

Web Visitor
Address
Maple Grove, MN 55369

February 16, 2026 – HOA Member Update

Web Site Visitor,

It's been a busy few months since the HOA's October Annual Meeting. First, I'd like to congratulate Patrice Pearce and Melissa Callahan on their election to the Board of Directors. From my limited interactions with them, I believe they will bring thoughtful, independent perspectives, and I am hopeful their presence will strengthen the board's accountability.

I have been feeling frustrated with our board and Omega management, who denied our proxy voting rights, disregarded our Bylaw provisions, and then blamed the State of Minnesota. Furthermore, I believe that hiding important documents on a private portal inaccessible to non-board members undermines transparency. Both actions violate our bylaws and keep regular members uninformed about our HOA's affairs.

I personally tune in to Zoom meetings from time to time in order to stay informed. If I believe there is something our HOA members should be made aware of, I will let you know on my Blog at www.pineview-hoa.org. If it is really important, I will send out a letter. If you know of anything I should be aware of, please contact me, and I'll check it out. If you'd like to make my communication easier, please share your phone number and email address. An email blast is possible if I have a member email list.

At the annual meeting, there were two notable statements regarding replacement siding. First, the president claimed the board had no current plans for siding, dismissing the \$400/month target set by the siding committee as mentioned in my previous letter. Later, during the board meeting, he discussed a plan to fund new siding with two special assessments—one for \$1,500 and another for \$1,000. The treasurer indicated the reserve fund should not fall below \$70,000, suggesting it could be used for siding. Strangely, the president scoffed at my mention of our non-profit corporation, leaving me to wonder whether he and other board members recognize their legal responsibilities under Minnesota non-profit law (§317A).

Minnesota Statute §317A

Minn. Statute §317A is Minnesota's Non-Profit Corporation Act, which governs the actions of our HOA and its Board of Directors. Why? It is because our HOA was organized under this law. The law at §317A provides Articles and Bylaws that govern our operations, unless we write our own Articles and Bylaws, which our founders did. So when the HOA board, backed by Omega's management expertise, denied our right to vote by proxy under Article 3.3 of our own bylaws, they actually committed a fraud on HOA members. Legally, it represents a cause of civil action against our HOA and Omega management, who, if anyone, should know better. Shouldn't they? All board members are responsible under the law, and indemnity insurance does not cover officers' and Directors failure to obey laws, HOA articles, and HOA bylaws.

Failure to disclose HOA documents to members under Article 8.5 of our bylaws is also grounds for legal action. The board still hasn't released the June 2025 legal opinion letter I've requested several times. Therefore, Omega and the HOA board continue to hide documents that members like myself and others would like to examine. Such documents are hidden by Omega on a secondary private online portal. However, Omega's HOA member portal is also private. Therefore, all documents relevant to our HOA and board should be made available on Omega's member portal and not selectively concealed from non-board members on another portal. Such a policy would allow all interested members to fully research and understand the totality of what is being proposed and what is actually happening.

Our HOA is also required to obey the relevant parts of Minn. Statute §515B, the MINNESOTA COMMON INTEREST OWNERSHIP ACT.

What You Need To Know

Quorum Requirement: There are eighty-eight (88) units in our HOA. If only eight (8) units show up at a meeting, that constitutes a quorum, and official and binding business can be conducted. Only a majority vote (51%) is required to pass an item, unless a different percentage is required by a specific action.

Voting by Mail: We can vote by mail under Bylaw Article 3.4, as recently modified by Minnesota law, which states that if you do not return your ballot, it counts as a YES vote for modifying our Articles of Incorporation.

Board Powers: These are enumerated in Bylaw Article 6.4. These powers do not give the board of directors the power to borrow money and financially encumber the HOA.

Borrow Money: Article III (d) of the Articles of Incorporation requires 75% approval of the HOA members to allow the board to borrow money or otherwise financially encumber the HOA and its members.

Amendments: Article XI of the Articles of Incorporation requires 75% approval of the members to amend the articles of incorporation.

Our corporate Articles and Bylaws allow for a simple quorum of eight units and a simple majority of 51% to approve regular business, including special assessments. However, to allow the board to borrow money or otherwise encumber HOA members financially, 75% of the members must approve. 75% approval of members is also required to change any Article in our HOA's Articles of Incorporation.

