

**Harbor Town Community Association
Board of Trustees Meeting – May 20, 2019**

Location: Maria Montessori School – 740 Harbor Bend Road, Memphis TN 38103

Association President: Elizabeth Low

Board Members Present: Bill Graves, Karl Friedrich, J.B. Halbert, Rhonda Brown, Renee Trammell, Jane Pirani, Amanda Hill

Representing Management: Elaine Aeschliman, Anthony Bologna

Guests: Jodi Rump, Susie Graves, Jerry & Bonnie Schwartz, Tony Bologna, Cary & Debby Allen, Craig Cardwell, Christy Riggs, Hunter & Elise Fleming, Greg Little, Ann & Darryl Sparks, Patricia Bundy, Phil Pirani, Yvonne Parron, George Boyington, Kim Jackson, Benita Blackman, Ryan McDurmon, Howard & Laura Lothrop, Annette Sharp, Bryan Simmons, Barney Lee, Mike Lawhead, Laura Stanley, Leo Arnoult, Kim Nesbitt, Akasha Samuel, Luther Parker

Chairman of the Board Bill Graves called the meeting to order at 6:00 PM.

Approval of April Board Meeting Minutes

The April meeting minutes were posted on Trello (Internet based collaboration tool) for the Board to review. Mr. Graves suggested dispensing with the reading of the minutes. There was no opposition from the Board; therefore, the minutes approved unanimously as presented.

Homeowners Questions and Comments

Jerry Schwartz mailed a letter to the titleholders last week regarding his opinion of the way the property is being run. He asked that his letter be made a part of the May minutes and summarized his letter to the group present at this meeting. (See attachment.)

Mr. Schwartz stated that the Board positions for Districts 3 and 4 are up this year as well as the President's term.

Mr. Schwartz asked for a motion to postpone the May Board meeting for two (2) weeks.

Elizabeth Low responded to Mr. Schwartz' concerns as outlined in his letter. She stated in a previous Board meeting that she was not going to appoint a finance committee "at that time". She had asked and phoned numerous neighbors about serving on the finance and town code advisory committees. She did ask Mr. Schwartz and he said he had already committed for the year.

She stated that appointment of a town code advisory or finance committee is not obligatory under the governing documents.

Ms. Low quoted the following from The Charter from the Mission and Goals Statement regarding "maintaining a **fair minded community government**":

"We . . . subscribe to the traditional democratic principle of **flexible administration of government**'s codes and policies in recognition that **time and circumstances may alter the appropriateness of certain provisions in the codes, policies and customs** relied on by a governing institution, and further, that when a governing institution becomes incapable of flexible administration, it deprives its citizens of their reasonable rights to compassionate and understanding governance." (emphasis added).

Ms. Low stated that nothing is happening to put Harbor Town's (HT) financial investment at risk. When reporting on the monthly financials, Ms. Low stated that she's giving a similar report that past finance committees have given and every dollar is accounted for. There has been no mismanagement of the HT funds. The Board approved the 2019 budget in 2018 and the budget is being adhered to. Additionally, the entire Board is sent the financial report on a monthly basis to review, ask questions, etc.

Ms. Low invited those titleholders who have volunteered to serve on a committee to attend the Board meeting tonight. One volunteer backed out after receiving Mr. Schwartz' letter in the mail.

Mr. Schwartz had asked the Board to publish his letter to the titleholders, but his request was denied. Management has received requests from other titleholders to publish information to the community and their requests were not granted. Ms. Low has acted on most of Mr. Schwartz' suggestions. Ms. Low noted that some of concerns outlined in Mr. Schwartz' letter were simply stated, but not as simple in execution.

Weekly updates – a titleholder asked what happened to the weekly updates. Many titleholders have expressed an interest in receiving the updates again even if it's not weekly. As explained in previous Board meetings and minutes, the email list grew to 1,000 plus and we did not know nor could we identify everyone on the list. Private community info does not need to be shared with people outside of our community. The email list currently being used is from TOPS (accounting software/data base). Management is to check old email list against TOPS list. Management is also to input email addresses from the Directory into TOPS. Mr. Graves volunteered to assist with the email distribution list.

