

**Minutes**  
**Deepwoods III Condominiums**  
**Board of Directors Meeting**  
**July 23, 2019**

---

CALL TO ORDER: The meeting was called to order at 6:00pm at the office of Snows Management Inc. located at 2701 Fairbanks St. Suite A.

PRESENT: Board members present were Mary Wells, Eek Eakle and Mike Pannone. Also present were Assistant Treasure Ivagene Howerter and Director Fabiana Mobley. Trevor Martin with Extreme Construction along with Chair of Retaining wall were also in attendance. Representing Snows Management Inc. was Pam Snow and Mandi Puzon.

EXCUSED: N/A

MINUTES FROM PREVIOUS MEETING: The minutes from the 6-18-19 meeting were reviewed. With no objections, the minutes were approved.

REPORTS: The change order that was approved at the 6-18-19 meeting was presented as an attachment.

Financials: The current financials as of 7-23-19 were presented for review.

---

**NEW BUSINESS:**

Sewer Line Repair: Trevor Martin thoroughly discussed the broken sewer line issue which caused a backup into unit 6944. He will begin work on 7-24-19 at 10am to clean out units 6944, 6942, 6930, 6932's lines to ensure that is no blockage before beginning the repair. The Board approved this work to be completed and signed the contract that was presented in the amount of \$7200.00 excluding asphalt work and any additional findings.

There was much discussion as to whom is liable for the cost of all repairs if insurance is unable to cover the cost of damages. A legal opinion will be solicited regarding this concern.

Funds in excess of assessment: Pam Snow presented the attorneys opinion on this matter.  
Email copy is attached.

UNFINISHED BUSINESS:

Retaining Wall Update: Trevor Martin Stated that he is nearly 1/3 complete with the project. The Deadline has been set for August 15<sup>th</sup>, 2019.

EXECUTIVE SESSION: Delinquencies were reviewed through 7-23-19

NEXT MEETING: At the discretion of the Board.

ADJOURNED: With no further business to discuss the meeting adjourned at 7.15pm.

Respectfully,

Mandi Puzon  
Association Manager

---

## Snows Management

---

**From:** Sarah Badten <sbadten@BHB.com>  
**Sent:** Monday, July 22, 2019 4:17 PM  
**To:** Snows Management  
**Subject:** RE: Wall Money; Eastridge III *Deepwoods 3*  
**Categories:** Pam

Hi Pam,

AS 34.08.450 addresses Surplus Funds and provides as follows:

Unless otherwise provided in the declaration, surplus funds of the association remaining after payment of or provision for common expenses and prepayment of reserves must be paid to the unit owners in proportion to common expense liabilities or credited to them to reduce future common expense assessments.

The Declaration in this case appears to be silent on surplus funds. Therefore, the statute controls.

The statute provides two options for dealing with surplus funds remaining after payment of common expenses:

- 1) Pay the surplus funds back to the unit owners in proportion to the common expense liabilities; or
- 2) Credit the surplus funds to the unit owners to reduce future common expense assessments.

With regard to the second option, the Association in this case could "credit" the surplus funds to the unit owners by moving the surplus funds to the roofing account, thereby reducing future common expense assessments for roofing.

Accordingly, the Board will need to make a reasoned business decision for which option it chooses.

Please let me know if you have any further questions.

Thanks,

Sarah A. Badten  
Birch Horton Bittner & Cherot  
510 L Street, Suite 700 | Anchorage AK 99501  
Tel 907.263.7210 | Main 907.276.1550  
[sbadten@bhb.com](mailto:sbadten@bhb.com) | [www.birchhorton.com](http://www.birchhorton.com)  
Bio | vCard

This transmittal may be a confidential attorney-client communication or may otherwise be privileged or confidential. If you are not the intended recipient, you have received this transmittal in error. Any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you have received this communication in error, please notify us immediately by reply or by telephone (907) 276-1550 and immediately delete this message and all attachments.

**This communication is from a debt collector. Any information obtained will be used to collect a debt.**

**From:** Snows Management <info@snowsmanagementak.com>  
**Sent:** Tuesday, July 16, 2019 2:32 PM