

Summary of BOD Actions Qtr 4/09

FALLS RUN COMMUNITY ASSOCIATION, INC
Board of Directors
Summary of Activities
1 October – 31 December 2009

This summary includes all substantive motions voted upon by the Board of Directors at meetings of the Board during the period indicated. It does not include motions to approve meeting minutes, to convene in executive session or to adjourn meetings.

I. Special Meeting of 6 October 2009: All members were present. This Special Meeting was devoted to the preparation of the 2010 Budget and no other business was conducted.

II. Meeting of 14 October 2009: All members were present.

a. Maintenance of railings atop FRCA retaining walls: After a discussion of the categories of retaining walls; a motion was made by Don Horan, seconded by Harriet Schrader, that FRCA will maintain both sides of any walls/railings that form boundary walls between the community and other properties and which divide FRCA common grounds from individual properties. The motion was APPROVED 7-0.

b. Proposed Covenant Enforcement Administrative Resolution: After discussion and review of comments by legal counsel and the Ad Hoc Committee; a motion was made by Jack Mounts, seconded by Jake Bernard, to accept the draft as written and request the FRCA Secretary to format the document in final form by the next meeting. The motion was APPROVED 7-0.

c. Waive account collection costs – special circumstances: The following motions were made:
1/ A motion was made by Bill Barnes, seconded by Dan Owens, to waive account collection costs in the amount of \$65.00 in case #FJSMIW-0125-01 due to special circumstances. The motion was APPROVED 7-0.

2/ A motion was made by Bill Barnes, seconded by Dan Owens, to waive account collection costs in the amount of \$10.00 in case #FJHARL-0012-01 due to special circumstances. The motion was APPROVED 7-0.

d. Proposals for 2009 financial audit: After discussion, a motion was made by Tom Whalen, seconded by Dan Owens, to accept the Goldklang, Cavanaugh & Associates 22 June 2009 letter of engagement to prepare the 2009 financial audit and federal/state tax returns in the amount of \$6,650. The motion was APPROVED 7-0.

e. Purchase of laptop computer: After discussion, a motion was made by Dan Owens, seconded by Tom Whalen, to purchase a laptop computer with presentation software for official use by the Board of Directors, authorized committees, the Activities Director and Property Manager at a cost not to exceed \$1100 from current operating funds. The motion was APPROVED 5-2, Don Horan and Harriet Schrader opposed.

III. Meeting of 28 October 2009: All members were present.

a. Approval of 2010 Budget: After discussion, a motion was made by Bill Barnes, seconded by Harriet Schrader, that the Board of Directors approve the budget identified as “Official 2010 Operating Budget” with changes from the 30 September 2009, 6 October 2009 and 14 October 2009 meetings as the FRCA 2010 Operating Budget, and the budget identified as “Official 2010 RR Budget” of 30 September 2009 as the FRCA 2010 Replacement Reserve Budget. In addition, request approval of the Budget Letter to be included with the distribution of the budget to the residents and the increase in the monthly assessment from \$152.00 per month to \$157.00 per month effective 1 January 2010. The motion was APPROVED 7-0

b. Approval of Covenant Enforcement Administrative Resolution: After discussion, a motion was made by Jack Mounts, seconded by Harriet Schrader, to accept the proposed draft as Administrative Resolution No. 09-09, “Enforcement Policy & Procedures”, 28 October 2009, and to have the resolution take effect 1 January 2010 after distribution to all residents. The motion was APPROVED 7-0.

a. Management services contract: After discussion, a motion was made by Bill Barnes, seconded by Tom Whalen, to not notify Armstrong Management Services that we will discontinue our present

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contract and to continue the present management services contract for calendar year 2010. The motion was APPROVED 7-0. The Board also has recommended that an Ad Hoc committee be formed in early 2010 to explore preparing a Statement of Work for management services and competing this contract next year.

b. Policy for Activity Cards and guest passes: After discussion, a motion was made by Tom Whalen, seconded by Bill Barnes, to approve the proposed schedule and process for issue of the new Activity Cards to all qualified residents and directed that the schedule be included with the November Gazette and included on the FRCA website and Channel 20. The motion was APPROVED 7-0. The Board also discussed various issues relating to the new activity card system and requested the Ad Hoc committee to prepare a draft Administrative Resolution for the system.

IV. Special Meeting of 29 October 2009: All members were present.

a. Cox contract proposal: A motion was made by Dan Owens, seconded by Tom Whalen, to not accept the undated Cox Communications proposal presented by Mark Moats on 28 October 2009 at this time. The motion was APPROVED 7-0.

V. Meeting of 11 November 2009: All members were present.

a. Treasurer's Report: A motion was made by Bill Barnes, seconded by Harriet Schrader, to write off \$55.75 in late fees and interest accrued in case FJSMIW0-21601 due to a discrepancy in the timing of the depositing and crediting of a check. The motion was APPROVED 7-0.

b. Ad Hoc Committee for Enforcement Document: After extensive discussion, a motion was made by Jack Mounts, seconded by Bill Barnes, to authorize the Modifications Committee on a trial basis to conduct full property inspections of all residences once during 2010. In addition, the committee was authorized to add and train additional personnel as needed to accomplish this tasking. The motion was APPROVED 7-0.

c. Policy for contracts: After discussion, a motion was made by Tom Whalen, seconded by Jack Mounts, to approve Draft 3 of the proposed Administrative Resolution as modified during discussion and publish it as Administrative Resolution No 09-10 "Contracting Procedures" effective 11 November 2009. The motion was APPROVED 7-0.

d. Design Guidelines revision: After discussion, a motion was made by Jack Mounts, seconded by Harriet Schrader, that the Board upon receipt of the proposed, revised Design Guidelines, post a copy on the FRCA website, have several hard copies available in the Community Center for review by residents and schedule a "Town Hall" meeting where residents can ask questions and comment upon the proposed Design Guidelines prior to Board action upon them. The motion was APPROVED 7-0.

e. Form Ad Hoc committee on cable/satellite TV bulk contracting: After discussion, a motion was made by Jake Bernard, seconded by Jack Mounts, to task the Communications Committee with a full review of the present contract, exploration of possible alternatives, and preparation of a recommended course of action for cable/satellite TV contracting for Falls Run by 1 April 2010. The motion was APPROVED 7-0.

VI. Meeting of 25 November 2009: Dan Owens and Tom Whalen were absent.

a. Treasurer: A motion was made by Bill Barnes, seconded by Harriet Schrader, that the Operating Fund AMEX Centurion Certificate of Deposit which matured on 19 November 2009 be reinvested in a 90 day term CD, and also that the Operating Fund National City Bank Certificate of Deposit which matured on 16 November 2009 be reinvested in a 120 day term CD. The motion was APPROVED 5-0, Dan Owens and Tom Whalen absent.

b. Revision of Application for Changes and Improvements [Single Family Homes]: A motion was made by Jack Mounts, seconded by Bill Barnes, to approved the Application for Changes and Improvements form for single family homes and its instruction sheet. The new forms will be available on the website and from the concierge. The motion was APPROVED 5-0, Dan Owens and Tom Whalen absent.

c. Waterfall Maintenance Proposal: A motion was made by Bill Barnes, seconded by Harriet Schrader, to accept the Virginia Water Gardens proposal, 19 November 2009, for twice monthly specified

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maintenance service for \$150 per month. The motion was APPROVED 5-0, Dan Owens and Tom Whalen absent.

d. Availability of contracts on ArmstrongConnect: A motion was made by Bill Barnes, seconded by Jack Mounts, to maintain the procedure in place to make available to residents all documents including contracts, but excepting those documents which may be legally restricted, by means of a paper copy provided by the Property Manager in a timely manner; with a log kept in the Property Manager's office to identify the document delivered and to be signed by the recipient. Also, contracts will not be available from ArmstrongConnect for the residents. The motion was APPROVED 5-0, Dan Owens and Tom Whalen absent.

