

Harbor Town Community Association
Board Meeting Minutes
Belle Memphis Room of River Hall
Monday, March 18, 2013
5:30 PM

President present: Craig Cardwell

Board members present: Tonia Bertoldo, Russell Carter, Jennifer Himes, Dawn Nielsen, Sherri Tipton and Harold Wingood

Property management representatives present: Elizabeth Glasgow and Debbie Woodard

Homeowners present: Valerie Hall to present Finance Committee Report

Russell called the meeting to order at 5:30 PM.

Tonia made a motion to approve the February 18, 2013 minutes as written. Jennifer seconded the motion and the minutes were approved unanimously.

There were not any homeowners present to speak to the Board other than Valerie Hall, who is on the agenda.

Russell reported on behalf of the Commercial District. He presented the postcards and poster for the Crawfish Festival that were designed by Bluff City Sports. The Food Bank is very pleased and honored that Harbor Town is hosting the event again this year to benefit their organization. Russell stated that the \$5 cash or two can donation at the entrances goes directly to The Food Bank. McDonald's is donating funds directly to The Food Bank in addition to having free smoothie samples at the event. Any other proceeds from t-shirt sales or other will go to the Bank also.

Valerie Hall reported on behalf of the Finance Committee. She reported that at the end of February there were \$25,000 in aged receivables. Most of these were from Harbor Town Centre and Harbor Town Square Apartments. Elizabeth reported that there are only 2 people that will be published in the newsletter and the A/R as of 3/15/13 was \$11,134.45. Craig thanked the Board for their vigilance in collections and for writing off uncollectable fees over the past few years.

Valerie continued her report with expenses. The major variances were Roads and Grounds Other (doggy bags, a new doggy station at Sunset Park, and duck crossing signs) and Capital Expenditures (the playground at Sunset Park – the final payment of the installation). The YTD on Playgrounds is under budget by about \$4,500. She stated that the projections for March show an increase on

the Grounds Contract and Pond Repairs and Enhancements. In May, there will be an increase in the Playground Improvements line item. Valerie reported on the cash position of the Association. Elizabeth reported that per the Board's recommendation, two of the CD's were not reinvested, but will be reinvested after the April statements are sent. Craig reminded all that on a cash basis the Association is still about \$25,000 off budget for 2013.

Dawn reported on behalf of the Playground Committee. Dawn asked if the funds budgeted in May could be moved to June or July. Elizabeth will request this from Accounting. Russell asked about the condition of the playground at Village Park and if it should be taken down. Dawn stated that the playground was officially inspected last year, but she will take a look at it and make sure it is acceptable until it is taken down for replacement. Concerning Sunset Park, she asked if the Board had a chance to review the area by the park to determine if it could be made a "No Parking" zone. After discussion, Dawn made a motion to mark the area next to the fencing along Harbor Bend Circle a "No Parking" zone. Tonia asked about how long is this space? Craig responded that it is about 3 to 3 1/2 cars, or about 40 feet. Jennifer asked if it should be dusk to dawn "No Parking". The Board agreed that it should be no parking anytime with Debbie's suggestion that it will be easier to monitor if it is no parking 24/7. Tonia seconded the motion and the motion carried unanimously.

Dawn continued that there are some loose ends in Sunset Park, but she has initiated a committee meeting for Village Park for Sunday, April 7th at 3:30. The committee will meet at the park.

Craig asked about the timing of the fencing section being installed at the park. Elizabeth reported that the fencing and sign are being fabricated and the trash can has been moved, but not to the correct location. Craig asked that when the can is moved to the correct location that it be painted to reflect the newness of the park. Elizabeth stated that she will have it painted when it is moved.

Russell deferred the Landscape Committee report to Elizabeth. Elizabeth reported that this is a placeholder to discuss any concerns the she, the President and Board may have. Craig stated that the Association needs to take back control of the gravel paths. He suggested having Pugh's take a 100 yard section and redefine the path and recapture any gravel that has sloped off the paths. Craig stated that no more gravel is to be purchased but that the money needs to be spent on redefining all the pathways.

