

Minutes

LEGACY PARK COMMUNITY ASSOCIATION, INC. BOARD OF DIRECTORS REGULAR MEETING JUNE 15, 2006

Attendance:

Daryl Kidd	Elizabeth Webster	Mary-Ellen Tulper	Doug Tulper
David Kirkland	Brandi May	David Contreras	Marylou Connroy
Jeff Miller	Susan Westbrook	Sandy Carlberg	Mike Shambaugh
Mike Riedesel	Michelle Poole	Officer Luther, S.O.	Officer Lewis Scott
Lisa Neff	Capt. Doug Burel	Gina McNew	Rick Dominik
Kim Solomon	Harriet Stenzel	David Plunkett	Rob Gilliam
Joanne Weaver	Deacon Henry	Stephanie Taney	Holly Cavanaugh
Tom Cavanaugh	Joe Marbury	Mary Lee Tripoli	

Open Regular Meeting- Daryl Kidd, President opened the meeting at 7:06 p.m.

1. Introduction of Special Guests

John Osborne- Candidate for Cobb County Commission, District 1

Kennesaw Police Officers- Officer Luther, Capt. Doug Burel and Office Lewis Scott.
Police officers discussed current issues within Legacy Park.

2. Approval of Meeting Minutes- Mike Riedesel

Approval of May 18, 2006 Board Meeting Minutes was tabled to the next meeting.

3. Committee Reports

Ethics- *see attached report submitted by David Contreras.*

Finance- *see attached report submitted by Doug Tulper.*

Town Council- Joe Marbury spoke on behalf of Town Council about the current pool issues, Neighborhood Watch and Town Council's participation in the 4th of July celebration.

4. Management and Grounds Update

Modifications- The Modifications Committee reviewed 15 applications in June, 1 was denied and appealed through Town Council.

Property Report- *see attached report submitted by Lisa Neff.*

Lisa Neff suggested that next planning meeting be changed to July 6, 2006 due to time conflicts. The Board agreed and the next planning session will be July 6, 2006.

5. **Treasurer Report-** *see attached report submitted by David Kirkland.*

David Kirkland indicated that there was a mistake on last month's Financial Report. The Financial Report will be amended and reviewed at July's Board Meeting.

6. **Old Business**

A motion was made by David Kirkland to approve the Tidal Waves contract subject to further negotiations with Tidal Waves. Daryl Kidd to negotiate with Tidal Waves and relay information to the rest of the Board Members. **Motion Approved 4-0.**

7. **New Business**

A motion was made by David Kirkland to have a P.O.A. (Property Owner's Association) amendment drafted by the Legacy Park Attorneys to review by the Board.
Motion Approved 4-0.

Mike Riedesel will post information about P.O.A. on Legacy Park Website.

Rental Research Committee will be formed to gather more information on Rental homes in Legacy Park. Elizabeth Webster will be asked to head this committee.

A Motion was made by David Kirkland to add additional questions to the survey, if the need arises.
Motion Approved 4-0.

A motion was made by David Kirkland to table the Executive Session.
Motion Approved 3 – 0 – 2 abstentions.

Daryl Kidd adjourned the meeting at 10:40 p.m.



Legacy Park Community Association, Inc.

A Georgia Nonprofit Corporation

Board of Directors Regular Meeting

Thursday, June 15, 2006

Agenda

- 7:00 Call to Order – Daryl Kidd**
- 7:05 Introduction of Special Guests**
- 7:30 Approval of Meeting Minutes – Mike Riedesel**
May 18, 2006 – Regular Board Meeting
- 7:35 Committee Reports**
 - a. Communications Committee*
 - b. Ethics/Elections Committee*
 - c. Finance Committee*
- 7:45 Activities Report**
- 7:50 Property Report – Lisa Neff**
 - a. Amenities Monitoring Issues*
- 8:00 Treasurer Report – David Kirkland**
 - a. Financial Update*
 - b. Delinquencies*
- 8:10 Old Business**
 - a. Tidal Waves Proposal – Tent at Main Pool*
- 8:20 New Business**
 - a. POA – Property Owners Association*
 - b. Covenants - Rentals*
- 9:00 Adjournment to Executive Session**
 - a. Committee/Legal Issues*

FINANCIAL UPDATE**May 31, 2006**

SunTrust Checking	\$134,389.55
SunTrust Savings	\$364,276.92
SunTrust Impressed Account	\$1,000.00
Edward Jones Investments	\$1,073,169.52

Actual Cash on Hand 05/31/06 \$1,572,835.99 (1)

Assessment Delinquencies:

Legacy Park	\$86,485.75
Northgate	\$23,626.90

Operating Income/Expense:

	<u>5/1-5/31</u> <u>Actual</u>	<u>5/1-5/31</u> <u>Budget</u>	<u>5/1-5/31</u> <u>Variance</u>	<u>1/1-5/31</u> <u>Year-To-Date</u>
Total Income	\$44,963.68	\$41,811.33	\$3,152.35	\$931,553.73
Total Expenses	<u>\$119,158.63</u>	<u>\$159,366.33</u>	<u>(\$40,207.70)</u>	<u>\$482,108.64</u>
Net Income/(Loss)	(\$74,194.95)	(\$117,555.00)	\$43,360.05	\$449,445.09

Operating Cash:

Actual Cash on Hand as at	01/01/06	1,430,560.36
Operating Net Income/(Loss) as at	05/31/06	<u>449,445.09</u>
		1,880,005.45
Less Capital improvements as at	05/31/06	<u>(304,992.88)</u>
Operating Cash on Hand as at	05/31/06	(1) 1,575,012.57
Reserve Fund (Repair & Replacement)		<u>(300,000.00)</u>
Total Cash Available as at	05/31/06	<u>1,275,012.57</u>

Projected Cash:

Available Cash as at	05/31/06	1,275,012.57
Budgeted Yearly Income	1,262,496.00	
Actual YTD Income	<u>931,553.73</u>	
Projected Remaining 2006 Budgeted Income		330,942.27
Budgeted Yearly Expense	1,213,210.00	
Actual YTD Expense	<u>787,101.52</u>	
Projected Remaining 2006 Budgeted Expense		426,108.48
Net surplus/(loss) as at	12/31/06	<u>1,179,846.36</u>

(1) HOA income reflects \$2,176.58 variance deposited after 5/31/06

June Property Management Report

Tennis Courts:

- New play set has been installed at tennis court area. The new fence should be installed next week.

Pools:

- More new signage has been installed at the pools regarding the guest policy and the diaper requirements.
- Continuing working with monitors on matters relating to the pools.

Playgrounds:

- Recreation Station has continued monthly playground inspections and is providing reports. Various maintenance and safety repairs continue to be done at all the parks.
- The wood structures in Annandale, Gramercy, Highcroft, Lullwater 1 & 2, Olmsted, Palisades, Revere and Winterthur have been stained and sealed.
- Gramercy & Madison have new benches installed.
- Madison & Kentmere wood structures should be re-stained and sealed next week. That will take care of all the wood structures in the playgrounds.
- The fence has been added to the Annandale playground.
- New signage has been added to the Annandale & Kentmere gazebos.
- All budgeted items there were necessary to be done at the playgrounds with the exception of replacing the fence in Olmsted have been completed.

Landscaping:

- All landscape renovations have been completed, as well as the spring color. Items are being addressed with HighGrove.
- HighGrove Partners have assigned a new management team to our account and began work here on May 22nd. There has been an improvement; however, the Landscape Committee and I agree that we need to terminate the contract and hire a new landscape maintenance company.
- Today (June 15), we began working with a new company that is firing up all of our irrigation and making necessary repairs. HighGrove does not have the man power to address all the issues we have & with the lack of rain we have had, our turn and flowers are suffering. There are sufficient funds in the irrigation maintenance budget.

Security:

- Off-duty police officers are working every night from 5 pm to – 10 pm.
- Rick Demianyk has provided property monitors scheduled and has implemented some changes recommend – 2 monitors at main pool/amenity area, having under age individuals sign in when they show their ID. We communicate daily regarding issues to be addressed.

Other:

- All the street signs have been repaired or inventoried for more work than tightening bolts. More than 20 posts have been reset in concrete. We are still waiting for the sign arms for many areas.
- The small retaining wall at the Lullwater pool has been completed.
- We are still entertaining new phone service provider bids; the current contract is up in June.

Committee documents to be added to June 15th board meeting minutes:

- **Ethics/Elections Committee** – *meeting minutes – May 31, June 14*
- **Landscape Committee** – *updated mission statement/roster & meeting minutes from April 18, 24, 25*
- **Scout Pack 002** – May report, Soap Box Derby request

Ethic/Election Commitee

May 31, 2006 Meeting began 7:35 – Ended 8:45(ish)

David.plunkett@bellsouth.com

Send the house ethics website as a back ground.

- 1) Code of Conduct – We need to develop an LP Code of Conduct. Tom to looking to developing.
- 2) Mission Statement – Tom to look into writing a Mission Statement.
- 3) Suggestion as to how meetings are run. For example - Look to suggest having an agenda released ahead of time.
- 4) Look at suggesting an increase of the board size.
- 5) How do we get more and easier access to board meeting minutes to

To dos:

David Contreras – ask Daryl about adding to the board size.

