

**Curtis Pond Board Meeting
July 5, 2007
Open Session**

Meeting called to order at 7:02pm by Andy Good

Board Members in attendance – Andy Good, Peter Russo, Rich Hagens, Richard Anderson and Brad Clyne

Residents in attendance – Laura Good, Kim Trueman, Eric Davis, Wendy Petrie, Lorraine and Mark Jordan, Troy and Lisa Newell, Christine Moulison, Susan Oldiges

Andy welcomed attendees and thanked everyone for coming.

Andy explained that the open session was from 7:00pm-8:00pm: closed session will start at 8:00pm.

Open session guidelines were presented. Everyone would be able to ask 1 question, no more than 3 minutes, and, if an answer could not be provided, the question would be tabled and an email response would be sent to the person asking the question.

Andy opened the floor to questions.

Troy Newell – Is there an agenda for this meeting?

Andy Good – The open session is designed to take questions. There is no agenda.

Laura Good – At the last board meeting, I asked about the landscaping contract regarding the flowers at the entrances. Paul from Cedar stated that he had gotten in touch with the landscaper and they had promised 33 flats of flowers to be planted that week: the flowers that they had planted were dead petunias. There was no way they could have planted 33 flats, I personally went out and purchased 10 flats and filled all entrances. Will we be getting credited for those flats?

Brad Clyne – Yes we will get credited.

Eric Davis – Is the board going to update the community on the management company progress?

Andy Good – Yes things have progressed as anticipated, we are expected to make a decision on a company very soon. The board is happy with the process that is being made. There have been no huge surprises, no

stumbling blocks. Members should be hearing another update probably not tomorrow but by the first business day next week. The management companies we have spoken to understand the transition process, they also understand what is going on with us and are okay with taking us on. We have narrowed it down to two companies at this point.

Troy Newell – How much did Phase 1 spend on legal, mailing and management fees to send out the annexation letter to all those in Phases 2-4? How many responses have you gotten back from those phases to date?

Brad Clyne – We haven't seen the June financials yet so we can not answer that; we just received the May financials from Paul. I will send you an email with the answers to that question. As far as responses, again they would go to Paul from Cedar and we haven't gotten a number yet. I can email you, Troy, the answers as I get them.

Lisa Newell – I wanted to say that I totally respect what you are trying to do for the neighborhood. I feel where you are because we have been there. Is there any plan that you can share with us about bringing everybody back together?

Brad Clyne – Thank you, Lisa. Offering 2-4 residents annexation by a Member vote is the only option on the table right now. Our legal counsel has said that we can try to re-unite the phases by trying to force everyone who has signed our documents into the Association: this would mean huge legal fees, only a marginal chance of success, with a case so complex that it could potentially go as far as the Supreme Court. We were told that no one has ever challenged most sections of 47f, so we don't know how this would turn out.

Troy Newell – How much were the cameras and the installation that were installed at the pool? What part of the budget supported that purchase?

Brad Clyne – The cost of the cameras was \$600.00 and they were installed for free. The purchase of the cameras will be coming out of the pool budget, most likely under Misc. expenses with a description.

Troy Newell – There is no misc. expenses under the pool budget.

Brad Clyne – The cameras will be put into the pool budget, if there is no misc. expense then we will be over budget, but that is where we are going to apply that expense.

Susan Oldiges – I would like to know if we are going to pursue an audit and try to establish what the misc. expenses that were \$10,000 unexplained from Faith. I think there may have even been two miscellaneous expenses that couldn't be explained from Faith.

Brad Clyne - We are doing an internal audit, but we don't have the funds to do it professionally. The Board of Directors is currently working on going through all the boxes that were delivered to Cedar by Faith. There are 9 boxes (note: two boxes were apparently processed by Cedar during the transition from Faith: only 7 boxes are left to examine) and it will take us time to go through them all.

Susan Oldiges – There has to be some legal grounds that we have to be able to go after them. \$10,000.00 is a lot of money to just be missing. If we had the funds available to do a full audit, would we?

Brad Clyne – Absolutely, we would.

Peter Russo – We are working on it, but it will take some time, though.

Troy Newell – Can you see any possibility that our dues will not increase next year?

Brad – Yes. Using the re-negotiated pool and landscaping contracts, as well as a projected cost for a management company based on the contract we re-negotiated with Cedar prior to their resignation, and actual legal and management charges incurred, we have projected a budget for this year. While we will clearly be in deficit, we should have a surplus of approximately \$14,000.00. Those funds would roll over into the reserve fund for 2008. So from this projected budget we believe that dues will not need to be increased in 2008.

Troy Newell – Are pool hours going to be effected next year then?

Brad Clyne – Our preliminary budget projections include the same costs that we have today, with the same hours. If we choose to use Aqua Tech next year the hours would remain the same. We may open the pool contract for bids prior to presenting the Membership with a 2008 budget.

Lisa Newell – While we are on that subject, is there anything in the works right now that would allow phases 2-4 access to the pool?

Brad Clyne – I didn't expect the vote to be as solid as it was on June 8th. We expected to see a more even vote regarding the options that were presented to the Members. Understandably it was short notice and many residents were not able to attend. Before the board revisits this issue we would like to see a petition signed by at least 51% of the Members.

Troy Newell – Were Marcia and David offered a board position when Bob stepped down?

