

## Kirkwood HOA Board of Directors Meeting Minutes

**Date:** 12-9-2010  
**Location:** Myrtle Grove County Fire Station Training (Monkey Junction)  
**Called to Order:** 6:03 pm  
**Adjourned:** 9:12 pm  
**Attendees:** Bill Fand, Fred Squib, Dean Hunkele, Chris Walsh, Mike Brunner; Jerry Barnes (CSS)

Before getting to the agenda, it was determined that Tuesday worked better for all the Directors for meetings. Thus, Chris was going to inquire with fire house commander if OK for 2<sup>nd</sup> Tuesday each month. [Chris subsequently found this to be OK.](#)

**Agenda Item #1:** Current Lowes HI charge account & will HOA maintain a similar account at Lowes or Home Depot

The current account was still open with Richard Anthony (CAMS) still listed as the contact. BOD unanimously voted to close this account and open a new account with a \$1500 limit, which Jerry will attempt to handle.

All expenditures including those using the account must be approved by the BOD and a purchase order (PO) issued by the Treasurer as was originally set up by original BOD.

**Agenda Item #2:** Townhome State Stormwater Permit (SW8020407); permit still in Developer's name and was not covered when the primary permit containing the pond(s) was transferred a few months ago.

BOD instructed Jerry to send letter to Developers to initiate process.

Jerry asked who was responsible for the system since it serves the townhomes. The permit will have to be transferred to the primary/master HOA since no corporate townhome association exists with the NC Secretary of State. Bill Fand was given the task to draft up some language to amend the bylaws to cover the responsibility by the townhome's association for the stormwater system and the private roads serving them – to be based on County parcel/deed info. Amendment of the original covenants sets forth a separation of the townhome areas noted as "Townhome Common Elements" in the 10-28-2002 version based on a parcel map.

**Agenda Item #3:** Communication with Members (newsletters, mailings, websites)

BOD discussed the need for at least quarterly communication with its members and/or residents.

BOD had a discussion of potential tools available and everyone to bring ideas to next meeting. Some residents/directors not aware that two websites exist – one thru Community Solutions and another at thru neighborhoodlink.com that not sure who maintains? BOD asked Jerry to determine what limitations existed for their site as it only contains the primary HOA governing documents. There was a discussion about ensuring that a link to the 2<sup>nd</sup> site was on CSS's site. [There is a link as of 1-3-2011 when these were drafted.](#)

Jerry did one newsletter last year and will get them done provided that content/material is provided to him.

Dean will get information about the cost to print & mail postcards to owners & residents about newsletters or other important info versus the cost to print and/or mail multiple page newsletters.

#### **Agenda Item #4: Violations Update**

One of the attending members (resident) wanted to discuss the issue of a Violation he received within the last week or two concerning the cleaning of his siding. Mike allowed him to speak even though he had not requested to be on the agenda. The BOD agreed that the letter should not have been sent given time of year or had provided a deadline in the spring for it to be completed by.

Jerry had provided BOD of current list of violations prior to meeting. No violations currently in fine mode except for two ongoing trailer issues with Anderson & McLeod to begin 1-1-2011. BOD voted unanimously to allow McLeod to go to fine mode since they had been notified and had appeared at a hearing with prior BOD (\$25/day). BOD voted unanimously to hold off on Anderson as it appears that some confusion had occurred about letters, process, etc. BOD asked Jerry to notify Anderson that we had discussed the issue and wanted to invite him to the next meeting for us to render our judgment & provide new deadline for removal/remedy.

The question of providing addresses of violations in any manner to members was tabled. Jerry to determine the legality of doing so and advise what limitations must or should be placed on the release of info if deemed legal.

There was a discussion about changes to Rules done in 2010. There was no cover letter indicating what changes had occurred. A couple of major changes were identified – mailboxes and trailers. BOD voted unanimously to remove any reference to mailbox color and return to language in a previous version. In addition, it was decided to look at the Rules in depth at the last meeting to determine what other changes/clarifications were needed especially the trailer rule. It should be noted that the original BOD had amended or clarified some of the rules and organized/cited rules covered by the Covenants. As of the drafting of this document the current set of rules on CSS's site is now version 2.1 dated 10-29-2007, but no President signature and/or explanation is present. Not sure what happened to other versions.

