reflects all terms are three years and add it to the agenda of the annual meeting to be voted upon by owners.

**c) Trees and Shrubs**

The BOD acknowledged and appreciates the work that has been done by Juberts. We are happy with the presentation of the area and the thorough treatment of the trees. We are pleased that we have maturing trees that bring additional value to our living and value of the property.

We were prepared to approve the removal of hazardous and high priority trees at this meeting. However, the information that was sent to the BOD via email did not match the information obtained on the walk around. We will notify Phil and see if we can get clarification about which trees need immediate attention. We are willing to call an emergency meeting of the BOD to approve it as soon as it is received.

We thought we were getting a complete description (almost house by house) of the trees, their priority, and the cost associated with need of each tree. We are also expecting an estimate of what bushes need to be replaced and with suggestions of the plants that would replace them. We are willing to develop a timeline and budget based on complete and accurate information.

**d) Garage doors**

The BOD would like clarification about who is responsible for garage doors. Is the distinction between maintaining the garage doors (painting, seals, etc.) and repairing? We are operating under the assumption that the association is responsible for the maintenance and the owner is responsible for damage. Note: at least two homeowners have replaced doors previously due to accidents.

**e) Bushes at the side of the houses**

Bob will check with previous board members to see if the plantings map is available to determine whether the association planted the bushes at the side or if they were optional and the homeowners elected to have plantings.

**f) Lawn/snow services**

It was discussed whether we are interested in soliciting bids from other Lawn/Snow care companies for next April. At this time, we feel we should stick with Alex's.

**g) Cedar Management**

A brief discussion was held regarding any concerns we might have with our relationship with Cedar Management. We talked about why we have a management company and what services they provide

for us. It was decided that Bob would be contact with Steve prior to the Annual Meeting. We will maintain our relationship with Cedar Management as it stands.

**6. MEETING ADJOURNED AT 4.00 P.M.**

Respectfully submitted,  
Barbara Braaten, secretary