I tuned into the February 2, 2026, HOA Zoom meeting to see what was new with the siding. Lance from Omega Management provided the main details of the board's new siding plan. The following is a basic outline of the Board/Omega plan.

Outline of Board's New Siding Plan

1. Ryan Construction, a general contractor, will be used.
2. The estimated cost is around \$2 million.
3. The Board will seek a \$2 million line of credit.
4. All siding will be replaced in 2026 using a new line of credit.
5. The estimated HOA member cost is around \$20,000.
6. HOA members will pay back the board \$5k each year for four years.
7. The board will seek to provide some payment options.
8. This plan requires getting 75% of the members to change Article III (d).
9. This plan requires getting 75% of members to change Article XI.
10. A majority of **board** members support the line-of-credit strategy.
11. Lance claimed the HOA cannot cash flow new siding. This is not true!
12. This means the Mail ballot will be used on Article changes to get 75%.

The Cash Flow Issue: New siding **can** be financed over 7 years using our reserves, with no additional cost to HOA members. The project could begin in either 2026 or 2027, contrary to Lance from Omega's claim. What cannot be cash-flowed is Ryan's \$2 million cost. Ryan is a general contractor, not a siding contractor like Minnesota Exteriors Inc. (MEI), which has been in business for 80 years and can finance our project. Attached are an all-inclusive siding estimate from MEI and two cash flow

projections for starting in either 2026 or 2027. If we begin in 2026, the board will need to add \$1,000 per month to the reserve fund to keep the ending balance above \$80,000. To understand why we can cash flow new siding, you simply have to acknowledge that a general contractor like Ryan Construction subcontracts out the siding to an actual siding contractor like MEI. This adds 30% to the siding cost. Omega management is attempting to impose an additional \$700,000 in costs on HOA members by using Ryan.

MEI's cost comes in around \$1.3 million, similar to other siding contractors. The board should carefully consider MEI's cost estimate. MEI is located only three miles from our community, and is a financially sound business with 80 years of history. They are a family-owned business now in the third generation, and can finance the material and labor costs, allowing us to pay for each quad building after it is completed.

The Mail Ballot Issue: The Board/Omega plans to send us a mail ballot to amend Articles of Incorporation III (d) and XI in the March timeframe, hoping to complete it in April. Minnesota law now allows non-returned ballots to count as a YES vote on changes to the Articles of Incorporation. ***This is the strategy to get the ballot passed,*** as Lance estimates that 50% of homeowners' mail-in ballots are never returned.

Warning: If you do not vote NO and promptly return your ballot, your non-response will be counted as a YES vote for a \$20,000 assessment on your property. If you are considering selling, the board will collect the assessment from your home sale proceeds. Action Needed: Immediately return a NO mail-in ballot!

Encumbering HOA Members: What the Board/Omega plan would do is make all HOA members liable for repaying a loan. Virtually all of our properties would be used as collateral. From my perspective, it is tantamount to the liabilities found in partnership structures. There is a good legal reason why the board is restrained from creating liabilities for the HOA in our Articles. Quite frankly, there is little reason to trust the current HOA board, given its poor Zoom communication strategy, its restriction of access to some HOA documents, and its apparent lack of concern for all community members.

At the February 2nd Zoom meeting, the minutes from the October annual meeting and the December meeting were **still** not posted on Omega's portal, even though this was an issue raised in October's meeting. Before discussing the basics of the siding plan, no report from the siding committee was presented. While the siding committee indicated a survey would be done, no survey results were presented. In the survey I did last fall, many homeowners didn't believe their quad building needed new siding. That being the

case, a seven-year plan to use our reserve fund to cash flow and install new siding on the buildings seems reasonable, as siding is not an emergency issue. The plan requires no assessments. It requires no member approval, and the board can simply pass a motion to accept one of the two cash flow plans and then engage MEI to implement it.

Paying Back the Board: According to the Board/Omega basic plan, the Board appears to have eliminated any \$400 monthly dues increase. So the president misinformed us in October? Instead of a monthly dues increase, an annual \$5,000 bill, payable over 4 years, is used to repay the line-of-credit loan. It's ironic that, although this isn't an increase in monthly dues, it **still** saddles all of us with a monthly cost that would exceed \$400! **If I question honesty at times, this might be one reason why. The use of a general contractor like Ryan, costing us an added 30%, might be another.**

Action Plan: Tell your neighbors and all board members to choose a 7-year siding cash flow plan with MEI, and stop trying to burden members with a \$20k assessment. We are already paying higher monthly HOA dues than other HOAs with no amenities, yet receive insufficient and inconsistent maintenance. Dues are raised by 5% each year. Nothing more than this 5% increase in annual dues is required for new siding. Please send me your phone number and email so I can expand the communication options to keep you informed.

