

**Harbor Town Community Association
Board of Trustees Meeting – September 16, 2019**

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

Association President: Elizabeth Low

Board Members Present: Bill Graves, J.B. Halbert, Jane Pirani, Amanda Hall, Renee Trammell, Pete Evans and Rhonda Brown

Representing Management: Elaine Aeschliman, K. Anthony Bologna

Guests: Jodi Rump, Susie Graves, Jerry & Bobbie Schwartz, Cary & Debby Allen, Don Ray, Noreen Yuki, Gordon Stewart, Elise & Hunter Fleming, Phil Pirani, Leo Arnoult, Howard & Laura Lothrop, Bryan & Barbara Simmons, Mike & Michele D’Amico, Crystal Hand, Tony & Dee Bologna, Ann & Daryl Sparks, Kim Nesbitt, Elaine & John Cathcart, Craig & Margaret Cardwell, Ryan Chamberlain, Barney & Jan Lee, Isaiah Costner, Mike Sheppard, Barbara Milligan, George Clarke, Nicholas Spriet, Bette Cunningham, Frosch, Christy Riggs, Kim Jackson, Crystal Hand, Henry Turley, Rachel & Joseph Douglas, Phineas Bresee, John Beifus, Amy Hulsey,

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

Approval of August Board Meeting Minutes

The August meeting minutes were posted on Trello (Internet based collaboration tool) for the Board to review. Jane Pirani made a motion to approve the minutes as written. Renee Trammell seconded the motion and the motion passed.

Homeowners Questions and Comments

Elizabeth Low reported that the HOA received legal service/notice today from the Harbor View HOA seeking for Harbor Town to refrain from disturbing landscaping and cease any work on the proposed fence and gates in the area that borders the northeast property line. EL requested that the Board not discuss this matter while the legal proceeding is pending in court. She stated that a survey has been ordered. On the plats for HT and Harbor View, the common property lines are in conflict and likely intersect.

It was said that the Board has been planning since last year to install fence and gate that will be open all day and closed in late night hours and open in early morning hours for security.

A discussion by the Homeowners took place without the input of the Board.

Elizabeth Low met with the Mud Island Consortium – Their concerns are about coming in and out of HT and HOA connectivity. She reported that the board was planning a fence and gate that would be open during the day and closed in the late night hours for security. They expressed how it’s so important to their way of life that they can come into HT (runners, walkers, school, etc.) and asked that the board meet with them before a decision is made. They asked that we work together on island security. She discussed with them about the camera demo last month and they want to be on our HT weekly update distribution if possible.

Follow up questions were tabled until the October meeting. These include the status of Board Training and the incorporating a parliamentarian into the Board meetings. J.B had done research on Board training and will present recommendations at the October meeting.

Adoption of the Agenda

Mr. Graves asked for a motion from the Board to adopt the agenda as presented. All Board members were in favor.

Reports

Commercial District:

Pete – He is acclimating to his new role as Board member. Bill Graves asked that he review the northern boundary issue. Pete will do some research on this matter and will be prepared to discuss it at the next Board meeting.

Arbors:

Rhonda Brown. There have been improvements throughout the apartment community with updates, upgrades and pressure washing will be done in next few weeks. Very low crime numbers and we all need to be aware of our surroundings. There are pictures or exterior renovations on their website <https://www.arborsharbertown.com/>.

Landscape Committee: (please see the attached report)

Jodi Rump reported the following:

- been working with Anthony on the Mallard Pond upgrades
- electrical in the area to be repaired
- lighting – temporary lighting installed with tempered glass in cedar grove
- homeowners who back up to alleys – if they had more motion lighting in this area it would certainly light up the area more
- gravel paths are being repaired
- Marina Pointe Lane –MLGW installed sod upside down upon completion of sink hole repairs– it has to be repaired
- homeowners still requesting new sod because their neighbors have new sod – NG will be asked to look at it
- lost a controller at Mallard Pond and is temporarily wired to Jodi's house so that we can get water to the area
- Question – Christmas decorations – was done last minute last year would prefer that this not be the case this year
- It was stated that Jodi should be reimbursed for her electrical cost
- Anthony discussed with Mr. Blanton (RNEC), what was damaged. Mr. Blanton responded that he has little responsibility for damage but will review the damage at the end of the project to determine if there is any reasonable need for reimbursement. All utilities were professionally and properly marked, and the damage was unavoidable given the extent of the excavation and confined space. The damage was expected.
- Damage estimates have not been determined.

