

The Springboard

Springwood II's Monthly Newsletter

Special Edition



Special Membership Meeting:

At the Board of Directors meeting held on Tuesday, July 11, 2017, the board approved that an owners vote be conducted to change the Association's Declaration that would shift the responsibility for managing the repair and replacement of roofs, both tile and flat, throughout the community, including villas, to the individual owners. This is necessary for the board and villa owners who have been waiting to have their roofs repaired or replaced to move forward.

Therefore a "Special Membership Meeting" will be held on Tuesday, August 29, 2017 at 7:00 p.m.

The focus of the Special Membership Meeting is for owners to vote on the proposed changes to the "Declarations of Condominium Ownership of Springwood Villas II, Inc." All votes received will be counted and the results announced at the Special Membership meeting. Owners unable to attend are encouraged to mail in their proxy vote as soon as possible.

Proxy Mailing

The board has instructed the Association's management company, Ameritech, to send out a mailing to all owners highlighting the proposed declaration changes. Included in this mailing is a proxy vote with a return envelope that must be mailed back immediately.

PLEASE DO NOT DISCARD THIS NOTICE. APPROVAL FROM TWO THIRDS OF OUR VOTING MEMBERSHIP IS REQUIRED FOR THE PROPOSED AMENDMENT TO OUR DECLARATION OF OWNERSHIP FOR IT TO PASS.

Why change the Declaration?

The current Declaration requires the Board to coordinate the replacement of the villa roofs, both the flat roofs and the tile roofs. It is a legal requirement and only by changing the Declaration can the responsibility be shifted from the Board to individual owners.

Why is the Declaration change needed now?

As many of the flat villa roofs need repair, (some urgently!), the Board has worked tirelessly over the past several months to proceed with a roofing contract to replace 54 villa flat roofs. Town Hall meetings were held to explain to all owners why the flat roofs needed to be replaced. Experts were in attendance at the town hall meetings to answer questions. These experts included the Association's attorney, representatives from Ameritech, several roofing contractors, a roofing consultant and the Association's insurance agent.

None the less, concerns remain and some villa owners object to the Board proceeding with the replacement of the flat roofs.

An impasse has resulted. In an attempt to move forward, the Board is calling for the owners to vote. You need to let the Board know if you want the responsibility for replacing villa roofs shifted to the individual villa owners.

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What caused the situation?

Three buildings on the south side have a continuous connecting flat roof. The current Board and past Boards have authorized individual villa owners to hire their own roofing contractor to replace their flat roofs. As a result, different roofers used varying materials and different slopes making tying in to adjacent roofs increasingly difficult. In some cases, this practice lead to water leak issues from adjacent villa owners. Some villa owners were told by their roofing contractor the work could not include a warranty because of the difficulty of tying into adjacent roof(s). These reasons prompted the board to abide by the current Declaration therefore manage all aspects of villas roofs.

How did the Board Manage the Roofing Replacement Project?

The board instructed Ameritech to get flat roofing replacement specifications from a reliable roofing contractor. Once the specifications were in place, the board invited other roofing contractors to bid on the project. It was recommended by both the roofing contractors and the roofing consultant that each building replace all 18 continuous flat roofs at the same time. These continuous roofs would then have the same roofing materials, same level, and same pitch and avoid future warranty conflicts. The results of bids were presented to the community at a Board Meeting. There were many concerns and questions from owners. One bid was approved by the Board. There was concern from some villa owners who within the last five years had their flat roofs replaced. The board on the advice of the Association's attorney, agreed to put in place a pro-rated subsidy based on the expected roof life remaining. The pro-rated subsidy would be paid from the association general fund account. Some villa unit owners hired an attorney who presented their concerns to the board through the Association's attorney. The board decided to rethink the specifications that were used to get bids. As a result, a roofing consultant was hired to rewrite the specifications. The new specifications were very detailed (41 pages). The new specifications were sent to several roofing contractors. The bids received were close to double the cost of the original bid approved by the Board in March.

What next?