Elizabeth reported on behalf of Management. She stated that 113 Village Lane has finally foreclosed and the outstanding amount by the former owner is uncollectable. She requested a motion to be made by a Board Member to write off the balance of \$5,349.46 to Bad Debt. Dawn made a motion to write this amount off, Sherri seconded the motion and the motion carried unanimously.

Sherri asked about the pet violation sent to the owner on Running River Place. Elizabeth responded that she received an email from the owner of 159 Running River Place that stated that Russell's dog was left outside and was barking during her children's nap time. Elizabeth sent a First Notice of Violation to Russell and Marilyn. Russell's question about the complaint is what is considered reasonable per the Resolutions? Elizabeth will ask the neighbor at 159 Running River what are the children's nap times and relay this information to Russell.

Concerning the Event Log, several Board Members had comments about the complaint at 941 Harbor Bend. Russell has seen many cars parking in this area, but has not seen any parties or other activities. Russell asked what justifies sending the warning letter when it may be one neighbor's word against the other? Craig stated that we need to stick to the system and get the attention of the offender and work the issues out.

Sherri asked why "Mailbox" was on the Maintenance Review Log for the individual homes. Elizabeth responded that this should not be on there and has been taken off since she sent it.

Beginning with Old Business, the Draft Policies and Procedures Manual was reviewed. Elizabeth asked the Board to sign the Resolution Action Record for Administrative Resolution 8 establishing the Policies and Procedures Manual that was passed at the February meeting while the Board was reviewing the Manual. Craig reviewed the manual. Craig made the following comments:

- Newsletter - Add that the newsletter should recover its cost for production, printing, and distribution at 100% on a cash basis.
- Charity Promotion - Craig asked Elizabeth to create a standing list of events in Harbor Town that the Association will promote so that the Association as a not for profit is not endorsing any non-profits that do not hold events within the community. Jennifer suggested making the first paragraph of the P&P discretionary - replace "shall" with "may". Craig agreed with this change, but stated there still needs to be an exhibit stating the current Harbor Town events and which charity they benefit.
- Event Log - Items A & B to remain. Remove C. D stays and becomes C. E & F are removed.
- Special Events - add another number for specific to the alcohol and moon bounce riders for insurance.

Elizabeth will make these changes and they will be distributed to all for review prior to distribution.

Jennifer reviewed Section I of the Division of Systems Review. She reported that the Association gets an A in the Articles of Incorporation, the Bylaws, and the Annual Business Meeting. The Association is not applicable for Sales Tax, Charitable Solicitation, or Occupational License. The only questions were about

the IRS Documents and Letter of Determination. Elizabeth researched them on the IRS website and it seemed that these did not apply to the Association; however, she will confirm with Henry Turley Company Developer Files and report to the Board at the April Meeting.

Craig reviewed the items in Section II. Sherri and Russell volunteered to take this section and have a report for the next meeting.

The 2013 Major Project Updates were then reviewed. Sunset Park is almost complete. Village Park is in the planning stages. Regarding the green elements, there were 7 contractors at the pre-bid meeting and after two weeks only 2 of the contractors presented bids. One of the proposals was close to \$350,000 and the other was about \$100,000. Given this information, Craig recommended taking the \$15,000 budgeted and go as far as it takes us. Elizabeth recommended having the work done by block since you can tell what has not been painted to what has been painted (street signs/mailboxes vs. street lights). Debbie stated the many of the contractors were intimidated by the warranty periods requested. Debbie reported that Pete is working with 2 vendors to get bids just on the painting of the elements, not for the repair. Sherri stated that if you break up the community by sections, by the time you get done with the final section, it will be time to get started on the first section. Craig stated that we are waiting for a few more bids to come in and then from that we need to pick a contractor, let them do a small amount of work – a few mailboxes and a street sign and then if they are acceptable, perform the painting until the budgeted amount of \$15,000 is reached.

Concerning Cricket Song Pond, Elizabeth reported that the aerators have been removed and they were mistakenly removed from all ponds, but will be replaced in the other ponds ASAP. A pipe has been placed in the water feed from Willow Pond to start draining the lake and Civil Concepts will bring a pump to pump the rest out this week. The fish will be transferred to the other ponds. The dredging and refilling will then begin.