Finance:

Laura Lothrop reported the following:

- requested a review of the accounting procedures between Finance and Management

- meeting with Management will contribute to effort to present financial reporting to titleholders in a relevant format
- Will review outstanding invoices and procedures – to get a better understanding of liquidity requirements in order to make recommendation to Board and President regarding transferring funds to financial institution with favorable rates recommendation will be made to Board and President
- proposal for approval – transfer funds from working cap to cap cash reserve fund in the amount \$32,909 that was missed in March - per Town Charter - need Board vote (Vote was postponed until October.)
- collections – recommend that the Stephen's balance be removed from collections report - need Board vote - also remove \$5,000+ from the books - these two were foreclosed (Vote was postponed until October.)
- regarding review of financial institutions and return rates, Elizabeth's recommendation is to transfer funds to Pinnacle Bank after review of several local banks and offered rates

Management Company: (please see the attached report)

Anthony Bologna reported the following:

- the Harbor Pump being worked on since the River is low enough to remove now
- the new light pole due to be installed this week
- the catch basin that was clogged was found to be filled with concrete to address
- street lights – being reported to MLG&W as needed but MLGW is very slow
- Pete Evans said to send a list of the lights to him to possibly help with MLG&W
- The inspection process is well on its way
- 140 residences are on list – many have been completed or scheduled or in progress

Rhonda Brown asked about the inspections – No inspections have been done since 8/2/19. There needs to be a standard, less complicated process and form. She has examples available. Anthony responded that he was open to improving the process.

Mallard Pond – will be completed this week. There is currently a dam and screen barrier to contain the fish in Purple Martin Pond.

Alley lights and their maintenance need to be addressed with the homeowners.

Requested approval of the erosion at Ben's Park harbor bank. Bill Graves stated that the crossties need to be addressed first.

Village Park stabilization – The structural engineering drawings are being finalized this week to bid for construction.

Security issues – Many security issues are being reported recently. Issues are being reported to Signal 88 or the MPD. In 3 weeks, groups have broken windows and many cars have been broken into. One thief has been caught by the MPD feels that there are at least 2 more groups.

MPD has been asked to increase patrols through the neighborhood. They will do this for two weeks, so the request is being made weekly. An officer (Gaddy) has asked his Colonial to be assigned to HT regularly so we will have a primary point of contact.

A homeless man has been reported at HT living in a canoe in the Inner Harbor. He is not on HT property but on a Tennessee waterway. Officer Gaddy is aware as is the school. A rep from the school met, Officer Gaddy and Management verified that the canoe does not belong to the school as suspected. The man is clean and possibly working at Tugs. MPD must catch him walking through the property to identify and ask that he move his set-up/canoe away from HT.

OLD BUSINESS

Review of 2019 Management Agreement

The Board had to notify LEDIC by 9/1 that they want to renew the Management contract and the Board had voted to send out RFP's.

It was requested that the Board reconsider this vote and that the LEDIC be given an additional year to work through their management difficulties.

The Board voted to reconsider and resend the vote for a Request for Proposals from other management companies and give LEDIC one additional year. Renee Trammell made a motion to reconsider the RFP. Jane Pirani seconded and the motion passed unanimously. It was acknowledged by the majority of the Board that additional staff would need to be added. This will move to the new President of the Board to renegotiate a new contract with LEDIC.

Rhonda Brown stated that she feels that the existing contract needs to be reviewed and improved. She further added, that the existing software needs to be improved or replaced. One-Site was suggested. The Board concurred.

Harbor Town Dog Show Approval:

Dog show approved as all voted in favor. Share pet policy with Dog Show representatives. Elizabeth Low stated that the show is not a HT event. Laura Lothrop ask if an alcohol rider is needed? Elizabeth low recommend Music Park rather than Nursery Park as it is larger. Phineas was asked to review the policy.

Jodi asked that the Board make sure that the insurance policy is adequate to cover this event. List HT on the policy – GL and liquor – not to exceed \$1,000 to be paid from the social account. Phineas to review and recommend policy.

Rhonda Brown made a motion to not exceed \$1,000 from social budget. J.B. Halbert seconded the motion and the motion passed.

(This is note from later in the meeting) Jodi said they want to have the dog show at Nursery Park because there is no power at Music.

Pet Policy:

Elizabeth Low stated that she had reviewed the Arbors Pet Policy and that is stricter than HT's because it includes, for example, – breed restrictions – no Pit Bulls. The Arbors requested revisions to the policy to not be fined if a tenant violates the rules but multifamily title holders and their tenants must otherwise comply with the provisions of the policy. Board asked to approve this language.

Amanda Hall made the motion. J.B. Halbert asked that the attorney review it first – as written with Town Attorney approval. Rhonda Brown seconded the motion and the motion passed.