Following the meeting, subsequent communications with Jerry seems to show that the BOD and CSS need to discuss violation protocol at the next meeting. Apparently protocol established with CAMS via the original BOD was not carried forward with CSS by subsequent BODs.

#### **Agenda Item #5: Pool Contract & Pool Access**

It was believed that a representative of the current contract holder would attend this meeting, but he did not. It was decided to have him here for the January meeting to discuss the contract in more detail as to what is and is not covered. Jerry and/or Chris/Mike would contact him. Facility winterization & winter pump operation are some items that need to be covered.

No specific large pool needs/improvements were discussed. There was discussion about the emergency exit latch repair and Fred/Jerry would pursue status update. There was a discussion about how the pool should be operated during the winter as far as pump operation – it was decided that contractor would manually cut on pump during their weekly visit and Bill/Fred would shut-off within 24 hours, thus avoid using timers and cutting electrical costs – need to determine day or contact protocol. Winterization of the bathrooms, etc. were discussed -- Bill/Fred were authorized to do winterization later. However, it was decided that a standard winter operations protocol needed to be established which Bill/Fred would draft up for next meeting.

Access to pump room to be restricted to pool contractor/staff, property manager, and the current BOD via a combination lockbox containing the keys.

It was decided/declared that the President would be responsible for the pool access FOBs and accounts. Dean was given the laptop & extra FOBs at the annual meeting and will give to Mike at next BOD meeting. It was noted that no instructions for FOB program or Website maintenance were found in materials with laptop when examined by Dean. Dean did update Windows, etc.

## **Agenda Item #6: Landscaping & Pond Maintenance Contracts**

The BOD wanted to discuss these, but neither was made available by Jerry at or prior to the meeting. It was noted that the townhomes still use TruGreen which was the original contractor used by the HOA.

Jerry stated that McKinney had finally been contacted about Cathay pond outfall line clearing noted by Dean prior to annual meeting and following report dated ( ?? ) from pond contractor of same issue.

Dean stated that in his opinion the appearance of front entrance & plantings had been declining in recent years – he stated that the original BOD thought they would put more effort/pride into maintaining it since they lived in the community, thus the contract was awarded as cost were very similar. None of the requested improvements or budgeted items such as rehabbing sprinkler to drip in front to avoid iron deposits on newly painted façade was ever completed by McKinney nor was water ever run & sprinkler system installed in the cul-de-sacs. Fred stated that the cul-de-sacs were not done due to further delays in DOT road acceptance, but it was noted that Sophia could be irrigated from Cathay pond's irrigation system, but Haley would need water meter from Aqua installed & power. Both would require a road bore & irrigation system installed and Haley would cost more.

The BOD requested that Jerry obtain a renewal bid proposal from McKinney. The BOD is to examine that proposal and request amendment as necessary once more specifics for inclusion or notation are determined; then BOD will have Jerry solicit bids for a new contract from other potential bidders.

## **Agenda Item #7: Financials**

Was the budget approved at the annual meeting or not? That question was debated and was still unclear since questions were raised by one or more members, but never answered by outgoing BOD & CSS.

Fred & Karen provided the latest reports based on info thru 10-2010 and showed that the budget looked like it may end in the RED for CY/FY 2010. Jerry provided a report supposedly updated thru 11-2010. However, this led to some items being questioned with Jerry that resulted in determination that it was not complete as some items had had to be manually updated by CSS staff such as prepaids.

An updated list of delinquent accounts was provided to BOD. Jerry mentioned that some liens needed to be updated and BOD voted unanimously to have it done. Jerry briefed BOD on what actions could be taken to collect and Karen mentioned another possible method that Jerry would look into. Mike noted that his name was on the delinquent list, yet he had pre-paid.

The question about a gift to the fire dept was mentioned as had been done yearly before. It was agreed that it should be done, but no amount was ever agreed upon – would look into what had been done previously. Subsequent to the meeting, after much debate via e-mail it was determined that \$300 would be provided.

**Next meeting tentatively set for Tuesday January 11<sup>th</sup> at 6 pm.**