

**FOXCLIFF ESTATES SOUTH HOMEOWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING MINUTES
August 14, 2006**

OFFICERS/MEMBERS PRESENT: **Chuck Molzon
Daymon Brodhacker
Mark Dice
Bob Altizer
Bruce Kohl**

ASSOCIATION MANAGER: **Carolyn Holland**

Guests: **See last page for list of guests.**

Chuck Molzon called meeting to order at 7:09 p.m.

Agenda – Bob Altizer requested that Building Control Committee be added as item “I” under new business.

Minutes – July 10, 2006 – Bob Altizer made motion and Daymon Brodhacker seconded to approve minutes as written. Motion carried.

Minutes – July 10, 2006 Executive Session Meeting – Bob Altizer made motion and Mark Dice seconded to approve minutes as written. Motion carried.

Reports – See attached.

Building Control – Bob Altizer stated that in the paragraph concerning Rose Construction, Lot 645 should be changed to read Lot 560. After some discussion board agreed to charge a \$15 administration fee on placing the mailbox on lot #669 and requested Carolyn to forward Mr. Dillon an invoice for same.

Common Areas – Bob Altizer made motion and Daymon Brodhacker seconded, to secure a bid to clean up the fallen tree on Fox Court East. Motion carried. Daymon Brodhacker made a motion and Bob Altizer seconded to secure a bid to cut back the brush along East Foxcliff Drive South/Southampton Drive. Motion carried.

Communications – Daymon Brodhacker reminded Board that the deadline for newsletter articles is August 15th.

Drainage Committee – Mark Dice presented a plan to do the necessary drainage work in three phases. After board discussion Bob Altizer made a motion and Daymon Brodhacker seconded to accept the concept presented in moving toward solving the drainage problems in Foxcliff South. Motion carried. Daymon Brodhacker made a motion and Mark Dice seconded implement Phase 1-B of the drainage plan. Motion carried.

Pool and Tennis Courts – Board discussed the tennis courts being used for activities other than tennis. Bruce Kohl made a motion and Mark Dice seconded to purchase locks for the tennis courts and 50 keys at a cost not to exceed \$200 that may be distributed to the residents who wish to use the tennis courts for the purpose of playing tennis. Motion carried.

Roads and Lakes – Bruce Kohl presented the figures from the three vendors that quoted on the resurfacing project. After some discussion Bruce Kohl made a motion and Bob Altizer seconded, to award bid to Wallace Construction. Motion carried. Bruce will notify Wallace via telephone with a letter and signed bid to follow.

Social Committee – Michele Huelster stated that with Board's approval, Papa John's pizza had agreed to provide free pizza for the "Last Blast" party, in exchange for a free ad in FoxTales. Mark Dice made a motion and Bob Altizer second to approve the free ad for pizzas. Motion carried.

Financial Report – Mark Dice stated that there was nothing out of the ordinary on this month's expenses. He further stated that the audit had been received. He requested that copies of the audit be made available to the members upon request. It was further decided that the 2007 budget draft would be discussed at the September meeting.

Legal Report – In Rod Bray's absence, Chuck Molzon read the report submitted by Mr. Bray regarding our delinquent accounts. Mr. Bray requested that we secure another council to represent us should be file suit against the Burpos' due to a conflict. Board requested Carolyn to contact Mr. Bray for a recommendation on issue. Board discussed the sheriff sale for lot 576 and/or the filing on this lot. Bob Altizer made a motion and Mark Dice seconded to seek to get pro-rated dues should it sell at Sheriff Sale. Motion carried.

Old Business

Washington Township Open Burn Policy – Carolyn updated Board on findings from Washington Township Fire Department with regard to their open burn policy. She will address this issue in the next edition of FoxTales.

New Business

- A. Confirm Electronic Decisions** – Board confirmed electronic decisions on the purchase of picnic tables, Lot 669 mailbox placement and rear landscaping, and social committee expenditures for Garage Sale-\$25, Last Blast Party-\$200 and Ladies Luncheon- \$75.
- B. Building Control** –
 - 1. **Assessment on Weber Project** – Bob Altizer stated that a \$400 assessment would be charged against the bond monies for the removal of silt.

