

Westbrooke Condominium Association dba  
**MEADOW CREEK CONDOMINIUMS**

**MINUTES OF REGULAR BOARD MEETING**  
Community Room, 823 Old Settlers Trail, Hopkins  
**Wednesday, April 6, 2011**

**ATTENDING:** Koleen Saifa-Bonsu, Anne Denelsbeck, Doug Harbrecht, Sandy Miller, Pat Olsen, Cecelia Timm, Veronica Virtue, John Ward (late arrival)

**ABSENT:** Enrique Torrano,

**STAFF (Omega):** Dave Stendal, Ben Fotland, Patty Tomaino

**GUESTS:** 16 Owners

Meeting called to order by Vice President Veronica Virtue at 6:05 pm

Member Concerns

Todd Bacon, 924-7

Todd asked to be on record that he has noticed that many windows are in terrible shape. Asked if there can be an initiative to replace windows. Dave Stendal replied that, based on the suggestions Todd recently submitted, he is suggesting to the Board that we impose a 5 year deadline. Window discussion is on the agenda tonight.

Business meeting commenced approximately 6:45 pm.

**APPROVED** the Agenda.

Motion: Sandy Miller. Second: Cecelia Timm. Passed.

**APPROVED** the March 2, 2011 Board Meeting Minutes.

Motion: Cecelia Timm. Second: Sandy Miller. Passed.

**Management Report**

**APPROVED** the following collection actions identified in the Board packet:

- a. As reported
- b. As reported
- c. As reported
- d. Obtained judgment but owner filed for bankruptcy.

**APPROVED** to write off as uncollectable.

Motion: Sandy Miller. Second: Cecelia Timm. Passed

- e. **APPROVED** hiring the process server suggested by the attorney for \$95 for unlimited efforts to continue to try to serve the owner with notice of an Order to Show Cause hearing  
Motion: Doug Harbrecht. Second: Sandy Miller. Passed.
- f. As reported
- g. **APPROVED** to file for judgment.  
Motion: Anne Denelsbeck. Second: Doug Harbrecht. Passed.
- h. As reported
- i. As reported
- j. As reported
- k. As reported
- l. **APPROVED** to file for judgment.  
Motion: Sandy Miller. Second: Cecelia Timm. Passed.
- m. As reported
- n. As reported
- o. As reported
- p. As reported
- q. See Board packet regarding this issue – probably need to write off as uncollectable. Unlikely to win in court though owner did not respond to letter in 2009.  
**APPROVED** to write off the balance.  
Motion: Sandy Miller. Second: Pat Olsen. Passed.
- r. As reported
- s. Proceed with judgment. Doug/Veronica.

Enclosures in the Management Report include accounting of all collection actions taken for all member accounts receivable.

#### **Excessive water consumption**

Some buildings are 25% to 75% over normal. Owners in 5 buildings were contacted. Some people agreed they had a leaky faucet or toilet, others said there was no problem. Need to decide whether to inspect.

Sandy noted that it could also be due to heavy use of the wash machines.

#### **Bed bugs**

704 units 1, 4, and 6 have been treated with no additional problems reported in those units. However, on Monday office received a report of a problem in unit 7 in the same building.

It is unusual for them to spread to another unit, and these were not contiguous units.

Unit 7 will be treated.

#### **Comcast.**

Kathy Sutmar, a Comcast representative, presented information.

The Association legal counsel reviewed agreement and Omega met with Kathy to discuss the issues that had been identified. Kathy made the changes that she could, some will have to go to Comcast legal counsel in Philadelphia.

Comcast is offering a lump sum for a non-exclusive marketing agreement and our assistance in making marketing materials available to members.

We asked for access by service techs to be restricted to M-F, 8:00 - 3:30. Comcast legal wants more standard business hours (up to 5 or 6 pm). We don't want residents to allow Comcast techs into the attic, MCC staff needs to be available to accompany the service techs. In an emergency we could use our on call staff. Comcast can address this.

Our attorney asked for a defined easement, limited to 10 foot wide strip either side of the Comcast wiring. Comcast legal department agreed to this.

Comcast asked for confidentiality regarding the services and compensation agreement. Added that association members can receive the information as MCC is required to be able to make this available under Minnesota statute.

