

**2009 Chattahoochee Landing  
Annual Homeowner Association Meeting  
January 25<sup>th</sup>, 2009  
5:00 pm at Duluth City Hall**

2008 Board in attendance:

Ms. Kim Belloni (President)  
Ms. Paula Rayl (Vice President)  
Ms. Jean Harris (Secretary)  
Mr. Michael Mitchum (Treasurer)

Ms. Belloni welcomed the attendees to the 2009 Chattahoochee Landing Annual HOA Meeting and then called the meeting to order.

The agenda was read aloud and provided as follows:

- Budget Overview
- Questions / Comments
- Nominations for the 2009 Board
- Elections for the 2009 Board

Budget Overview:

Ms. Belloni turned the meeting over to Mr. Mitchum. Mr. Mitchum oriented the attendees to the working budget handout (see attached). The shaded area covering Jan-April, 2008 represents the period of time in which the 2007 Board maintained control of the HOA account. The area of May-December reflected the 2008 Board's expenditures and collections. May began with a starting balance of \$5,619.77 and the year ended with a balance of \$8,734.17 although this amount reflected some receivables of 2009 dues. Had this not been included, the ending balance for the year would have been approximately \$6,700. Mr. Mitchum stated that in general the figures reflected an annual budget of approximately \$5,500 - \$6,000. Questions were received from residents and Mr. Mitchum explained several anomalies that occurred within the year.

**Q1.** What was the expense of \$6,300 (Retention Pond cleanout) for in March?

**A1.** Mr. Mitchum reiterated that that expense had occurred under the 2007 Board. Ms. Belloni explained the difference between the two retention ponds and that one is maintained by the HOA at the direction of the City as part of the neighborhood plan. The other falls within the property lines of several owners that back up to the commercial property that fronts Peachtree Industrial Blvd. These individual homeowners are supposed to maintain this smaller pond. However, this particular pond was not being maintained and the 2007 Board voted to spend funds to have it cleared.

**Q2.** What were the legal fees of \$3,905.88 for in August?

**A2.** Mr. Mitchum explained that these were two separate expenses which had occurred in April and May but that the attorney had just billed for in August. Approximately \$2,000 represented the necessary legal representation to facilitate the transition of HOA documents and accounts from the 2007 Board to the 2008 Board. The other approximate \$1,900 was for the development of the proposed covenant and bylaw amendments.

**Q3.** How many homes are delinquent on their dues in the neighborhood?

**A3.** Mr. Mitchum stated that approximately ten homes are delinquent on their dues for years prior to 2008 and there are 3-4 homes that are delinquent for multiple years.

**Q4.** How many homeowners have paid their 2009 dues?

**A4.** To date 49 homes have paid their 2009 dues.

**Q5.** Are liens being placed on the homes that are delinquent in their dues?

**A5.** Multiple boards have experienced this dilemma and have determined that there must be delinquencies of several years before it is financially advantageous to place a lien due to the associated legal expenses. Ms. Harlan suggested that the Board could place its own liens and avoid some of the expenses that they are currently experiencing that are associated with the process.

After all of the budget related questions had been answered, Mr. Mitchum then described the audit process that the Board had undertaken as required by the bylaws. Several residents had been asked to review all of the financial documentation for the period of May 2008 through December 2008. Two residents agreed to participate and conducted the review on January 18<sup>th</sup>. One typo in a monthly report was discovered and has since been corrected and posted on the website. Other than that, all of the documentation, expenses, and receivables were found to be reasonable and in order. This process was used since an audit from a certified accountant was found to be cost-prohibitive.

#### Questions / Comments:

Following the budget discussion, Ms. Belloni opened the floor to questions and comments from residents.

**Q6.** Since the 2007 Board had spent funds on private property, the question was raised as to whether HOA funds could be used to address drainage issues on multiple River Green Pkwy properties.

**A6.** Ms. Belloni explained that spending funds on clearing out the smaller retention pond had been a controversial expense during the 2007 Board's tenure because the covenants only address approval to spend HOA funds on common property. Although the pond serves the entire neighborhood it sits on private property. The HOA is not mandated to care for it according to the final city plan for the neighborhood like it is for the larger pond. Ms. Belloni further stated that she would review the covenants but that because the issue is on private property, to her knowledge, HOA funds would not be able to be used to address the problem.

**Q7.** Ms. Viola Macchio spoke about her experience with the roofing company and said that the roof was fine but the dumpster had left gouge marks in her driveway and that the weight of the dumpster had caused the driveway to crack. She asked if others had had similar experiences.

**A7.** Others spoke about similar experiences with the gouge marks. Ms. Macchio went on to say that she had tried to work with Academy Roofing on at least filling in the crack but had as yet been unsuccessful.

**Q8.** After one resident complained about people speeding through the neighborhood, Mr. Richard Laino asked if the Board would consider putting in speed bumps.

**A8.** Ms. Belloni explained that while on the surface it seemed like a good idea, studies had shown that speed bumps actually lowered the value of homes and therefore the Board was not inclined to pursue that option at this time. However, the Board will work with our neighborhood police contact and ask for them to come spend time in the neighborhood watching for speeders.

**Q9.** Ms. Wanda Smith asked if other residents were participating in the class action suit regarding siding.

**A9.** Others stated that they had participated in the first round but that the second round had been frustrating and actually resulted in them being assessed costs associated with the suit. Those speaking felt that it wasn't worth the effort to continue to participate in the suit.

**Q10.** One resident asked if the Board would consider more community meetings, possibly one in May and another in September.

**A10.** Ms. Belloni responded that the Board would certainly consider the suggestion. Further discussion followed about possibly trying to incorporate social events such as a Chili Cookoff into the additional meetings. No firm decision was made but the Board committed to discussing the idea further.

Mr. Stewart provided information on the Residential Property Tax Return. Owners who believe their property's worth is below its appraised value for taxes can possibly lower their taxes by filing a residential property tax return. Owners can contact their county tax assessors directly or go to their county's or county tax assessor's Web site, where forms can be downloaded. Filing between Jan. 1 and April 1, owners can declare what they think is the true taxable value of their property. The property tax returns then go through the same course an appeal would, getting reviewed by staff and eventually the county Board of Assessors.

#### Nominations for the 2009 Board:

Following the open session of questions and comments, Ms. Belloni opened the floor for nominations to the 2009 Board. Ms. Jan Stevens nominated Ms. Belloni, Mr. Mitchum, Ms. Harris, and Ms. Rayl to continue serving. Ms. Cindy Bill seconded the nomination. All who were nominated agreed to serve and Ms. Harris asked Ms. Theresa Matthews if she would agree to serve as well. Ms. Matthews agreed and no additional nominations were offered.

#### Elections for the 2009 Board:

The names of those nominated were read to the attendees to be written on their ballots. Vote was taken by written ballot and all of those nominated (see above) were voted to serve on the 2009 Board.

#### Adjournment:

With no other business raised, Ms. Belloni made a motion to adjourn the meeting. The motion was seconded and all approved.