

**Edgewater Owners Association
Board Meeting Minutes
March 7, 2011**

The Board of Directors of the Edgewater Owners Association met at 6:00 PM on Monday, March 7, 2011 at 111 Edgewater Drive, in the City of Madison, and State of Alabama.

Directors in attendance: Cameron Handyside (2011 President), Brian Goodwin, Sue Chatham, Stephen Brooks, Joe Roberts, Greg Morgavi, May Hudson and Steve Kirkpatrick.

Others in attendance: Dottie Bash, Office Manager, Gareth Bryant of Heritage Woods, Jerry Hicks and Lyle Needham of Remington Place, Winfield & Gwen Jobes of Compass Pointe, Paul Englund and Glenn Davenport of Morland Shores, Jim Graves and Jean and Harold Pigg of Lost Tree Pointe, Bob and Maurice Wolf of Spinnaker Ridge and Jim Stilson of Dunhill.

Opening Remarks: The Edgewater Owners Association Board meeting was called to order by 2011 President, Cameron Handyside at 6:00 PM. He welcomed guests and asked them to introduce themselves and let him know if they want to address the board with an issue.

Jerry Hicks addressed the board with the concern of Remington Place having so many rental properties. He believes there are multiple families living in 480 Sussex Drive. Their car continues to block the sidewalk. Also, 484 Sussex continues to look bad. Jerry was cutting the grass for quite some time at 484 Sussex because it was such an eyesore but if he is required to abide by the covenants, he believes everyone should. May agreed with Jerry and asked him for some suggestions. There was much discussion but he primarily wants covenants enforced. He spends a lot of money to keep his property looking nice and the two homes on either side of him are not maintained properly. Cameron did note that some of the cause of so many rentals could possibly be due to housing market. When someone cannot sell their home, then they need to be able to do something with it such as rent it out. However, even rental properties are required to be properly maintained according to covenants. He did note that the board has worked very hard in the last year to enforce covenants consistently. The process is a little slower than some residents would like, but we have to follow proper protocol to reach the desired end result. May informed Jerry that Hughes Properties would not have any reason to think there are multiple families dwelling in one home and that those are the types of things that we depend on residents to help us with. She told him that we will address those things if we are told about it. She said that if something were written up and given to the covenants chair it will be addressed. Joe commented that you should not be able to distinguish between a rental home and a home where the owners are living. They should all be held to the same standards. If a home does not meet the standards then we should get serious about it and get right on it and make it so painful that no one will allow their rental properties to get run down. The solution is to enforce the covenants.

Paul Englund then addressed the board regarding the possibility of natural gas. He was curious to know if the survey had gone out to the community yet regarding that. Cameron told him that it had not gone out yet and that it is on the to-do list. Paul also had questions regarding the Morland Shores entrance. Cameron informed him that Patti is working with the Morland Shores Board and Edgewater is going to assume responsibility for the entrance. Lawn Master will maintain it and bill Edgewater instead of

Morland Shores. Patti is going to work with members of Morland Shores to change the entrance and it will be a drastic change. The changes are between the Grounds Committee and Morland Shores and we are willing to do what Morland Shores would like as long as it is within reason. Paul's next item of business was covenants. He wanted to know why Morland Shore's residents are paying for Hughes Properties since Hughes does not perform inspections of Morland Shores. Cameron told him that we would have no problem asking Hughes to do the drive thru of Morland Shores as well since they are part of Edgewater. The thought process initially was that Morland Shores was doing a much better job with their covenants than the rest of Edgewater. Beverly will need to be given a code to access the gate. Steve B. will follow up on this issue.

Jim Stilson was the next guest to address the board. His concern was that he received a covenants letter regarding the benches in his front yard. His wife is handicap and has to sit down frequently while doing yard work. Steve B. asked him to send something in writing for the board to approve an exception in his case.

