

**FOXCLIFF ESTATES SOUTH HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
August 9, 2004**

Officers & Directors Present: Calvin Kelly
Chuck Molzon
Bruce Kohl
Chris Read
Carolyn Holland

Guests Bonnie Kohl
Daymon Brodhacker

Legal Counsel Rod Bray

Meeting Called to order 6:07 p.m.

I. Call to Order- Welcome

Meeting called to order by Calvin Kelly.

II Review of Agenda

A. Additions to Agenda

Chuck requested that discussion on unauthorized vehicles on roads be added to Safety and Communications.

B. Approval of Agenda

Motion was made by Chris and seconded by Bruce to approve agenda as amended.

III Review of Meeting Minutes - July 2004

A. Additions/Alterations to Minutes

Chris made a motion and Chuck seconded to approve the July 2004 minutes as written. Motion Carried. .

IV Communications and Announcements

A. From the President

B. From Board Members

V Financial Report

Calvin presented a brief financial report and stated that he and Carolyn were working on restructuring the chart of accounts to better break down the expenses for each committee. He stated that notable expenses for the month included the road resurfacing and the new walkway as well as invoices from PAR Printing. Chuck gave a report on Ice Cream/Snack/Soda sales. He indicated we are seeing a profit from ice cream and snack machines and have received one check from Crown Vending as profit on soda sales. Carolyn inquired if the board wanted to elect to charge a fee for insufficient fund checks. This item was tabled until the December meeting prior to forwarding annual billings.

VI Committee Reports

A. Safety and Communication Committee

R-Net Update – Tom Haynes and Adam Edwards from R-Net made a presentation and brought the board up-to-date on status of bringing service to Foxcliff South. Board to work with R-net on a statement of understanding regarding the details of the service and will relay to members via the newsletter.

Unauthorized Vehicle Use – Board discussed the unauthorized use of golf carts. Chuck is to communicate to golf course management as to what our rules are. Calvin is working on both letters that will be sent in sequence following unauthorized vehicles and will forward to Rod for review.

B. Roads Lakes and Common Areas (See attached report)

Bruce summarized his written committee report with the following additional discussion noted:

Country Club Road: Bruce continues to correspond with Insight and their sub-contractor on the issue, but remains optimistic that all parties will act cooperatively.

Road work: Bruce reported that road work was completed the week of July 22nd within the estimated budget. Southampton (south of Norwich) and Golf Course Lane are all that remain to be resurfaced and the 2005 budget will reflect cost to complete these roads. Bruce anticipates receiving an estimate of additional costs from Wallace Construction resulting from dirt on the roadway in front of the Ratt's construction site.

Road sign replacement: Calvin reported that the replacement signs are in the association office. He asked Bruce to let him know the number of signs that needed to be repainted and explained that the sign company would be providing a quote. Repainting them with volunteer help is still an option.

Drainage ditch behind lot 670 (Engles) and others on Sunderland – Calvin will attempt to write the Engle's a letter explaining the Board's decision within the next week.

C. Covenants & Restriction

Bob Altizer forwarded an update on the Covenant re-write committee's progress that Calvin read to Board members. Bob stated that the committee would be meeting again on August 13th and that they were about half way through the existing covenants. They hope to have a draft document ready for the Board and Rod Bray to review by December or January and then develop a strategy to get the document distributed to members for their review and vote.

D. Clubhouse, Pool and Tennis Courts (See attached report)

Cindy was not present at the meeting but her committee report was reviewed with the following additional discussion noted:

Items for discussion for next meeting were to be Rental Space and Drainage Issues.

Chuck stated that the breaker for the air conditioner for the main room was still throwing. The Board agreed to proceed with getting repaired as soon as Cindy confirms costs and receives a proposal upon her return to town.

Chuck reported that Cindy would be forwarding soon a log of the guest fees collected to-date, and the actual fees, for deposit.

E. Building Control (See attached report)

Chuck summarized his written committee report with the following additional discussion noted:

Town and Country/Bank Lots Proposal

Calvin asked Board members to review the proposal on the bank lots and be ready for discussion at the next meeting.

