

Harbor Town Community Association
Board of Trustees Meeting Minutes
Monday, September 19, 2011
5:30 p.m.
River Inn Conference Room

Board members present: Tonia Bertoldo, Nancy Caldwell, Margaret Cardwell, Russell Carter, Kathy Kelly, Dawn Nielsen, Jon Scobey, and Sherri Tipton

Property management representatives present: Elizabeth Glasgow and Debbie Woodard

Homeowners present: Dennis Abernathy, Megan Dress, Sue-Ann Ehmer, Craig Cardwell, Amany Saleh, Jerry Schwartz, and Dawn Watkins

Kathy called the meeting to order at 5:32 PM.

Margaret made a motion to appoint Kathy as the Board Chairperson. Jon seconded the motion and the motion carried unanimously. Russell made a motion to appoint Margaret as the Board Secretary. Sherri seconded this motion and the motion carried unanimously.

A motion was made by Russell and seconded by Margaret to approve the July meeting minutes. The motion passed unanimously.

Dennis asked about the parking of golf carts on the third entrance to watch the sunsets. Elizabeth responded that this will be discussed under New Business.

Russell reported on behalf of the Commercial District. He has talked to Elizabeth about the landscape crew performing their services and blowing the streets during lunchtime. The crew seems to be just blowing the debris instead of picking it up. He asked that the crews clean the sidewalks better of the bird feces also.

Craig reported on behalf of the Finance Committee. He reported that the Association's finances are \$36,000 in the hole after 8 months. If the Association doesn't start increasing the Reserve Contribution, it will be out of Reserves by the end of 2012. In regard to delinquencies, overall they have gone down, but the amounts of delinquencies between 30-60 days have gone up. He recommended Management being more diligent with collecting these shorter term balances.

Kathy asked about the talking points for the budget given the current draft raises assessments by an average of \$200.00 annually. This will be discussed under New Business. Jon asked if a Special Assessment had been considered. Craig responded that yes it has been and it is still an option. Craig presented the investment plan the Finance Committee recommends for when the CD's rollover as outlined below:

- A.) \$50,000 CD to mature November, 2011; Need to reinvest it
- B.) \$50,000 CD invested August, 2011 and mature in January, 2012
- C.) \$50,000+ still available to invest, and should be invested now. (This amount rolled out of a CD late last year)

Russell made a motion to accept the re-investment recommendations of the Finance Committee. Sherri seconded the motion and the motion passed unanimously. Elizabeth will coordinate this with the Association accountant.

On behalf of the Charter and Bylaws Committee, Jerry reported that the committee has now been working for 13 months on the project. The draft Charter and Bylaws was included in the Board Package. Jerry and Kathy reviewed some of the changes and Jerry asked the Board to review these and to get questions and comments back to Elizabeth or Jerry.

The management report submitted in the board package (copy attached) was reviewed by Elizabeth. Concerning Collection Actions, Elizabeth reported that she has received \$1,500.00 from the owner of 127 Harbor Town Boulevard and that a judgment has been obtained on the owner of 113 Village Lane. Elizabeth recommended writing off a \$345.27 balance of a former owner whose home was foreclosed. Elizabeth reported that the contractor for 1021 Island Park Circle has a start date of October 4th. Elizabeth has contacted Environmental Court to see what can be done about 876 River Park and 947 Harbor View Drive. Jon made a motion to write the \$345.27 balance off and Russell seconded the motion. Craig and Jon asked about getting these small balances noted on credit reports. Elizabeth will investigate if it can be reported to a credit bureau without having to sue for judgment. The motion passed unanimously.

Kathy gave a recap of the Board/Block Captain Retreat that was held on September 10th. Jeanne Carr was the facilitator and Jerry presented the changes in the Charter and Bylaws. Kathy reviewed the Code of Ethics that should be reviewed, read aloud, and signed each year by each Board Member. Kathy also reviewed the section on motions from Robert's Rules.

Continuing with old business, the Board stated that Cindy Barnett and Carlene Spence do need Board approval for a spring yard sale.

