



**SHADOWBROOK AT TOWN CENTER COMMUNITY ASSOCIATION, INC.
MEETING OF THE BOARD MINUTES
DECEMBER 02, 2007**

- APPROVED DECEMBER 07, 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 December 2, 2007 at P.J.'s Coffee at Suwanee Town Center.

II. DIRECTORS PRESENT

Rob Rohloff, Secretary; Eleanor Love, Treasurer; Warner Coffman, Member-at-Large

III. DIRECTORS ABSENT

Betsy Buechner, President; Shane Turner, Vice-President

IV. MEMBERS PRESENT

N/A

V. OTHERS PRESENT

N/A

VI. CALL TO ORDER

With a quorum established, Mr. Rohloff called the meeting to order at 4:50pm.

VII. HOMEOWNER FORUM

N/A

VIII. SUWANEE POLICE P.A.C.T. MEETING

During the first 50 minutes of the meeting, we met with Sergeant Elias Casañas and Officer Philip Nguyen from the Suwanee Police. Sergeant Casañas was there to introduce Officer Nguyen as our new P.A.C.T. (Police and Citizens Together) officer. They gave us some updated info on Suwanee crime statistics that Rob will publish on the website. They also distributed some information about burglary prevention that will also be posted on the website. Officer Nguyen will be our liaison between the Shadowbrook HOA and the Suwanee Police. His contact information will be posted on our website and all homeowners are welcome to contact him at any time.

As part of the P.A.C.T program, we are to meet with Officer Nguyen at least 3 times a year. Future meetings we will schedule to correspond with open meetings with the community so they can meet Officer Nguyen and ask questions. Warner volunteered to be the P.A.C.T. liaison from the Board.

IX. SECRETARY'S REPORT (MINUTES APPROVAL)

Minutes from November 25th meeting have been distributed to the Board for approval; please review prior to 12/9 meeting so we can vote to approve.

X. PRESIDENT'S REPORT

Betsy's resignation

President Betsy Buechner submitted her resignation to the Board on 11/26/07. The Directors present decided that Rob Rohloff would assume the role of President, effective immediately.

➤ *Motion to have Rob Rohloff assume the role of President, effective immediately was made at 5:35pm. (Rob / Eleanor, unanimous)*

Warner Coffman will take over the role of Secretary, in addition to his present role of Member-at-Large. Eleanor will continue her role as Treasurer, and Shane Turner will continue in his role as Vice President. The Board has the option of appointing someone to the Board to carry-out Betsy's term; we will leave this option open to discuss at future meetings. Rob will put an announcement on the website regarding Betsy's resignation. A formal announcement will be made at the 12/19 budget meeting with the homeowners.

Review important upcoming dates:

- 12/05 - Required day to send out notice of Special Meeting for Removal of President – Jessica has confirmed that this petition is now null and void given Betsy's resignation. Rob to determine how to notify petitioners.
- 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
- 02/09 - Last day to hold Special Meeting for Veto of Budget

XI. TREASURER'S REPORT

November Financials

Not yet received from GW.

Need to double-check GW bookkeeping

Still outstanding: 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.

Payment Booklets

Eleanor will also follow-up on the cost of the payment booklets for the 2008 dues.

XII. COMMITTEE REPORTS

a. Architecture Review and Landscaping Committee (ARLC)

Warner said that this committee is meeting again next week. On their agenda: reviewing the Architectural Guidelines, start outlining the Landscaping

Guidelines, and reviewing the modification request for 3722 Memphis we received on 11/28 (need to get back to homeowner ASAP, but no later than 12/28.)

Still outstanding: Rob to investigate putting Property Modification Request form online and then route it directly to the ARLC members.

Warner to ask ARLC committee to find out from Bowen what the paint colors are that were used in the neighborhood as we will need this information soon when we start to repaint.

b. Communications Committee

According to David Buechner, the newsletter is on-hold right now due to the recent resignation and due to budget turmoil. Warner will contact David to see when we can expect to get something out as we have a lot of news to report that is unrelated to the budget (i.e. P.A.C.T, new website, gray water suggestion from Eleanor from 11/12 Minutes, etc.)

Question came up about how much it costs to send newsletters through GW. Warner to contact Jessica to find out.

c. Social Committee

Eleanor was sent a thank you letter from Shadowbrook Baptist Church for the homeowners of Shadowbrook. She gave a copy to Rob who will post on the website.

Eleanor was contacted by Billie Marshall from the city of Suwanee who wanted to notify the subdivision about a formal ribbon-cutting that will be happening for the new bridge connecting our neighborhood to the Greenway Trail. It will be at 4:30 on Friday, December 14. Folks will be meeting up early at Indigo Joe's to head over to the ribbon-cutting. Rob has posted the information on the website.

Shane was sent a press release from Indigo Joe's indicating Wednesday nights as Shadowbrook night; all Shadowbrook residents get 25% off. Rob has posted this information on the website. Warner will talk to Shane about approaching the other Town Center businesses to see if they would be willing to offer a similar program.

Eleanor to send Rob the Word document for the committee updates from the last Social Committee meeting so he can post on the website.

XIII. UNFINISHED BUSINESS

"Petition to remove Betsy" – Jessica has confirmed that this petition is now null and void given Betsy's resignation. Rob to determine how to notify petitioners.

"Petition to veto the budget" – Still need to decide date for this meeting. John Leuder has confirmed that Common expenses can be vetoed, but not the Townhome Neighborhood expenses. With regard to the Common expenses, they can be vetoed

with 75% of the community voting affirmatively, in which case the budget reverts back to the 2007 budget numbers.

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.)

Discussed possibility of combining this meeting with the budget meeting already scheduled for 12/19. Rob to determine if we can do this as there are strict rules governing what can and cannot be discussed at Special Meetings called via petition. Also need to double-check docs to determine the minimum notice that must be given to the community (thought to be 10 days, which would mean deadline would be 12/09 if the Special Meeting was in-fact to be 12/19).

If we cannot hold the meeting 12/19, we need to hold it no later than 2/9, and we have to send out notice of Special Meeting no later than 12/21 to meet date obligations set by docs/Georgia Non-Profit Code.

Ray Engineering – Warner, Eleanor, and Rob met with Wayne from Ray Engineering on Wednesday to go over the reserve study. Wayne will get a final version to us this week. Once received, Rob will post on the website.

2008 Board Meetings

Eleanor has booked Jan and Feb for the 2nd Monday of the month, from 7pm to 9pm. Library only allows you to book 3 months at a time. Warner will ask Shane to take over the duty of scheduling these meetings going forward. We also discussed the need to have at least 30 minutes prior to the start of the meeting to allow for room setup. Warner will request that Shane check with the library for 1/14 and 2/11 meetings to see if we can get a 6:00 or 6:30pm start time instead of 7:00pm.

Eleanor brought up that although all of our meetings going forward will be open, it may be a good idea to have regular meetings that are for and directed to the homeowners. We agreed that once a quarter (every 4th meeting) the meeting will be oriented as an informational session for the community. Other meetings will simply be regular meetings of the Board. Suggestion was made to have first “Quarterly Update” meeting in April 2008, at the scheduled meeting time (2nd Monday of the month).

Budget Overview Meeting (12/19)

Rob has not yet started on the slides. Will have rough draft slides out to the Board this week, prior to our 12/9 meeting. We have confirmation from Jessica Mooney, John Leuder, and Wayne Johnson.

A question was brought up with regard to whether or not the lawyers would charge us for their appearance. Eleanor will follow-up with John Leuder’s office.

We discussed the need for a practice session prior to the meeting to go through agenda and test equipment, etc. Warner to check with Shane to see if he can look into getting

the library for a 2-hour window on 12/15, 12/16, 12/17, or 12/18. If we cannot get the library, we will hold the meeting at a Board members home.

As with the other 2008 Board meetings, we discussed the need to have at least 30 minutes prior to the start of the meeting to allow for room setup. Warner will request that Shane check with the library for to see if we can get a 6:00 or 6:30pm start time instead of 7:00pm. Request that Shane have these two tasks complete no later than next meeting 12/9.

Street signs – Rob followed-up with Jessica; still waiting on feedback.

Status of Garbage Collection – Jessica has sent cancellation notice to SSI, effective 1/31/08. Waiting for confirmation of cancellation before signing agreement with Red Oak. Eleanor has confirmed with Red Oak for a 2/1/08 start day.

Warner brought up question about what to do if SSI counter-offers. We agreed as a group that if the cost was equal or less than Red Oak's offer, we would be better off staying with SSI.

Uplights - Rob followed-up with Jessica. She says that Bowen considers this a closed issue, and the installer says that Bowen signed-off, so it's closed as far as they're concerned too. Eleanor will follow-up with Jessica to meet with installer to talk about issues face-to-face and show them how water is getting into lights.

If this is unsuccessful, we will consider writing a letter to Bowen to escalate issue to their highest management.