As soon as John signs agreements, Kathy will take back for Comcast signatures. When signed we will have a check within 2 weeks to 60 days, probably closer to 2 weeks. One set of original agreements will be provided to John or Dave.

#### **Pool access system**

Concerns were expressed by a member that an electronic entry system will not prevent issues such as alcohol, rough-housing, possible injury, and members letting in other people. Asked if the money is better spent on a certified lifeguard, and might this reduce insurance costs.

Dave responded that the electronic entry system is a separate issue from liability related to supervision. The electronic system does not solve all problems but provides a significant improvement and will resolve a number of access issues we have had in the past. It is only one piece of the solution to the various issues.

Dave responded that a lifeguard would not make a difference in insurance costs and could in fact increase our liability as opposed to posting the pool as swim at your own risk. The electronic system is a one time cost compared to the annual cost of a lifeguard. The Association has 4 million dollars in general liability insurance and umbrella insurance combined.

Patty noted that we have had more problems with adults than kids at the pool, perhaps we need a security guard rather than a lifeguard.

A member suggested that we could also use of a video camera.

Will also change so a key is not needed to get out. Our pool is inspected every year, it has never been noted that it is locked from the inside.

Anne asked that we discuss the adequacy of our insurance coverage with our insurer.

**APPROVED** purchase of the electronic pool access system and 500 extra fobs as budgeted.

Motion: Sandy Miller. Second: Anne Denelsbeck. Passed.

## **Windows**

Dave feels we need a lower cost option than the current approved Marvin wood window. Storm windows will remain, just replace interior windows (sash) and interior trim.

Want to maintain existing appearance and pay attention to features – tilting/cleanable, security stops, mullions, site lines, width of frames/mullions, etc.

Dave suggests that some of the Board and other members meet with various manufacturers to hear the pros and cons.

Suggested a subcommittee to identify wood and vinyl window options and an installer.

John and Dave are willing to work on it.

The newsletter can be used to solicit owners who would like to be involved in developing recommendations. These members should have familiarity with window and patio door selection and have the time to research.

Dave suggested a 5 year deadline for installation for all units.

For owners who want to replace windows before new windows options are identified, we also need an interim policy.

**APPROVED** the following Interim Window Replacement Policy:

The current policy is replaced with the following requirements.

The current approved wood Marvin window must be used, John Ward or Omega to provide the name/model number.

The installer to be used is Adam Johnson or another association approved installer.

Motion: Doug Harbrecht. Second: Anne Denelsbeck. Passed.

Suggestions for the long term policy:

At minimum:

Have to be white on outside

Have to have mullions

Have to retain storm windows

Must be weather-tight.

Windows/patio doors and installers have to be approved by the Board or MCC office.

Need to retain the right to have owners remove unapproved windows/doors.

## **Rain Garden**

The rain garden agreement was signed as approved by the Board.

John presented a copy of the plan and photo layout.

The master plan prepared by Metro Bloom was submitted to the watershed district by the April 1 deadline. Will find out in May if the plan is approved.

Every year by April 1 have to submit plan for that year.

We pay for the work, then the watershed district will inspect/approve and release funds.

The master plan divides the project into 5 or 6 smaller projects to address the worst drainage problems at Meadow Creek and take maximum advantage of the \$10,000 annual matching funds from the watershed district.

The project this year will be to fix the current rain garden that is ineffective. It will be filled in and moved up the hill and behind the 814 building. Runoff from 814, 816, 818,

and 820 will be directed to the rain garden, or to the storm drain via an overflow pipe in the swale. Expect to have contractor come in a couple of times a year to maintain. Getting money from Comcast, so could use part of this to fund the rain garden project. Wait to get watershed district approval, then vote on first phase expenditure.

No response from Skio Engineering (engineering firm responsible for the ineffective rain garden) to the letter sent to them, will likely sue them.

**Other issues**

Patty asked if the patio planting program is still in the budget.

Yes, for approved plans.

Provides funds to owners for 50% of an approved patio planting project up to \$480, for up to 4 patios per year.

Dave is planning the pruning program for this year.

Need to decide on approach for entry door replacement.

Cedar Trails visit to review ideas for improvements.

Will meet next Thursday April 14 at 5:30 pm at Cedar Trails, walk through interiors, have dinner, then view lighting around 8 pm.

Meeting adjourned, 9:25 pm.

Respectfully submitted,

  
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Doug Harbrecht, Secretary