This will then go to the community for 30 days to review provided the Town Attorney approve.

Don Ray thanked Elise Fleming for her work as Chairwoman of the Town Code Advisory Committee.

Lighting & Security Upgrade – Parks:

Jodi Rump reported that a proposal was submitted from Skyline Electric to repair the following:

- need low voltage lighting
- fix all ponds first – proposal
- electrical wires exposed and very dangerous.

Cricket to Skating Pond

- \$133,000 – need price and priority
- not budgeted for 2019 - no one knew about this problem until the last 60 days

Phineas said that now that the Board is aware, there is liability. Need to address as critical.

Rhonda Brown made a motion to move forward with the bid of \$144,764 and not to exceed \$150,000 plus a 10% contingency. J.B. Halbert seconded the motion and the motion passed.

Once a contract is received, the Finance Committee and Town Attorney will review. He will start then.

Cricket to Skating Pond:

- does not include addressing power that was cut at Mallard Pond
- funding from the capital cash reserve
- address the electrical issues first If working in Mallard Pond

Sidewalk Replacement – 2nd Phase:

HICN was first phase. Another section that Jane Pirani and Anthony Bologna have walked and so have Elizabeth Low and Bill Graves. There are 65 panels and 26 locations. Hollingsworth asked that we wait 3 weeks until heavy concrete trucks are on the new asphalt paving.

Revisit this schedule in October. Elizabeth Low said there's about \$13,000 left in the budget.

Soccer Shots:

The Board did not grant soccer shots permission for the Summer or Fall due to the potential work to be done on the Inner Harbor bank failure. Elizabeth Low said she's received calls from parents about the soccer and is asking for reconsideration for the fall schedule. She suggested a waiver and no commitment to them exclusively if we have the chance to work on the bank.

Rhonda Brown made a motion to allow them to use Ben's Park for fall and winter and it was seconded by JB Halbert, and passed.

NEW BUSINESS

Halloween Plan and Monitoring:

Bill Graves suggested that we repeat what was done last year. Hours, time, signs, # of guards. Contact Signal 88. Elizabeth Low suggested a change to the process at Harbor Bend and Harbor Common to only stop cars entering the neighborhood and not leaving in this area.

Bill Graves mentioned that there needs to be a plan in place to keep drivers from driving in resident yards after the event on Island Drive, trying to avoid the traffic jam.

Post signs at the entrance and ask Signal 88 to do a sweep of the neighborhood to get all kids out of the neighborhood. The Board to refine post orders as well.

2020 Project Planning

- Paving phase 4
- Sidewalks
- Anything else that needs to be done in districts, let us know.
- Settlers Point Gazebo
- Arbors at main entrance and all entrances (3rd monument)
- Ben's Park erosion and landscaping
- Remainder of lighting
- Mailboxes
- Cameras
- Software update

2020 Budget

Elizabeth will prepare a proposed budget to be emailed to the Board, then it will be sent to the Finance Committee.

Contracts Expiring 2019:

Signal 88 – 4 – 4.5% increase

Naturally Green – Jodi & Susie to review – 5-5.5% increase

MMS – renew contract – 10-year contract – see what renewal is for – review on Trello

Waste Pro – renew – no increase – they were supposed to use the smaller trucks

All will expire 12/31/2019

Mallard Pond Restoration – Landscaping, Irrigation and Electrical:

When construction work is completed, the landscaping work has to be installed. There are no funds allocated in the budget for landscaping.

Approve for up to \$50,000 for Mallard Pond repairs – motion by Amanda Hall that was seconded by Pete Evans and passed. Irrigation repair and adjustments, landscaping.

The Mud Island Consortium wants to meet with the HT board as soon as possible.

Bill Graves suggested the need for a credit card for HT.

There being no further business, the meeting adjourned at 9:34 PM.

Submitted by,
Elaine Aeschliman and K. Anthony Bologna
LEDIC Management Group

Landscape Committee September 2019 BOT

Projects

1. Mallard- waiting to start the garden when the pond project is complete. Hopefully in a week.
 1. See mallard pond recommendation
 2. Is part of the renovation to be graded in the contract? We will need more good dirt if so.
2. Lighting-
 1. See Light recommendation
 2. Cedar grove has lights temp installed - please go see!!
 3. We would like to request that the BOT/HOA has all homes that are on alleys install and/or repair the spot lights on the rear of the homes. This will drastically increase the visibility and subsequent increase the safety.
3. Working on finishing gravel paths
4. Repair of marina point In where mlgw damaged the sod on the median- this needs to be repaired back to normal.
5. We are still having homeowners requesting new sod bc their neighbors received new sod. While we have tried very hard to replace the all the dead areas, we could have missed a few. Also we have people refusing to water still but keep requesting sod. Please please Everyone water. :)

Questions-

1. Who is doing the Christmas deco??? This needs to happen asap.

Management Report - prepared for September 16, 2019 HTCA Board meeting.