F. Social Committee

In Cindy's absence, Calvin read the Social Committee report that Cindy had submitted. (See attached).

G. Association Office

Carolyn reviewed her report including an update on the status of delinquencies. She asked for the Board's direction on billing the Andersons, Johnsons and Staggs for their second lot, per the recent decision of the court. It was agreed that association would forward invoice requesting association dues be paid within 45 days of billing date, the same time period afforded to members as part of the normal billing cycle. Calvin will prepare a cover letter with the invoice.

VII Legal

(Legal report presented earlier in meeting to accommodate Rod Bray's schedule)

Rod reported on his collection efforts on our behalf stating he has filed against four lotowners. He will advise as to the court date.

Rod further reported on his conversation with Tom Perry, owner of the lot where the tree had fallen from onto the entryway. Rod will call Mr. Perry and advise him to remove the remainder of the fallen tree and debris as committee volunteers have completed cutting and removing all portions of the tree that they wanted.

Rod updated the Board on the February 2004 vandalism event, stating that one person had pleaded guilty thereby receiving probation with no jail time, with financial restitution required on his part. The other party is awaiting a hearing. Rod will keep us advised.

Chuck advised Rod that Calvin had written Charlie Mason with regard to removing a drywall lift that is being stored on his lot (#283). Board asked Rod to check into exact procedures that we can follow if the lift is not cooperatively removed by August 13th.

VIII ACTION ITEM TRACKING

The Board discussed action items. Chuck read list of action items from previous meetings and noted items remaining open. Chuck will forward copy of the new action item list to all directors.

There being no further business a motion was made by Chris and seconded by Bruce to adjourn at 7:30 P.M.

Board Meeting August 9, 2004 - Cindy Vogel CPT and Social

Action Items Complete

1. CINergy contacted. To follow up late September for new billing arrangements. Will report at October meeting or sooner.
2. Mark Fletcher contacted re: drain tiles. Not part of original bid.
3. Water softener, not salvageable. Culligan charge to haul \$125. Salvage Company not interested. Will disconnect and see if G&R will take it in regular trash pick up. Committee to disconnect.
4. Market price of rental space in Martinsville is \$7.73. Discussion began via e-mail. Recommend continued discussion and recommendation for Board action by September Board Meeting.
5. Rental Agreement in draft mode. Will submit by e-mail by next week. Request keeping on Action Item list.
6. Cost for breaker placement - Request keeping on Action Items list.
7. Mailbox, searching for matching paint. Plan to be painted by month end.
8. Newsletter article submitted.

Clubhouse

Fletcher Landscaping drainage project complete. \$7240 paid. Still watching damp spot in mechanical room. One ground pipe appears to be the problem. Will disconnect and locate by next rainfall to make determination.

CPT Committee met twice. Rita Rossiter and Gloria Bunnell are volunteering their professional interior decorating services to help develop a plan and budget for Clubhouse updating. Next meeting August 17.

Survey to be included in September newsletter regarding CPT usage, feedback, desires.

Pool

CPT Committee continues to be pleased with IPM services. Lifeguards and maintenance are outstanding. School Hours begin August 18. Weekdays will be 3:30-6:30. Weekends remain unchanged 11-7. Labor Day is last day. Winterizing will begin immediately following.

Monthly contract payments to IPM were received late. A \$50 fee was charged. IPM agreed to waive.

Cindy spoke with Johnston Hobbs Aug 5. IPM will provide an end of season review.

Vending - Donna reported we had received a \$62 profit for June from Crown Vending. Defer additional report to Chuck.

Tennis Courts

Small signs for nets have been ordered from Action Signs in Martinsville.

Social

Family Barbeque had approx 30 people. Great food from Squealers and the neighbors. Extra pulled-pork and sauce to be used for next ladies luncheon, date to be determined. Back to School Coffee schedule for August 18 cancelled.

I. GENERAL ACTIVITY

Construction of new homes within the neighborhood continues. We have had one home completed and the Construction Requirements and Rules deposit returned.

