

**EAGLE RIDGE PROPERTY OWNERS
ASSOCIATION**

Eagle Ridge
Subdivision

Fiscal Year 2011 Annual Meeting

September 17, 2011

Meeting called to Order at 1:25 pm at the East Cobb Library on Lower Roswell Road by Mark Horne

Those present are as follows:

Board: Cor Tadema, Janice Wright, Mark Horne, Zach Matthews

ACC: Keith Hair

LS Management: Simone Justesen and Lee Campbell (arrived 2:00p)

Homeowners: At least 31 Homeowners present at start of the meeting (counted as one per Eagle Ridge address)

Not present: Stefan Woulfin (ACC) and Kelli Godfrey (ACC)

A quorum was declared by Mark Horne.

Minutes from 2010 Annual meeting

Cor Tadema recapped minutes from previous year's Annual meeting.

Financial Report 2011 (Fiscal Year ending June 30, 2011)

	Projected	Actual
Opening Balance		\$7,862.77
Income	\$29,160	\$26,851.77
Expense	\$28,638	\$31,352.30
Closing Balance		\$4,364.70

Primary 2011 budgetary event was \$13,432.20 litigation fees required to enforce covenants.

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Due to the potential for a negative ERPOA balance, LS Management deferred management fees to Eagle Ridge by \$4,009 during the final months of FY2011. This deferral allowed ERPOA to pay all other vendors. LS Management continued to provide services during this period of fee deferral.

Review 2012 Budget (Fiscal year ending June 30, 2012)

	Projected	Actual
Opening Balance		\$ 4,364.70
Income	\$ 31,000	
Expense	\$ 31,195	
Closing Balance		\$ 4,169.70

The budget for FY 2012 represents the following changes from FY 2011:

- Overall decrease in LS Management charges (\$1,600).
- Increase to litigation budget (\$750) to begin building reserves
- Increase to depleted Maintenance Funds (\$2,600)

Proposed Measure to Increase Annual Dues

Question and discussion entertained from the floor on whether the increase should be permanent or for only one year.

MOTION published via US Mail: Permanently increase dues to \$150 per year.

- Votes were cast by mail to LS Mgmt and cast in person at the meeting on paper ballots.
- First Count Results: Increase 39 / Not Increase 38. Preliminarily, Measure Passed.
- Recount requested. Upon recount: Increase 38 / Not Increase 38. Preliminarily Measure Did Not Pass.
- Two people decided to change their vote; they withdrew their initial ballot and resubmitted.
- Upon third count: Increase: 36 / Not increase: 40. Final declaration: **Measure Did Not Pass.**

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A Motion was made from the floor:

MOTION: Increase ERPOA Annual dues for only fiscal year 2012 to \$150 per homeowner. The \$120 annual dues will be re-evaluated next year. Motion Seconded.

Vote cast by raise of hand: 20 in favor, 7 opposed. **Motion Passed.**

Election of Officers

- The death of Les DeBusk created a vacancy on the board.
- Keith Hair volunteered, was nominated, and then was elected to the board unanimously by raise of hand.

Question and Answer

- **Foreclosures** (Zach Matthews): Unoccupied homes in our neighborhood are mostly owned by Bank of America. Eagle Ridge residence can contact Bank of America when a home is not being maintained. Bank of America has a team of people who will perform yard work and basic maintenance. The Bank of America unit which handles property issues on foreclosures is called the Field Escalation Team; phone number is 866-515-9759.
- **Picnic** (Lynette Carlisle reports from the floor): held on Aug 20th in Merritt Park, approx 65 attended. No ERPOA money spent, support came from an ERPOA homeowner cash donation. Extra hot dogs and condiments were donated to MUST Ministries.
- **Maintenance committee** needs volunteers (Jan Wright).
- **Landscape Maintenance** (Question from the floor on cost of landscape maintenance): (Cor Tadema) Bids were taken and the most cost-effective provider meeting the quality standards desired was selected.
- **Parking** (Concern from the floor over repeated parking of cars in the street): LS Management reports violations consistently. Ultimately, no one associated with Eagle Ridge can tow a car (not LS Mgmt, Board, nor fellow residents). Police must act. Homeowners should also call City of Marietta for parking issues.
- **Violation Enforcement** (concern from the floor raised about seemingly inconsistent enforcement, specifically a rat-infested pile of wood on one Lot required one year to resolve):

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LS mgmt pursued this case. Lack of compliance by the homeowner, the house going into foreclosure and complications of subsequent cost-recovery, then pursuing the bank owner to compliance made this violation difficult to resolve. Overall, the normal resolution to violations occurs relatively quickly; but when homes go into foreclosure or other 'hardship' circumstances occur, resolution can require more time than usual. LS Mgmt attempts to be as consistent as possible with all residents and to also stay within their legal limitation (and the Board's). An aggressive homeowner campaign to call police or health department and reporting violations can make a difference.

- **Future Legal Fees** (request from the floor for the board to consider a new litigation policy to limit fees to existing reserves. Requestor suggests that to incur litigation fees beyond dedicated reserves might require a home owner-passed resolution): Board agreed to determine if a policy can be adopted and publish results, as appropriate, in minutes of the next board meeting.
- **Mailboxes** (Comment from the floor in which a homeowner felt they "got the run-around" and a quote for \$300 from the mailbox company exceeded the \$200 published on our website: Jan Wright mentioned that her mailbox cost \$200. The extra cost was probably for installation. Other suggestion from the floor to potentially revisit the recommended mailbox design and provider.
- **LS Management** (question from the floor to remind homeowners why LS Management was hired and to clarify what services LS Management performs): Jan Wright offered that before LS Management was hired, the board concluded there was not sufficient time and energy for members of the board to effectively perform the day-to-day activities called for in the covenants. The board members are Eagle Ridge homeowner-residents serving as unpaid volunteers. LS Management collects and tracks payment of annual dues, administers inbound/outbound correspondence, manages covenant violations, and provides a level of professional neighborhood management experience and consulting expertise that the board members do not possess. Input was offered from the floor by a long-term resident that the neighborhood appearance has improved considerably since LS Management was hired.

Adjournment

A Motion to adjourn was made from the floor at 3:00 pm. Motion was Seconded. Motion Passed.

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ADDENDUM

A post-Annual Membership Meeting review by the board of the Covenant provisions for raising the Annual Membership Fee which requires a two-week notice to announce a referendum. The Board agrees that the second referendum offered from the floor and declared as "Motion Carried" is nullified by the provisions in the Declarations section 8.8.3, which reads

Otherwise the fee may only be increased by a vote of 2/3 of those participating in a referendum. At least two weeks notice must be given to each household prior to this referendum.

MINUTES OF ANNUAL MEETING APPROVAL

Approved by Jan Wright: 21 September 2001

Approved by Cor Tadema: 21 September 2001

Approved by Keith Hair: 21 September 2001

Approved by Mark Horne: 21 September 2001

Board member Zach Matthews not present at 21 Sept '11 Board Meeting where acceptance of annual meeting minutes was considered.

Mark R Horne 21 September 2011

Mark R Horne (Acting Secretary)