Mr. Graves placed before the Board a motion to postpone this meeting for two (2) weeks. There was no second from the Board and the request for a motion was not acted upon due to lack of support.

Leo Arnoult volunteered to serve on the finance committee.
Laura Stanley volunteered to serve on a committee but not the finance committee.
Laura Lothrop is a CPA volunteered to serve on the finance committee.

Mr. Arnoult suggested that a subcommittee be formed to review Mr. Schwartz' letter and go through the items point by point. The Board was in favor of this suggestion. Jane Pirani & JB Halbert volunteered to serve on this ad hoc subcommittee.

Luther Parker addressed the Board about the home used by St. Jude families next door to his home. Mr. Graves explained that a St. Jude family can live in this home rent free until their child is well. No money is paid for rent – it is rent free. Mr. Parker thinks there is an issue with this type activity. In a past Board meeting, Mr. Parker was asked to put his concerns about his neighbor's home in writing for the Board to review. The letter has been dropped off at the HT office to be distributed to the Board for review.

Adoption of the Agenda

Mr. Graves asked for a motion from the Board to adopt the agenda as presented. Renee made a motion to adopt the agenda as presented. Karl seconded the motion and the motion passed.

Reports**Commercial District:**

Nothing to report at this time.

Arbors:

Lots of improvements and working on upgrades at the Arbors. Improvements should enhance the area. Asphalt to be repaired. Landscaping company change: redoing flowers, new irrigation heads, monument light repaired using LED lights.

Landscape Committee:

Dennis Abernathy also serves on this committee along with Susie Graves and Jodi Rump.

Jodi reported the following:

- Verge – cannot sod right now because it's been too wet so they're behind due to the rain.
- Some issues with the new sod as some homeowners do not have irrigation.
- Martin Houses have all been installed (16).
- Spring flowers have been installed.
- Bollard lighting- issues with the direction of the light. Waiting on electrical bid.
- Dog waste can in Christmas Tree Park was moved to the center of the park in response to neighbors' complaints.
- Bank erosion behind Village Park. Anthony Bologna is working on this issue.
- Sidewalk repairs – Jane Pirani is working on obtaining a bid.
- Bens Park – large holes starting to develop.

Renee Trammell said that the landscape committee is a prime example of what happens when a group of people come together. The results are appreciation in property values and the beauty. Thank you to the landscape committee!

Finance:

Elizabeth reported the following as of April 30, 2019 -

Total Cash Balance - \$1,357,493

Harbor Town has 3 accounts: operating account, Iberia Bank capital reserve account, Iberia Bank working capital account

Money market account interest rate is 0.40% and the capital reserve interest rate is 0.35%.

Need financial advisor to advise how to invest monies – for better rates.

Disbursements – operating over budget –

- Design Review Fees are over budget – Town Architect is paid then we bill the homeowner to reimburse HT

- Naturally Green has some invoicing issues. Need to receive invoices more timely.

- Income Tax Return completed.

- Contracts expiring at end of December: Maria Montessori School (2012), Waste Pro (2016), and Naturally Green

Management Company:

Elaine reported on the delinquent accounts and accounts currently in collections. Total delinquent balance as of 5/17/19 was \$26,062. \$10,201 is the total amount currently in

collections. The current delinquent amount is \$9,490 and \$6,565 is due from two (2) foreclosed homes of which we have a judgement on both.

At this time, the remainder of the management report was turned over to Anthony Bologna.

Anthony reported the following:

- Harbor Pump
 - electrical box has been under water due to water level.
 - Southern Pump dried out equipment but found it was too damaged to work.
 - looking into moving electrical box and removing it from school's utility bill.
- Naturally Green
 - repaired 2 failed backflow preventers.
- MLG&W Light Globes
 - painted globes switched out with new globes with shield.
- Handicap sign at Harbor of Health – ordered and will be installed when received.
- Annual Playground Inspections – to be done by Kupp Services.
- Budweiser Verge Damage
 - Budweiser notified
 - Naturally Green preparing estimate for repairs to be paid by Budweiser

Inspections and violations:

- Level 2 & 3 have been re-inspected – lots of construction going on throughout HT.
- Management asked about sending first communication to individual homeowner citing property violations and give time frame to remedy violations.
- Then start process as outlined in Equity Resolution 5.
- Request Board approval for the above mentioned process.
- Mr. Graves stated he's against straying from the process outlined in Equity Resolution 5.
- Include a section in bi-weekly newsletter about property violations
- Give each board member a list of violations by address in their district.
- Follow the process as outlined in Equity Resolution 5.

