

**FOXCLIFF ESTATES SOUTH HOMEOWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING MINUTES
September 10, 2008**

OFFICERS/MEMBERS PRESENT:

	Bob Altizer
	Calvin Kelly
	Paul Myers
	John Mayberry
	Chuck Molzon

ASSOCIATION MANAGER: **Carolyn Holland**
LEGAL COUNCIL: **Rod Bray**

Guests:	Bonnie Kohl	Jim & Marilyn Parker
	Lori Engle	Josh Clossey
	Cindy Vogel	Brent Fraser

Bob Altizer called the meeting to order at 7:02 p.m., establishing a quorum.

Agenda - The following items were added to the agenda:
New Business – Exercise Class at Clubhouse
Item “S” – Pathway Bridge from Country Club Road to Clubhouse
Item “T” – Koger house on lot 962
Item “U” – Virginia Graeme Baker Pool and Spa Safety Act

Chuck Molzon made motion and John Mayberry seconded to approve agenda as amended.
Motion carried.

Meeting Minutes – August 13, 2008 – Calvin Kelly made motion and Chuck Molzon seconded to approve minutes as written. Motion carried.

Legal Report – Allison Farms/Pool Walkway Project – Board directed Rod Bray to write Mr. Allison on September 15, 2008, giving him seven days to remove items from site and to restore site to original state.

Committee Reports
Clubhouse Committee

Carpet Cleaning – Calvin Kelly made motion and John Mayberry seconded to add \$100 to the amount earlier approved to clean clubhouse carpets. Motion carried.

Social Committee - Calvin Kelly made motion and Chuck Molzon seconded to have a fall garage sale on October 10 and 11, and to spend up to \$100 for advertising. Motion carried.

New Business:

Clubhouse Cleaning Contract 2009 – Chuck Molzon made motion and John Mayberry seconded to approve the contract proposal from Gail Halls Custom Cleaning. Monthly cleaning to be \$130 and twice yearly window and floor strip and wax for \$100 per event. Motion carried.

Lake Management Contract 2009 – Paul Myers made motion and Calvin Kelly seconded to accept bid from ASAP Aquatics for lake treatment in the amount \$6490 per year. Motion carried.

Snow Removal Contract 2008-2009 Season – Board validated on-line approval of 2008-2009 Snow Removal Contract.

Vending Service Contract 2009 – Motion was made by Chuck Molzon and seconded by John Mayberry to approve proposal by ANEW Vending to provide a soda machine and snack machine for 2009, with commissions of 10% and 5% respectively. Snack machine must fit in pool hallway without obstructing passage. Motion carried.

Legal Contract 2009 – Chuck Molzon made motion and Calvin Kelly seconded to approve Rod Bray's contract for legal services for 2009 in the amount of \$3400 per year for retainer fee plus additional expense of \$100 per hour for additional time over 9 hours per quarter and to reimburse for incurred expenses. Motion carried.

Pest Control Contract 2009 – Chuck Molzon made motion and seconded by Calvin Kelly to approve the contract proposal from Arab Termite & Pest Control, Inc, for services at \$70 per quarter. Motion carried.

Exercise Class – Chuck Molzon made motion and Calvin Kelly seconded to approve a request from Lisa Payne to conduct an exercise class in clubhouse on Monday and Wednesday evenings. Motion carried.

Koger House on Lot 962 – Calvin Kelly made motion and John Mayberry seconded to continue to suspend membership in Corporation for lack of landscaping, inadequate swale and paper holder. Motion failed. Calvin Kelly made motion and Chuck Molzon seconded to advise owner of home on lot 962 of our intent to suspend membership for lack of landscaping, adequate swale and paper holder. Consider on October 8, 2008. Motion carried.

The following New Business Items were tabled until the October 8, 2008, meeting:

C. 2009 Budget; D. Drainage Facility By-Law; G. Newsletter; L. Landscaping Contract; M. Tru Green Contract; P. Pool Management Contract; Q Donovan & Thomas Contract; S. Pathway Bridge; U – Virginia Graeme Baker Pool and Spa Safety Act.

Adjourn – Calvin Kelly made motion and Paul Myers seconded to adjourn meeting at 10:10 p.m. Motion carried.

FOXCLIFF SOUTH CASE REVIEW

September 5, 2008

LEGAL ISSUES

COLLECTIONS 2006

Lot #517, 717, 906, &907 Amount owed: \$1,272.00

We had judgment of \$2,272.00. He has paid \$1000.00 toward this judgment. I will continue to try to collect the remaining balance.