2. **Plan approval extension Lot 632** – Bob Altizer made a motion and Mark Dice seconded, to approve the extension of time to begin building on site, by three months. Motion carried.
3. **Close McGuinness and Cummins projects** – Bob Altizer stated that he had the necessary ayes to close projects and return monies to Joe Dillon. Bob Altizer will write letter to Mr. Dillon advising him that the check is available for him to pick up.
4. **Add BCC member and Building Monitors** - Bob Altizer made a motion and Mark Dice seconded to add Debra Morrison the building control committee. Motion carried.

Membership Comments – Mike Engle discussed the fact that the Joe Dillon home on lot 669 is not being maintained in accordance with the unsightly lot rule. Bob Altizer made a motion and Daymon Brodhacker seconded to advise Mr. Dillon that we will mow the site on a three-week basis and invoice him for the cost. Motion carried.

There being no further business meeting adjourned 10:15 p.m.

Guests:

Name	Lot #
Pat Dinnsen	545
Frank & Bernice Mikszan	544
Marlys Weis	951
Mike & Lori Engle	670
John & Gloria Bunnell	955
Jeff Cox	511
Bonnie Kohl	976
Kurt & Cindy Vogel	536
Charles & Marie Black	557
David & Michele Huelster	987
Jim & Micky Holmberg	971
Ken Dalton	254
Brandon Engle	945
Peggy Mayfield	818
Mary Barco	534
Brent Fraser	252
Leo Mount	723
Sylvia Garrison	816

Committee Reports:

FESHA Board of Directors: August 14, 2006

BUILDING CONTROL COMMITTEE – Bob Altizer

Regarding Lot 669 (Dillon Spec home), have contracted with Todd Potteroff to landscape the back yard and have ordered a Caporale mailbox be installed. We had retained monies from the Dillon deposit to accomplish these tasks and the money withheld was exactly correct.

Regarding Lot 824 (McGuinness home), Board approval has been gained to close out the project, to return \$2752.31 (deposit minus two cleanup assessments - \$67.69 and one street sweeping - \$180) and retain \$1,000 to repair the pavement damage at the cul de sac on Red Fox Court East. When we get the vender determined to do the FESHA repaving, I'll get an estimate and repair from them. If the cost is less than \$1,000 there will be a supplemental return of the deposit.

Regarding lot 832 (Cummins home), Board approval was received to close out this project and return \$3,361.16 (deposit minus a lot cleanup - \$33.84, one street sweeping - \$180, one removal of construction remnants - \$225 and \$200 to fix drive off damage on lot 818). A landscaper has been hired to do the drive off repairs and the owner of the home on lot 818 is aware of this.

Regarding lot 513 (Fileatreau home), Board approval was gained to make a swale in the front yard, install a culvert in the driveway and remove a brush pile. A certified letter was sent to Mr. Dillon giving him two weeks to accomplish the work and absent his work, we would contract the work done. To the best of my knowledge, he has not accepted the certified letter. Giving the USPS 5 days to deliver the letter and Dillon 14 days to accomplish the work, August 5th is the action date. If we have not heard from him by that date, I will order the work done. I have already talked to a landscaper the landscape the swale and remove the brush pile. I have a contact for the driveway/concrete work. I met with Mr. Fileatreau on 8/5 and assured that whatever we do we will tie him into the coordination.

Regarding lot 829 (Davenport home), the interior of the house is completed and landscaping is underway but incomplete. At this point in time, we have two lot pickup assessments - \$67.69, a street sweeping assessment of \$180 and a \$375 assessment for construction remnant removal totaling \$622.69. There will be another minor assessment when we get to the close out phase as a small tree on lot 826 that was backed into by a sub must be repaired or replaced.

Regarding lot 858 (Webber home), the interior of the house is completed and landscaping is underway but incomplete. At completion of landscaping, there will be a \$400 assessment made to remove silt in the pond behind 857. I will coordinate this assessment later.

