



Meeting Minutes

Board of Directors Meeting

The Clubhouse

March 31, 2014

6:30 PM

Board Members Present: Richard Verner, Penny Glover, Roy Montague, Mike Lentz, and Steve Black
Community Members: Approximately 30 members of the HOA were present
AMG Representative: MacKenzie Ruickoldt was present
Quorum: Quorum was established with three board members present at the start of the meeting and five members present at the end

Richard Verner opened the meeting and requested that the meeting be conducted in an orderly manner and that members not interrupt each other. A motion was made, seconded, and passed that during open discussion periods members should be limited to 2 minutes per topic.

The minutes of the February 27, 2014 board meeting were approved as distributed without changes.

Reports

Treasurer: Mike Lentz stated that the approximate balances in the three accounts were: General Fund, \$100,000; Clubhouse and Pool Reserve Fund, \$10,000, Crows Nest Roads and Gate Reserve Fund, \$48,000.

Architectural Review Committee: Roger Tumlin reported on behalf of the ARC. Recent requests consisted of a request for new landscaping on one lot and for a swimming pool on another lot. Both requests were approved. Richard Verner added the following comments: the construction loan for Lot 89 was been approved and work is now underway, Lot 16 (a developer-owned lot) has been sold, Lot 54 has a new owner who plans to build soon, and M & J Developers have a new agreement with the Belews Landing Development Company that involves 10 lots over a one-year period.

Roads Committee: Dave Keeney reported that he met with a roads contractor and surveyed the Crows Nest roads. They identified 20 areas (approximately 6,900 square feet) that need major repair. In these areas, the road would be excavated to 3" and filled and resurfaced. The estimate to complete this was approximately \$25,000. In addition, numerous cracks would be filled,

which would cost approximately \$4,000. The survey did not involve Yardarm Ct because the Development Company will take responsibility for those repairs.

Communications Committee: Austin Lewis said that he is beginning work on the next newsletter and if anyone has contributions they would like included, they should send them to him as soon as possible. There have been significant enhancements to the website during the last month. A "Contact Webmaster" link with submission form was added. In addition, the website now has a "Members Only" section that requires a username and password to access. There have been 31 requests for a username and password.

Social Committee: Nicole Gillespie stated there was no report from the Social Committee. Steve Black commented that the wine tour on March 28, organized by Amy Rider, was very successful.

The Developer's Proposal for the Clubhouse and Pool and Proposed Legal Action

Richard Verner stated that members of the board had spent several months reviewing and discussing with various people, including the president of AMG, the Development Company's position that it does not owe HOA assessments and its refusal to turn over the clubhouse and pool to the HOA. Based on these discussions and considering all the advice received, the board decided to proceed with legal action against the Development Company. This may result in liens on the Developer lots. The board is hiring an attorney to provide legal advice about the best course of action. In response to questions, the board made clear that there were no conflict of interest issues between the attorney and AMG or between the attorney and any board members.

A vigorous discussion about the appropriate course of action followed. Several HOA members stated that legal action was the wrong approach, whereas other members supported the position the board has taken. In response, Richard Verner stated that the board has been trying to resolve the issues with the Developer over many months but no significant progress had been made. Richard made an additional attempt to discuss the unresolved issues with the developer via telephone; however, the developer responded with an email stating that he will "provide a written response via email next month." Therefore, reluctantly, the board decided to pursue legal action.

The Petition from Some Homeowners Requesting a Dues Refund

Richard Verner stated the board had received a petition signed by 32 people (representing 21 households) asking for a partial refund of dues. Richard said that a letter had been sent in response explaining how the monies had been spent and that a refund was not possible.

There was a suggestion that it may be helpful to the board if there was a Budget/Financial committee to assist the treasurer in the preparation and oversight of the budget. The board will consider this proposal. There was also a question about an audit of the HOA finances. MacKenzie Ruickoldt stated that an audit will be conducted by a company that is independent of AMG and the HOA.

The next meeting was set for April 28, 2014. In the announcement of the meeting it will be emphasized that all HOA members are encouraged to attend the regularly scheduled board meetings.