COLLECTIONS 2008

lot 257 Paid in full
1715 W. Foxcliff Dr South, Martinsville IN 46151.

lot 515 \$550.15
502 Charmwood Parkway, Beech Grove IN 46107
A collection letter was sent on May 27, '08. I have received no response. I filed suit in small claims Court. They have agreed to make four equal monthly payments on the 12th of each month beginning Sept. 12. I have continued the Court trial and agreed to decrease my fee owed by Elsea by \$150.00.

LOT 552, 562, 578 \$1000.30
830 Prestwick Way, Greenwood IN 46143
A collection letter was sent on May 27, '08. He has paid dues for one lot, but not the other two. He has contacted me and indicated that he needed time to pay. He indicates he is trying to obtain financing and should have us paid off by the end of September. I will wait to see if that happens before taking further action.

Lot 572 Paid in full
3030 N. country Club Road, Martinsville IN 46151
A collection letter was sent May 27, '08. Mosier has now paid in full.

OTHER:

Cecil Koger lot 898:

On April 14th I sent a letter to Koger's attorney setting out our counter offer allowing Koger to deed lot 898 to the Association. Cecil indicates that they need additional time. The Bd. decided to wait until approximately August 15th to take further action. The Aug. 15th date has past and a lien has now been filed. I have heard from Van Der Pol and they have still not actually filed suit.

Allison Farms Lawn and Landscaping, LLC.

Allison received our certified letter on Aug. 18, 2008. That letter indicated he was to give us his drawings for the project by August 22. He was also to complete the project by Sept. 15th. However, we did not indicate that the contract was terminated if he failed to complete the project by that date.

FESHA Board of Director: September 10, 2008
Association Manager's Report

General Activity for August

- a. Received and booked clubhouse rentals.
- b. Worked with Rod Bray on Delinquencies and other issues.
- c. Prepared checks for payment of invoices
- d. Updated website
- e. Worked with Title Companies on Closings
- f. Worked with Board to compile information for SBA
- g. Worked with Vendors to secure 2009 service bids.
- h. Paid Property Taxes
- i. Worked on filing system.

Delinquency Report-Five lots remain which have not paid their 2008 assessments. They have been turned over to Rod for collection. Filed lien on lot 898. Bank purchased home on lot 858 at sheriff sale.

BCC REPORT, SEPTEMBER 10, 2008 MEETING

The Lance Speelmon house on Lot 711 is nearing completion. Topsoil was spread, initial grading, seeding and landscaping was accomplished. Cabinets are scheduled for delivery on September 8 and after their installation, inside touch up will be accomplished.

House plans have been approved for Vic Spina Custom Homes Inc. to build a new house on lot 677. We are awaiting his request for the pre-construction conference.

Covenants Committee (Ad Hoc). Our first meeting was held on August 20 and it primarily was to distribute pertinent documents the members will need for the conduct of the committee and to allow members to meet each other. We will meet again on September 19th to begin earnest work on the project.

	<u>Current Month</u>		<u>Year to Date</u>		<u>Annual Budget</u>
	<u>Actual</u>	<u>Budget</u>	<u>Actual</u>	<u>Budget</u>	
Total Revenues	\$237	\$1,077	\$184,741	\$189,286	\$193,539
Clubhouse Facilities	691	1,444	8,909	10,122	15,318
Newsletter	-	-	573	1,400	2,300
Swimming Pool/Tennis Courts	249	1,946	29,697	32,070	32,220
Roads/Lakes/Common Areas	3,174	5,536	26,589	32,673	41,492
Social Committee	-	200	789	1,800	3,000
Office Expense	1,939	1,858	15,761	15,009	22,325
Professional Fees	96	17	3,294	7,636	9,004
Insurance	-	2,000	8,551	8,500	8,500
Taxes	3,111	-	3,117	5,429	- 10,358
Capital Expenditures	-	-	20,040	37,400	37,400
Total Expenses	<u>9,261</u>	<u>13,001</u>	<u>117,320</u>	<u>152,039</u>	<u>181,917</u>
Net Income	<u>\$9,025</u>	<u>\$11,924</u>	<u>\$67,421</u>	<u>\$37,247</u>	<u>\$11,622</u>

	<u>07/31/08</u>	<u>08/31/08</u>	<u>12/31/07</u>
CASH ON HAND			
Designated	\$268,880	\$268,880	\$202,133
Undesignated	55,448	46,811	45,042
Total	<u>\$324,328</u>	<u>\$315,691</u>	<u>\$247,175</u>