

ASHTON VILLAGE COUNCIL
Special Meeting Minutes -- April 14, 2023

1. A Special **Council Meeting** was held at Noon in the home of Linda Stevenson-Force on April 14, 2023. This meeting was called as a continuation of the discussion of the April 11 Council Meeting. All Council Members were present: Kirk Leighton, Ron Vaughn, Linda Stevenson-Force, Michael Trio, Lanita Kemezis, and Debbie Marchiano representing PENCO Property Management.
2. Kirk opened the meeting saying we left three options on the table on April 11 with regard to specific responsibility of the homeowners and the HOA representing homeowners in correcting failures and repairs to Water and Sewer Lateral Lines under the footprint of individual home units. Those options were:
 1. Cost obligations for repairs are the responsibility of the individual homeowner, per the Ashton Declaration and clarification by legal counsel;
 2. The HOA Association should assume the cost of maintenance and cost of repairs for all failures under the subflooring of individual units;
 3. Homeowners are responsible for the cost of repairs, however Council recognizes that two homes are caught, owners having read and interpreted Ashton's Declaration with innocence. Council acknowledges their issues and will cover them for work done previously under their subflooring. A date would have to be added to our document of clarification which would be significant, to clarify that these two instances would be the exception to Association practice going forward.
3. As in previous meetings, a discussion representing all sides of the matter ensued:
 - This work and preparation of a letter to homeowners is meant to be a clarification, not a revision of Ashton's Governing Documents, the Declaration of 2013.
 - "At owner's cost" language must be added to clarify, to be in accordance with the PA Uniform Planned Community Act.
 - Two units have been identified as having faulty lines, with repairs having been made, before our discussions and letter of explanation have concluded.
 - Noted, no other Village HOAs in Hershey's Mill cover the cost of under slab failures. Such are the homeowner's responsibility (beyond builders 'Home Warranties for newer structures).
4. Kirk made a motion that: Council approve clarification to the policy with regards to the lateral lines under concrete slabs, limited common space, and approve payment for repairs of lateral failures under slabs of Units #30 and #67. Henceforth, all costs for lateral repairs are the responsibility of Each Unit Owner.

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Thus, Ashton's HOA retains responsibility for the maintenance, repair and/or replacement of the laterals throughout the Community. Maintenance and repair/replacement costs are the responsibility of the owner, costs to be billed back to the Unit Owner. Lanita seconded the motion. The motion was voted upon and approved by a vote of 3-2. Two members voted to follow the legal interpretation of attorney and not to reimburse owners for limited common area repairs as described in the Water & Sewer Responsibilities letter to be issued by the Village Council dated April 26, 2023.

5. Discussion continued over specific wording of the Letter for Ashton Homeowners, necessitating further clarification with the legal counsel at Marcus & Hoffman, PC.
6. The Meeting was Adjourned at 1:04 PM.

Next scheduled Council Meeting is May 9.

--- Lanita Kemezis
Ashton Village Council