

MCA BOARD OF TRUSTEES MEETING
January 11, 2000

Call to Order and Review of Agenda

The meeting of the Board of Trustees of the Montpelier Community Association, Inc. was held on January 11, 2000 at Montpelier Elementary. The meeting was called to order at 7:00 PM with President Carolyn Dennis presiding. Trustees in attendance were Dick Keating, Georgianne McNeirney, Rob Phillips, Charlie Phillips, Alex Hurley and Jim Harkins. Members in attendance and signed in were Kirk Wagner, Kendra Rosenberg, Ken Busic, J. Criscuoli, Henry Berger, Mike Brey, Richard Dengler, Dot Appleman, Paul Collman, David and Kathy Hartley, Val Kaplan, Jim Patton and Mary Lee Chatrnuck.

Review of Minutes

With a minor change, the minutes of the meeting of December 14, 1999 were approved.

President's Report

Due to the resignation of Bob Dame as a board member and determination that Brad Gimbert was not eligible to be a board member, it was necessary to elect two members to the board. Nominated were Mae Avila, Mike Brey, Neill Llewellyn and Tom Sullivan. The board voted to appoint Neil Llewellyn and Tom Sullivan.

Carolyn called attention to the need for the board to finalize on a report and recommended changes to the covenants and bylaws for the community. The board was asked to review the December 4th report of the Governing Documents Committee along with the responsive report of December 11th by Jim. We should be prepared to discuss it at the February 8th meeting and complete a report/recommendations for the membership at a special meeting on February 22nd. Notice of the special board meeting will be included in the January/February newsletter.

Mention was made of the need to update the Helping Hands section of the newsletter and Alex volunteered to make all of the contacts necessary so that an accurate list will be in the March/April and subsequent issues.

The completed survey of the Long Range Facilities Planning Committee was reviewed and some minor editing changes were passed on to Brian Dennis who is going to make the final changes and produce the final copy for delivery to the membership with the assessment package.

Commentary was made by Carolyn regarding a final report and payment for the special holiday season surveillance services performed by off duty PG police officers. Jim was to contact the officers involved and secure the report prior to payment for the services.

Clarification was requested by the Treasurer as to the level of payment to be made to those individuals that make door to door deliveries of the MCA newsletter and the like. Following a discussion and on motion made by Jim, seconded by Rob and unanimously approved the payment is set at \$150 per delivery to the 695 homes. This method is to be given preference, as it is less expensive than postage.

Jim reported on the legal matters handled by our attorney. A new schedule of fees was provided to Carolyn and the Executive Committee is to review that and report to the board. There remained a long-term case where our attorney had been unsuccessful in having a subpoena served on an individual who had lived in Montpelier and still owed MCA a sum of money. The majority reasoned it was hopeless to accomplish service and elected to tell the attorney to discontinue the matter. Charlie and Alex voted to pursue.

Treasurer's Report

Jim submitted the Treasurer's report, which is made a part of these minutes. It included the year-to-date budget variance report through 12/31/99 and the related MCA 2000 budget. The four-year audit is still in process. The Replacement Reserve Fund (RRF) now approximates \$140,000. There will be a need to move some of the money into CD's or alternate accounts in order to assure full FDIC protection. Highlights of the report indicate that during 1999 more than \$19,000 in operating expenses was saved by switching to volunteer work and that savings has been placed directly into the RRF as had been promised to the membership. This board will stay the course and follow the policy of seeking a membership vote where we have options on spending of funds (particularly from the RRF). This should enable us to replace facilities as necessary while keeping to the five-year program toward getting the RRF to the desired level. As a minimum, at this year's end we expect to put at least another \$17,000 in the RRF.

Jim reported as to the status of the Special Assessment collections indicating that as of this date, 46 remained unpaid. The board discussed turning this matter over to the attorney for collection and/or filing of liens against the properties involved. It was understood that doing this would require the homeowners involved to pay the attorney fee, which would just about double the amount to over \$300.00 each. Following a discussion, Carolyn and Georgianne volunteered to first personally phone each of the delinquents to try and make collection. A list is to be provided by Jim.