Elizabeth reported that the Commercial Paving and Striping is on hold as she has not received any pricing back from the companies for just painting the area.

Pavers and ramps are on hold too. Elizabeth has asked the contractor to provide a price for the brick walks leading to the gazebo at Settler's Point, because these areas contain large areas of trip hazards.

Concerning the office relocation, the only thing lacking is a small refrigerator and a table and chairs.

Concerning the website update plan, Craig and Jennifer recommend pursuing the 3rd option that Kathy Kelley had presented at the February meeting. Jennifer made a motion to pursue the 3rd option presented by Sridhar Sunkara

and to have Robert Marcy work with Sridhar and Management in coordinating the website update. Harold seconded the motion and the motion passed unanimously. Craig asked to be sure that these prices are not a special rate that Sridhar gave Kathy and are still good for the Association.

Concerning the Running River Place/River Landing Charter and Bylaws issue. Elizabeth met with Craig, Russell, Sherri, Tony Bologna, and Jeremy Benkin to look at the concerns Jeremy has. In summary, there is not any "soft landscaping element" in front of the plane of the garage as required in the Design Guideline, Amendment 6. Nothing was planted when Jeremy bought the home (as the original owner) so Jeremy has requested a variance so he is not forced to install any landscaping or other entry element. Elizabeth was charged in taking pictures of specific address that did not have this "soft landscaping" or other element at between the street and plane of the garage. After looking at every home on Running River Place and River Landing, Elizabeth discovered that Jeremy's home is the only one without this element. Tony will write the variance for Jeremy.

The items under the 2014 Budget Items used as placeholders are Harbor Town's 25th Anniversary Celebration, the Common area lighting retrofit and the North roundabout drainage plan.

Elizabeth reported that the Kemper Durand Memorial tree and boulder are being installed within the next two weeks and she is awaiting the arrival of the plaque for the boulder. The bulbs will be planted in the fall. All costs have been covered by the donors!

The landscape items deferred until fall is a place holder on the agenda to review when it comes closer time to begin fall plantings. These items include the Running River Place/River Landing improvements, Marina Cottage Drive improvements, and the gingko tree replacement on Harbor Isle Circle West.

Regarding the Harbor Town Heroes letter, the Board agreed that what Kathy drafted was acceptable. Sherri asked if this was a Policies and Procedures Manual item. Elizabeth agreed that it is and will draft a policy for the April meeting.

Concerning the Skating Pond Dock, Elizabeth asked Tony who built the original structure. The Montessori School put this up, but it is the Association's responsibility to maintain the structure. Lee Davidson with The Reaves Firm stated that the dock seems ok while looking at the repairs made to Skating Pond, but the Board asked Elizabeth to get something in writing from him concerning the stability of the structure.

Beginning with New Business, the Harbor Town Yard Sale Proposed September 21st date was discussed. Elizabeth reported that Cindy Barnett and Carlene

Spence, the organizers, will repeat the same procedures that have occurred in the past. Sherri made a motion to accept the Yard Sale proposal, Tonia second the motion and the motion carried unanimously.

Continuing with New Business, Bass Pro Signage was reviewed. Elizabeth added it to the agenda since there was a meeting that had been scheduled for the date of the Board Meeting and she had hoped to have an update but the Downtown Commission's Design Review Board's meeting was cancelled at Bass Pro's request. Craig reviewed what occurred at the first DRB meeting when the actual designs that Bass Pro submitted were approved. Elizabeth also included an article that was in the Commercial Appeal the day after the first meeting. Craig distributed a letter that Lee Harris sent to Bass Pro's local legal counsel. This item will remain on the agenda until the signage issue is resolved.

Jennifer stated that at some point introductions need to be made to Harold and Harold needs to introduce himself to the Board. All introductions were made.

The Annual Calendar was reviewed. Craig stated that since the Investment Plan and Reserves was not discussed at this meeting as shown on the calendar, this should be added to the April Agenda. Debbie asked that the Finance Committee and Board give Management direction on which accounting firm they would like to use in the future for tax returns. No other items were added to the calendar at this time.

The meeting adjourned at 7:29 PM and the Board and Craig met in an Executive Session.