MANAGEMENT:

- 1) Collections: (to be revised Monday)
 - a. As of ??/?/19, total delinquent balance is \$?
\$? - accounts in collections
\$? - current delinquent amount
- \$? - foreclosed homes (?) each has a judgment and are in collections

MAINTENANCE: (as reported on Trello)

- 1) Harbor Pump:
 - a. the Code Enforcement inspection was passed on the second inspection
 - b. the new electric meter was delayed by MLGW but finally installed Tuesday 9/10
 - c. power was then restored and the Harbor Pump is being repaired onsite
- 2) Light Pole Replacement:
 - a. the adapter plate has been fabricated and the pole will be installed on Monday
- 3) Silted/Debris Filled Catch Basins or Drains:
 - a. two basins were reported clogged and have been cleared by the paving company
- 4) Streetlights:
 - a. the streetlights are being reported to MLGW but the repairs are very slow
- 5) Mailboxes:
 - a. the badly damaged mailbox on Harbor Town Blvd is now repaired
 - b. some caps were reported broken and have also been repaired
- 6) Pond Levels:
 - a. 4 of 5 pond levels have been affected by the Mallard Pond Project
 - b. they been manually maintained recently due to construction needs
 - b. the levels have been restored now to 3 of 4 of the affected ponds
- 7) Damaged Bollards:
 - a. have met with contractor and an estimate is being prepared to repair
- 8) Island Place Issues:
 - a. misc issues have just been reported and will be appropriately addressed

INSPECTIONS AND VIOLATIONS: (as reported on Trello)

- 1) Inspections: (as reported on Trello)
 - a. the response has been good with many homeowners working on their homes
 - b. approximately 140 total homes have been on the list since the beginning
 - c. action plans are being tracked for those residents who have responded
 - d. minor infractions are receiving phone calls and are also being tracked

Most of the violations are either scheduled, in progress or completed including many of the houses that have been in disrepair for years. It's a moving target that changes daily so please be patient. It took years to get to this point and will take some time to remedy.

MANAGEMENT PROJECTS: (as reported on Trello)

- 1) Mallard Pond:
 - a. there has been daily communication with contractor for updates and site visits
 - b. the project is scheduled for completion on Wednesday...weather permitting
 - c. the final inspection will Wednesday end of day with touch-up Thurs and Friday
 - e. the recent lower pond levels necessary for this work are being returned to normal
- 2) Ben's Park Path Erosion:
 - a. the erosion and hole in the path by Ben's Park was repaired
 - b. a proposal was provided by RNEC of \$3700 for the adjacent bank repairs
(Board approval requested)
- 3) Village Park Ramp Stabilization:
 - a. the structural engineering drawings are being finalized to bid the construction
- 4) Security Issues:
 - a. many security issues have been reported to the office recently
 - b. these issues are being referred to Signal88 or the MPD as is appropriate
 - c. issues appropriate to Signal88 are being addressed as received

DESIGN REVIEW: (as reported on Trello)

- 1) Schmitt/Schneider Res - 126 Harbor Commons: (as reported on Trello)
 - a. this design review was submitted and approved in August of 2018
 - b. construction halted on August 15th and meeting held with the Town Architect
 - c. the homeowner has submitted/re-submitted but no design agreed upon yet

HOMEOWNER REQUESTS: (as reported on Trello)

- 1) Investigate and Remove Homeless Man:
 - a. have met with the school on their possible property being stolen
 - b. have met with the MPD to determine best method to catch live and remove

MISCELLANEOUS: (as reported on Trello)

- 1) The effort to capture email addresses, work and personal phone numbers, is ongoing. Additionally, directories and car decals are being handed-out whenever possible.
- 2) An estimate was requested by Management for 10 for sale signs brackets. It was asked by the Board if there is a breakpoint for 20? There is not and 3 have now been retrieved. The cost is \$79 each plus tax or approximately \$600.
(Board approval requested)
- 3) Soccer Shots contacted Elizabeth Low renewing their request for a Fall season. It was referred to Management to relay to the Board. It has been explained to Aaron Rock of Soccer Shots, that the project that eliminated the use of the area for the Summer, has not yet started.
(Board direction requested)

END OF REPORT