Craig reviewed the 2012 Budget. The increases are due to raising the

Reserve contribution, increasing the Capital Reserve items to include those items that have been deferred the past year, adding a weather related contingency and adding a general increase. After a discussion ensued concerning a special assessment versus increasing the contributions to the reserve and having contingencies, the Board decided to hold a Special Board Meeting on Monday, October 3rd for the purpose of the discussing the budget only.

Continuing with New Business, the crosswalks on Island Drive were discussed. Kathy reminded the Board that Island Drive is the City's responsibility and no matter what they do to bring attention to the walks, people would probably not pay attention to them anyway. The Board asked Elizabeth to remind Steve Kite-Powell, who wrote a letter to the Board, that it's the City's responsibility and he can contact them if he feels strongly enough about it.

The Estate Sale that was held in August was then discussed. The Board only found out about the sale the morning before and Elizabeth consulted with 2 attorneys who told her that there wasn't anything the Board could do to stop the sale given the time frame. She then worked with the company assisting in the sale to control parking and traffic. Jerry has added verbiage to Equity Resolution 8 to include that no sales of this type, including yard, garage and tag sales, are allowed without prior authorization from the Board (30 days).

Mike and Sandy Forbis have requested renting parking spaces next to their house at 746 Island Drive. Russell reminded the Board that River Inn has agreed to not park in these areas. After further discussion of not renting common property and that there is not any assigned parking within the community, the Board asked Elizabeth to invite them to the November meeting to discuss further. Russell also asked for Elizabeth to send River Inn a letter reminding them of where their employees need to park and to not park in this area.

The Board decided not to have any participation in the October 4th National Night out but to count the concert as Harbor Town's participation for this year's event.

The home at 837 Harbor Isle Circle West is for sale and Elizabeth wanted to make sure that the agreement that was made between the current owners, Jane and Mark Stephens, and the Association is disclosed to any prospective purchasers. The history of the agreement was discussed. Jon made a motion that Elizabeth, on behalf of the Board, write a letter to the Stephens' reminding them of the agreement and copy Annette Sharp, the listing agent. Russell seconded the motion. Craig asked at what point does the Board ask

the owner to remove the encroaching fence and landscaping. After a discussion of more history on the agreement, the motion carried with a vote of 4-2.

Ladd's Club Golf Carts has proposed to have a Demo Day for the Harbor Town residents. Dawn made a motion to reject their proposal, Jon seconded the motion and the motion carried unanimously.

Pam Mackey has sent a proposal for the 2011 "Who Let the Dogs Out" Dog Show and Parade. The main change from previous years is she wants to hold the event in Harbor Town Square instead of Nursery Park. Russell made a motion to allow her to move it to Harbor Town Square, but only if there are not any outside food vendors. There was not a second on the motion. Kathy asked Elizabeth to invite Pam to the Special Meeting on October 3rd to discuss the logistics with the Board.

The Social Club has decided they want to buy a bench for Harbor Town. The Metal Museum gave a quote for \$3,500 to make a "Gar" bench to match those that are currently in Harbor Town. Kathy has found a catalog of benches that are less expensive, but do not match all of the other benches. After further discussion of whether the benches need to match or not, Elizabeth made a suggestion of moving the bench from Christmas Tree Park to Village Park until other options can be explored. Russell made a motion to move the bench to Village Park until other options can be explored. Sherri seconded the motion. Dawn stated that there are 2 benches at Ben's Park that got covered with muck and dirt during the flooding and those could be potential candidates to move if there are other locations where benches are needed. The motion passed unanimously.

There have been concerns about people parking on the third entrance grassy area to watch the sunset. Elizabeth has heard from several residents who like to be able to do this. Others think it looks trashy. There is not anything written that allows or prohibits golf carts from not being on hard surfaces. Russell made a motion that the carts area allowed to be on the grassy areas and that if something gets damaged, the person who did the damage is responsible for paying for repairing any damages. Sherri seconded the motion and the motion carried unanimously. It was suggested to add golf cart rules to the Book of Resolutions.