Sincerely yours,



Edward G. Palmer

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763-370-8227

Attachments

- MEI Siding Cost Estimate
- 2026 Cash Flow Statement
- 2027 Cash Flow Statement

Visit my blog at www.pineview-hoa.org for additional information.



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MATERIALS AND INSTALLATION ESTIMATE

Estimate #: 1 Plan #: Date: 12/14/2025
 Customer: Pine View HOA
 Billing Address: 8303 Oakview Court N
 Phone: 1 (763) 370-8227 Fax: Email: EdwardgPalmer@gmail.com

Job Address: Pine View HOA - 1 Building, 8303 Oakview Court N
 Maple Grove, MN 55369

Job Scope of Work:
 BASE PRICE: Remove all wood siding and trim on 1 buildings and dispose of. All brick will remain. Install Barricade housewrap to code. Install new VBT window tape and flashings at all openings. Install ProVia Heart Tech .044", double 4" vinyl lap siding (lifestyle color palate) and vinyl corners. Install Azek board for privacy wall caps. Install aluminum wrap at fire place chase cap. No aluminum wrap at entry canopy beam and strut. Dumpsters and Portable toilets included. ELECTRICAL AND PERMITS ARE NOT INCLUDED IN BASE PRICE BUT GIVEN AS A PROJECTED ALLOWANCE

Siding: ProVia Heart Tech .044 vinyl lap - LIFESTYLE COLORS - www.provia.com
 Housewrap: Barricade
 Soffit/Fascia: Edco Aluminum
 Gutters: Edco 5" Seamless K style .032 with 3x4 downspouts and EZ gutter screen

	1 Building BASE TOTAL	\$	32,887.00
Option A	Cut in ventilation at soffits. Cover overhang with vented aluminum soffits and coil fascia on ALL.	\$	10,604.00
Option B	Install new 5" gutter with standard aluminum EZ gutter screens at garage eave, entry canopies, and upper roof above entry. Install oversized 3x4 aluminum downspouts on ALL.	\$	5,716.00
Option C	ADD for OHD door jamb wraps with new thermostops on ALL.	\$	1,653.00
Option D	ADD for aluminum wrap at entry beam and strut on ALL.	\$	1,189.00
Projected permit cost		\$	204.00
Projected electrical allowance with electrical permits		\$	1,745.00
	Total Material and Labor including tax:	\$	53,998.00
	Down Payment:		
	Balance Due:	\$	53,998.00

FIRM BID 30 DAYS • If this proposal is based upon measurements taken from blue prints of information supplied by you and should the actual on-site measurements vary from your blueprints or information, you agree to pay any extra cost incurred as a result of these changes.

TERMS: SEE ABOVE. 1.5% month (18% annual) interest will be due on unpaid balances. The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above. Customer agrees to pay any costs of collection and reasonable attorney fees if Minnesota Exteriors Commercial must refer account to an attorney or collections representative.

NOTICE OF LIEN RIGHTS IN THE STATE OF MINNESOTA A) Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company has not been paid for the contributions. B) Under Minnesota law you have the right to pay persons who supplied labor or materials for this improvement directly and deduct this amount from our contract price, or withhold the amounts due to them from us until 120 days after completion of the improvement unless we give you a lien waiver signed by persons who supplied any labor or material for the improvement and who gave you timely notice.

You may cancel this transaction, without penalty or obligation, writing three (3) business days from the date of order excluding weekends and
 Statutory Warranties contained in Minnesota Statutes Chapter 327A are attached to this proposal and incorporated by reference.

Binding Effect: This contract is binding upon the heirs, executors, administrators and successors of the respective parties

IN WITNESS WHEREOF, the parties have executed this Contract, effective as of the date and year first appearing herein

Buyer Signature:

By:	Its:	HOA Board President	Date:
		Minnesota Exteriors Commercial, LLC	
By:	Its:	President	Date: