



**SHADOWBROOK AT TOWN CENTER COMMUNITY ASSOCIATION, INC.
MEETING OF THE BOARD MINUTES
NOVEMBER 25, 2007**

- APPROVED DECEMBER 7, 2007-

I. PURPOSE

Pursuant to Article III, Section 3.8 of the By-Laws of Shadowbrook at Town Center Community Association, Inc., a Regular Meeting of the Board of Directors was held on November 25, 2007 at P.J.'s Coffee at Suwanee Town Center.

II. DIRECTORS PRESENT

Betsy Buechner, President; Shane Turner, Vice President; Rob Rohloff, Secretary; Eleanor Love, Treasurer; Warner Coffman, Member-at-Large

III. DIRECTORS ABSENT

N/A

IV. MEMBERS PRESENT

N/A

V. OTHERS PRESENT

N/A

VI. CALL TO ORDER

With a quorum established, Mrs. Buechner called the meeting to order at 4:15pm.

VII. HOMEOWNER FORUM

N/A

VIII. SECRETARY'S REPORT (MINUTES APPROVAL)

Rob brought up a discussion about Shane's recent petitions.

The Minutes from November 4th, 11th, 12th, and 14th meetings have been distributed to the Board and approved.

IX. PRESIDENT'S REPORT

Review important upcoming dates:

12/02 - Board Meeting, 4pm, P.J.'s Coffee

12/05 - Required day to send out notice of Special Meeting for Removal of President – Petition received 11/05

12/09 - Board Meeting, 4pm, P.J.'s Coffee – Rob to have rough draft of Budget Meeting Powerpoint prior to this meeting. Others to review prior to meeting so we can discuss changes.

12/16 - Board Meeting, 4pm, P.J.'s Coffee – Rob will have final draft of Budget Meeting Powerpoint by this date.

12/19 - Member Budget Meeting, 7-9pm, Library – Confirmed with all but Wayne from Ray Engineering. Rob to confirm with Ray this week.

- 12/21 - Required day to send out notice of Special Meeting for Veto of Budget – Petition received 11/21
- 01/24 - Last day to hold Special Meeting for Removal of BOD President
- 02/09 - Last day to hold Special Meeting for Veto of Budget

Venue for future meetings in 2007?

We all decided that P.J.'s Coffee would make a good venue for our meetings until we start the open meetings next year.

Director individual roles & responsibilities

Betsy will check to see if she has the "Roles & Responsibilities" documents that Laura Lazar had distributed to us early on for Treasurer (for Eleanor) and for Member-at-Large (Warner), and Vice-President (Shane). Rob still has his (Secretary) and Betsy still has hers (President). We are each to review these documents again so that we understand what is expected of us in our individual roles.

Need to schedule Library for monthly Board meetings in 2008

We agreed that either the 2nd or 3rd Mondays of each month, from 7-9pm (1st choice) or 6-8pm (2nd choice), would be a good time to hold our open meetings. Eleanor will check availability of Library on these dates. If available, she will book for the entirety of 2008.

X. TREASURER'S REPORT

October Financials

- a. **Total Operations:** Total spending for October was \$21,403.14, over budget by \$7,735.85. YTD spending has exceeded budget by \$28,019.25.
- b. **Cash Position:** Began the month with \$15,777.95 and ended the month with \$11,903.81.
- c. **Delinquencies:** As of October 31, ten homeowners had a balance greater than \$1,000.00 representing more than 75% of the total outstanding funds. 52 homeowners delinquent.

Need to double-check GW bookkeeping

Eleanor to go to GW and understand accounting; there seems to be several inconsistencies in the monthly financial summaries. It may just be our misunderstanding of how to read their reports.

XI. COMMITTEE REPORTS

a. **Architecture Review and Landscaping Committee (ARLC)**

Warner said that this committee had their first meeting on Friday, 11/23. There are 3 members of the committee: Warner Coffman, Ryan Thaxton, and Stan Love.

Eleanor made suggestion that we put the Property Modification Request form online and then routed it directly to the ARLC members. Rob will look into doing this.

b. Communications Committee

David had requested input into newsletter prior to 11/19, but Eleanor had some things she wanted to add, so she will contact him to see if the newsletter is complete yet.

c. Social Committee

Thanksgiving Food Drive – The members of the Social Committee would like to extend thanks to the many residents of our community for the generous contributions to the recent food drive. 217 food items were collected and given to Shadowbrook Baptist Church.

