

Bayview Farms Homeowners Association
Annual Meeting Minutes
March 31, 2009

The meeting was called to order at 7:04 PM by Association President Mike Hepner. Mike welcomed all in attendance to the 21st annual meeting and asked each Board Member present introduce themselves. Members present were Steve Wood, Karen Buerkle, Bob Adams, Vasiliki Moskos, Gary Grant, Mike Hepner and Matthew Lipton. Mike then introduced Jim Beckham, Property Manager. Mike asked all in attendance to review the minutes of the 2008 meeting. Karen Buerkle, asked for any corrections or questions.

Joan Cunningham (931 Portabella Lane) asked if the minutes could be mailed with the agenda so homeowners could review prior to the meeting. Mike Hepner noted the minutes would be available online as well.

A motion was made by Elton Waldrop (1309 Salt Marsh Cove) to accept the minutes, seconded by Nelle Woodruff (973 Portabella Lane), no further discussion, unanimous vote. Minutes approved.

Treasurer's Report

Association Treasurer Steve Woods asked everyone to review the budget information for 2008 and 2009, opening the floor to questions.

Ryan Tisdale (936 Portabella Lane) asked about the increase in Accounting and Legal Expenses. Steve Woods explained that in the past, the two categories had been combined, but separated for 2009. The increase in Accounting was due to the financial review requested by homeowners at the last annual meeting.

Peggy Huchet (988 Portabella Lane) inquired what the telephone expense was for. Steve noted the phone was required by law for 911 service at the pool and that the alarm system at the facility also utilizes the phone service.

Steve Woods reviewed the outcome of the Dixon Hughes review, handing out copies of the letter provided by the accountants. Steve reported the results of the review were extremely positive, noting Dixon Hughes could find no monetary problems. Their firm did make a few suggestions ie: using lot numbers or addresses on deposits slips vs last names and to have the Treasurer receive the bank statements. The Board has reviewed all suggestions with very few changes. Steve noted Dixon Hughes also reviewed the investment accounts and found no problems with those accounts. Overall Steve felt the Association spent over \$3000 dollars to be told to buy a rubber stamp. Additionally, Steve informed the group the property managers office spent 66 hours to prepare and assist with the review. If a real audit had been performed, the expense would have been over \$10,000. Steve felt comfortable with the method the Board self audits the finances each month, and next year will look into a less costly review. Questions were called for.

Nelle Woodruff (973 Portabella) asked about the note concerning Paypal, she was informed the Association now accepts payment through Paypal. Marilyn Willis (1596 Clark Sound Circle) noted the additional charge for using Paypal, she commented there is a \$4 charge imposed by Paypal for their service.

ARB Report

Ken Bolin, chairman of the ARB reported there are currently 5 members on the committee, himself and Mike Hepner, Karen Buerkle, Steve Woods and Jeff McNeely. Ken reported that the most common requests for 2008 were tree removal (9), roof replacement (7) and satellite dishes (4).

Marilyn Willis (1596 Clark Sound Circle) asked if the ARB would consider solar panels. Ken Bolin said the question hadn't been posed before, but as long as they could not be seen from the street, they should be approved. Ms Willis asked if retractable clothes lines would be permitted. Ken asked Ms Willis to apply to the ARB and depending on location, etc, they would review and reply.

Mike Hepner reminded all present to remember to allow the ARB enough time to consider each application. Many times the ARB receives a request the day of or day before a project is to begin.

Nominating Committee

As Mary Ann Meyers was not in attendance, Mike Hepner reported there were no Board positions up for election this coming Fall.

Social Committee

Matthew Lipton reported that for the last 2 or so years, he and Kelly Lucas had organized the social events for the Association. Kelly had stepped down and Matthew hopes other Homeowners will volunteer to assist with the functions. Matthew asked anyone interested to please get in touch with him as he is planning an event in early June and another event in the Fall. Matthew reported the Mexican theme event, the low country boil and the oyster roast (both with bands) were well attended and it seemed everyone had a good time.