The board is legally bound by the documents that were written by the developer when the community was formed over 45 years ago. It is for these reasons that the board is in favor of asking the owners if they want to amend several sections of our Declaration of Condominium Ownership of Springwood Villas II, Inc. Approving the amendments would take the legal responsibility of villa roof maintenance, repair or replacement away from the board. A second amendment to the declaration is to remove roof painting from the text in the Declaration.

How will the proposed changes be implemented?

The Association's Attorney, Dan Greenberg, explained the process:

Owners would be required:

- To obtain Board authorization to repair and replace roofs,
- Would be required to give 7 days' notice to neighbors of a roof repair or replacement, however neighbors' approval will not be required,
- If needed neighbors must give reasonable access from their unit to the unit undergoing a roof repair or replacement,
- The Board will set a policy on roofing standards that roofing contractors will be required to meet.
- The Board will have no responsibility for the settling of any disputes related to repair and replacement of roofs.
- The Association would be responsible for cleaning of the tile roofs and not painting of the tile roofs.

**SCHEDULE OF AMENDMENTS
TO DECLARATIONS OF CONDOMINIUM OWNERSHIP
OF SPRINGWOOD VILLAS II, INC.**

ADDITIONS INDICATED BY UNDERLINE
DELETIONS INDICATED BY ~~STRIKE THROUGH~~
OMISSIONS INDICATED BY ELLIPSIS . . .

1. Section 3, Definitions, Subsection (b), Common Elements, of the Declaration of Condominium, shall be amended to read as follows:

(b) Common Elements – Portion of the condominium property not included in the condominium unit. In addition, the roofs throughout the community shall be deemed Limited Common Elements to the extent that same shall be maintained by the unit owners pursuant to Section 15 of this Declaration.
2. Section 15, Maintenance and Repair of Building. Each unit owner, including both individual home and villa type units, shall be responsible for repair and replacement of any and all roof covering materials such as tile, shingle or the like, as well as all structural components of the roof directly over such condominium unit at each unit owner's sole and individual expense, and the Association's responsibility shall be limited solely to the cleaning ~~and painting~~ of the exterior surface of the roof. ~~This provision is with the exception of repair and replacement of the roofs of villa type condominium units, whereby all maintenance, repair and replacement of villa type roofs will be performed at the sole discretion and determination of the Board of Directors with the costs of said maintenance, repair, or replacement being borne on a pro rata basis by the owners of the villa type condominium units affected.~~




No unit owner shall commence with the replacement of their roof without the prior approval of the Association. The Board of Directors shall, from time to time, promulgate standards and specifications regarding the style, structure, materials and workmanship to be used for roof repairs and replacement. Repairs and replacements made in accordance with such standards and specifications shall not be deemed material alterations to the Common Elements and shall not require the approval of other owners. After receiving approval from the Association, owners shall give all adjoining neighbors no less than seven (7) days' notice of commencement of the work, and may request access through an adjoining neighbor's unit as part of the notice, and such access shall not be unreasonably denied. The Association shall not be responsible for the resolution of disputes arising between owners in relation to roofing issues. Owners shall be responsible for any and all damage to the Common Element and neighboring units arising from the negligent repair or replacement of their roof.

EXHIBIT "A"

2017

August

2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 6:00 p.m. Cards	2	3 10:30 a.m. Stretch Band Exercises 6:00 p.m. Cards	4	5
6	7 11:00 a.m. Stretch Band Exercises	8 6:00 p.m. Cards  "Full Moon"	9	10 10:30 a.m. Stretch Band Exercises 6:00 p.m. Cards	11 5:00 p.m.  Hosted By Lyn & Art D'Elia	12
13	14 11:00 a.m. Stretch Band Exercises	15 6:00 p.m. Cards	16	17 10:30 a.m. Stretch Band Exercises 6:00 p.m. Cards	18	19
20	21 11:00 a.m. Stretch Band Exercises  Soup Social 5:30 p.m.	22 6:00 p.m. Cards	23	24 10:30 a.m. Stretch Band Exercises 6:00 p.m. Cards	25	26
27	28 11:00 a.m. Stretch Band Exercises	29 6:00 p.m. Cards	30	31 10:30 a.m. Stretch Band Exercises 6:00 p.m. Cards		