

Bob Roach

rdroach@austin.rr.com

BRENTWOOD ESTATES HOME OWNERS ASSOCIATION BOARD

Date of Meeting: Sunday, March 26, 2005

Time of Meeting: 4:00 PM – 6:05 PM

Members Present: Kelly ~~Baht~~^{Bahrs}; Mark O'Connor; Bob Roach; Pat O'Rourke;
~~John Ryder~~; Richard Siegmund; Randall Stephens

Purpose of Meeting: Discuss damages and repair of boundary fence facing Anderson Mill Road on the East side of Centennial Trail

Additional Topics: Election for offices on the Board

Eagle Scout project re a nature trail in the Brentwood Estates park area.

Oversight of the Architectural Committee by the Board.

Establishing a website for the exchange of community information

This was the first meeting of the board since the election of new Board members at the last formal Home Owners Association meeting

A. Damages to and repair of the fence at the rear of the Youngs' residence. The primary issue before the Board was who should repair and who should pay for the repair to the damaged boundary fence at the rear of the Youngs' residence.

Discussion regarding the fence:

1. The Board had no information from Goodwin Associates regarding the repair of the fence..

2. There was a general discussion of how other subdivisions handled these issues. In some, the Home Owners Association (HOA) maintained the fence but the repair or replacement of the fence could be accomplished either by the HOA or the homeowner depending on the subdivision. In other subdivisions, the fence was clearly the property of the homeowner and he/she was responsible for the maintenance, repair and replacement of the fence.

3. The Board was concerned both with any legal issues involved as well as keeping faith with the homeowners and the HOA.

4. One of the opening positions was that the homeowner owned the fence. The fence was on the homeowner's property but was built by the Developer. The fence was on the homeowner's property at the time the homeowner purchased the property.

5. The Board questioned whether we could use plants in front, or instead, of the fence. That issue was tabled until the Anderson Mill Road construction began or was completed.

6. Richard Siegmund believed the Board should communicate more with the homeowners. He also felt that the Board should approach the fence matter [and similar issues] on a case by case basis. The Board ought to pay for the fence in this matter. Repairing the fence in an appropriate fashion [both style and quality] inures to the benefit of the entire community

7. Pat O'Rourke believed that the Board should generally be more pro-active.

8. If the fence is determined to be owned by the property owner, the Board agreed [by a 4 to 3 vote] that the homeowner should pay for the repairs to the fence but the fence had to be repaired under the supervision and subject to the approval of the Board.

FOR: Kelly ^{Bahrs} Benet; Mark O'Connor; Bob Roach; Randall Stephens
AGAINST: Pat O'Rourke; John Ryder; Richard Siegmund

9. Any further action on the vote was delayed by the determination that the Board did not know whether the fence was located on the home owner's property or in a common area. The Board agreed that this determination should be made first but did not agree on exactly how that would be done other than by examining the plat. The Board tabled any further action on the vote until the exact location of the fence was determined. If it is determined that the fence is located on the home owner's property, then the vote will stand.

10. There was a discussion without resolution as whether or not the matter should be put to a vote at the next formal HOA meeting.

11. The Board discussed developing a letter at the next meeting to send to all home owners regarding the ownership of boundary fences and the responsibility for their maintenance, repair and replacement.

B. Election to offices on the Board. By a vote taken amongst the elected officers of the Board present at the meeting, the following Board members were elected to the following offices of the Board:

President - Pat O'Rourke; Vice President - Kelly ^{Bahrs} Benet; Treasurer - Mark O'Connor; Secretary - Bob Roach

C. Eagle Scout project re a nature trail in the Brentwood Estates park area.. The Board was generally in favor of allowing the Eagle Scout project to proceed but determined that those involved in the project should sign a standard “hold harmless” agreement before being allowed to proceed. Bob Roach said he would obtain a sample “hold harmless” agreement for review by the Board.

D. Oversight of the Architectural Committee by the Board. The Board generally thought there should be more oversight of the Architectural Committee by the Board but no formal action or determination was made in this regard.

E. Establishing a website for the exchange of community information. There was a general discussion regarding the establishment of such a web-site by the Board but no formal action or determination was made in this regard.

These minutes were accepted and approved by the following members of the Board:

Kelly Benet *Bahrs*

Date

Mark Connor

Date

Bob Roach

Date

Pat O'Rourke

Date

John Ryder

Date

Richard Siegmund

Date

Randall Stephens

Date