

Watersong Community Association Board Minutes

Meeting date: 28 October 2008

Meeting time: 7:30 p.m. – 9:40 p.m.

Location: 12707 Cauthorn Court

Attendees: Jeff Shatto, President
Ken Webb, Vice-President for Compliance and Legal
Rick Weddle, Vice-President for Administration
Jim Skinner, Vice-President for Communication
Philip Fretz, Secretary/Treasurer

Agenda Items

1. Review/Assign Officer Responsibilities

Discussion: Jeff shared with the Board his thoughts on the structure and responsibilities of the new Board. With two new members it was a convenient time to redistribute the workload. Jeff presented a proposal that he and Phil had worked on regarding the new structure that consisted of the following five positions: President, Vice-President for Administration, Vice-President for Compliance and Legal, Vice-President for Communication, and Secretary/Treasurer. Thoughts were shared amongst the Board members relative to the duties assigned to each position. Minor changes were made by swapping two assignments between the President and the Vice-President for Administration.

Position assignments were discussed and agreed upon as follows:

Jeff Shatto, President
Rick Weddle, Vice-President for Administration
Ken Webb, Vice-President for Compliance and Legal
Jim Skinner, Vice-President for Communication
Philip Fretz, Secretary/Treasurer

A copy of the duties of each position is included at Attachment 1.

Action: None required.

2. Lawnscape Update

Discussion: Jeff presented the Board with background information on the pros and cons of Lawnscape's performance during the past two contract years. There was earlier thought that possibly we should terminate the final year of our contract and go out for bids from new vendors. Jeff had asked Dan Nelson of the Architectural Committee to develop spec sheet for soliciting bids. The spec sheet was to have been completed and presented to the Board so that letters of solicitation could be sent to potential vendors not later than 1 October 2008. Jeff reported that this had not been accomplished in a timely

manner, and that the delay seriously jeopardized the receipt of vendor proposals in time for preparation of our FY2009 budget. Copies of the proposed Terms and Condition, and the Specifications for lawn care and snow removal, were distributed to the Board (see Attachment 2). Further discussion by the Board indicated concern over terminating the third year of our contract with Lawnscape. It was the consensus of the Board to remain in the contract with Lawnscape for the third and final year. Solicitations will be sent out to potential vendors next summer for consummation of a contract prior to the preparation of our FY2010 budget.

Action: Rick will conduct the solicitations next summer utilizing the Specifications and the Terms and Conditions as prepared by Jeff and Dan Nelson.

3. Lawnscape Contract Performance Status

Discussion: Phil presented a status report of where we stand, as of today, with regard to Lawnscape's completion of contract requirements. The report compared number of lawn cuttings, fertilizations, prunings, and such with the number of same required by the contract (see Attachment 3). Copies of the two contracts, both Villa and Common Area, were also distributed to each Board member (see Attachments 4 & 5). It was the consensus of the Board that due to the recent heavy frosts no more than two additional lawn cuttings should be required. That being the case Phil stated that our budget can accommodate the remaining cuttings.

Action: Jeff will monitor on a week-to-week basis and inform Lawnscape of our desired lawn cuttings. Jeff will continue to serve as the chief liaison between the Board and Land Lawnscape through the remainder of the 2008 lawn season . Rick will assume this responsibility beginning with the December 2008 snow removal season.

4. Treasury Report...2008 Status

Discussion: Phil distributed copies of our financial status for both the Villa Services and the Common Area Services (see Attachments 6 & 7). He pointed out the reasons for revenue shortfalls, as well as reasons for many of the budget overages. Villa funding appears to be more than adequate for the remainder of FY2008. However, Common Area funding, with only \$852.34 on hand, could once again have a negative retained earnings position by the end of the FY. Phil suggested that a 14.55% increase in the Common Area dues (from \$275 to \$315) be levied for FY 2009. A final dues increase will be established at the FY 2009 budget meeting of the Board.

Action: None required.

5. FY 2009 Budget

Discussion: Phil will be out of town from 3-12 Nov and 14-16 Nov. He will start preparing the proposed FY 2009 Budget on Mon. 17 Nov. Jeff noted that the budget should include new items for tree and stump removal, American flags (2/yr), and tree replacement. Any additional requests for new items to be included in the budget should be e-mailed (jadecove41@hotmail.com) to Phil by 17 Nov. The meeting to review and adopt the FY 2009 Budget will be held at Phil's house on Mon. 24 Nov. at 7:30 pm.

Action: Phil will prepare a proposed FY 2009 budget for Board review on Mon. Nov 24.

