

Harbor Town Community Association
Board Meeting Minutes
Monday, October 16, 2017 6:00 PM at The River Hall

Attendees:

Board President: Craig Cardwell

Board: Megan Dress (chair), Cristina Guibao, Billy Bond, Alicia Lankford, Bill Graves, Karl Friedrich, and Melinda Wilson

Management Representatives: Tracy Adkisson, Maegan Rusch, and Tish Tonole

Landscaping Committee: Jodi Rump and Susie Graves

Attendees: Danny Richardson, Joe Douglass, Mark Stephens, Tim Soro, Karen Soro, Cheryl Colson, Ray Colson, Tina Munn, Steve Munn, Terri Carden, Michael Henderson, Rachel Douglass, Bob Rowan, Jerry Schwartz, Bobbie Schwartz, Chuck Tippitt, Debbie Tippitt, Anne Marie Upsahw, Evadnie Hedges, Bill Wilson, Cathy Wilson, Elaine Cathcart, John Cathcart, Cory Tinker, Angela Bryant Sykes, Tammy Graves, Myron Graves, Marta Michell, Diana Shearer, Noreen Yuki, Michael Schmill, Chris Bieber, Marilyn Brien, Stan Hyland, T.V. Miller, Pete Henige, Ryan McDurmond, Lon McDurmond, Shirley Woodard, Jane Stephens, Kevin Connolly, Patti Bundy, Jeff Johnston, Dennis Abernathy, Robert Marcy, Mason Lowe, Todd Tigner, Becky Tigner, Jane Pirani, Kim Nesbitt, Brett Hudgins, Benita Blachman, Lee Eilbott, Dennis Moss, Luther Parker, Erin Stone, Greg Stone, Terrance Strohkirch, and J.B. Smiley Jr.

M. Dress calls the Board Meeting to order at 6:02 pm.

C. Guibao makes a Motion to approve the August Board Meeting Minutes. M. Wilson seconds. B. Graves opposes. The Motion passes.

President Craig Cardwell reads a notice regarding Proxies. He notes that the annual meeting is tentatively set for November 20, 2017 and at that time the President will appoint the town council, town architect, management, and committees. The Finance Committee chair has resigned, and the committee has been dissolved. New members, Hayden Lait and Myron Graves have been appointed.

Homeowners Questions and Comments:

- Danny Richardson, a lawyer, discusses the abolishment of the Finance Committee, communication issues, Management resignation, Management negotiations, proxies, attorney communication, and his disagreement with the governing documents.
 - The following homeowners yielded their minute to Danny: Joe Douglass, Tim Soro, Karen Soro, and Bob Rowan.
- Joe Douglass discusses the Management contract and theories of Craig mentoring Tracy. He questions the certification of a citizen and notes that he does not agree with being removed from the Finance Committee.
 - The following homeowners yielded their minute to Joe: Terri Carden and Rachel Douglass
- Mark Stephens discusses proxies, the election schedule, previous election commissioners, elections, and that an official proxy can be downloaded from the website.
- Jerry Schwartz explains the Town Code Advisory Committee and the requirements in the governing documents pertaining to elections. He also discusses volunteering for block captain positions and committees.
- Jane Stephens withdraws her petition for candidacy from the running for district 3 and concedes the election to J.B. Halbert.
- Tina Munn addresses proxies and why they were not addressed last year.
- Bob Rowan notes that opinions are not respected and he feels distrusting. He notes that C. Cardwell owes an apology.

- Elaine Cathcart notes that she believes the proxies should not be changed until next year.
- Marta Michelle requests a nightly security patrol with contact info. She does not want them to be courtesy officers, but a formal security patrol that is armed.
- Ryan McDurmond yields his minute to Lon McDurmond who notes that he is questionable about building here and has no faith in the Board. He notes that more young people need to be involved.
- Shirley Woodard notes that she resents that people are being condescending when people are going out of their way to attend meeting.
- Jeff Johnston asks Danny about a security expert.
- Dennis Abernathy notes that he believes C. Guibao should recuse herself from the Board due to her relationship with Management. He wants to know about the Management resignation letter.
 - It is noted that on good will, Management will continue to through their existing contract.
- Karen Soro notes that she believes Cricket Song to be leaking and thinks Management is no good.
 - Management reports that Cricket Song has been filled; punch list for landscaping is not completed; water line was erroneously identified by contractor and plantings will be adjusted accordingly.
- Brett Hudgins discusses the gate survey and options.
- J.B. Smiley discusses insurance.
- T.V. Miller believes that the rules and governing documents should be abided by and thinks Management is doing a good job. He believes we need security and better communication.
- Michael Henderson notes a crime in which a gun was stolen and requests that Management send an email asking people not to leave valuables in cars.
- It is noted that the survey results were not in favor of gates.
- Tony Bologna gives information that the Land and Use Control Board rejected gates previously and that he believes it would cause traffic issues.
- Dawn Nielsen requests to head a security committee.
- Kim Nesbitt is worried that the HOA is not being run properly.

It is noted that numerous times there is screaming, booing, chants of “no”, and talking over one another. An audio recording is saved for clarification.