Jim recommended that the mailing of the assessments on or about January 15, 2000 be approved by the board so that he could move ahead with the printing requirements. During a review of the drafted assessment letter a question came up about the concept of MCA assessing expenses related to rebilling caused by delinquents. It was suggested by a member that the governing documents did not permit MCA to collect related expenses incurred as a result of added administrative expenses in collecting assessments from delinquents. Most board members believe this to be incorrect and the board reasoned that assessing delinquents an amount equal to the expenses they cause was appropriate and should be continued. Carolyn made a motion responsive to a member's suggestion that we not recover expenses for delinquent payments. Georgianne seconded the motion. The motion failed with Charlie, Dick, Alex, Rob and Jim opposing. Accordingly, the expense charge will continue to be assessed to delinquents in collection of the assessments. Following that the majority approved the drafted assessment letter with Carolyn voting in opposition.

Following the report, Carolyn moved for acceptance and Alex seconded. The report was approved unanimously.

Secretary's Report

Jim reported that all administrative matters including the master file of the MCA were up-to-date. Carolyn noted that with the board membership changes Jim would now hold the positions of Secretary and Treasurer.

Grounds Committee Report

Rob reported that the new light has been installed in the pool parking lot and is very effective. He recommended approving replacement of the existing 175 watt mercury vapor bulbs with 400 watt metal halide lamps on the other four lights at a cost of \$1560.25 plus an added \$100 for installation of vandal shields (\$1660.25 total cost). This would greatly improve the entire lighting of the pool parking lot at a minimal cost. The board unanimously approved.

A proposal has been received regarding the tennis courts from Geotechnical Services, Inc. It is the only company of the 4 contacted to submit a proposal. Phase 1 of the proposal (\$1200) would be to take approximately five core samples (\$400 had been approved last year based on a single core sample) and submit an engineering report as to what would be required to put the courts in proper condition. Rob recommended approval of having the core samples taken and the engineering report provided. Jim seconded the motion and it was approved unanimously.

Green Thumb has agreed to honor the second year of our grounds contract with them at the same cost as last year. Last year's board had approved the two-year contract. Work will begin on the common area as early as February 1, 2000. The report was accepted without objection.

Membership Committee

Georgianne had been appointed as chairperson of the Membership Committee and submitted a written report, which is made a permanent part of the minutes. In a discussion it was brought out that there actually was no Membership Committee as such and that some of the work that was thought would be done by the Membership Committee was in fact the responsibilities of other board officers such as the Secretary and Treasurer. Following a general discussion it was concluded that rather than chair a Membership Committee, Georgianne was to handle the assignment of getting the pool card file up-to-date for the upcoming pool year. This is to include placement of new pictures, and arrangements for delivery of pool pass.

Architectural Control and Compliance Committee

Following a discussion related to the current activities of this committee the board concluded that in the interim without a functioning committee, the board is responsible to handle ACCC matters and that it was necessary for the board to address development of a policy as to covenant enforcement. In the case of emergencies when the board is not in session, the Executive Committee has the responsibility to act. In the absence of a chairperson there is no committee. A chairperson needs to be appointed and a committee membership proposed for approval by the board. Georgianne volunteered to accept the appointment as Vice President so as to chair the ACCC. Carolyn nominated Georgianne and she was unanimously elected. Setting of a policy was discussed and Carolyn suggested that as the board reviews the proposed changes to the covenants and bylaws at the next two meetings, recommendations could be presented to the membership in such a way as to have the community decide what covenants they want and what enforcement policy they want put in place.

Pool Committee Report

Charlie reported that he had about seven proposals for management of the pool this summer. This will be reduced to the three best and the committee will submit a recommendation and report to the board for award of the contract at the next meeting.

Member Comments and Questions

A question was asked of the board as to how the covenants are currently enforced, Alex responded and generally explained that basically the ACCC sought out violations, contacted owners with violations and sought voluntary compliance to avoid taking the matter to court. Alex reminded that the matter of a policy was before the board and that at this juncture it is expected that a report will be placed before the membership for a decision.

A general discussion took place concerning the conduct and structure of meetings. While negative experiences of some past meetings had caused a more structured meeting with limited membership participation, it was the consensus that future meetings should be held in an open atmosphere as long as membership participation was in keeping with proper meeting decorum and did not detract from the timely handling of MCA business.

Adjournment

There being no further business to come before the board the meeting was adjourned at 9:33 PM.