Regarding lot 962 (Koger home), the interior is complete but there are several exterior items needing done. By this report, I coordinate approval write Dillon (certified return receipt) giving him two weeks to install downspout pipes at all downspouts, repair the erosion from the existing downspouts, complete installation of exhaust pipe from sump pump, repair the swale in front of the house to provide for downward water flow and complete landscaping. Again, should he not respond to the within 19 days from mailing, to contract the work be done. **DIRECTOR ACTION REQUIRED.**

Regarding lot 848 (Zike home), progress is going very well as roof decking is being installed. We have an erosion problem after a downpour recently and Mr. Zike repaired it without our instructions. He seems to be a very reliable builder. There is another problem along Golf Course Lane. After Mr. Zike completes a swale along his lot abutting Golf Course Lane, the runoff will transfer to the east side of the Zike lot (848) to the intersection of lot 842 and have no where to go. This requires the attention of Director Dice (drainage committee) and/or Director Kohl (roads), as there should be some action taken to continue the water flow. **ATTENTION DICE AND KOHL.**

Regarding lot 674 (Diamond Builders Spec home), construction is progressing very well with the house under roof.

Regarding lot 867 (Diamond Builders Spec home), foundation has been poured.

Regarding lot 963 (Wilson Spec), house is about one half framed.

Regarding lot 557 (Black home), the foundation was poured on 8/5/06.

We have received plans for a home on lot 645 (Stonebridge Construction Spec) and they meet all requirements. Neighbor review letters have been sent.

We received two sets of plans for homes on lots 265 and 645 (Rose Construction out of Bloomington). The plans for lot 645 are generally okay and we can work with them. On the other hand, the plans for lot 265 have several deficiencies and the biggest being that the left and right elevations do not match the floor plans. I plan to disapprove these plans asking for correct elevations which will restart the 30 day action period.

I met with the owners of lot 239 at the end of Golf Course Lane and did a pre-submission review of the plans. They meet all requirements. The owners stated they would like to begin within the next two months. Normal processing will occur when the plans are received.

Several months ago, I met with a Mr. Gray who wants to build three homes here, one for himself and one for each of his two sons. I met with the son who will be doing the construction effort two weeks ago who advised they will begin each of the homes four months apart to minimize coordination/logistics problems.

We approved plans for a Mr. John Ehrhart to build on lot 632 on March 13. He has not begun construction and if it is not done by 9/13, the house approval times out. I contacted him and he still wants to build but can't until October. At the August meeting I will ask for a waiver to extend the time out for this project for three months.

FESHA Board of Directors: August 14, 2006

CLUBHOUSE – Chuck Molzon

1. GENERAL ACTIVITY

- a. Normal activity for July, although more than normal rentals
- b. Clubhouse Rentals – Multiple rentals in month putting us ahead of budget.

2. FINANCIAL ACTIVITY

- a. Clubhouse rental income of \$225.
- b. Utility costs continue under budget; small credit for water, “refund” of first fill for pool.
- c. Transitioned to Ray’s Trash Service, will see that we are tracking above budget for trash service.

3. INTERIM ACTIONS

None

4. UPCOMING PROJECTS

- a. Materials purchased to build false wall in basement, awaiting time to build wall.
- b. Letters requesting bids for repair of exterior of Clubhouse have been sent out. Received one preliminary verbal quote for approximately \$9000, no other replies received. Will resubmit RFP and add other potential contractors.

FESHA Board of Directors: August 14, 2006

COMMUNICATIONS – Daymon Brodhacker

Summer issue of FoxTales distributed. Below budget for mailing as they have been delivered by volunteers.

FESHA Board of Directors: August 14, 2006

DRAINAGE COMMITTEE - Mark Dice

From: Drainage Committee

Re: Proposal to improve drainage throughout the community

Prepared July 21, 2006

The drainage committee (“we”) was formed by the FESHA Board of Directors (“Board”) to evaluate the community’s drainage situation and make recommendations as to the best course(s) of action to be taken. While the committee has been in existence since the summer of 2005, its composition and leadership have varied. However, a core group of individuals have regularly participated in the process of determining the committee’s proposed course of action.

Following is a summary of that proposal. The proposal is broken down into various phases. Following each phase is a description of the scope of work to be performed during that phase followed by a narrative describing the committee’s rationale for that particular phase.

Phase 1a:

Retain Eco-Systems, Inc. (“Eco”) to design an improvement and expansion of the ditch running behind Sunderland Road. See the enclosed map for the area to be improved. We would also ask Eco to provide FESHA with a quote for the project and act as the general contractor. We estimate this project to cost in the neighborhood of \$5,000. But we don’t know for sure. Once we have a quote, we would present it to the Board for approval.