Samar Twal (1612 Alric Court) asked if games involving adults could be added so attendees could become better acquainted with their neighbors.

New Business

Mike Hepner noted at the annual meeting 5 years ago, homeowners asked the Board to review the contracts issued for Association services. Last year, the membership once again asked the Board to bid out the contracts. The Board determined they would bid the major services on a rotating 3 year term, this coming year soliciting bids for lake and property management. Mike asked Bob Adams to report on the property management findings.

Bob Adams reported that he, Mary Ann Meyers, and Mike Brandson, all 20+ years as realtors, familiar with contracts began their search for qualified Property Managers in the Fall of 2008. They drafted a letter that was sent to eight (8) Community Association Managers (1 of whom was mentioned at last years annual meeting). Of the 8, one firm was too busy to respond, one did not respond. Of the 6 firms who responded, 4 were chosen for interview. A second letter was drafted,

along with a copy of the duties of the current property management firm and a copy of the financial report, asking each firm to bid on the listed duties. Of the four firms, one provided a bid but no contract, the other three a contract but no bid. The committee asked the firms to bid on the listed duties and if their bid did not include these duties in the fee, to please not bid. Two of the firms responding noted they were not property managers, but community managers who provided more services. Bob explained community managers aren't licensed and can't be held accountable for anything they say. All four (4) firms noted start up fees to the Association, but no exact number was provided, it was estimated the cost would be \$5,000 to \$6,000. Several of the firms required an appraisal of the fixed assets of the Association, as well paying for a new web-site, and a mandatory increase in HOA fees annually. Landura currently provides all duties listed at a fee of \$8.00 per home, per month. The four firms who bid proposed charging \$7.00, \$7.50, \$7.86 and \$8.50. Tonight, Bob chose to review the services provided by the lowest bidder. This firm's \$7.00 per home per month fee only covered the collection of the assessments of the Association and a weekly drive through of the property. This would leave the Association responsible for clerical charges for accounts payable, meeting attendance, minute preparation, correspondence, etc at a rate of \$125.00 per hour. This firm would also only attend meetings during the day, after hours meetings would be billed at a rate of an extra \$100.00 per hour. Additionally, this firm would bill the Association for 10% of all construction, capital improvement projects, and repairs and maintenance they oversaw or arranged. Finally, should their services be terminated, they would bill the Association \$100 per hour to finalize all transactions. Bob and the committee noted Landura has provided services for 20+ years without additional charges for special projects, pointing out the countless hours spent on entry light selection and the pool project. The Board would not be able to budget using any of these firms as there was not "set" price for the services listed. The committee took on this project with the attitude they would seek the best for the Association. After much time and effort, the committee felt none of the firms interviewed fit the criteria, thus the committee selected Landura to continue the property management.

Jim Beckham reported his findings on the Lake Management Contract. His office contacted three firms who provide maintenance. Of the three only two replied, South Santee and Natural Aquatics (current contractor) South Santee's bid for service was over \$1,000 per month for the same services provided by Natural Aquatics for \$400 a month. The Board chose to remain with the current contractor.

Ryan Tisdale inquired how the service worked, noting he had met the contractor and spoke with him concerning problems encountered. Jim Beckham noted the lakes are monitored both by Natural Aquatics as well as he checks the lakes weekly. Any problems are noted and NA is notified and usually within a few days, treatment is begun. Jim explained that many times an algae bloom requires several weeks of treatment to control and weather (rain, heat, etc.) greatly factors in the control of the bloom.

Mike Hepner noted the next contractors up for bid in the Fall were pool contractors and landscape maintenance.

Property Management Report

Jim Beckham noted the completion of stage 1 of the sea wall, noting only \$4,000 in capital reserve monies was needed to complete the project. Jim reported on the successful addition of the Tilapia to the front lake as well as the removal of the alligator who had taken up residence there. Foreclosures have been few in the community and his office is monitoring all currently in the process. Jim noted his office did not charge for the 66 additional hours required for the financial review, but in the future, may charge for this time. His office responded to 300+ HOA CC&R violations last year, contacting homeowners by phone, email and regular mail. Jim reported the number of email address has greatly increased as homeowners find this is a valuable tool.