Church banner at MMS – temporary signage submitted for Board approval (posted on Trello). The church plans to go through the Summer and into the Fall and hope to continue beyond the Fall.

Projects for Board approval (posted on Trello):

- Brick paver repair – Whitney Anderson estimate \$10,615
- Gazebo painting and repair
 - Dusan Painting (bid not yet received)
 - Big M Remodeling - \$7,500
 - F&F Construction - \$15,881
- Phase III street paving
 - Hollingsworth Paving - \$251,652
 - Pollan Paving - \$307,551
 - Fossett Paving - \$413,080
- Sidewalk Repairs
 - Jane had been working on getting the proposal for this project.
 - Roeder Construction - \$24.00 per sq. ft.
 - Baltz Concrete - \$4,950
- N.E. property corner

- West Memphis Fence bid includes 2 electronic solar powered gates and fencing.
- Are 2 gates needed?
- Is this on HT property?
- Town Architect has inquired - need surveyor to verify the property line back in that area.
- Leave gate(s) open during the day and close at night.
- Mallard Pond
 - River crested and on its way down
 - River stage must be in upper 20's before work can begin
- Bike rack removal from Harbor Town Square

Design Review (posted on Trello):

- Town Architect reviewed and recommended approval. Request Board approval.
 - 1) Riser - 777 River Park Dr.
 - 2) Kelly - 742 Harbor View Dr.
 - 3) Fleming - 947 Harbor Bend Rd.

Homeowner Requests:

- A resident's pitbull attacked another resident's dog. A violation letter was sent.

Miscellaneous (posted on Trello):

- Harbor Town 5k Race - May 31st at 7:30 pm.
- Soccer Shots - requested Summer and Fall sessions

Harbor Town street light – waiting on new light pole. Tony Bologna & Bill Graves have been working on this project.

Front arbors on Harbor Town Blvd need to be repaired & painted.

Structural engineer \$3,000 maximum for Village Park.

Town Architect Tony Bologna reported that before the City of Memphis will start on the Marina Pointe Lane repairs, the river needs to go down to single digits. They want to go deep to compact the material. This project could hold up the paving. If it does, this area will be removed from the 2019 paving list.

Old Business

Church Banner:

Jane made a motion to approve the church banner as posted on Trello. Renee seconded the motion and the motion passed. Anthony will send a letter to the church notifying them that their banner was approved.

Pavers Restoration:

Two (2) bids are needed. This matter was deferred until the second bid is received.

Gazebo:

This matter was delayed in order to examine the bids more closely. Confirm that the proposals include painting the gazebo inside and outside. It has been recommended that the Board consider changing the paint color for the gazebo.

Paving 2019 – Phase III:

Karl made motion to accept Hollingsworth Paving's bid not to exceed \$251,600 and exclude Marina Pointe Lane (itemize). Rhonda seconded the motion and the motion passed.

N.E Property Corner:

West Memphis Fence bid on fencing and gates for this area. This bid is a starting point, but delayed for now awaiting additional information (survey, need for 2 gates, etc.).

Structural Engineer:

\$3,000 max cost to have structural engineer review and plan to evaluate and remediate the erosion behind Village Park. Renee made a motion to hire a structural engineer. Karl seconded the motion and the motion passed.

Bike Racks Removal:

JB made motion to remove the 2 bike racks on Harbor Town Square (in front of Harbor of Health and Cordelias market). Rhonda seconded the motion and the motion passed.