Cameron noted that there had been two separate cases of residents harassing the employee from Hughes Properties. One of them was apparently beating on her car and the other was following her around in a truck and he takes this fairly seriously because she is working for the board. Cameron did draft and email that he would like to send out to the entire neighborhood not pointing out the individuals in question. He wants everyone to know that Edgewater is aware of these incidents and whether you agree or not with the idea of using Hughes Properties, the majority of the neighborhood and board have already approved it. If someone does not like the way things are being done, there are proper procedures to follow to change them. Cameron asked Steve to make a motion. Steve B. made a **MOTION: to send email out to the neighborhood from the board president notifying them that it is inappropriate and wrong to do what these people have done and the board will address it as well as possibly taking legal action if it happens again.** Brian seconded the motion. Steve K. wanted to know why the employee did not call the police since it was a public safety issue. He also wanted to know why this is being taken up with the board and Cameron explained that she is in the neighborhood on behalf of Edgewater and is no different than Dottie or Mike. If a resident were harassing one of them, the board would certainly take action as well. Brian stressed that when she is on our property, she is employed by the board. Cameron said she is acting as an agent of Edgewater so we certainly have some responsibility to her and we can respond to our residents taking their frustrations out on her. It would inappropriate for us to not respond somehow. Steve K. does not think we should send a blanket email to so many people who are not involved. Maybe it would be more appropriate to send a letter to the person who has created the situation. He suggests that if we are going to send something to community, it needs to be on a more positive note. Let them know what we are trying to achieve with covenant enforcement, and that we are acting according to what the landowners are asking for and inform them of what the proper channels are if they are not in agreement with the way things are being done. He does think we should take action but not to the entire neighborhood. There was a little more discussion about how the letter would be drafted and Steve B. withdrew his motion.

Joe discussed the tasking of the attorney. He said that back in February of 2008 there was a motion passed with very specific procedures regarding the tasking of the attorney. He suggested we either reaffirm these procedures or we address them and make it clear what the rules are. If the attorney is tasked the full board should be clear about the reasoning for it and the cost. Cameron started by saying that Joe was certainly right and he was wrong. The question came up last year about someone adding

speed bumps behind their townhouse. Cameron wanted to know if Edgewater could be held accountable if someone were to cause damage to their vehicle because of the speed bumps. Cameron did inform the board that he was going to ask for a professional opinion from the attorney regarding this issue. His mistake was that when he was sent the questions he forwarded the email on to what he thought was the full board but it was not. He then asked Dottie to forward the emails to the attorney. He said it should have been in the form of a motion for her to be tasked to do this job. However, he does think that we need to look at these procedures because what we are doing now is very different from the way things were being done a few years ago. Cameron does agree that no one board member should be able to task the attorney if it is going to cost the association money, but **the procedures in place at the moment do need to be revisited because we are very limited and confining.**

There is still an individual in Dunhill who claims he does not have to abide by the Edgewater rules because he questions Dunhill's incorporation into Edgewater. May said that nothing else has come up again and the person in question is paying his dues and has a say in voting and it is really a non issue at the moment. May said the individual had received a covenant letter and he did correct the violation. She suggests that we drop it and if the issue arises again, he should prove that he is not part of Edgewater.

Cameron put together a rough draft of the survey results. He suggests that we have a planning meeting and town hall meeting to go over these. Over 250 residents responded to the survey, making it the most participated survey ever. He explained the way he filtered the results and tallied the results. Most everything stayed the same however some people had comments about covenants. The dominant critique for covenants was that we are being too picky and the positive was that many think things are looking better in the neighborhood.

Office Manager Report: Dottie's first item of business was raising the cost of copies. She said that Morland Shores and The Landing come in frequently to use the copier as well as various residents. Currently we charge only \$.05/copy and the cost of us to make a copy is approximately \$.13/copy. Dottie recommended we charge at least \$.10/copy. There was much discussion regarding who uses the services and for what purposes. May made a **MOTION: to provide Morland Shores reasonable printing at no cost for official community business.** Steve K. seconded the motion and it passed with 6 votes for and 1 against (Joe opposed).