Earlier this year, Eco had given us a quote from Eco to an overall evaluation of the community's drainage problem. The quoted amount was \$18,650 and did not include the costs of any actual improvements. It only included an assessment, plan of action, plans and estimated construction costs. We did not really like this quote, but it was better than a previous quote received from Eco for approximately \$16,000 that only included plans for a portion of the community. However, Eco appears to be very knowledgeable and qualified. So we would like to have them work on Phase 1a. If they do good work, we can use them in the other phases. If not, we will find someone else.

While we will not have a full drainage plan prepared by outside professionals when we undertake phase 1, we are comfortable that this improvement will in fact be an improvement and not cause any downstream damage (because this area is basically at the furthest downstream point).

Phase 1b:

Rework the culverts and ditches in the NW area of the community (near the Elliott's home and further identified on the enclosed map). We have developed a detailed scope of work (enclosed) and would propose that we have a general contractor give us a bid to perform the work. (The scope of work was not intended to include any roadwork.) Additionally, we would propose that Eco be asked to propose a corrective plan for that area along with a bid to perform the work. This would give us comfort as to the adequacy of our scope of work and allow us another opportunity to validate Eco's capabilities. We do not have an estimate of the costs of this project.

Similar to Phase 1a, we do not believe this improvement has much of a risk of causing any downstream damage. This phase was also deemed a priority in that there is structural damage being caused by the drainage problem. Failure to take corrective action could lead to damage to the bridge in that area. There is a significant erosion problem on the west side of the roadway that is due to this problem and this could eventually affect the roadway and bridge. Repair costs would be very high.

Depending on the actual costs, Board approval, and coordination of the contractors, Phase 1a and Phase 1b could be undertaken simultaneously in 2006.

Phase 2:

Using volunteer labor, clean out the ditch on north Southhampton. See the enclosed map for the area to be cleaned out. The clean out will be done without changing the size and geometry of the ditch because of concern of downstream damage. Hopefully, this can be addressed in a future phase if necessary.

We put this as a Phase 2 project because it would be visible to the community and inexpensive to carry out. Also, this project can be completed regardless of any cost constraints we encounter with the Phase 1 projects.

Phase 3:

Devise a plan for improving the drainage of water along Norwich. See the enclosed map. We feel that there are a number of relatively inexpensive ways to improve the drainage, to some extent. However, we suspect that making any changes will be politically sensitive. Especially for those homeowners directly affected. Accordingly, we suggest that we have a third party professional organization, like Eco, give us a recommendation as to the most effective (cost and efficient) way to make this improvement.

This was chosen as the third phase because it could cause damage if Phase 1a was not yet completed. Also, because of the politics that could be involved, we wouldn't want to do this first. Further, this will give us some time to evaluate Eco and decide whether or not they would be the third party we would want to use to give us the evaluation.

Phase 4:

Beginning in 2007, have the FESHA budget include \$2,000 that can be spent on drainage related issues. (Such an item could be incorporated into the roads, lakes and common areas budget.) Homeowners with particular issues can make requests for money to be spent. The Board can approve or deny such requests and can seek input from the drainage committee, if it is still in existence. Any budgeted money not spent in a particular year, would not be carried over to another year.

Doing this would give the Board some way to respond to homeowners' requests without committing too much money in any one year. (This would not constitute a commitment to spend money just because it was budgeted. Each project or request would have to have merit and be clearly a FESHA responsibility.)

Phase 5:

Reconsider having Eco (or another qualified professional organization) prepare an overall assessment as to the community's drainage problems and design a long term remedial plan.

With FESHA board of directors' approval, the drainage committee would begin implementation of Phase 1 and provide monthly updates as to progress being made on each phase.

FESHA Board of Directors: August 14, 2006

POOL & TENNIS COURTS - Bruce Kohl

Pool/Tennis

Have not done anything relative to replacing pool furniture and other items damaged by vandalism. Had planned to get replacements for some tables and umbrellas but did not get enough approval.

We have had to throw out a couple more loungers as they became damaged beyond usability. The swim lane line must be replaced as it is breaking up with sharp pieces of plastic being left on the pool bottom.

It appears as though the Dolphin may need repair or replacement. This equipment has been troublesome for a while.

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FESHA Board of Directors: August 14, 2006

ROADS, LAKES & COMMON AREAS - Bruce Kohl

Roads/Lakes/Common Areas

Received new street signs and installed.

Received RFP responses from solicited vendors, ready for approval by board.