Ryan Tisdale (936 Portabella) appreciated the email concerning the property break ins and asked if any information was available on the arrest of the vandals. Officer Peter Farrell (1001 Wayfarer Lane) reported the police department is close to having an arrest.

Samar Twal asked why the Board was required to go through the bidding process if they were satisfied with the current contractors. Mike Hepner noted there should be checks and balances in the system, and by the Board setting up the rotating bid schedule, this was the responsible thing to do.

Future Association Goals

Mike Hepner noted the Board's goals for the Association. 1. would be the completion of the sea wall, an expense of approximately \$30-\$40K, 2. The entry sign upgrade, city requirements have changed and may restrict what can be upgraded and 3. the tennis courts need resurfacing at an approximate cost of \$25K, it is possible the Board will look at using this space for other uses, ie: playground. Nelle Woodruff (973 Portabella Lane) noted more homeowners have used the tennis courts in the past year than ever before.

Questions from the Floor

Royal Gibson (1151 Tidal View Lane) noticed a lot of non owner occupied homes have lawns in serious need of attention. Mike Hepner reported the Board is looking into changes to the CC&R's, address rental property and pets. Jim Beckham noted the problem right now is the weeds are sprouting up and causing the lawns to look terrible. He asked homeowners to report any lawns in need of attention, he also looks for these during his inspections.

Nelle Woodruff (973 Portabella Lane) asked if it was possible to get new signs for the pool reflecting the correct times/days of week/ages for unaccompanied children. Jim Beckham will contact the sign company.

Ron Maguire (1105 Wayfarer Lane) reported he failed to check into the salt water piping and asked how the speed humps could be removed. Mr. Maguire felt they might impeded emergency vehicles and are causing damage to vehicles. Mr. Maguire was informed the City installed the humps, not the Association.

Joan Cunningham(931 Portabella Lane) asked if lights could be installed on the large oak trees at the first entrance to Portabella Lane. Discussion was held concerning the feasibility and expense,

noting there was no electricity in that area the Association could tap into. Marilyn Willis (1596 Clark Sound Circle) asked if solar panels could be used. Jim Beckham explained the size of the panels needed to light the area would be enormous and the potential damage to the panels by children.

Karen Buerkle reminded homeowners of the uncertain economy and the Board is aware of this and has tabled many projects until the economy turns around.

Vince Perna (1544 Clark Sound Circle) asked if any system was in place regarding zoning change notification. Jim Beckham noted anytime zoning changes were requested, signs must be posted noting the request and time/date of hearing. He as well as the Board members would react to those signs, but his office would call the City of Charleston to check to see if there was a notification list the Association could be added to regarding any changes to the area.

Nelle Woodruff (973 Portabella Lane) asked about mailbox replacement. Ms Woodruff was told the Association performs the replacement and would have his office schedule the replacement of her box.

Peter Farrell (1001 Wayfarer Lane) announced he is the new team commander for Team 3, James and Johns Island. Peter reminded everyone to contact the police anytime they see anything suspicious noting the non emergency number is 720-3916 and for emergencies call 911 or 577-7434. Officer Farrell encouraged everyone to report anything that doesn't seem right.

Karen Buerkle thanked Officer Farrell for the efforts of the police during an incident at her home involving trespassers in her back yard while she was not at home.

Steve Woods reminded all homeowners of the need to slow down on Wayfarer Lane.

Mike Hepner thanked the Board Members for their hard work as well as their time in fighting for what they feel is best for their Districts. Mike also thanked Jim Beckham and Betty Smith for their professionalism in working with the Association.

Elton Waldrop (1309 Salt Marsh Cove) made a motion to adjourn the meeting, seconded by Marilyn Willis (1596 Clark Sound Circle), unanimous vote. The meeting was adjourned at 8:30 PM