May then made another **MOTION: at Dottie's convenience, residents can make copies at \$0.25/copy.** Brian seconded the motion and some discussion took place. Sue thought the price was too high but others thought it was fair because we are doing it as a convenience and favor to them. There was much more discussion on the topic and then Cameron called for a vote. The motion failed with 2 yes (Brian and May) votes and 4 no (Sue, Steve B., Steve K. and Joe) votes and one member abstaining (Greg). Cameron asked if it was the price that made the majority vote the way they did. Sue made a **MOTION: that we charge individual residents \$0.15/copy and it they will be done at Dottie's convenience.** Greg seconded the motion and there was brief discussion. Steve B. wanted to stress that this would be done at Dottie's convenience and not the resident's because it is already a convenience to them that we do it. The motion passed unanimously.

May made a **MOTION: that we no longer make any copies for The Landing's official business.** Brian seconded the motion and there was some discussion about how they are affiliated with us. It was

pointed out that they are a profitable entity. Joe suggested we treat them the same as any other resident and charge them \$0.15/copy. Steve K. wanted to clarify that they do not operate in the interest of Edgewater and that their copies are for their business. Dottie pointed out that Sally is an official Edgewater resident. May withdrew the motion and it was determined that the Landing will pay the same as all other residents.

Dottie then discussed the accident that took place on 2/21/2011. She contacted our insurance company initially but was told she should contact that person's insurance company. She was able to obtain the claim number and file a claim with Geico. She is waiting for Geico to return her call but we should be fully reimbursed for the damage at the entrance.

Secretary: Sue made a **MOTION: Approve February minutes as written.** May seconded the motion and it passed unanimously.

Clubhouse: May discussed raising the cost of the clubhouse rental fee and deposit. She made a **MOTION: that we raise it from \$150 to \$200 and \$400 to \$500 for the deposit. This would make the total due \$700 and the amount returned \$500 if everything is left in good order.** The reason for raising the fees is due to damage that has occurred and the deposit didn't quite cover everything and also the addition of the ceiling fans and remotes. In order to replace a remote, the cost is \$100 each. That is a large liability for rentals. Brian seconded the motion to open it up for discussion. Part of the reason we did not lose more money last year is because Debbie Fulmore did most of the work herself when damage occurred. If we had paid someone to come in and do that work, it would have cost us money. Sue pointed out that \$200 was a very reasonable price for our clubhouse compared to other facilities that are comparable to ours. There was a bit more discussion on the topic before Cameron called for a vote. The motion passed with 5 yes votes (Joe, Greg, Brian, Sue & May) and 2 no votes (Steve B. & Steve K.).

May notified the board that we do have water in the weight room again. May, Joe and Debbie are trying to figure out where it is coming from. Right now they are thinking about a couple of options but are not ready to take action yet. It is not terrible but the carpet is wet.

There will be a clubhouse/recreation committee meeting on 3/29/2011 at 11:00am. She is hoping to get a consensus from the committee as to whether we should purchase another treadmill or elliptical machine. Also, the cardio room will be painted soon and the pool deck resurfaced by the end of March. She also notified them that we may need to purchase a new tennis net and she will come back with that info if it needs to happen. Joe and Mike are still trying to find the leak in the baby pool.

May mentioned that we might need to hire some of the summer helpers again this year to help Mike. Also, she thanked John Haskell, Bob Wolf and Tom Kaeding for helping with the construction of the practice wall at the tennis court.

Covenants: Steve B. went over a few of the changes to the blue book. **He also said he would send the changes out to the board and asked them to take about a week to review the changes and give him some feedback.**

He then went over some of the common issues which were barking dogs, garden hoses left out, parking on the street and lawn maintenance issues.