Outdoor Holiday Decorating Contest – There will be a decorating contest for Christmas this year. Judging will take place on 12/17 at 8:00pm; rain date will be 12/18. Prizes will be awarded for both townhome and single home categories.

Indigo Joe's Discount – Shane again mentioned that Mark, the owner of Indigo Joe's, has made it clear that he wants to offer a "Shadowbrook Day" on every Tuesday or Wednesday, where Shadowbrook residents will get 25% off their tab if they bring proof of residency. Shane to follow-up and needs to get this in-writing if we are to add it to the newsletter or the website.

UNFINISHED BUSINESS

Street signs

Rob to follow-up with Jessica, as she was supposed to be following-up on this issue.

Status of Garbage Collection changeover

We decided as a group to go with Red Oak as they had the lowest price and would stamp our neighborhood logo on each trashcan.

➤ *Motion to change sanitation vendor from SSI to Red Oak was made at 6:25pm. (Rob / Eleanor, unanimous)*

Warner to call Jessica about Garbage Company change:

- a. Need to ensure Jessica/GW will not charge us for this contract change.
- b. Need to ensure that we cancel SSI by 12/1/07 for 1/31/08 last day of service (they require 60-days notice).
- c. Need to make sure we get confirmation of the cancellation from SSI
- d. Need to ensure that we also cancel Robertson Sanitation as we have a few homeowners using them; need to find out how much notice they require—we want to cancel them also so that 1/31/08 is the last day of service.
- e. Want start day as 2/1/08 with Red Oak

Trash can Storage

Issue is storage of trash cans at the back of homes. We all agree that it would be best to have all trash cans inside of garages. However, Rob and Betsy state that the houses on basements have garages that are too small to accommodate trash cans. We unanimously agreed in a previous meeting to remove verbage from the Architectural

Guidelines that stated that “trashcans can be stored close to house”, but this was not the end of the issue. Here is where we stand:

- a. Warner wants verbage added to the Architectural Guidelines that trashcans must be stored in garages per the following restrictions in the Covenants (from EXHIBIT “C”):
 - (g) Any activity which emits foul or obnoxious odors outside the Unit or creates noise or other conditions which tend to disturb the peace or threaten the safety of the occupants of other Units;
 - (j) Any noxious or offensive activity which in the reasonable determination of the Board tends to cause embarrassment, discomfort, annoyance, or nuisance to persons using the Common Area or to the occupants of other Units;
 - (o) Accumulation of rubbish, trash, or garbage except between regular garbage pickups, and then only in approved sanitary containers;
 - (w) Any construction, erection, or placement of any thing, permanently or temporarily, on the exterior portions of the Unit or on Common Area, except in strict compliance with the provisions of Article IV of the Declaration. If not addressed in the Architectural Guidelines, the Board or the ARC, in its discretion, may prohibit or permit such things as it deems appropriate, subject to applicable law and regulations.
- b. However, the single-family home garages on a basement cannot easily accommodate two cars and a trash can, as these garages are significantly smaller than the single-family home garages with no basement or the townhome garages. Forcing single-family homes on basements to put trashcans in their garage could violate the following restriction in the Covenants (from EXHIBIT “C”):
 - (u) Use of a Unit's garage for storage or other purposes to an extent that precludes use of the garage for parking of a motor vehicle inside;
- c. According to Jessica at GW & Associates, if one section has to keep the trashcans in the garage then so does the other section.
- d. Jessica states that the documents do not state that the trashcans must be stored in the garage, but that there should be no obnoxious odors outside a unit. If the trash can does not smell, then it does not have to be in the garage. As a suggestion, she added that to combat trashcan odor, a moth ball in the bottom of the trashcan will eliminate the odor.
- e. A suggested compromise (endorsed by Jessica) would be that the trash cans may be stored in the back of the homes, but may not be stored in front of the home, on the side of the home, or be left at the street. It needs to be pulled back up against the back of the home or townhome when not out for pickup.
- f. Usually, neighborhoods mandate that the trashcan may not be visible from the street. But with the way that Shadowbrook is laid out, our issue is whether or not they should be visible from an alley.

We spent much time talking about this issue, but could not reach a decision or compromise. Rob suggested we table the issue and talk about it in a future meeting.

NEW BUSINESS

"Petition to Memove Betsy" Meeting

When/Where: Eleanor to check availability of Library for the week of January 7 or the week of January 21 and will get back to us.

Notification to Homeowners: We need to get the notification to homeowners no later than 12/5.

