



Meeting Minutes August 19, 2021

Call to Order

Deer Creek Board meeting was held in person on August 19, 2021 at 5:30 PM. Meeting called to order by President Van Free at 5:38PM

Attendees included: Van Free, Thomas Marangoly, Jim Sadie, Henry Davis, and Darell Pearson.
Members not in attendance: Shirley Brown and Mahmud Hasan

Guests in attendance: Mike Nisbet (Autumnbroke Pod Rep)

Approval of Minutes

Motion to approve minutes from July 22, 2021 made by Sadie. Second by Marangoly. Motion passes.

Motions

Motion to amend the agenda and include newly discovered Airbnb/short term rentals in Deer Creek by Pearson. Second by Sadie. Motion passes.

Motion to draft language for prohibition of short term rentals and submit for legal review after which notice should be sent to all homeowners. Free seconds. Motion passes.

Discussion Items:

1. Airbnb/ Short Term Rentals – office staff recently discovered a homeowner was leasing a room in his home to an out of state individual for 17 days when this short term tenant came into office requesting amenity access. A review of the Restrictions and Covenants of all Deer Creek pods highlights that activity is violation of Business Activity clause. These rentals pose security concerns and are violations of current leasing rules. Executive Director researched and reported that other HOAs have fought similar activity and won; there are also ordinances in several Alabama cities and districts on the issue. Montgomery does not have one at this time. Motion passed to draft language for prohibition of short term rentals and submit for legal review after which notice should be sent to all homeowners. Bylaw committee will include clause to address this in proposed changes.
2. Street sweeping – City has swept Deer Creek streets in the past at no cost and recent request was made by office to have streets swept again as recent weather and flooding has left debris and a great deal of gravel on the streets. It will be months before city can get Deer Creek on the schedule because of staffing issues, Covid-19, and a back log of work orders.
3. PMS Weed Update – Weeds around amenity center are getting worse; recent meeting with PMS resulted in discussion that rain has diluted weed killer and any major removal would result in dead spots and ruts in landscaping. PMS will treat weeds extensively during winter at no added cost to HOA.

4. Pond erosion repair – On June 15, 2021, the office sent an email to 152 waterfront homeowners to assess interest in shoreline repairs by American Sports Fish. Only 21 homeowners at this time have agreed and signed up for the repairs; many have questions for the vendor. The homeowner lots in Carillion, parts of Glen Rose, and Pemberton Park do not extend to the water and the Developer has yet to cede that property to the homeowners. The office will reach out to American Sportsfish and schedule a meeting for interested homeowners that have questions.
5. Developer Turnover – Mr. Rutland responded to the Executive Director’s recent email with confirmation that turnover is complete. Email was forwarded to the HOA attorney and a formal turnover letter has been requested. Mr. Rutland will also be on site next week to meet with Board President Free.
6. Clubhouse Furniture/Veranda Expansion – 2 local designers have submitted proposals for the interior design and furniture of the clubhouse. Designs will be sent to Board for review and final decision. As for the veranda expansion, Executive Director requested contractor halt all construction until all materials delivered on hand so as not to have active construction site and safety hazard for an extended period of time. Windows have been delayed and are expected mid-September.
7. New Pool Construction/ Pool Operations Change – Delays in new pool construction as City requiring additional electrical changes and possibly new permit. New pool very unlikely to be completed in time for current pool season. Requests have been made by homeowners to extend pool season; issue is very limited lifeguard availability as most are students that have already gone back to school. Although “swim at your own risk” option would not increase liability insurance premium, it would require additional surveillance and someone to monitor pool and assume routine duties currently managed by lifeguards, as well as signage and other preparations to insure safety and compliance. Possible solution of part time pool manager with CPR & First Aid certifications – no budget for this position. Board will review options and forward comments to Executive Director and Director will review with HOA attorney and email homeowners about pool manager position if cannot find a current lifeguard for position.
8. Surveillance System Update – An updated Comtex proposal sent to Board members. Dale Sexton sent over all the requested materials from the previous meeting including warranty information, itemized invoices, and maintenance programs. The updated security features installed at the beginning of the year, at a cost of approximately \$20,000, are working as they should but Comtex does not recommend incorporating them into the updated surveillance system. The only aspect of the previous system to be used in this update would be the underground cables. The Board will set a date for a final meeting with Comtex before we proceed.
9. Bylaws Update – The Bylaw Committee has met twice and the main goals have been to eliminate developer language, mention of multi-family homes, as well as amend voting procedures and the process for future Bylaw amendment. Currently, Executive Director is drafting language for proposed changes to submit to attorney for final review. Goal is to have finalized language to committee by August 24th with submission to attorney shortly thereafter.

10. Parking Lot Stripes – The amenity center parking lot has needed re-striping for some time. In consulting with the vendor found by the office, it was recommended that the HOA wait until spring to perform the work as warmer weather is better.
11. Asheworth Corner – The corner of Deer Creek Boulevard and Deer Creek Crossing continues to pose a problem for several Asheworth residents who were promised by the Developer the property would be maintained. A fence proposal was suggested as a possible solution and a quote was submitted to the Board. Office staff will reach out to those residents and see if they would be amenable to a fence as a solution and if they would be willing to contribute to it.
12. New Benches/ Marston Gazebo – Homeowners living near the common area in Marston 2 had requested some benches and gazebo. Concerns have been raised that if issue is with sport activities and congregating in the area, benches and gazebos are not the answer. Quotes have been requested and received and have been forwarded to Board members for review. Office will contact homeowners to determine what they would ideally like to see in the area.
13. Newsletter – Many homeowners unhappy with predominantly digital newsletter and have requested the HOA resume mailed out newsletters. The issue with print was the cost; each issue cost the HOA approximately \$4,600. In the past, the HOA would spend over \$15,000 on newsletter printing and mailing. Proposals have been considered for transition back to printed version with the elimination of all the fluff and repetition – with a goal of approximately \$500 per issue. Advertisers would have the option of going through the Verified Vendor Program to advertise with Deer Creek Homeowners.

Executive Director's Report:

1. Financials – Checking accounts remain healthy. The 6 month budget review, from the accounting report as of June 30, 2021, highlights that the saving efforts and reduction of wasted funds have been effective as our current total assets as June 30, 2021 are at \$982,513.43 as compared to the \$901,720.40 as of the same date last year. River Bank & Trust account 1487 has not been closed out because of pending checks. Once they clear the account, it will be closed.
2. Compliance Officer/ Violations Report – The HOA's previous compliance officer had to resign due to unexpected medical reasons and a new compliance officer was hired and began training on August 16th, 2021. A compliance inspection form template was created and a compliance inspection schedule was made to allow for pods to be inspected on a 2 week rotation. Currently, there are 66 active violations and 15 pending fining if not resolved by their deadline dates.

Adjournment

Meeting adjourned at 7:04PM

9/9/2021
Date of Approval