



**Tuscan Valley Estates Homeowners Association**  
**Special Homeowners Meeting Minutes**  
**Thursday, April 13, 2023**

### **Call to Order**

The Special Homeowners Meeting of the Tuscan Valley Estates Homeowners Association was called to order at 6:02 p.m. on Thursday, April 13, 2023, at the Jefferson County Library - Arnold Branch.

### **Attendance/Quorum**

Lot owners represented: 26 out of 58 (45% turnout) - 18 in person, 8 via proxy

### **Business**

1. Work of landscaping on the lower circle
  - a. Liz Statler said that she thinks the circles should look the same. Scott Statler asked why the circles were different to begin with. Mark explained how the Board was advised about the Bermuda grass and that the landscapers told the Board they wouldn't touch it. Jennifer Mullen said the landscapers didn't say they wouldn't do it but advised against it.
  - b. Denise Gibson doesn't want trees in the circle. Jennifer Mullen said if anyone wants the trees or bushes, they can have them, or we can put them around the detention basin. Mark said that if no one else wants them he can put them in the woods behind his yard. Tom Frenkel asked if there was the potential for carrying the Bermuda grass in the soil of the trees when transplanting them. The point was taken for consideration.
  - c. Mark showed everyone on the data projector the Shelton Landscaping's proposed design of the circle. Mark said the residents in the circle are willing to keep up the maintenance of the circle. Mark said the new bid is in the \$3,000s. Mark then showed photos of the plants that would be used in the circle. Mark talked about the spending limit on the circle but that the Board is happy to proceed if there are no objections.
  - d. Mark then asked if anyone is against the additional cost of landscaping the circle. Mark said we didn't budget for this, but we have enough in reserves. A resident asked if this was the only bid we got, Mark said the group of residents received three bids that they forwarded to the Board. Mark said Action Landscaping's bid was \$7,092, JH Construction was \$5,280 and Shelton Landscaping was \$3,890. Mark said since there weren't any objections the Board will have to meet to approve the project.
  - e. Mike Mullen asked about the timetable of the circles. The Board will ask Shelton Landscaping when they can start.
2. Creating landscaping committee
  - a. The Board sent out an email asking for volunteers, but no one volunteered. So, the Board will determine which plants will be purchased for the entrance and install the plants.
  - b. A number of residents suggested that when we put in the plants and flowers in the entrance monument this year, we should consider putting in perennials rather than all annuals. The Board stated that they plan to install a mixture of annuals and perennials that will require less maintenance but still beautify the entrance.



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3. Uniformity within the subdivision
  - a. When asked what this agenda item meant, Jennifer Mullen said it was referring to the circles looking uniform. There was no further discussion or action needed.
4. Financial transparency
  - a. Bids and receipts to be made public: Mark said bids and receipts aren't published but if a resident wants to see them, they can ask and we will set up a time for them to view them. Jennifer Mullen talked about the bids and they did not see the bids of the original circle landscaping before they were done. Tom Frenkel asked whether our website is public. Mark said it is but is on the to-do list to add user logins to the website. Jennifer said if homeowners want to see bids they should be able to do so. Tom mentioned the fact that many vendors are sensitive to their bids being made public in the event they are giving special pricing to one customer and not to others. Mark reiterated that all HOA documents are available for viewing by the HOA members upon request, and an appointment that works for the member and the HOA Board.
  - b. Disclosure of relationship to vendors by board members: Mark said this already in by-laws.
5. Upcoming yearly budget to be approved at annual meeting by members
  - a. Mark stated that the current requirement is that the Board determine the budget by November 1<sup>st</sup> or shortly thereafter for the following calendar year, and that they inform the homeowners by December 1<sup>st</sup> or shortly thereafter.
  - b. Larry Hickerson suggested not recurring projects but new projects. Tom Frenkel concerned about emergency projects and the responsiveness. Jennifer Mullen said emergency circumstances should be treated differently. Any capital improvements outside of the budget. Mark said how do we decide on this, a special meeting? If capital improvement projects are not included in the budget, would it be a simple majority vote?
  - c. After this discussion it was determined that the ballot measure will state that the Board is to present the budget at the annual homeowners meeting. Any capital improvement projects in that budget will be called out on their own lines. The budget will be voted on for approval by a simple majority of those in attendance and via proxy vote. If the budget does not pass, the Board has the option to revise the budget at that time and call for a second vote, and to continue that process until a budget is passed, or to instead call for a special homeowner meeting to vote on budget approval before the start of the new budget year.
  - d. Change HOA dues to be voted on by members: Mark said that the annual assessment is specified in the Indentures. To change that amount we will have to send out ballots for everyone to vote on.
  - e. Change special assessments to be voted on by members: Already covered by the By-Laws and Indentures.
6. Set HOA spending limits to \$500
  - a. The consensus was that this was addressed in the resolution of the budget topic and needed no further discussion.