Reports

- Commercial District: No business to report.
- Arbors Apartments: No business to report
- Landscape Committee: Jodi Rump reports that the LC is ready to complete Cedar Grove if the Board permits. The irrigation at the main south entrance bed has been repaired. The committee requests feedback on the landscape maintenance contract.
 - It is noted that the Board approved the Cedar Grove rehab on Trello.
- Management Company
 - Maintenance
 - Pugh’s
 - The crew has been responsive, proactive, and quickly address any issues brought to their attention.
 - Sod repair is in process and should be addressed this week.
 - Contract expires in December, but no alternative contract terms have been provided to Management by the Board or Landscape Committee.
 - Agriscapes is willing to provide pricing for landscape maintenance; no direct contact between Management and Naturally Green has occurred regarding maintenance.
 - Agriscapes
 - Repairs are completed satisfactorily and promptly.

- Winterization is set tentatively for the end of November.
- Requires a contract renewal by the end of December; AMLLC recommends renewing.
- Southeastern Pond Management
 - AMLLC remains pleased with work and communication.
 - Requires a contract renewal by the end of December; AMLLC recommends renewing.
- Waste Pro
 - Performance has improved since new account rep has been assigned.
 - Any issues are responded to and remedied quickly.
 - One resident has a chronic issue with garbage trucks leaking oil behind his home. Waste Pro has provided power washing upon request.
- MLGW
 - Completing lighting requests in a timely manner, usually within 14 days of submittal.
- Tree work: all tree related work has been deferred to the landscape committee.
- Harbor Bank Inspection
 - Engineering firm, Burr and Cole is willing to provide such an inspection while river levels are low, to be scheduled at the Board's direction.
- Ponds
 - Harbor pump supplying water malfunctioned and was repaired.
 - Transfer pump between Skating and Purple Martin does not provide sufficient water to make up for typical evaporation, requiring use of City water to supplement. This was thought to be a result of basic clogging or obstruction, but even at full power the pump flow has not been enough to maintain consistent high-water levels. AMLLC has requested pricing for a higher capacity transfer pump.
- Rutkowski Repairs
 - Light pole globes have been cleaned.
 - Light pole wiring covers have been resecured and replaced where missing or broken.
 - Playground repairs have been completed.
 - HTCA golf cart battery maintenance has been performed.
- Courtesy Patrols
 - On the Top Security has provided a vehicle and unarmed officer daily from 11 p.m. until 5 a.m., 7 days a week.
 - There were two vehicles for the first two weeks, 5 nights a week.
 - Several situations have been addressed by evening patrol, including one MPD arrest.
 - AMLLC is very satisfied with the performance of this company, especially in comparison to the poor performance by companies previously used for event-related patrols.
- Miscellaneous Maintenance: most vendors continue to sign in the office before starting work and leaving for the day.
- Collections
 - There are 15 delinquent accounts over \$20 with \$411.20 not in litigation and \$8,434.63 in various legal states. There are 5 current liens and 5 additional accounts with legal action. This is excluding outstanding crepe myrtle treatment invoices. The amount of unpaid crepe myrtle invoices totals \$36.
- AMLLC Activity

- Home inspections have occurred regularly, and corrective action plans reported by homeowners and noted in work order system.
 - Management is organizing existing older paper files into logical filing system.
 - Electronic files are organized and have consistent naming system for ease in searching.
 - Recurring common area scheduled inspections by zone and type are being electronically scheduled and implemented.
- Metrics
 - 99 closed/completed work orders since 9/1/2017.
 - 59 in process work orders as of 10/15/2017.
- Issues being faced by AMLLC
 - AMLLC no longer has faith in the Board's commitment or ability to maintain confidentiality in business dealings with AMLLC, as two privileged documents have been leaked by a Board member since July 2017.
 - AMLLC is the primary subject of a defamatory document that was submitted publicly to the Board and the populace of Harbor Town, which document was requested to be made part of the permanent record of HTCA formal proceedings.
 - AMLLC has been implicitly threatened in writing with a forensic audit. Such an audit is used exclusively for the purpose of verifying criminal or fraudulent accounting activity, and constitutes an accusation that crime or fraud has been committed by AMLLC. AMLLC notes cost of such an audit is in the \$20,000 range and notes that no crime or fraud has occurred, but will fully cooperate with any such action.
 - There have been numerous uninformed, inflammatory, alarmist, misleading, inaccurate online posts and comments about AMLLC on an unsecured public social media forum.

Old Business

- Major Projects as per 2017 Budget
 - Cricket Song
 - Reported during the homeowner questions and comments.
- Other Issues
 - Elections
 - Management will defer to the election committee and will help where needed for election preparation.
 - Management Agreement
 - Tracy indicates that no one else writes AMLLC contracts except her. She affirms that C. Cardwell has not done anything inappropriate regarding the contract renegotiation.

Events

- Harbor Town Yard Sale: The event was successful.
- Bartlett Band Performance: The event was successful.
- Halloween: On the Top Security has agreed to provide courtesy officers for Halloween.
 - It is noted that trick-or-treat hours are from 5:30 – 7:30 p.m.
- Christmas: The event is planned for December 3, 2017
 - Santa being delivered in a helicopter is discussed.

New Business

- 2018 Budget
 - A budget draft was rejected in September as being unsatisfactory, with an alternative budget provided by a Board member; no additional budget feedback has been provided by AMLLC considering the two largest contracts being in limbo.
- Striping

- Management presents a bid to stripe the community for \$4,000 by C.R. Pollan Paving and requests approval.
 - It is requested by B. Graves to have a price on thermo-plastic paint.

Meeting was adjourned at 8:25 p.m. with the Board going into an executive session.