

**FOXCLIFF ESTATES SOUTH HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS
MEETING**

January 12, 2004

Officers & Directors Present: **Bob Altizer
Chris Read
Calvin Kelly
Chuck Molzon
Carolyn Holland**

Guest **Bruce & Bonnie Kohl
Ed Rossiter
Cindy Vogel
Craig Dahl
Jeff Johnson
Toby Barco
Mark Dice**

Legal Council **Rod Bray**

Meeting Called to order 7:05 p.m.

- I. Call to Order- Welcome Meeting was called to order by Bob Altizer.**
- II Review of Agenda A. Additions/Deletions to Agenda**
Bob asked that Wireless Internet and Update with Martinsville Plan Commission be added to Communications and Announcements.
Chuck made motion and Calvin seconded to approve amended agenda. Motion carried
- III Review of December Minutes**
Bob requested that Templeton Cable Company on page 2 of the December minutes be changed to Insight Communications.
Calvin made motion and Chuck seconded to approve as amended.
- IV Communications and Announcements**
Vandalism - Bob stated that more vandalism has occurred including an attack of "Ding-Dong-Ditch." Bob explained that a group of young boys were ringing doorbells and then running to hide in a ditch before the resident answered the door, thus there appearing to be no one there. The boys would watch the resident from the ditch. These boys were identified and parents were notified. Parents assured that boys would apologize and not do this again.
Bob stated that there were some cases where Christmas decorations were destroyed or damaged and street signs damaged at a cost of \$65/sign, at a cost to the membership of about \$500 - \$600.

Wireless Internet - Bruce Kohl stated that the site survey had been done and there was good coverage on the Southside. He stated it was still about 90 days out before they would be in here. He further stated that it would be wise to have another meeting of the membership when more information was available.

Martinsville Plan Commission Update - Bob stated that the judge has ordered the planning commission to provide a written transcript of the April 22nd proceedings where decision was made. We have received transcript as of January 9, 2004, and have 30 days to submitted a written position on this matter to the judge, then the Martinsville Planning Commission will have 30 days to submit their written position on matter. At that time the judge will schedule a date for oral arguments.

Pathway Project - Jeff Johnson inquired about the pathway project. Bob explained where the pathway would be located and its purpose. He explained the purpose of the easement that the association was asking for.

V Financial Report

Calvin reported normal activity for December. He stated that we are going to end up with an operating surplus of \$68,000. Calvin stated that copies of the financial statements will be passed out at the annual meeting.

VI Committee Reports

SAFETY COMMITTEE - Chris reported that we continue to solicit names for the Crime Watch Committee. Bob explained to members our current agreement with the County to patrol the community. He stated that we are looking to hire off-duty deputies to patrol in future.

ROADS, LAKES & COMMON AREAS

In Paul's absence, Bob reported that we had some flooding across Country Club Road and determined that a pipe under Country Club Court was stopped up, and was now opened and working.

Bob reported that a concrete truck had backed off the road at Country Club and Fox Court East and damaged a pipe. The owner and builder have been notified and builder has surveyed damage.

This to be repaired.

COVENANTS AND RESTRICTIONS

Calvin discussed changes in the by-laws with regard to our Operational Contingency Fund. After some discussion it was agreed to add a new by-law that reads as follows:

“Article II, Section s.8 (j). An Operational Contingency Fund of \$50,000 is established for use when unexpected non-recurring expenditures are encountered and other monies are not available. Amendment to the Fund size requires approval of a super majority (2/3rds of the entire membership) of the Board of Directors. Use of these funds must be approved by a majority of the Board of Directors, and when so approved and used, a like amount will be deposited into the Fund within the next three

fiscal years.” Calvin made motion and Chuck seconded. Motion carried.

Next the Road Fund was discussed and Bob explained why the dues were increased this year, in that we want to place \$10,600 into a Road Fund for future road repairs. Bob read the following by-law change:

“Article II, Section 2.8(k). A Road Fund is established in 2004, into which a minimum of \$10,600 is deposited annually. This Fund can only be used for major road reconstruction and re-paving as approved by a super majority (as described in 2.8(j) above) of the Board of Directors. Should major road reconstruction expenditure be approved in any given year when major road re-paving is not being accomplished, a like amount will be deposited into the Fund within the next three fiscal years.”

Calvin made motion and Chris seconded to amend by-laws as stated above. Motion carried.

CLUBHOUSE, POOL AND TENNIS COURT

Chuck stated that the dolphin had been sent off for repair.

Carolyn requested some money to refurbish some kitchen items.

Board agreed to \$100 for items for the kitchen.

Board discussed purchasing shelves for the storage closet. Bruce and Bonnie Kohl agreed to purchase and install. Chuck made motion to purchase shelves for no more than \$150. Calvin seconded. Motion carried.

Carolyn stated that an ad needed to be written for the pool manager and lifeguards for the newsletter and also put in the Martinsville Reporter.

BUILDING CONTROL

Bob reported on the following sites:

Horrell - Lot 873 is progressing nicely, interior walls are painted and the electrical is in and the hardwood flooring was delivered today.

Peal - Lot 822 - have begun the masonry work on outside putting on stone and brick.

Young - Lots 687 & 688 - No activity at this time. By e-mail a suggestion was made that the beginning date be extended to no later than June 1 and that was approved by Chris and Paul.

Therefore the beginning date has been moved to no later than June 1 due to wet conditions of the lot.

Shaw - Lot 818 - The basement walls are poured.

Johnson - Lot 806 - Brick work is still being done and interior work has begun.

Payne - Lot 519/520 - Bob stated that they excavated for the foundation then the rains came and now mud and water. They pumped water out today. They are trying to pour the basement and foundation by January 15th when the frost law takes effect.

Ratts - Lots 240/241 - Cleanup work has been done this week. Drywalling is underway.

Barchman - Lot 256 - Interior work being done and a couple months from completion.

Ricci - Lot 830 - Mr. Ricci had stated that he would have a home

underway by year-end. Bob asked Board for permission to write Mr. Ricci that we are disappointed that he had not started his new home by December 31st and tell him he has to have plans to us by February 15th for approval.

Change to Building Code - Bob discussed changing the length of time to complete a home. Chuck proposed the building code be amended that houses less than 4000 s/f shall be completed within a period of 10 months and houses greater than 4001 s/f shall be completed in a period of 12 months. Calvin seconded. Motion Carried.

ASSOCIATION MANAGER

Carolyn reported on the following:

Newsletter - Newsletter deadline February 1st.

Delinquency - With the receipt of the monies from Charlie Mason, we received all 2003 dues with the exception of \$498 that was charged to uncollectable accounts due to bankruptcy.

Annual Billings - Annual billings went out on January 5th and to date I have collected \$8000 toward this years dues.

Audit - I have pulled everything for the audit that will take place tomorrow morning by A. L. Smith.

Taxes - All quarterly and year end tax forms have been completed and forwarded to appropriate agencies and employees.

Computer - Chuck reported that computer needed to be upgraded. Calvin made motion for \$50 for RAM to upgrade computer. Chris seconded. Motion carried.

Broken Board on Deck - Board to look at and see about getting repaired.

VII Legal

Board welcomed Rod Bray to meeting. Bob stated that Rod had moved his office to Martinsville and now was with the firm Bray, and Bray. Rod stated that he had nothing to report to the board this month. Calvin asked Rod to revise retainer with name of new firm. Rod to forward.

Motion made by Chris to adjourn meeting, Chuck seconded. Motion carried.

There being no further business meeting was adjourned 8:45 p.m.