

Minutes
Meeting of the Board of Directors
Chattahoochee Landing Homeowners' Association
June 7, 2007

In attendance: Marcella Dew, Kadmiel Kumar, Greg Stewart, Mary Nappi, Brittany Vincente

The Board of Directors reviewed the minutes from the May 25th meeting. A few typos were noted, and the minutes were then approved. Brittany noted that we have still not received minutes from the May 22nd meeting at the Gwinnett Community Bank.

Brittany began by bringing up some legal matters. She was unable to talk to Mr. Rambeau, an attorney she had suggested consulting with at the previous meeting, because he had had surgery and been on vacation. Brittany suggested that we consider keeping an attorney on retainer initially to get questions answered, including those concerning the by-laws and the legality of using HOA money on the entrance which is not common property of the HOA.

Greg pointed out that the center strip of the entrance does not belong to the HOA. He asked Brittany to get a quote from Mr. Rambeau.

Brittany mentioned that she had contacted Dorough and Dorough, the HOA's previous attorneys, and confirmed that we did not have a contract with them. They were paid on an as needed basis. Dorough and Dorough has two files for CLHOA that need to be copied. We would have to pay an hourly fee to get these copied. There is a general file and a file concerning collection of delinquent dues. According to the previous treasurer, Jeff, we only have information concerning homeowners' payment of dues for the current year. Brittany suggested that we look through Homeside's files for records of delinquencies from past years. Brittany also told Greg that Mary Beth, the attorney present at the May 22nd community wide meeting, said that the 60% quorum only applies to issues concerning collection of special funds. Also, it was noted that we would need to talk to an attorney about suspending the current by-laws.

The board moved on to discuss issues concerning the current bank account. The current account was opened last August, when the neighborhood's previous property management firm, Homeside, closed the old account upon terminating their relationship with the neighborhood. Brittany noted that we do not have back records for the account and that she is in the process of obtaining them from the bank, which will provide 16 months of back statements. Brittany was going to sign up online to receive these. Brittany suggested closing the old account and opening a new one to ensure no one outside of the board has access to the funds. Mary and Greg did not see a need for this. Greg stated that all the records in his possession reconciled. Kadmiel noted that it will be easier to get back statements on an active account than on a closed account. Greg said that it is a lot of work to open a new account, as this is business account and not a personal account. Brittany asked if the board members were interested in getting checks

that require two signatures. Greg said that the type of account needed to use those checks would cost extra. Greg and Kadmiel pointed out that all costs are agreed upon in the meeting. When the board approves an item, they approve payment for that item. By requiring all items to be approved prior to payment, we create a safeguard that overrides the need to have two signatures on a check.

Next the board discussed the current neighborhood insurance plan, which is provided by Nationwide. The plan is up for renewal in September and costs \$1275 a year. Greg asked what the plan covered and noted that he felt that the cost was too high. Brittany suggested obtaining other quotes from other providers. Greg could not find record of payment for the plan, but Brittany said that she spoke with provider and was told that the plan is current. Kadmiel stated that we need to determine what our liability is. All the streets in our neighborhood are public streets.

Brittany motioned to get an independent audit of the association's finances as the state often requires yearly outside audits of nonprofit organizations. Greg pointed out that we only have records from August to December and that we only have bank records to audit. He stated that we did not have enough underlying transactions to require an audit and that all the expenses have bills to support them.

Greg sent an updated list of the officers on the HOA to the secretary of state. The cost to get a certified copy is \$25.

Brittany talked to the city about getting a list of all the homeowners in the neighborhood. The city will provide a list that can then be verified on the county site. The cost for this is \$8.

Brittany brought up the issue of vandalism in the neighborhood. There were three recent occurrences: one on Berwick Farm on Memorial Day when a brick was thrown at a door, one on Berwick South in which a glass table was broken, and the vandalism of the gate at the detention pond on Berwick South. Brittany contacted Officer Samuel from the Duluth City COPS (Community Oriented Policing Services) Unit about this issue.

Brittany brought up the issue of missing documents from previous boards – the insurance policy, records for the bank accounts, and meeting minutes. She has asked members of the previous board to forward her minutes.

Brittany got the paperwork to apply for a PO box for the association. This will cost \$40 a year.

Brittany called Phil McLemore, a city administrator, about our decision not to cut the berm. She met with Steve Lykins from the zoning plan code enforcement department of the city. They looked at the neighborhood's two detention pond. The one on Berwick Farm that runs behind the shopping center is filled with junk including a shopping cart and some overgrown trees. There should have been an access easement to reach pond, but there is not. The only gate to the pond is partially blocked by a shed. The trees need

to be cut and the debris removed. We can do this voluntarily, or if the drain becomes blocked, the city will step in. If the city gets involved, it could result in a large expense, as the city will most likely require the fence to be moved and new gates constructed. Greg felt that we should wait to address the detention pond until it becomes a problem noting that it has been in its current state for a number of years. Brittany noted that the city has a new law that detention ponds will be checked every 18 months.