6. Architectural Committee

Discussion: Jeff passed out copies of a new reporting document to be used by the Architectural Review Committee (ARCH) (see Attachment 8). The document was reviewed and approved for use by the Board. It was further determined that all actions requiring ARCH review and approval be submitted to Ken as chief liaison with the ARCH. Ken will then submit the requests to the ARCH, and provide the Board with a monthly status of its actions. Jeff reported that Gregg Walbridge has agreed to remain on the ARCH for another year. Jeff will also ask Dan Nelson, and Ed Christie to remain on the ARCH for an another year.

Action: None required.

7. Pond Maintenance

Discussion: Jeff reported that he has not been pleased with the service provided by Pond Champs this year. Communication is extremely difficult as Pond Champs rarely returns telephone calls. Jeff has also been unsatisfied with the quality of their weed control, especially with the submerged weeds. Our contract with Pond Champs was a one year contract. Jeff stated that he had submitted a request for bids to three vendors for our FY 2009 pond maintenance. Those vendors are:

Aquatic Weed Control
P.O. Box 325
Syracuse, IN 46567
Contact: James Donahoe
Phone (574) 533-2597
FAX (574) 534-8230

Aquatic Management, Inc.
P.O. Box 332
Bluffton, IN 46714-0332
Contact: Neil Gerber
Phone (260) 565-3900
FAX (260) 565-4128

Pond Champs N.E. Indiana
2502 Dwenger Avenue
Fort Wayne, IN 46803
Contact: Jeremy Grubaugh
Phone (260) 467-1791
FAX (260) 426-3922

Action: Based upon the quotes from the three vendors Jeff will provide Phil with a provisional cost figure to be used in preparation of the proposed FY 2009 Budget. Final selection of a vendor for our 2009 pond maintenance will be made at the budget meeting on 24 Nov.

8. Legal

Discussion: Ken discussed the need for establishment of a legal fund. This fund would be used to obtain legal services on an as needed basis. Although we have engaged the services of Barnes & Thornburg, LLP as our legal representative, we are not paying them a retainer at this time. Discussion took place as to how best to establish this legal fund. Thoughts ranged from a special assessment to building the fund from the annual dues. A special assessment would require a majority vote of the residents, whereas a legal fund could be built into the budget without prior resident approval. It was believed that a special assessment could more easily be sold to the residents if a specific identifiable need was presented to them. We have no specific identifiable need at this time.

Action: As he builds the proposed FY 2009 Budget Phil will see if any of the annual dues can be made available to establish a legal fund.

9. Miscellaneous Items

A. Quarterly Membership Meetings

Action: Jeff will review the calendar and provide Rick with the four meeting dates for 2009.

B. Newsletter

Discussion: The McCoy's are prepared to publish our next newsletter in December. Jim will work with them on this project. Some articles have already been submitted for publication. More articles are needed.

Action: All Board members are encouraged to submit articles for the newsletter relative to their areas of responsibility.

C. Master Lot List

Discussion: Jeff asked that Phil update the Master Lot List and provide copies to each Board member.

Action: Phil will update and distribute the Master Lot List to each Board member.

D. Status of Remaining Southwest Development Lots

Discussion: Phil distributed a listing of the status of the lots still owned by Southwest Development (SWD) from 1 January 2008 to the present (see Attachment 9). If the 29 October closing of Lot 59 is consummated SWD will still have ownership of 16 lots. Phil bills SWD monthly, and their assessment is based on the number of lots owned as of the date of the chargeable activity.

Action: None required.

E. Signage

Discussion: Phil expressed his thoughts concerning the placement of “No Solicitation” signs at each entrance to the Watersong Addition. These signs had been requested by one or more residents. Phil stated that he is opposed to any such signs being erected. He said that he enjoys having solicitors (e.g., disadvantaged/minority youth, Boy Scouts, high school and grade school solicitors, Amish farmers, etc.) coming to his door. He does not believe that the Board has the right to determine who can come to his home. It would be a violation of his personal rights. Any resident who wishes to prohibit solicitors from coming to their home may do so by placing a “No Solicitation” sign at their front door.

Action: None taken.

There being no further business Jeff adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Philip L. Fretz, Recording Secretary

9 Attachments

1. Board Structure and Duties
2. Terms, Conditions and Specifications for Lawn Care and Snow Removal
3. Lawnscape Contract Performance Status
4. Lawnscape Contract for Common Areas
5. Lawnscape Contract for Villa Areas
6. Treasurer’s Report...Common Services
7. Treasurer’s Report...Villa Services
8. Architectural Review Committee Project Status Spreadsheet
9. Status of Remaining Southwest Development Lots