

Master Board of Directors Meeting Valhalla Management Association – November 19, 2024

I. ROLL CALL & CALL TO ORDER: The meeting of the Master Board of Directors was held in the Valhalla Party Room. The meeting was called to order at 7:00 p.m. by President Kate DeVries.

Attending = <input checked="" type="checkbox"/>				
X	Assn 1- Kate DeVries, President	X	Assn 7- Muthuvel Jayachandran	X Assn 15 - Jill Bailey
X	Assn 2 - Brian Kroeger, Treasurer		Assn 8 – Mark Kellen	X Jill Bailey - General Manager Valhalla Management Association
X	Assn 3 - Kathy Schwartz	X	Assn 9 - Kurt Beaver	X Guest: Mr. John C. Beatty, Attorney
X	Assn 4 - Dubravka Stupar	X	Assn 10 – Linda Castiglioni	X Director Appointee - Elaine Wiegert, Secretary
X	Assn 5 - Krista McGowan, Vice President	X	Assn 11- Linda Castiglioni - Proxy	X Guest: Jason Dietz, Valhalla Maintenance
X	Assn 6 - Derick Behrends	X	Assn 12 - Jim Iverson	X Director appointee - Paul Schultz

II. READING OF MINUTES: Brian Kroeger motioned to waive the reading of the minutes of October 17, 2024. Kathy Schwartz seconded. The minutes of the October 17, 2024 Special Meeting - Closed Meeting were reviewed. A change was requested to change the terminology from “Physician’s” letter to “Health Care Provider” letter. A second revision was to incorporate the use of bullet points for clarification. Brian Kroeger amended the motion to accept the minutes with the corrections. Kathy Schwartz seconded. The motion passed.

III. REPORTS OF OFFICERS:

President’s report: Kate DeVries – No report

Vice President’s report: Krista McGowan – No report

Treasurer’s report: Brian Kroeger – Kroeger read an email report from the accountant Mr. Brett Lettner of Oertli and Pleschourt. See enclosed email.

IV. STANDING COMMITTEE REPORTS:

- Executive Committee: Chair Kate DeVries.
 - An ad hoc committee will be created to review Valhalla’s overall policies, rules and regulations. Krista McGowan will Chair this committee and will be seeking additional members for this committee.
 - General Manager Jill Bailey with be reviewing Valhalla’s list of fees and services.
 - Bldg 10 smoking violation. Discussion of this matter to follow later in the meeting.
- RAMB: Chair: Kate DeVries - See attached report.
- Finance Committee: Brian Kroeger - No meeting. Discussion followed regarding the Finance Committee had not met since March 2024 and the importance of having Finance Committee meetings.

V. MANAGER/MAINTENANCE REPORT: General Manager – Jill Bailey General Manager

- Accounts Payable review will be completed by end of November 2024 and will be available the first week in December 2024. Portals for owners will be set up after that time. Presidents and Treasurers of each association will be able to view them.
- Association specific bills such as Metronet, Minnesota Energy, Culligan, Rochester Public Utilities, Vestis will be set as “auto pays” through each association’s checking accounts.
- Maintenance Department has been completing winter preparations.
- Fall cleanup is in process.
- Derick Behrends inquired if the results of the walk around of Buildings 6, 7, and 10 concerning drainage issues was completed and if the report is available for review by those associations. Jill Bailey will send the reports to Behrends.
- Government required identification for all Board Directors of all associations was introduced. Details will be discussed under New Business. Directors who declined to submit their identification will no longer be eligible to serve on their individual association boards and/or the Master Board. It was noted more individuals are needed to serve on individual association boards. Please contact the Valhalla Office and/or a board member from your association if you wish to be more involved in your association.

VI. UNFINISHED BUSINESS:

- Cannabis Smoking /Vaping Prohibited in Multi-Family Housing.
- Jill Bailey introduced Mr. John C. Beatty, Attorney from Dunlap Seeger as Valhalla Management Association’s new attorney. Mr. Beatty and his team will be assisting Valhalla with revising the governing documents and other legal issues, as needed.
- Mr. Beatty explained Minnesota’s new law on marijuana, and how this impacts Valhalla’s Smoking policies.

Below is an excerpt of the most recent published version.

342.82 NUISANCE; ACTION.

Subdivision 1. Nuisance.

Any use of adult-use cannabis flower which is injurious to health, indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property is a nuisance.

Subd. 2.Actions; landlord; association.

(a) A person who is injuriously affected or whose personal enjoyment is lessened by a nuisance under subdivision 1 may bring an action for injunctive relief and the greater of the person’s actual damages or a civil penalty of \$250.

(b) If a landlord, as defined in section 504B.001, subdivision 7, or an association, as defined in section 515B.1-103, clause (4), fails to enforce the terms of a lease, governing document, or policy related to the use of adult-use cannabis flower on the premises or property, a person who is injuriously affected or whose personal enjoyment is lessened by a nuisance under subdivision 1 as a result of the failure to enforce the terms may bring an action against the landlord or association seeking injunctive relief and the greater of the person’s actual damages or a civil penalty of \$500.

History:

2023 c 63 art 1 s 74

Mr. Beatty informed the board this new law goes into effect March 1, 2025. It is unclear how this new statute is to be implemented. He explained the \$250.00 fine paid would go the state. The Association would

be fined \$500.00 by the State for not addressing the violation. It is unclear how Valhalla's policy on proof of a violation would be addressed. Mr. Beaty agreed a letter to the violator would cover the Association's obligation where there is the smell of marijuana with no other proof. This law would not apply to the use of medical marijuana.

VII. NEW BUSINESS:

- Jill Bailey informed the board the federal government has required identification of all persons making decisions on business finances. This is to help the government identify cases of money laundering. The BOI-Beneficial Ownership information Reporting Requirements from FinCen(FinCen.gov/boi) requires a copy of the front/back of a Driver's License or other government issued identification from all Board Members and Directors from all Association's board members, executives, finance committee, RAMB, etc. According to the government regulation, individuals who fail to submit their information may be subject to fines of \$500.00 and/or imprisonment. VMA is requesting this information from all Board and Committee members, no later than Friday December 6, 2024 to ensure Valhalla overall is in compliance with this new regulation.
- A proposal by Kate DeVries to change the Master Board Meetings from monthly to every other month was discussed. It was decided there were too many issues to discuss with many requiring the board's input and/or approval. Therefore, the Master Board meetings will remain scheduled for monthly.
- VMA reserve account transfers will be made for November 2024 no later than the end of the month.
- The name of the Party Room account had been changed to Capital Investment account. See Master Board minutes dated January 16, 2024. This account is currently a "money market" account and earns interest. Discussion followed regarding if this account should be limited to "common element" shared reserve items or should it be flexible to pay for some operational "common element" items, as well. Elaine Wiegert recommended the name of Capital Investment account be changed back to Party Room account to prevent misconceptions of how it should be used. This issue will be discussed further at the next meeting.
- Krista McGowan addressed the issue of available garage rentals not being rented, the waiting list for garages and how some garages are inappropriately used by some residents/owners. Discussion followed regarding having all garage rentals be yearly leases and all leases start/stop, at the same time. Discussion followed of what items are allowed in the garages (working vehicles only). It was noted garages may be available for residents/owners, however, the available garages may not be close to the building where the person lives, therefore, the individual declines to rent the available garage.
- Valhalla Maintenance has made structural inspections of the garages and will be getting bids to address these issues.
- Krista McGowan questioned why as Vice President she is not chair of the RAMB committee. Kate DeVries explained how the president decides this appointment. The chair will remain as is until the next Master Board election. Kate DeVries was the previous vice president and continues to be the Chair of the RAMB committee.
- Krista McGowan requested employee pay roll information for 2024. Jill Bailey will provide consolidated actual dollars versus budgeted dollars.
- Krista McGowan asked why the soda machine was removed without board approval. Jill Bailey explained how neither Valhalla nor the Pepsi company were making any profit from

this machine and were having to discard outdated product. Written documentation from the Pepsi employee who gave this information was requested.

- If there is a line item on the Associations yearly budget for the reserve account, the transfer must happen, no exceptions. This transfer is no different than any other bill the association owes. The movement of monies from checking accounts to reserve accounts has not been occurring on a timely basis.
- Krista McGowan suggested a forensic accounting audit be completed for all Valhalla's associations and VMA for years, 2021, 2022, 2023 and 2024.
- Jill Bailey explained she and Sara Evans are resolving the accounting discrepancies. The possibility of a full audit for 2021, 2022, 2023 and 2024 was discussed.
- The subject of wasted resources was addressed.

The motion to adjourn was made by Jim Iverson. Dubravka Stupar seconded. motion passed. The meeting ended at 8:50 p.m.

Minutes Respectfully Submitted, Elaine Wiegert

These minutes are the unofficial minutes of the November 19, 2024 - Master Board Meeting.