Brittany obtained estimates from Fence Works and Chamblee Fence on fixing the fence and gate on the detention pond. Fence Works estimated \$950 for 38 feet of fence, and Chamblee Fence has a \$1500 minimum. Brittany said she would talk to Gene Flathmann, who built the fence at another community she lived in, about the fences and also about getting some fill dirt to put around the concrete drain in the pond. She also reported that Steve Lykins said we could improve the pond if we wanted, such as placing picnic tables on the high end. Greg thought this was a bad idea as the items could be stolen or washed away in a bad storm. Brittany stated that Steve Lykins also suggested putting a 'no trespassing' sign on the back detention pond.

Next Brittany asked Greg to give the board an update on issues he had been looking into. Concerning improvements for the front entrance, Greg said the plat for the shopping center called for a 35 foot unimproved buffer. We could replace the existing trees and return the area to its previous state. We need to submit a written plan to the city. If the city approves the plan, then we would talk to the shopping center owners. Brittany said she could contact a landscaper she knows, Russell. She would also contact a neighbor who works for property management firm who had told Brittany that she had consulted with a landscaper about possible improvements to the entrance. Finally, she said that we would talk to the master gardener in the neighborhood.

Greg had gotten Quickbooks from Jeff and downloaded the backup. He also received two spreadsheets from Jeff. He said a few bills were past due and needed to be reconciled. Greg felt that the current budget was overkill. He noted the amount of money budgeted for postage. He also noted the large legal fees incurred to collect delinquent dues. These fees amounted to over \$280 that would be added to the homeowner's \$130 dues as the delinquent homeowner is charged for all legal fees.

Brittany asked what files we wanted to get copied from Dorrough and Dorrough. Greg said just those concerning collections, that the other papers don't hold. Brittany noted that one delinquent household has received a judgment but has still not been collected on.

Next Kadmiel updated us on the toll-free number and the website. Setting up a toll free number for the HOA would cost \$40 up front and 5.5 cents a minute for local calls. Setting up the voice mail would cost \$100 up front plus \$1.94 a month for maintenance. Greg suggested we buy a disposable cell phone, and access the voicemail from a land line (or other phone) so that no minutes would have to be used. Kadmiel was going to look into getting Remote Call Forwarding through Bellsouth which would forward calls straight to voicemail. Kadmiel registered for a free website through Microsoft Office Live, homeatchattahoocheelanding.net. He set up the old website to redirect users to the

new site. He said his only concern about using Microsoft Office Live is that we cannot forward e-mails sent to that address to our own personal e-mails. We would have to check our CLHOA e-mail through Microsoft Office Live. He mentioned that he had found another website, chattahoocheelanding.net, which appeared to have been created for our neighborhood. Greg believes that Rex, a previous board member, had created this site. Brittany asked Kadmiel about the possibility of homeowners paying their dues online, and Kadmiel said that this would not be cost effective and would be a liability issue. He felt we should mail financial stuff through the post office and use e-mail for other information.

Mary mentioned that she had checked into getting a sign with changeable dates for the entrance that would announce the upcoming meetings. The individual she consulted with warned against getting this type of sign as pieces may be stolen. She offered to look at other possible signs.

Marcella noted that she had obtained the Architectural Control Committee forms and wanted to put them on the website.

Brittany mentioned getting stickers for homeowners' cars so that others would know who lived here and who was visiting. Mary believed that many people would not want to use them.

Brittany is working on the newsletter. The next issue will include bios of all the board members, information on upcoming projects, and a proposal to suspend the by-laws.

Brittany asked about addressing violations of the covenant by certain homeowners in the neighborhood. Greg said that we needed to first double check what the covenant covered, because we cannot ask homeowners to address issues that are not covered by the covenant. Mary and Kadmiel both thought that the board needed to establish some credibility, by fixing the fence and gate and improving the entrance, before asking others to address issues.

Brittany asked about collecting delinquent dues. Greg first wanted to talk to the previous treasurer about his system for recording who had paid dues to ensure that those listed as unpaid had actually not paid. After that, he thought we should send a reminder to the delinquent households that their dues are past due.

Kadmiel asked if we wanted to have a neighborhood wide get together for the 4th of July. Board members felt this was too soon. Greg suggested having a Grand Opening of the front entrance after we get it fixed up. Brittany agreed to contact an electrician about getting the lights at the sign fixed (side note: Mary later offered to take this over for her).