Tom - Ask Kirkland about the current bidding process. Ask lisa for WORD copy of covenant.

David Plunkett will send out the appropriate clause. The committee will look into making suggestions. Elections – there are no rules on elections. Will review covenant for election sections and section pertaining to board member compensation.

Ethic/Election Committee

Vision Statement Discussion – June 14, 2006

Vision Statement:

To assist the board in developing written policies for key activities based on best practices of other non-profit and government organizations.

Areas in which we will focus:

- code of conduct
- fiscal responsibility (bidding process, financial checks and balances)
- meetings formats (public comments, posted agenda)
- elections (campaign guidelines, special election guidelines)

Code of Conduct Discussion:

Code of Conduct

Legacy Park Board members, by virtue of their responsibilities within the Home Owners Association, represent the home owners, the association, and the community as a whole. They have, therefore, a special duty to exemplify the best qualities of this association and to observe the highest standards of personal and professional conduct at all times.

Organizational goals before personal goals. Put the best interests of the entire association ahead of individual desires. We are here to serve all the home owners with quality programs.

Don't complain about it, do something. Minimize complaints and pettiness. Look for ways to improve the organization rather than pointing fingers.

Speak up when you have questions or disagree, but support the final decision of the organization. Once an issue has been discussed and decided, support it and defend it. We may make mistakes, but we do so in good faith with the best interests of the association at heart. Be open to home owner comments and input and invite them to help. By being open and communicating, we can head off misunderstandings.

Accept responsibility. Take on your share of the work. Do your best, ask for help and look for ways to improve prior practices. Accept blame graciously and give credit to your colleagues. Work together. Work with and communicate with the rest of the board, officers and volunteers. We need to restrain egos and share ideas and responsibility.

Think broadly. Look at problems from an organization-wide perspective. Focus on the best interests of all the home owners in general. Look for ways to collaborate with other towns and other local organizations. Look for ways to draw on the expertise of our home owners.

Treat your colleagues respectfully. Give your colleagues the benefit of the doubt. They are volunteers just like you, doing their best to help build a quality community. Conflicts should focus on issues, not personalities or individuals.

Be above reproach. Safeguard privacy rights and confidential information. Do not grant or accept favors for personal gain. Avoid actual or apparent conflicts of interest and, if in doubt, seek guidance from appropriate sources. Follow the letter and spirit of our by-laws and regulations affecting the association.

Elections Discussion

- Increase the number of board members?
 - The board represents 1800 homeowners in our community. To best ensure that the board reflects the diverse views and opinions of our community, we should consider increasing the number of board members to seven members.
 - Compare board size to other similar size communities?
- Increase the number of the “meet the candidate” events to reduce outside campaigning?

HOA meeting format-

- allow for increase communication of agenda items
- post agenda one to two weeks before public meeting
- have set time for interaction with homeowners i.e. 30 min 5 min a person
- limit to topics specifically on agenda
- site cities in research
 - a. Ellijay 30 min
 - b. Seguin Tx, 30 min. 5 min per person, limited topic to agenda
 - c. Kennesaw limited topic per person, no set time limit- last meeting no speakers
 - d. All posted topics on website prior to meeting

Legacy Park - Landscape Committee
Mission Statement
updated April 2006

To promote the Legacy Park quality of life and enhance property values by seeking out collaborative solutions to demands on our natural and planned landscapes and resources throughout Legacy Park.

Legacy Park - Landscape Committee
Member List
updated April 2006

	Name	Neighborhood	Home Phone	Cell Phone	Email Address
1	Mary Lou Conroy	Winterthur	770-420-8044		riconroy@bellsouth.net
2	Denise Facey	Highcroft	770-421-0063		dec12@bellsouth.net
3	Jane Gerschick	Winterthur	770-792-7444		jgerschick@aol.com
4	David Hardegree	Lullwater	770-425-3436	404-314-7613	dhardegree@gmail.com
5	Charles Hindman	Madison	770-794-4489		hindman3997@comcast.net
6	Linda Hindman	Madison	770-794-4489		hindman3997@comcast.net
7	Angela Paine	Annandale	770-919-7751	770-402-3423	akpaine@bellsouth.net

Landscape Committee
Meeting Minutes

April 25, 2006

Tuesday, @ 7:00pm @ HOA Office

Topic: Weekly Meeting
Concerns with Highgrove Partners

Attendees:

Property Manager	Lisa Neff
Landscape Committee	Mary Lou Conroy
Landscape Committee	Denise Facey
Landscape Committee	David Hardegree
Landscape Committee	Charles Hindman
Landscape Committee	Linda Hindman
Landscape Committee	Angela Paine

1. No emails for the landscape mailbox.
2. Mulch Meeting today: Hindmans spoke with vendor. The vendor made several commitments. They reviewed and said that he "lied". He did not edge beds. Requested a copy of the invoice. Note; beware of brother in Rockmart...same business.
3. Upgrade status:
 - a. Move color 45 sq feet and add jasmine (entrance)
 - b. Move azaleas and relocate to Olmsted or Bellingraph (add color bed to balance)
 - c. Lisa to address electric outlet in roundabout.
 - d. DH to find out about perennials under bell tower...selection is not form requested.
 - e. DH to find out about perennials in roundabout ...where are they?
 - f. Lisa to address ivy on fence at main entrance
 - g. Discussed roundabout tire tracks...in agreement that we do not want the bollards replaced.
 - h. Lisa to address grass cut incorrectly...shaved brown
4. Plan B – potential vendors:
 - a. Hutchinson – Bridge Mill
 - b. Bent Water – Tommy Smith
 - c. The Brickman Group
 - d. Gibbs

Next Meeting: Tuesday, May 2 @ 7:00pm @ HOA office
With Bryan of Highgrove (Spring Color)

Landscape Committee
Meeting Minutes

April 24, 2006

Monday, 9:00am @ HOA Office

Topic: Meeting with Jim McCutcheon of Highgrove
Concerns with poor performance

Attendees:

Highgrove Partners	Jim McCutcheon/CEO & Partner
Highgrove Partners	Deborah Kuo/Director Customer Service
Highgrove Partners	Brad Riggins/Customer Service
Property Manager	Lisa Neff
Landscape Committee	David Hardegree
Landscape Committee	Angela Paine

This meeting was setup after Lisa Neff had provided communications via letters to Highgrove that LP is concerned about their poor performance. Daryl Kidd called CEO/Jim McCutcheon and requested a meeting.

LP spoke of the problems that had been identified. Landscape Committee told him that the problems are throughout the company...no limited to just a punch list.

The "tree" for the roundabout was discussed along with the letters that Lisa had faxed.

Jim acknowledged that they are working hard, but maybe not "smart". He personally guaranteed that he would be visiting the property on a regular basis. Brad committed that he would also be out there at a minimum of twice a month to inspect.

LP asked Highgrove to identify who would be responsible for our spring color. LP is concerned that Lauren Waters is not with the company to complete the installation.

Landscape Committee
Meeting Minutes

April 18, 2006

Tuesday, @ 7:00pm @ HOA Office

Topic: Weekly Meeting
Concerns with Highgrove Partners

Attendees:

Landscape Committee	Mary Lou Conroy
Landscape Committee	Denise Facey
Landscape Committee	David Hardegree
Landscape Committee	Charles Hindman
Landscape Committee	Linda Hindman
Landscape Committee	Angela Paine

1. 2 emails were discussed that had been received in the landscape email box. John Nunez dated 4/12/06 and Steve Cain dated 4/12/06. Responses were discussed and Angela will send them via email.
 2. Mulch vendor: there are still have many concerns regarding the poor performance of this vendor and the product. Angela will request another meeting with the vendor through Lisa. If we do not have one established by Friday 4/21, call vendor directly.
 3. There is (70 cubic yards) mulch that remains to be placed. Lisa Neff asked us to provide suggestions...locations were defined in earlier email and marked with green paint at that time.
 4. Tire tracks at the roundabout: Angela spoke with Lisa regarding this. She has asked for the committee's suggestions. She does not want to replace the bollards. Suggestions discussed: boulder, pine straw border, stone border, mulch border and brick. There is some brick paving in this area and the consensus is to explore a brick paver border inside the curbing of the roundabout.
 5. Roundabout redesign: David received the design for the roundabout. It totals about \$6400. David feels that this is too high. He will address with Kris at Highgrove and Lisa Neff. No decision to move forward with Highgrove...perhaps ask for bids from other vendors.
 6. Location for Deodar Cedar: suggested area around amphitheatre. David will take a look at the area and provide some specific suggestions.
 7. Plan B: Lisa communicated to Angela that she is still not satisfied with Highgrove's performance. She wants us to continue to work on plan B if Highgrove is fired. The committee is looking for possible vendors. Angela looked in Cobb and Cherokee county chambers of commerce and yellow pages. Vendors discussed: Gibbs Landscape, Scapes, and Brickman. The committee will continue to research.
 8. 30 day review with Highgrove: last review that Lisa did was with Brad on March 21. The next review has not been scheduled yet, but should be soon. Lisa spoke with Gib last week and he was going to send a letter addressing the concerns. There has been no feedback from Brad (customer service). Lisa escalating to Terry Teagle.
 9. Irrigation: David called Lisa Sunday because there was a leaky head near Madison. Lisa addressed with Terry Wright and he is coming out Wednesday to address. Committee concerned that there has not been on of Highgrove's irrigation specialist on the property to get the system assessed. Money has been budgeted to do repairs to the irrigation...need updated quote from Highgrove.
 10. HOA Board Meeting: discussed update for meeting.
- Next Meeting:** Tuesday, April 24 @ 7:00pm @ HOA office

Landscape Committee
Meeting Minutes

Tuesday, April 11, 2006 @ 4:30pm @ HOA Office

Topic: Highgrove Status

Attendees:

Property Manager	Lisa Neff
Landscape Committee	David Hardegree
Landscape Committee	Charles Hindman
Landscape Committee	Linda Hindman
Landscape Committee	Angela Paine

1. Current Upgrade Status:
 - a. 2nd paragraph of email dated 4/10/06 noted that remaining items would be completed at no charge
 - b. Perennials at front and roundabout have been installed? Front confirmed...not sure about roundabout will have to check.
 - c. Tree: do not like the idea of a single cryptomeria or a grouping.
 - d. Additional roundabout planting is \$6950.15. Too high!
 - e. Consensus on idea of a tiering in the roundabout without a tree. DH will send concept to Highgrove and ask to revise quote.
2. Highcroft entrance: \$8200 - \$9450
3. Pool/Tennis area: \$30,000 - \$36,000
4. Spring Flowers: scheduled for May 9 and 10, Lauren will not be supervising installation (left Highgrove)...who will?
5. No emails in LC box
6. Article complete and all have reviewed via email
7. Reiterated to Lisa Neff that we want to meet with Mulch vendor – many concerns
8. DH to make the “X” for Deodar Cedar.
9. Plan B – Lisa asked LC to begin considering other vendors in case this cannot be worked out. Discussed the following options:
 - a. Russell
 - b. AP to contact Chamber of Commerce for Cobb and Cherokee
 - c. MLC to contact Bridge Mill
 - d. AP to call contact at Eagle Watch
 - e. Marietta Country Club?
 - f. Lifescapes
 - g. Colorworks or Color Explosion – Square in Marietta

Decided not to move forward with upgrades – LN will not support until open items with vendor are addressed.

Next Meeting: Tuesday, April 18, 2006 @ 7:00 @HOA Office

Landscape Committee

Meeting Minutes

Saturday, April 1, 2006 @ 10:00am @ HOA Office

Topic: Spring Color Design

Attendees:

Highgrove Partners	Brad (Customer Service)
Highgrove Partners	Lauren Waters (Floriculture)
Property Manager	Lisa Neff
Landscape Committee	Denise Facey
Landscape Committee	David Hardegree
Landscape Committee	Charles Hindman
Landscape Committee	Linda Hindman
Landscape Committee	Angela Paine

The main objective of the meeting was to review the Spring color designs that Lauren had faxed to Lisa Neff. The designs are for all color beds in LP.

The installation is currently scheduled for May 9th and 10th.

A review of the Fall color installation was discussed.

- beds were not planted as designed
- beds were missing accent plants
- accent plants did not perform well
- beds were not raised enough

Lauren noted that the Gramercy bed will not be planted as deep as last time. In the Fall they planted in wrong area and had to fill in with additional plants at not charge. Just noted that there will not be as many plants in the Spring. It was suggested to get Kris to look at the bed; it may be better to move some of the back of the bed to the front.

Lauren was asked to communicate with Kris about some changes with the upgrade:

- Town Fair – main entrance , moving some azaleas, adding uasome jasmine, and moving some of the oversized bed at fence (approximately 40 square feet) to create new bed to balance color in entrance.
- Installation of perennials for bell tower side of main entrance is scheduled for Wednesday.
- Installation for perennials for roundabout is also scheduled for Wednesday. Need to work with Kris to delay this because the large tree is being removed.; should do both of these at the same time.
- May be adding beds if board approves next upgrade

Made a few changes to the design (removed black vine from Winterthur). Laruen making changes and sending design to Lisa Neff for signature so that she can order the flowers.

Next Meeting: Tuesday, April 11, 2006 @ 4:30

Review designs for next upgrade and present to Board at planning session.