

Red Cedar Canyon Townhouse Association (RCCTA)
Board of Directors Meeting Minutes/Notes and Updates
Thursday, March 22, 2018 — 6:00 p.m.
County Market Community Room — Hudson, WI

Meeting minutes/notes are subject to approval by the board at the next meeting.

I. Preliminary matters

- A. Roll call: Called to order at 6:02 p.m. Present: Larry Williamson, president; Gene Hoff, vice president (by phone); Beth Gaede, secretary; Kerry Geurkink, member-at-large. Guests: Melanie Reiter, Cities Management; John Maas (109 DWC); Jackie Daharsh (141 WCD); Terry Johnson (127 DWC); Bob Staebell (51 DWC); Keri Kennedy (43 DWC); Audrey Ichel (41 DWC). Absent: Mark Meydam, treasurer.
- B. Proof of meeting notice: Notice of meeting and agenda sent to board members in advance; no objections.
- C. Agenda adoption: Agenda reviewed and adopted unanimously.
- D. Approval of February 22, 2018, minutes/notes: Updates were previously approved via email and posted on the Cities Management website.

II. Agenda items

A. Treasurer's report

1. Banking

We have \$541,706.99 in our combined accounts.

2. Invoices and transfers

Green Oasis included \$1,500 for snow blowing, including four hours that was left in our contract. Pechacek charged \$450.00 for soffit repair. Bernick, Lifson, Greenstein, and Liszt is a charge for collections processing. Middlesex insurance charge is for workers comp (\$900). Moved, second, and approved to pay all invoices and transfers as listed. We already prepaid for tree treatments (\$717.16).

3. Unit owner assessment status

Four owners are behind in payments for a total of \$960.00.

B. Maintenance and other updates: See attachment

C. Project discussions

1. Legal matters

- a. Parameters for printing an association directory: Moved, seconded, and approved to engage Lommen Abdo for an opinion regarding balancing privacy concerns and desire to print an association directory with anticipated cost to association approximately \$275.

Brent Johnson reviewed our covenants and determined that to comply with Wisconsin state law, homeowners must opt-in to be included in an association directory. See the attached letter.

- b. Rentals: Some associations are having problems with investors buying properties solely to rent them out. The association cannot restrict renting, as long as the rental is for 30 days or more. We can impose rules on those who rent.

2. Association insurance committee report

A committee appointed by the board has been working to draft a set of specifications for the association's insurance policy. The committee has contacted numerous brokers, and six have agreed to discuss specifications with the committee. The committee suggested that treasurer Mark Meydam participate in the discussions. The objective of this work is to develop specs to be used for bidding association insurance next year.

3. Cities' involvement in project management

The board discussed how Cities works with the association to manage projects over \$5000. The goal of the bidding process should be to find companies that maintain an established and dedicated staff with knowledge, communication skills, experience, dependability, and responsibility who provide services at a fair price.

4. Cities Management disaster recovery plan

Cities Management's computer system is backed up at the end of business every day on an outside server. Melanie will ask Cities staff how secure the system is (to protect homeowner's personal information).

5. Kickplates

The specs for the kickplates were revised, and all vendors were asked to bid on those. The low bid was by JT Improvements for \$7,475.00. Moved, seconded, and approved to accept this bid.

6. Rental policy

The following motion was made:

Owners choosing to rent their properties must:

1. Comply with the Declaration of Covenants, Conditions, Restrictions and Easements of Red Cedar Canyon Townhouse Association, Inc., Article X, General Restrictions, Obligations and Rights of Owners. Section 67. Rentals. Any lease between an Owner and a lessee shall provide that the terms of the lease shall be subject in all respects to the provisions of this Declaration, the Articles of Incorporation and the Bylaws, and that any failure by the lessee to comply with the terms of such documents shall be a default under the lease. A lease must be for an entire Living Unit, not a portion thereof. All leases shall be in writing and a copy shall be filed with the Association prior to its commencement. No lease may be for a period

of less than thirty (30) days. Other than the foregoing, there shall be no restrictions on the right of any Owner to lease his Living Unit.

