

TOXAWAY VIEWS HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
MINUTES OF Oct 18, 2008

CALL TO ORDER: 10:00 a.m. at TV Unit 706, by President Dan Harless

MEMBERS PRESENT: Dan Harless  
Pat Sadler  
Hank Bateman  
Don Woods  
Mollie Granger  
Ken Guthery  
Property Manager - MeLissa Ferlita

MEMBERS ABSENT: Bob Moody

HOMEOWNERS PRESENT: Attachment

MINUTES: Deferred

President Harless welcomed all attendees

TREASURE's REPORT: MeLissa reported that as of Sept 30, 2008 we have collected \$69,678, ahead \$27,035 year-to-date. Collections include \$45,063 from prior year. Special assessment collected \$343,600. Nine owners to-date have not paid their special assessments, one making payments; and three liens filed. Four liens being filed for the second phase special assessment. There is \$52,250 in delinquent assessments. Tony has paid nothing. The YTD operating expense is \$91,037. YTD budget of \$87,359 is \$9,470 over; resulting from exterior maintenance not included in the special assessment, landscaping, pool, waterfall, and approximately \$12,000 legal fees not budgeted. Residing account started month with \$151,854; current account cash on-hand balance is 182,379. Operating account balance is \$2,902, and reserves are \$18,715. Total assets as of September 30th are \$203,997. Motion was made and passed to accept the financial report as presented by MeLissa.

Discussed schedule septic servicing – agreed to defer (\$6,000 budgeted) any unnecessary servicing until next year. Board consensus was to post delinquent accounts, in the form of the aging report, to the community website on quarterly basis.

MeLissa reviewed her proposed 2009 budget, which maintains the quarterly fees at \$572 and funds \$22,000 to reserves. Board desires to have Bob Moody review the proposed budget prior to making a decision. MeLissa asked for a decision by December 1<sup>st</sup>.

Grounds maintenance discussed regarding entering a contract for services. Dan asked MeLissa to obtain several quotes or proposals; MeLissa feels that the Board needs to define a Scope of Work first. MeLissa suggested that she could provide bid spec's from several other associations so the Board can pick & choose services to create a Scope of Work for bidding.

MeLissa suggested a need for pool renovations next year costing in the \$13,000 to \$18,000 range. Pool a major yearly cost issue – need to find an alternative solution. New pool cover is on order.

Discussed waterfall; need to re-visit issues of operating time, timer, cleaning, etc. Board to review for action by December 1<sup>st</sup>.

UNFINISHED BUSINESS: Lawsuit/Litigation – Court-ordered mediation with 3<sup>rd</sup> party mediator is scheduled (in Asheville) for October 30<sup>th</sup>. Court date set for April.

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Siding project – Hank provided a status report on progress. Biggest issue is the punch-list, which is not progressing well. Several outstanding items reported including numerous screening and lighting damages. Pat asked everyone to provide him or Hank their punch list. Building 3, 7, & 4 residing completed except punch list. Working on residing of bldg 5. Pace holding on starting approximately one bldg/month. Holding within budget. Starting with bldg 6 there will be a \$500/bldg material increase. Anticipate additional cost on bldg 6 because of water intrusion.

Don reported that an owner had posted a request that the HOA look at his windows (wood deterioration) for HOA replacement consideration on the website Owners Forum. Don reiterated that the correct mechanism is the Work Order Request, as posted on the website, and the HOA/Site Manager does not monitor/respond to such requests that may be posted on the Forum.

Dan advised that Mr Lobbits had been given permission for temporary electrical routing on outside of bldg 6 to service unit 604, with the caveat that the wiring must be re-located within the walls during building residing. MeLissa was tasked to send him a letter requesting him to coordinate this with the siding contractor as bldg 6, which will follow bldg 5 residing. She was also asked to send owner of 401 a letter asking that he have removed the abandoned satellite TV cabling hanging across the side of the building.

Board decided that the final \$2,500 Special Assessment will be due January 1, 2009 and delinquent January 31<sup>st</sup>.

Pat discussed need to address the back deck railing issues and urgently needed action, requirements, options, and cost considerations. Upper level bldg 3 deck railing requires immediate remediation. Plans are to put up a steel cable rail demonstration installation as soon as a contractor can be selected.

MAINTAINANCE:

- Don stated that the walkway lighting has been devastated during the residing project and darkness prevails; creating a hazard to owners. MeLissa has a proposal addressing general front and parking lighting, but does not address walkway lighting. It was recommended that MeLissa have the lighting proposal updated to include pathway lighting and that implementation be deferred until after the residing construction is completed.
- Rain guttering was discussed with the consensus that we have a contractor go over the entire guttering system condition, refurbishing as necessary, after other construction is wrapped-up.
- Don reminded that a serious erosion problem back corned bldg 7 parking lot (caused by Tony's road) remains unaddressed. Estimate is \$5,000 to \$6,000 to remediate the problem and requires corporation/cost from Tony. Parking lot pavement will soon be undermined by erosion.
- There remains unresolved drainage issues at bldg 1 and a couple buildings close to needing re-roofed.
- Water intrusion units 701 & 703 was not solved, as anticipated, with residing. Suggestion has been made that the 705 deck negative slope is causing the problem and that the rain collection pan below may be contributing. Consciences were to first try removing the rain collection pans, benefiting 703, with David Lee in agreement, and if that doesn't resolve the problem, then have an engineer assess the possibility of "disbanding" the 705 deck to re-attached fixing the drainage slope. MeLissa to proceed with getting someone to remove the collection pans from deck above 703.

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Work Order Status Report – MeLissa reports only one work order received this quarter, which has is closed. None has been received through the website.

OWNER RESPONSIBILITY  
UNDER THE BYLAWS:

Dan declared that there are seemingly increasing complains from owners regarding actions of other owners; I.E., debris on back decks/entry areas, proper removal of refuse, parking lots, excessive number of vehicles, etc. He also stated that all owners receive a copy of the bylaws and discussed enforcement and penalties that can be imposed, including fines. Board consciences was that excess vehicles including an eyesore pickup truck that almost never moves was identified as a major issue the MUST be resolved. The truck must be removed from the premises. Dan agreed to talk to particular owner regarding this issue. It was also agreed that MeLissa will send out a notice to all owners advising them of their obligations under the bylaws and that the association will enforce these rules, including applicable fines. Issue of firewood stored on back decks and entryways, which is not allowed. Dan will get with MeLissa to include the issue of firewood storage and winterization in the notice to owners. Pat ask MeLissa to have someone removed the firewood from entry of deceased owner Mary Shilling's unit.

OWNER FORUM:

President Harless opened the meeting for owner discussion.

AJORNED:

12:39 P.M.