Dawn revisited the 837 Harbor Isle Circle West agreement. She suggested asking the Stephens to remove the fence at this time while it is transferring hands. Craig agreed with Dawn's position. Dawn made a motion to tell the Stephens to take the fence down at this time. Russell seconded the motion. He continued by stating that the letter needs to come from Mike Williams on

behalf of the Board. Jon stated this is going to be a big legal battle. Kathy reminded the Board and meeting attendees that according to the Code of Ethics, no discussion at the meeting should be discussed outside the meeting walls. The motion carried unanimously.

Craig asked if everyone is clear on the Halloween plans. Elizabeth reported that 3 Pro-Tech courtesy officers have been engaged and that one will be at each entrance to Harbor Town. In addition, she has spoken with Lt. Col. Mhoon with MPD and they will have 12 biked officers patrolling the community in addition to patrol cars that will monitor Island Drive for parking. Elizabeth will announce these plans in the weekly updates. She will include that Halloween will be celebrated on Monday the 31st from 5:00 – 7:00 PM. Megan mentioned that putting the signs out in the front entrances encourage outside people to trick or treat in Harbor Town. The Board agreed not to put the signs out but to communicate the information in

Back to the Retreat Recap, Kathy reported that Elizabeth has put together a Welcome Package for new residents that includes several items from Harbor Town businesses and the Downtown Memphis Commission.

Russell and Sherri reported that Block 4 is having a block party on Saturday at 5:00 and asked Elizabeth to publish it in the weekly update to invite all.

Kathy would like to see a Mud Island Association for future emergency situations and to share any costs involved in the emergency preparedness and clean up.

The meeting adjourned at 7:24.

TO: Harbor Town Board of Trustees
FROM: Elizabeth Glasgow, Association Manager
DATE: September 15, 2011
RE: Update on management issues

Receivables:

The total receivables balance as of August 31st was \$30,058.53. Of this amount, \$21,815.22 was over 90 days. In the Financial packet there is a collections summary report from 8/31/11. I have attached an updated report as of yesterday that shows a total receivables balance of \$25,822.26.

Lawsuits have been filed against and I am still awaiting court dates for:

Conway 127 Harbor Town Boulevard
Provenza 947 Harbor View
Mathes 876 River Park

Bean and Stephens both paid in full. Pantik, 113 Village Lane, asked for a continuance to 9/19/11 so I'll have a report at the meeting.

935 Harbor View also foreclosed; the former owner had a small balance of \$345.37. I suggest write off to Bad Debt – will discuss at meeting.

Received a call from Joseph Conway today who is mailing ½ the fees and his wife is supposed to be paying the remainder of the balance. "The check is in the mail" – will believe when I see it. They have been served, just awaiting a court date.

Grounds:

Nursery Park gazebo has been removed. I have received several bids and recommend going with the one for \$5,650.00. This can be done now or deferred to the 2012 budget.

The ponds have not needed supplementing this past month except for once, the week before Labor Day. I am continuing to keep an eye on them every day though! The area that was repaired at the beginning of the year was checked and it was reported to me that none of the joints were compromised with the high flood waters.

Estate Sale:

I have received several emails concerning the Estate Sale that occurred in August – they are in this packet – also to be discussed under New Business. Jerry has added verbiage to ER 8 stating that no garage, tag, yard, or estate sales are allowed unless approved by the Board with a 30 day notice of the request.

Distressed Homes:

Still waiting on a start date on 1012 Island Park Circle – they have signed contract and I have talked with the contractor to keep me posted on the start date so I can alert you and the neighbors.

I haven't been able to get anyone from Code Enforcement to get me the correspondence that was sent to 876 River Park and 1012 Island Park Circle. They don't seem to be concerned about these two houses.

2012 Budget:

Debbie and I are meeting with the Finance Committee this evening to go over the preliminary 2012 budget. I will forward a draft budget tomorrow (Friday) and we will discuss at the meeting on Monday.

Charter and Bylaws:

Enclosed in the packet is a DRAFT revised Charter and Bylaws and an outline of the changes to be made. Jerry will have a report at the meeting.

"I'm Ready" – Emergency Preparedness Summit:

I have enclosed information on a free seminar that I plan on attending about Emergency Preparedness being put on by the City of Memphis on Saturday, October 8th from 8:00 AM – 1:45 PM at the U of M Holiday Inn. I have registered to attend and invite anyone else who is interested to attend also.