Wallace	\$38,714.83	
Harco	\$38,746.00	
Rogers Group	\$47,500.00	(received late due to internal administrative delays)

If we are to move forward I recommend we accept the proposal from Wallace Construction. I would recommend Wallace if we are to proceed, based upon price and our past experience with them.

FESHA Board of Directors: August 14, 2006

SAFETY – Daymon Brodhacker

No activity to report.

FESHA Board of Directors: August 14, 2006

SOCIAL COMMITTEE – Michele Huelster (Liaison – Chuck Molzon)

1. GENERAL ACTIVITY

- a. July 16 - Foxcliff South Family Bar-B-Que. We had a really good turnout for the annual Bar-B-Que. We think that between 75 and 100 people came. We were pleased to see several new faces. Squealers' pulled pork and ribs provided by the association was a big hit. Also provided were drinks, hotdogs, and chips. Neighbors brought several kinds of hot and cold salads, baked beans, macaroni and cheese, cakes, cookies, and other delicious desserts. We had a very good selection of food. Everyone really enjoyed the meal, visiting, and keeping cool in the clubhouse.

2. FINANCIAL ACTIVITY

- a. Bar-B-Que: Budget - \$600 Spent - \$587.53 Under - \$12.47
 - b. Total for July: Budget - \$600 Spent - \$587.53 Under - \$12.47
- Total for Year: Under budget - \$353.12

3. INTERIM COMMITTEE ACTIONS

- a. Aug. 3 We had our monthly meeting and planned the Ladies' Luncheon and Last Blast Party.
- b. Sept. 7, 1:00 PM Social Committee Meeting Planned

4. UPCOMING EVENTS

- a. Aug. 16th Ladies Luncheon: Budget approved
- b. Aug. 18th Last Blast Party: Budget approved
- c. Sept. No events planned

FESHA Board of Directors: August 14, 2006

AD HOC COMMITTEES

I. SINGLE GARBAGE SERVICE – John Mayberry / Chuck Molzon

Association Office / Clubhouse transitioned to Ray's Trash Service with pick-up on Thursdays.

Preparing reminder article for next issue of FoxTales.

II. COVENANTS – Bob Altizer

No activity to report.

FESHA Board of Directors: August 14, 2006

ASSOCIATION MANAGER'S REPORT- Carolyn Holland / Chuck Molzon

I. GENERAL ACTIVITY

- a. Worked with Paul Thomas on Audit.
- b. Collection of Association Dues
- c. Letters to residents regarding building sites.
- d. Unsightly lot letters mailed to several residents.
- e. Several clubhouse rentals.
- f. Ordered Signs
- g. Secured Interest Rates for Mark

II. FINANCIAL ACTIVITY

- a. Currently tracking slightly below budget for paid office hours. Comp time being slowly reduced.
- b. Office expenses for supplies/operations continue slightly under budget.
- c. Under budget for monthly utilities, anticipate being slightly under budget for year.
- d. Anticipate professional fees being over budget for the year. Unanticipated accounting fees to answer members' questions in January/February alleging improper accounting by Treasurer. Legal fees over budget for unanticipated hours to answer questions concerning demand for special meeting and to respond to allegation of criminal misconduct by the Board.

III. INTERIM ACTIONS

- a. None

IV. OTHER NEWS/GENERAL INFORMATION

- a. Worked with Rod Bray on Delinquencies.
- b. Worked with Title Companies on Letters for Closings.
- c. Worked on updating files.

Action to be addressed	Due Date	OPR	Action / Date Complete	
Trees protruding over road	12-Sep	Kohl	Update 10/10, Update on 11/14. Update 6/12/06, Update 8/14/06	1.0
Sink Holes on Sunderland near lot 722	14-Nov	Kohl	Update 4/10 Update 5/8/06, Update 6/12/06, Update 8/14/06, Update 9/11/06	1.5
Study Emergency Phone Notification system	12-Jun	Brodhacker	Update 8/14/06, Update 9/11/06	
Develop plans for West entryway pond	14-Aug	Kohl	Update 9/11/06	
Submit data on surveillance cameras	14-Aug	Brodhacker	Update 9/11/06	
Submit budget inputs	1-Sep	All		
Placement of Money Market Accounts	11-Sep	Dice	Recommendation of money placement-Reserve Acts.	