Design Review:

Riser 777 River Park – approved
Kelly 742 River View – approved
Fleming 947 Harbor Bend Rd – approved

Soccer Shots:

Due to bank issues, the Board voted against Soccer Shots request to continue into the Summer and Fall of this year. They can check back with us next March.

Workman's Comp Insurance Audit:

A refund of \$13,241 will be forthcoming and should be received soon.

Security Upgrade:

- Possibility of armed guards discussed. No action taken.
- Signal 88 has been asked to pay more attention to the front areas.
- Possibility of gating community was discussed. The Board will take June & July to look into this matter and discuss at August meeting.

Replacement of Safety Fence – HICE:

West Memphis said that the water level is finally at a point where they can install the fencing. This work will be done this week.

NEW BUSINESS**Dog Attacks**

Pit bull attacks have happened on numerous occasions. JB to work on verbiage on Resolution.

Insurance Review Property / Liability / D&O

Not recommended to pay for a workers compensation policy as all vendors are required to carry workers compensation insurance.

Need to re-bid insurance through Kemmons Wilson. George Clark with McGriff Insurance will also be asked to review all of the policies and submit a proposal.

Annual Election Schedule

Election committee members are Veronica Ploucha & Crystal Oliver. Elizabeth wants to have an early election in August and the annual meeting in September or October. Expired terms are: Elizabeth Low (Pres), JB Halbert and Jane Pirani (Districts 3 & 4). There was no objection from the Board. Elizabeth will check with the election committee for their availability in August.

Security July 4:

There was discussion on the number of security officers needed for the 4th of July. It was decided to have 8 officers in total for 6 hrs. from 6:00 – 11:00 PM.

There being no further business, the meeting adjourned at 9:40 PM.

Submitted by,
Elaine Aeschliman
LEDIC Management Group

Summary of Follow-up Action Items

	Action Item(s)	Who	When	Completed?
1.	Landscape Lighting refocused and replaced	Landscape Committee	TBD	Waiting on Bid
2.	Research Walking path lights with intent to replace	Landscape Committee	TBD	Waiting on Bid
3.	Replace the Purple Martin houses	Landscape Committee	5/20/2019	All houses have been installed
4.	Refinish common area benches and	B. Graves	TBD	Price estimate provided (30 benches is \$10,190 (\$325/each)) and funding approved
5.	Refinish / Replace existing trash cans	Management Company /	TBD	
6.	Research and get estimates to replace light post at Harbor Bend and Harbor Common	B. Graves and Management Company	TBD	Waiting on new light pole
8.	Review emergency vehicle road access for each district	Tony Bologna	TBD	
9.	Develop an Ice Melt Policy	Management Company	TBD	

10.	Provide recommendations for closing northern point access	Management Company	TBD	West Memphis bid but waiting on additional information
11.	Long Term Security Plan	Board and President	TBD	
12.	Develop a Garbage Can policy	Board and President	TBD	
13.	Contact the pharmacy about removing the flag from the golf cart and remove the golf cart.	Management Company	4/9/2019	Management sent letter to Pharmacy
14.	Provide recommendations for Computer Software.	J. Halbert	04/15/2019	
15.	Provide recommendations for Public accessible Minutes verses the detailed minutes for Association members	J. Halbert	03/18/2019	Provided draft version for approval
16.	Call West Memphis Fence Co. and ask about replacing the existing chain link fencing with black chain link including signage	Management Company	TBD	West Memphis Fence proposal - \$2,790. River must recede before work can be done.
17.	Ben's Park - needs dog waste station	Management Company	4/9/2019	Dog waste station ordered
18.	Develop policy for home violations	E. Low	Next News Letter	
19.	Sidewalks restoration	J. Pirani	TBA	Roeder Construction - \$.24 per sq. ft Baltz Concrete - \$4,950
20.	Develop a "Part III" of the Book of Resolutions	J. Halbert	August 2019	
21.	Update current Equity Resolution Seven regarding Pet Policies	J. Halbert	June 2019	
22.	Schedule election for President, and Board Representatives Districts 3 and 4	Election Committee	August	
23.	Annual Meeting	President and Board	September or October	
24.				