

Legacy Grove Homeowners Association

Meeting Minutes September 14, 2009

I. A meeting of the Legacy Grove Homeowners Association was called to order at 7:07 pm on September 14, 2009 by Gray Winn.

II. Present: John Martin, Darren Sides, Gray Winn, and HOA Committee chairs (or designees)

III. Quorum Met: Yes (established by sign-in sheets)

IV. Approval of Minutes

Jeremy Kiefer made a motion to approve the Minutes of the August 3, 2009 meeting. Jennifer Tharpe seconded and the motion passed unanimously.

IV. Reports

a. Developer Report

Darren Sides announced that the 3rd phase infrastructure is progressing and it will hold 22 lots. Phase II has 4 or 5 lots not yet built on and 8 are ready for purchase.

b. Financial (Budget Report)

Gray Winn stated that the HOA is ahead of budget by \$2183.53 due to volunteers and the ionizer replacement for the pool. Pool is over budget due to ionizer malfunction. HOA Directors are in on-going negotiations with Blue Dolphin Pools for reimbursement of some of the pool chemical cost during ionizer malfunction. Pool lock replaced at a cost of \$631.46. HOA will not be required to repay loan to developers until there is a positive cash flow which is estimated to occur in approximately 1-2 years. Financial reports will be submitted to the Finance Committee.

c. Committee Reports

Covenant Committee:

Margot Thigpen presented the report. She requested that all residents remember that weeding and edging are necessary to abide by the Covenants and notices have been sent to several residents concerning Covenant violations.

Communication Committee:

Vickie Palzewicz presented the report. Welcome Packets are in the finalization phase and should be available for distribution soon. Website is being updated. The committee is accepting volunteers. John Anthony suggested that Committee Chairs submit ideas to the committee of what they would like to see on the website regarding their page. Chairs RSVP the Communications Committee your committee meeting times in order to avoid over lap of meetings.

Grounds Committee:

Cathy Williams presented the report. Cathy thanked Darren and Gray for honoring the mowing request on the north side of the entrance. Requested that Darren and Gray place property line markers for the HOA on the north side of the entrance and that they take the necessary steps to improve the drainage on the north side entrance—Darren Sides agreed to this request. Thanked John Martin for sawing off pipe. Thanked entire committee for work performed. Met last week and approved proposed 2010 budget. Invited everyone to attend Saturday @ 8:00 am for grounds work and to bring shovels. Grounds will be replacing trees and plant pansies. Will have another workday for spreading mulch and dirt.

Pool and Clubhouse Committee:

John Anthony presented the report. Thank committee for work. Thanked Sasha & Chad Easterling for donating clubhouse furniture. Will be submitting proposed 2010 budget. New pool lock is working well, pool lights are working, and chemicals are balanced. Pool Committee is considering changing the pool closing date and when the pool is closed access code will be removed. This will mean that the current code will not allow entry into the pool. Bathroom locks are not working properly—discussing changing locks to combination lock. Pool lights are now on timers. Request that during pool closing hours that residents do not try to jump the pool fence.

Social Committee:

Kelly Hartley presented the report. Submitted social activity dates to the Communications Committee for posting on the website and to email to residents. October 3- Community Yard Sale. September 26th is the deadline to email Kelly if you plan to participate. October 2, 6:00-7:00 pm will be neighbor presale for the yard sale. September/October ladies night cancelled. Halloween Festival schedule for October 31 at 4:00 pm. There will be jack-o-lantern contest, chili cook off, cake walk, kid games, hot dogs, and costume contest. Taking volunteers to be the judges on a first come first serve basis. Please RSVP Jennifer Tharpe. Accepting donations for candy and decorations. Consider donating any used or yard sale items that do not sell that are in good condition to the clubhouse.

Finance Committee:

John Dunham presented report for Jeanne Henderson. Proposed budgets from each chair are needed as soon as possible. Send to Jeanne Henderson no later than September 30, 2009. Will be looking at past and present HOA budgets at Thursday's meeting.

V. Old Business

- a. Quorum not met for amendment changes.
- b. Discussion on whether to postpone the voting until next HOA meeting. Cathy Williams made a motion to postpone, seconded by John Anthony. Motion did not carry.
- c. Jeremy Kiefer made a motion to have absentee ballots available one week prior and for one week after the meeting that voting is to take place in order to meet establish quorum. Also suggested to have absentee ballots available on the website. All must be hand delivered in a sealed envelop to the designated site. Jennifer Tharpe seconded the motion. Motion carried.
- d. Gray Winn suggested that voting could be performed via US Postal Service. Discussion ensued regarding voting quorum and how to meet quorum requirements without meetings. Need 51% to pass an amendment to the Covenant.
- e. Discussion to continue ballot voting for September 14th amendment changes through Monday, September 21, 2009 ending it at 7:00 pm and to allow everyone in attendance to cast their vote. Ballots will be available for those not attending through Communications Committee Chair and website. Chain of Custody for voting was discussed. All votes must be returned in a sealed envelop to the Communications Chair. After voting deadline, sealed votes will be

passed to the Board of Directors for counting. Jeremy Kiefer made the motion and Jennifer Tharpe seconded. The motion carried.

- f. HOA members present—voted and returned ballots to Gray Winn and Board of Directors. Absentee ballots completed prior to the meeting and the voting sign-in sheet was delivered to Gray Winn and the Board of Directors.
- g. Amendments carried over from last meeting. Covenant Committee refined both amendments.
 - 1. John Martin read the proposed changes regarding amendment changes: Add to #40 and #42. Discussion ensued regarding both amendments and fining.
 - 2. Vickie Palzewicz proposed that change to #40 be accepted and be scheduled for a vote at next meeting. David Stempien seconded the motion. Motion carried.
 - 3. Discussion about adding an arbitration process to the amendment change process.
 - 4. Malcolm Cook proposed that an appeal process be added to the wording of Add #42. John Anthony seconded the motion. Motion carried.
 - 5. Discussion ensued over fine amounts. Christy Montoya proposed to keep the fines as read. Jennifer Tharpe seconded the motion. Discussion ensued over who establishes fine amounts. Discussion about \$100 per week being excessive. Motion carried (11 yes-11, no-6).
 - 6. Discussion from Gray Winn about whether something this close would pass on an amendment vote. John Anthony proposed to reduce amount from \$100 per week to \$50.00 per week after 60 days. Samantha Jackson seconded the motion. Motioned carried (yes-10; no-7).

VI. Adjournment:

Vickie Palzewicz proposed the meeting adjourn. Jeremy Kiefer seconded the motion. Motion carried.

Meeting was adjourned at 8:47 pm.

Minutes submitted by:

Christy Montoya