- A. Lot 240/241 (Ratts): Slow progress. Exterior essentially complete. Most painting complete on interior. Trim going in. Cabinets installed. Light fixtures being installed. Plan on moving in in early September, before 100 % completion.
- B. Lots 290/291 (Runkel): House started, very fast progress. Requested change to exterior treatments. Approved. House under roof. Had initial problem with construction started before delivery of portable toilet or installation of rock drive. Builder and owner have been very responsive.
- C. Lot 519/520 (Payne): House complete and Construction Requirements and Rules deposit refunded, less a \$500 assessment for contractor working on Sunday.
- D. Lot 687 (Young): Ready to approve plans and schedule pre-construction meeting, probably on Tuesday, 10 August. Will determine exact paving of pathway before construction starts on that section.
- E. Lot 818 (Shaw): Deck nearly complete.
- F. Lot 822 (Peal): Complete. Outstanding issue of non-conforming mailbox. We have their \$150 until they replace mailbox.
- G. Lot 830 (Ricci): Good progress. House enclosed. Had potential problem with construction debris, problem resolved.
- H. Lot 863 (Spina): House started, slow progress. First floor framed out.
- I. Lot 873 (Horrell): Complete. Outstanding issue of grading at front of yard. Current grading blocks flow of water off road. Homeowner advised that this must be corrected. Withholding \$500 until complete.

II. INTERIM BOARD ACTIONS

We have had several action over the past month requiring BCC action or input. These are outlined below.

- A. Reviewed and approved plans for Bob & Lisa Young's home.
- B. Reviewed and approved plans for an addition to Laux home.

III. New Proposals

Have received preliminary plans for Bunnell home on Lot 531. Plans did not meet our standards for review. They will resubmit and will request quick action. Would like to be moved in by Feb 6, 2005.

IV. Other News / General Information

None

Roads, Lakes and Common Areas report – Aug 9, 2004

Country Club Road drainage ditch issue – Had on-site meeting with Sun Communications and Insight Thursday, Jul 15 around 9:30 am. Discussed possible alternatives to the repairs. The representative from Sun is very busy, but seems committed to making the needed repairs.

Followed up with Sun representative on Aug 5 to get update. He is currently in northern Indiana on a special project, so he had not been able to get back to us as originally expected. Will continue to stay in contact. There is no reason, as yet, to believe they are unwilling to repair as discussed.

Silting issues on big lake, near lot 525 – Greg Bires spoke to his contact regarding the feasibility of lowering the lake to remove enough of the lake bottom to get it to a depth that is more acceptable. This is a very expensive and difficult approach to the problem. The lake would have to be lowered for an extended period to allow the lake bottom to become dry enough to get equipment in. We need to consider other alternatives and presume that any approach will require many thousands of dollars to execute.

Road work: Completed the week of July 22 within the estimated budget.

Road sign replacement: No activity has occurred regarding replacement of damaged street name signs.

Dry Hydrant location review: No activity on this task.

ASSOCIATION MANAGERS REPORT
August 2004

Nothing critical to report this month. I have spent time working with Calvin on Budget information and Chuck in sending out letters to adjacent property owners. Mostly the normal activities; writing checks, working on delinquent accounts with Rod and fielding calls as they come in.

See the attached delinquency report.

I have encountered some problems with my printer. I have cleaned it and Bruce has taken a look at the product, as to know how best to remedy the problem.

FYI-To-date seven of the bank lots have been sold since the investor purchased them in the spring. Two of them have the same builder who is currently completing a home in Fox Run. These homes will be started as soon as the Fox Run home is complete.

I would like to request vacation for the week of August 16-20.

Delinquency Report as of August 9, 2004

Lot # 297 – Show Homes Property Management – Formerly Smart Builders – I have spoken with new owner and forwarded a copy of the demand letter from Rod Bray indicating amount due. They are to forward check.

Lot #257 – Downey – Working with Title Company in Greenville, Ohio on refinancing. Downey's have an outstanding lien from 2001 that will also be taken care of.

Rod has written on the following:
Charlie Mason – Lot's 283 and 537
Genevieve Whiteside – Lot #832
Jason Keep - Lot #561

Also, I ask the Board's direction with regard to billing Anderson, Johnson and Staggs for their second lot, per the decision of the court ruling.