Lights out at entrance – Eleanor talked to Bill Powers of Matthias Construction, the ones who did the sewer work on Suwanee Ave that may (or may not) have led to the problem of the lights going out at our entrance. He asked her to call him this Thursday to arrange a time they will meet and discuss the issue. He does not think what they did caused the issue, but he said he would be happy to help identify the source of the problem.

Director Roles & Responsibilities – Still outstanding: Rob to get documents that Laura Lazar had distributed to us early on. We are each to review these documents again so that we understand what is expected of us in our individual roles.

Community Advisory Committee

We agreed to introduce the idea of the CAC at the 12/19 meeting and ask for volunteers. Ideally, we would like 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.

Deck Maintenance

It was voted in the 11/12 meeting to make the townhome decks the HOA responsibility, in order to have a consistent look and feel in the community. However, we opened up this discussion again due to townhome owner opposition and new information brought

before the Board.

Due to concerns about the liability this opens up for the HOA, as well as the fact that the covenants do not expressly compel the HOA to maintain the decks, the Directors present decided it was not in our best interests to take on this additional responsibility and cost.

Concerns about neighborhood consistency can be addressed by stipulating acceptable stain colors and enforcing rules around adequate maintenance. Violators can be handled as any other covenant violator, with letters, and eventually fines. Warner will talk to ARLC about coming up with standards and colors for deck maintenance. Rob will ensure that the reserve study is modified to not reflect the cost of maintaining the decks.

➤ *Motion to undo the 11/12 vote to have townhome decks be the responsibility of the HOA was made at 7:20pm. (Rob / Warner, unanimous)*

EDIT: Vice President Shane Turner wanted it to be noted in the minutes that though he was not there for the vote on whether the HOA should take care of the townhome decks, he opposes the HOA paying for this.

XIV. NEW BUSINESS

New Website – Rob notified the Board previously of the changes to the website; all Board members have seen the site and liked the new content, and look and feel.

Budget Q&A Document – Rob distributed a rough draft of a “Budget Q&A” document that is intended to be sent to the neighborhood to answer common questions about the budget. Rob will take the feedback and develop a final draft by early next week for final authorization from the Board to send to the community.

XV. TABLED BUSINESS

Director Roles & Responsibilities – Rob to get documents that Laura Lazar had distributed to us early on. We are each to review these documents again so that we understand what is expected of us in our individual roles.

Retention areas – 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 – 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?

Garbage can storage – See notes from 11/25 Minutes for explanation of where we are at with this issue.

HOA Docs and Initiation Fee for New Residents

A neighbor of Eleanor's did not get any HOA docs when she moved-in, and did not know how much the monthly fees were. She did pay a \$250 initiation fee, however. It appears we are not collecting this amount consistently, and we do not have a very smooth process for making sure people get their docs. Need to look into this.

Gray Water

Eleanor made a suggestion to add to the newsletter: to remind homeowners to capture your gray water for watering of plants. You can capture so-called gray water, for instance, when you are taking a shower—take a bucket in with you and the water that collects there is “legal” to use.

Boy on Moped – There is a boy who rides his moped through the neighborhood--does he pose a safety issue?

Willow Trees – Naturescapes mentioned to us that the willow trees growing in the detention pond behind Portland Trail are improperly located as they pose a danger to the nearby sewer pipes.

Broken Water Meter Lids – There are holes in the sidewalks in front of some townhomes where water meter lids are missing, or where holes were created in the concrete to repair water lines. This is a safety hazard and needs to be repaired. Warner brought up the question of who is responsible, the homeowner or Gwinnett County, or someone else?

No Parking Signs – Eleanor pointed out that her “No Parking” signs in the alley behind Memphis Drive have been very effective at keeping concertgoers from parking there. We need to determine if we want to adopt similar signs throughout the neighborhood, and whether we will contract with a towing vendor to tow cars parked illegally. Rob to come up with a parking policy and will present his ideas to the BOD. Eleanor gave Rob the information she collected so far.

Landscape/ Tree Removal

Jessica is finding out when the trees that were removed (dead trees) are going to be replaced.

XVI. ANNOUNCEMENT OF NEXT MEETING

Next meeting will be Sunday, December 9 at 4:00pm at P.J.'s Coffee at Town Center Park.

XVII. ADJOURNMENT OF OPEN SESSION

➤ *Motion to adjourn was made at 7:45pm. (Rob / Eleanor, unanimous)*

XVIII. EXECUTIVE SESSION

N/A

XIX. ADJOURNMENT OF EXECUTIVE SESSION

N/A

Respectfully Submitted,

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