Content: Our current understanding is that person(s) who initiated petition will have opportunity to describe reason for petition, then Betsy will have opportunity to defend herself. Betsy will verify in the docs and will put together the notification.

Relevant Docs:

By-Laws 2.5:

- President calls special meetings.
- Can be called for by Members by petition of 10% of eligible Members.
- Notice given not less than 10 nor more than 50 days before the date of the meeting.
- The purpose or purposes for which the meeting is called shall be stated in the notice.
- No business shall be transacted at a special meeting except as stated in the notice.
- Quorum must be present (25% of eligible Members)

Georgia Nonprofit Corporation Code:

- Within 30 days, the board will need to determine when it wants the special meeting to be held, schedule the special meeting, and then send the notice to all of the members.

"Petition to Veto Budget" Meeting

When/Where: TBD

Notification to Homeowners: We need to get the notification to homeowners no later than 12/26.

Content:

It is Rob's understanding from reading the docs that the Common expenses can be vetoed, but we have been told it is only the discretionary expenses not explicitly required by the Covenants (i.e. the Activities Committee budget). Rob to follow-up with John Leuder on what can/cannot be vetoed in Common expenses.

With regard to the Townhome Neighborhood expenses, the Covenants are very clear that the budget line items cannot be vetoed if they are explicitly required by the Covenants (which means all Townhome Neighborhood expenses, since all expenses in our proposed reserve fund are explicitly required.)

Budget Overview Meeting

December 19 – confirmation from Rob Rohloff, Jessica Mooney, John Leuder; need confirmation from Betsy Buechner, Eleanor Love, Warner Coffman, Shane Turner

Meet with Wayne from Ray Engineering

Rob has tried to get a hold of Wayne to arrange a day to go over the reserve study but has not yet heard back. He will follow-up next week and try to get a few possible dates to meet and bring them back to the Board to find out what day works best.

Uplights

Rob to follow-up with Jessica, as she was supposed to be following-up on this issue.

Entrance Lights Damage

It appears that the entrance lights to the subdivision stopped working during the time that there was work being done on Suwanee Ave. at the entrance. Gwinnett County was doing the work to make some repairs/upgrades to a sewer. Eleanor contacted the City of Suwanee about this issue this week and spoke to Billie Marshall (770-945-8996). Billie was supposed to have contacted David Maddox, Chief Building Inspector who would in-turn contact the Gwinnett County. She has not heard back.

Rob will contact City Manager Marty Allen to see what can be done.

P.A.C.T. Meeting

We have a new PACT officer assigned to Shadowbrook. Eleanor to contact the sergeant to see when he would be available to have our first PACT meeting with the homeowners. Ideally, this will be after the 1st of the year, but if he needs to meet prior to that, we will try to squeeze his time in for 5-10 minutes at the beginning of the budget meeting on 12/19.

Community Advisory Committee

Eleanor suggested we form a Community Advisory Committee, that would be made up of 3 townhome owners and 3 single-family home owners. They could be the “voice of the people” to let us know the pulse of the neighborhood, what issues are bothering folks, etc. We all unanimously agreed that this sounded like a really great idea. She will talk to some people and build-out some more details around this idea.

XII. TABLED BUSINESS

Retention areas

Tabled for now. This will have to be re-addressed at a later date. Main issues are:

- a. Safety – Do the retention areas pose a safety risk due to their steep slope and depth of water?
- b. Willow Trees – We have been told by the Landscaper (and confirmed by the Engineer) that willow trees are not good to have in retention ponds as their roots can damage the pipes.
- c. Aesthetics – Can the aesthetics be enhanced with tree plantings?

Parking

Tabled for now. This will have to be re-addressed at a later date. Main issues are:

- a. How will we prevent parking on green space, alleyways, or on both sides of street?
- b. Should we put up “No Parking” signage?
- c. Should we sign contract/put up signs about towing?
- d. Are streets one-way or two?

XIII. ANNOUNCEMENT OF NEXT MEETING

Next meeting will be Sunday, December 2 at 4:00pm at P.J.’s Coffee at Town Center Park,

XIV. ADJOURNMENT OF OPEN SESSION

➤ *Motion to adjourn was made at 7:40pm. (Rob / Eleanor, unanimous)*

XV. EXECUTIVE SESSION

N/A

XVI. ADJOURNMENT OF EXECUTIVE SESSION

N/A

Respectfully Submitted,

Rob Rohloff,
Recording Secretary
Shadowbrook at Town Center Community Association, Inc.