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7. Criteria needed to lower dues
  - a. What amount of money needs to be in reserves?
  - b. Mark said right now we pay \$400 a year and if we want to change the amount it will have to be voted on. He said that we no longer have to pay for snow plowing, but have electric, insurance, grass cutting, postage, and maintenance of the website. Mark then discussed tax returns for the HOA. Mark filled out a simple tax return form this year, so we did not have to pay someone \$300 to do the return. We also no longer have a P.O. Box. Budget windfall for this year is estimated to be \$11,500.00.
  - c. The discussion moved to what potential items we might need reserve funds for. Mark talked about the silt in the detention basin and potentially needing to clean that every 10-15 years, as well as the fact that we are responsible for any repairs or other maintenance to that detention basin.
    - i. Aside from the expenses mentioned above, we are responsible for light poles, the entrance monument, maintenance of the detention basin, and sidewalks along the entrance common ground (residents are responsible for the sidewalks on their property).
  - d. A resident asked if The Ridges at Tuscan Valley will be considered a part of our HOA. Mark said that both developments were submitted to the county for approval to build, but that they are separate HOAs. The Indentures specify that fact.
  - e. A resident asked if we have a recommendation of how much we may lower the HOA fee. Mark said after this year we can make that determination. His feeling is that we might be able to change it to \$300. Jennifer asked if we can address this at the annual meeting. Mark said Yes.
  - f. Mark said we need to make it clear when dues are due, possibly February 28. City and Village notifies residents who are delinquent and how much interest they are paying in late fees. At the time of the meeting, five lots were delinquent on their assessments.
  - g. Ray Meyer asked how much it costs to scrape the detention basin and how soon we will have to do it. The Board will need to investigate this.
8. What is the purpose/need of the PO Box opened by board? Mark explained we no longer have the P.O. Box and explained we now have an address for the common ground on the right side of the entrance, 3105 Tuscan Valley Estates Court. This allowed the Board to utilize one of the two available mailboxes for the HOA and receive a \$91 refund on the unused portion of the PO Box fee we paid last year.
9. Why did the board switch grass cutting to new company in 2022?
  - a. Mark said the previous company was not insured or bonded and the invoices were not broken down by date. So, there was no way to tell if we were double paying or not. Southpoint Landscaping is bonded and insured, and their invoices detail out by date what work was performed.



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- b. Janet solicited bids from several landscaping companies this year and received three bids in return. Southpoint Landscaping came back with the best bid, with a lower price per cut amount than last year.
  - c. This year the bottom of the detention basin will be cut once a month, and the top every other week. The entrance will continue to be cut every Thursday afternoon, so the grass is not wet.
  - d. Some residents expressed concerns about Southpoint causing ruts in the ground around the detention basin because it was so wet, that the grass cutters were driving very fast on the mowers and that they drove between the wrong houses to get to detention basin. Janet will call Southpoint and address these issues.
10. Posting of agenda and minutes for all HOA meetings (public and private): Mark demonstrated where on the HOA website ([www.TuscanValleyEstates.org](http://www.TuscanValleyEstates.org)), you will see all the minutes from Board and homeowner meetings.
11. Consideration of 5 board members compared to 3:
- a. Mark asked why more trustees be necessary, when larger subdivision manage just fine with only three Board members. Jennifer Mullen said it was because at one time all the trustees were at the top of the hill.
  - b. Mark discussed the process by which the new Board Director was appointed to fill the vacancy. He said that we interviewed Larry Hickerson and Steve Holt for the position, that decision was difficult, due to both of them being highly qualified, and that Steve Holt was selected. Both of them live near the bottom of the hill.
  - c. Also discussed that another ballot measure to vote on will be that no two owners in the same home be allowed to serve on the Board at the same time.
12. Privacy fences
- a. After much discussion it was determined that another ballot measure will ask if homeowners want to allow 6-foot white, vinyl privacy fences or vinyl fences that color match the house, as long as the fences are kept clean of visible mold and mildew stains. Another checkbox will ask if 6- foot black aluminum fencing should be allowed.
13. Solar panels
- a. Missouri statute 442.404 states (among other things), that an HOA cannot prevent someone from putting up solar panels, but they can specify where those panels are located, as long as they “do not prevent the installation of the device, impair the functioning of the device, restrict the use of the device, or adversely affect the cost or efficiency of the device”.
  - b. The consensus was to propose a ballot measure that states that solar panels are required to be installed on the roof of the home.
14. Restrict the HOA mailing list to official HOA use, not sold or used by former Board members



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- a. This will be a proposed new By-Law to protect the privacy and personally identifiable information of our homeowners, and to deter abuse of the HOA directory by former Board Director
15. Make the names of those who file a complaint against a member known to that member
- a. After much discussion it was determined that we will not pursue this at this time, to avoid issues potentially caused because of this change.
16. Rewrite indentures and by laws to combine the originals with all amendments
- a. It was determined that we will wait to potentially address this in the future.

**Adjournment**

A motion was seconded to adjourn the meeting and passed without objection at 7:33 p.m.

**Minutes approved by:**

Mark Jones, Board President

Steve Holt, Board Vice President/Treasurer

Janet Liberty, Board Secretary