VII. Annual Meeting of 2 December 2009: Bill Barnes was absent.

a. Motion to accept results of election of Directors: A motion was made by Tom Whalen, seconded by Don Horan, to accept the results of the election of John Thrash, Toni Brown, Dot Foster and Jake Bernard to the Board of Directors for two-year terms to start at the close of the Annual Meeting. The motion was APPROVED 6-0, Bill Barnes absent.

VIII. Meeting of 9 December 2009: John Thrash was absent.

a. Election of Officers: A motion was made by Tom Whalen, seconded by Bill Barnes, to elect the following members of the Board of Directors to the positions indicated effective immediately: Jake Bernard, President; Dan Owens, Vice President; Tom Whalen, Secretary; Bill Barnes, Treasurer. The motion was APPROVED 6-0, John Thrash absent.

b. A motion was made by Toni Brown, seconded by Dot Foster, to publish "Draft" or "Unapproved" minutes of meetings of the Board of Directors on the Falls Run website within one week of each meeting. After approval, the "Draft" minutes would be replaced by the "Approved" minutes. The motion was APPROVED 6-0, John Thrash absent.

c. Treasurer's Report: A motion was made by Bill Barnes, seconded by Tom Whalen, that the Falls Run Community Association elect to apply all or part of the 2009 excess assessment income to the following year's assessments and that such final amount shall be at the Board's discretion. The motion was APPROVED 6-0, John Thrash absent.

d. Revision of Application for Changes and Improvements [Villas]: A motion was made by Dan Owens, seconded by Tom Whalen, to approve the revised Application for Changes and Improvements [Villas] and its instruction sheet and implement them immediately. The motion was APPROVED 6-0, John Thrash absent.

e. Need for 23 December Board Meeting? A motion was made by Tom Whalen, seconded by Dot Foster, to cancel the scheduled 23 December 2008 meeting of the Board of Directors. The motion was APPROVED 6-0, John Thrash absent.

f. Policy for new laptop computer: A motion was made by Dan Owens, seconded by Bill Barnes, to approve the proposed policy for use of the newly purchased laptop computer and directed that the policy be posted on the website and be available in the Property Manager's office. The motion was APPROVED 6-0, John Thrash absent.

g. Personnel Manual: A motion was made by Jake Bernard, seconded by Dot Foster, to modify the FRCA Personnel Manual to include two [2] personal days off for full-time employees to be taken at their discretion effective 1 January 2010. The motion was APPROVED 6-0, John Thrash absent.

IX: Special Meeting of 28 December 2009: All members were present.

a. Special Gazette Flyer on snow removal: A motion was made by Tom Whalen, seconded by Dan Owens, that a special flyer be prepared, printed and distributed with the January Gazette discussing the Board meeting with the contractor and other snow plowing matters. After discussion, Jake Bernard and Tom Whalen agreed to prepare the flyer. The motion was APPROVED 7-0.

b. Town Hall meeting: A motion was made by Tom Whalen, seconded by Bill Barnes, to hold an open "Town Hall" meeting devoted solely to snow issues as soon as possible. The motion was APPROVED 7-0. [Note: Immediately after the Board meeting, this Town Hall meeting was scheduled for 7:00pm, Tuesday, 5 January 2010, in the Community Center]

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c. Contractor proposal to amend contract: A motion was made by Dan Owens, seconded by Bill Barnes, to modify slightly and approve the Goodfellers proposal to alter our present contract with them by adding the following language to the end of the last sentence in the Liability paragraph “however with verbal authorization from Armstrong Management or the Board of Directors, Goodfellers will hire outside contractors when breakdowns occur that inhibit a timely snow service or when large amounts of snow are forecast. Outside contractors will be treated as employees of Goodfellers.” After discussion during which a substitute proposal was offered [see next item] the motion was NOT APPROVED 0-7.

d. Amendment to Goodfellers contract: A motion was made by John Thrash, seconded by Tom Whalen, to amend the present contract for snow plowing with Goodfellers to delete the last sentence of the Liability paragraph as reads “Contractor is fully qualified and capable and no sub-contracting will be utilized to complete snow services.” The motion was APPROVED 7-0.

/s/
THOMAS J. WHALEN
FRCA Secretary