There was some discussion regarding increasing covenants fines. Joe stated that if a covenants violation reaches a fining stage it becomes more an issue of non-compliance and the fines should be steeper. If we cap the fees at \$300 then someone can simply buy their way out of covenants. May pointed out that the \$300 cap was established many years ago and maybe it should be revisited. Cameron agrees with Joe that the fines or liens need to get their attention. Cameron said he would like to see some research as to what the proper fines should be in order to get the attention of residents. Steve K. thought it would cause a hostile environment to raise fees. He thinks maybe we should communicate with the neighborhood what we are trying to accomplish with covenants and possibly change some of the by-laws. Cameron stressed that he talked about Hughes Properties for a year and had very few people who came to talk about it in an adverse way. Most residents were in favor of hiring them. He does not believe that an increase in fines is appropriate until we have some rationale for the increase. Joe said he believes we have an excellent record if the majority of people that received a letter corrected the issue, leaving only a couple of residents with fines. Cameron said he would back Steve K. on the feeling that a lot of people are feeling covenants is hostile. They think we are being nitpicky according to the surveys. Sue pointed out that some people feel that way when they get a letter because they don't know if the people down the road have received one as well. Cameron said we have an opportunity for an outreach to the neighborhood. We need to address the growing uneasiness of the residents regarding covenants. He stated that once we have trained Beverly as to what we think is an adequate yard; we won't have to train someone new every year. We will have consistency because there will not be a "covenant nazi" one year and "Winnie the pooh" the next year. He also said that we can't just drop Hughes Property because most of us agree that it is a good idea, it is just a matter of tweaking the system continuously. He realizes how sensitive covenants are and everything will be taken into consideration.

Architectural Review: Steve K. said the only issue he is aware of was the Hamner's architectural request. He has signed off on it and will pass it on to Dottie to get the rest of the signatures.

Budget and Finance: Joe said the budget numbers have not changed. Nothing is out of line and there are no issues. He went over the budget and touched on dues. Nothing concerning at this time. We have received everything from the apartment complexes for the year.

Community Affairs: Brian said he is having his first committee meeting on 3/15/2011. The next event coming up is the Easter Egg Hunt. It is tentatively scheduled for 4/16 but will be clarified at the committee meeting. He would like feedback from the committee on what the best day would be. His goal is to have all events planned out ahead of time for adequate notification to residents. The spring yard sale will be in May and he wants to coordinate with The Reserve and Mountain Brook on this and would like the contact information. Cameron will get that information to him.

We are making progress on the website content. We have a resident, who is also a writer that has volunteered to embellish the write ups on the webpage and make them sound better. Cameron noted that we had a lot of good feedback from the community about our communications abilities on the surveys. Most people love the quicklook after the meetings and all the emails that are sent out. Many are looking forward to the website. Some were complaining about the communications but we don't know what more we could be telling them.

Grounds: Cameron gave Patti's report since she could not attend the meeting. Lighting bids have been received from four companies. Patti and Jack will pursue bids from the two lowest, which were Stewart and Mr. Electric. They are still working on getting opinions from knowledgeable persons in this field.

Patti also would like to set aside a weekend in April or May for the employees of our contractors to come out and be able to fish in the lake. Cameron said we should put this off until Patti can be here to defend her position. Sounds like she just wants to have an appreciation weekend but would still like for her to discuss it with the board.

Morland Shores has agreed to let the EOA Grounds Committee renovate their front entrance. They have also agreed to turn the maintenance of the wings over to EOA but will continue to maintain the middle entrance island themselves. This will add a cost of \$10 to our LawnMaster contract and will deduct \$10 from the Morland Shores contract with LawnMaster.

Lake Management: Cameron said his Lake Committee consisted of Joe Roberts, Glen Diehl, Marty Runkel and himself. He hopes to have a meeting within the next week or two. They have their priorities and they are planning to spend some money this year. There will be some action items most likely at the next meeting.

Unfinished Old Business: None

New Business: There will be a Town Hall Meeting on April 4th at 6:00pm. This will be a good time to hear from the residents.

Next scheduled board meeting May 23, 2011.

Cameron adjourned the meeting at 8:45pm and the Board went into Executive Session.

[For further details, if a cassette recording has been made of a meeting, it will be available for review in the office for 90 days following the date of the Board Meeting. Copies of all email motions and discussions as well as any other documents are available at the office.]

Respectfully submitted,

Sue Chatham
EOA Secretary