RDC Informational Sessions

Nancy and I attended the informational session on Tuesday, September 1st and here is a summary:

- During the meeting, each person of the 20+ guests shared their opinions on what they like about the river and what they don't like about the river. I have those results included.
- The facilitators are looking to identify "new blood" for the RDC Board.
- The facilitators also want ideas on planning an event to "celebrate the river".

Both Nancy and I signed up for both committees which will be meeting once each month in October, November, and December. We'll report back as meetings progress.

Other Agenda Items

Officer Elections – Per the Bylaws, to occur after each new Board starts term

Community Yard Sale – Cindy and Carlene just want to make sure they don't have to ask for permission before having another sale in the Spring – just to inform the Board of the date.

Crosswalk Concerns – I have received several emails from concerned Citizens after I have put the reminders in the Weekly updates about stopping at crosswalks on Island Drive. One such is from Steve Kite-Powell and attached in the packet. Kemper Durand forwarded me info on some crosswalk flags he saw while visiting Wisconsin – they could be easily and inexpensively fabricated and could be an asset to the community.

Estate Sale – I think the verbiage that Jerry has added to ER 8 will solve the issues, but I wanted it on the agenda since it was such a big issue for the Board and concerned owners at the time.

Forbis Parking Request – The main reason for this request is that the cars wake them up in the middle of the night when slamming doors and shining lights into the home (this is Tim and Lisa Discenza's former home). I spoke with Tony B. about how it would affect the shared parking numbers and he stated reserving the spaces can't happen as they are all shared parking spaces and there is parking behind their house.

National Night Out – Do we want to promote an event? Maybe ask the Bartlett Band to come out again? Which BTW – the concert last Saturday was FANTASTIC! Great turn out, beautiful weather and the band said they would come back at any time!

The Board meeting is next Monday, September 19th at 5:30 p.m. at the River Inn Conference Room. Please contact me at 523-9853 if you have any questions about this board package or have items you would like to add to the agenda.



Collections Report
 (Balances over \$100 over 90 days)
 as of 12/13/2011

Name	Address	Amount	Action	Follow-up
Martin and Mildred Pantik	113 Village Lane	\$ 4,331.53	Served on 8/9/11; requested balance to pay Kustoff	Court set for 9/12/11
Joseph and Brooke L Conway	127 Harbor Town Blvd	\$ 3,012.40	Served on 8/22/11	waiting on court date
Andre and Cherita Jackson	161 River Lights Lane	\$ 628.38	emailed Andre and Cherita 7/18/11	Have been in contact and they are paying 1/2 by 9/15 and the rest by 9/30
John McKissack	171 Harbor Village	\$ 1,934.99	Is on Board approved payment plan	has promised to have balance paid off by 9/30/11 - if not; will pursue legal recourse
James and Christine Stephens	177 River Lights Lane	\$ 1,973.85	Lawsuit pending - court date set for 7/25/11	paid Kustoff 7/18; received check, not posted to account yet
Zakkiyyah Langford	792 Harbor Isle Circle East	\$ 603.38	emailed 8/8/11; 10 day letter mailed 8/10/11	left message 9/1/11 - turning over to attorney if no response
Jan Green	792 River Park	\$ 5,406.93	Judgment obtained 5/16/11	Trying to serve to get to court for financial records - house foreclosed on 4/26/11; process server says she doesn't live there anymore
Susan Wolfe	843 Harbor Bend	\$ 4,574.40	Consent Judgment obtained 6/13/11	Payment plan - \$1,500 was paid by 6/30/11 then \$200/month every month in addition to current quarter's fees
Wils Fargo	861 Harbor Isle Circle East	\$ 1,219.75	Trying to contact bank	Fees not typically paid on foreclosures until home resells
Gail O. Mathes	876 River Park	\$ 1,245.99	Lawsuit filed - trying to serve	
Brenda Sebring	935 Harbor View	\$ 370.37	Home foreclosed 7/28/11 - statement sent to new owner	Former owner - suggest write off of fees
Tony and Jan Provenza	947 Harbor View	\$ 1,707.08	Lawsuit filed - trying to serve	
TOTAL		\$ 27,009.05	as of 8/31/11	