Brad Clyne – No. They were each offered a position on the board shortly after the 04/30 Election and both declined. They were not revisited when Bob stepped down.

Troy Newell – Well that is like comparing apples to oranges. They were offered a non-voting position and they turned it down, this position would be a voting position.

Andy Good – If one of them had taken the non-voting seat they would be in a voting position now.

Troy Newell – I sent a list of ARC violations, can you tell me what the current process for ARC violations is?

Brad Clyne – Well, now that Cedar resigned there really is no process (Note: there is a process in place for ARC requests and violations. With Cedar's resignation there was no process in place for CCR violations. This will be addressed when William Douglas takes over from Cedar on August 1st 2007).

Rich Hagens – We have looked at the one violation on Milroy, it was determined that they never sent in an ARC form.

Troy Newell – Yes, and I know that they received a letter but never followed up on it.

Brad Clyne – For some time now Cedar has only been sending letters as directed, or as complaints have been received.

Mark Jordan – Did cedar say why they quit?

Brad Clyne – Yes, they did. Cedar had been receiving a lot of obscene phone calls recently and as a result one of their employees quit. A final call was received and that was reported to have been the last straw.

Mark Jordan – Was that final call from a Phase 2-4 resident?

Brad Clyne – We prefer not to say.

Eric Davis – Will the new management company be prepared to deal with our issues: I don't want anyone blind sided by this.

Andy Good – Yes, we've gone into considerable detail with each company we've interviewed. So far, none of the companies we've spoken to have seemed the least intimidated, or afraid to consider taking us on as a client.

Eric Davis – Can we use the revenues from concession sales to offset the current deficit?

Brad Clyne – The revenues from the concessions have been used for things purchased for the committee, they were also used to fund the recent July 4th event. Kim has also been considering purchasing baby changing tables for the pool restrooms.

Troy Newell – Has the concession start-up money been accounted for?

Kim Russo – The monies to start up the concession stand were supposed to come from the social/teen committee budget. A request was made to the board for the funds and approved. Cedar was asked to cut the check for this and they never did. So I personally laid out the monies to start up the concession fund. Cedar never responded to any emails regarding the monies. All receipts have been photo copied and I keep a copy for the committee and would normally send the originals to Cedar but under the circumstances I have not done so and will not do so until a new management company is set in place. They will then receive all financial records for the concession stand.

Eric Davis – What is the legality of replacing a board member when they resign?

Brad Clyne – Our Bylaws give the Board of Directors the authority to choose and vote on a replacement.

Lisa Newell – I received the newsletter, thank you, and I also received a call from someone in one of the other phases that they had received one as well. Did you all send the newsletter to all homes in Phase 2-4?

Brad Clyne – Yes, we are delivering the newsletter to all homes. I don't believe we have delivered to Elba, yet. Susan has delivered to all Members and Wendy is taking care of Phase 2-4 deliveries.

Lisa Newell – So you are still trying to include them?

Brad Clyne – Yes, we are including them, we don't want to disenfranchise them. Susan has gotten advertising from outside sources to help offset the cost of the newsletter. She has done a great job.

Troy Newell – How did you deliver it to those who don't have paper boxes?

Brad Clyne – I will let Susan answer that since she has been delivering them.

Susan Oldiges – My daughters and I hand delivered them to every home in the Association. Those who had the newspaper boxes received them there. If they didn't have them then we delivered them personally to those who were outdoors. Others were left slightly under the front door mat and others were placed on the front doors.

Mark Jordan – Can you rubber band them to the mailbox post or flag?

Peter Russo – No you cannot touch a mailbox or the post.

Susan Oldiges – Royalton is really the biggest problem with not having the newspaper boxes. Although some of the boxes were completely full as if they don't ever take anything out of there. It would be nice if we could replace the old mail boxes, you know the wooden ones, with the metal ones that everyone else has. Is this something that we could do?

Mark Jordan – I can get prices for the metal mail boxes? I would be willing to install them myself for anyone that wanted to switch over.

Andy Good – Yes, if you can get that for us that would be something we can put out there to those residents who currently have the wooden post mail boxes.

Mark Jordan – If you need volunteers to finish delivering the newsletter I can help do that.

Brad Clyne – Yes, we can use your help. Please come by this evening and I will let you know what else needs to be done.

Eric Davis – Susan are you asking to purchase the metal mail post yourself?

Susan Oldiges – Yes.

Troy Newell – You would still have to go through the ARC to change it though.

Brad Clyne – The only way to change the style of the post would be with a CCR amendment.

Eric Davis – You can put it in the newsletter to make all residents aware that the option is there.

Kim Russo – Are the sprinklers working on Royalton yet?

Brad Clyne – The landscaper told me that they are working.

Mark Jordan – No, the sprinklers on Royalton are not working. They cannot work since there is no junction box for the sprinkler. The box is missing, we were looking for it and it is nowhere to be found. I did set the sprinklers on Bluffton and Milroy to actually water the flowers and bushes. They were set incorrectly this whole time, they were watering the street and the cars parked in the street. It was nothing but a waste of water, the flowers and shrubs all died because they were never actually getting watered. So those two entrances are fixed now.

Andy thanked the attendees for coming and for all the questions. He felt that there was a good turnout this evening. The board has a lot of items to discuss at the closed session.

The Open Session of the Meeting adjourned at 7:35pm