2. Provide and keep current renter contact information to the property manager (currently Cities Management). Contact information includes name, address, phone and email addresses.
3. Provide the renter with a copy of the association covenants, rules, policies and any relevant information as is needed to cooperate with management of the association.

There was no second to the motion. The board will discuss this proposal at the April meeting.

7. Spring walk-through

The walk-through will depend on the weather but ideally toward the end of April. A broadcast message will be sent out asking for volunteers. The landscape committee will be inspecting shrubs and has developed a plan for replacement as recommended.

8. Irrigation start-up and covers

Start-up will be scheduled with Nature's Touch.

9. Association directory

Covered under item 1, legal matters.

NOTE: The board is hosting a gathering, "Your Association: What's Covered, What's Not," for all homeowners on Thursday, April 26, 6:30–7:30 p.m., County Market Community Room, to discuss the association's and homeowners' responsibilities.

- III. Agenda items for next board meeting: legal matters, insurance policy, landscaping committee update, mulch project, seeding damaged lawns, spring walk-through update, crack filling
- IV. Next regular meeting: Thursday, April 19, 2018, 6:00 p.m., County Market Community Room
- V. Adjournment: The meeting adjourned at 7:40 p.m.

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Board of Directors Updates

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B. Maintenance and other updates

1. Exterior electrical outlet was broken @ 219 WCD by snow blowing crew. Green Oasis has repaired @ N/C.
2. Repair for sewage and water lines on the exterior of each townhouse is the responsibility of the townhouse association. Sewage lines that run under blacktop on each lane to the city main on DWC and WCD are part of this responsibility.
3. Post office was contacted by Cities Management and asked that employees not park or drive vehicles on CBU concrete slabs at any time.
4. ID819691, 203 WCD: Interior water leaks from outside roof area. Problem was ice dam going up valley by garage. Contractor removed snow at homeowners cost. ID to be closed out.
5. ID804871, 157 WCD: Problem was ice dam in gutter and the amount of snow on garage roof/valley. Melting was going down driveway and in front of sidewalk. ID is to be kept open for spring review of upper corner gutter above sidewalk area for any leaks.
6. Squirrel opening in soffit @ 81 DWC. Opening is in the front upper right corner overhang. No work order established because owner is not home. Repair has been completed.
7. Snow report: 46.5" as of March 15, 2018

From: Brent Johnson

Sent: Tuesday, March 20, 2018 9:39 AM

To: 'Kerry Geurkink'

Cc: Beth Gaede; Hoff Gene; Mark Meydam; Nan & Larry Willianson

Dear RCCTA Board of Directors:

I reviewed Wisconsin's privacy laws related to the following question:

1. Printed Association Directory: We would like to print an association directory for distribution to our association members annually. We have not been successful in obtaining a response from homeowners to secure approval of printing their contact information (in most cases, homeowners are unresponsive). Questions: What privacy protections are necessary in order to produce an annual, printed directory? Could we announce our intention to print name / address / phone and email as of X date and indicate that homeowners must opt out in order to be deleted from the directory?

Wisconsin statutes and case law recognize and protect an individual's right to privacy. The right to privacy extends to a person's "personal identifying information," which includes name, address, and telephone number. The law prohibits the unauthorized use of this personal identifying information. Use includes publication. Thus, you need a person's authorization or consent to publish their name, address and telephone number in a printed or electronic member directory. Stated another way, each homeowner must affirmatively "opt in" rather than be required to opt out of the directory. Sometimes, language authorizing the publication of a member directory is found in the declaration of covenants. I do not see any such language in your declaration. Therefore, to avoid potential liability, you should only include the names of those persons who have affirmatively opted to be included in the directory and omit the information for anyone who has not opted in or not responded.

Hopefully, this is helpful. Let me know if you have any other questions. Brent.

Brent R. Johnson | Attorney

Admitted in MN and WI

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