

## MINUTES

### LEGACY PARK COMMUNITY ASSOCIATION, INC. BOARD OF DIRECTORS REGULAR MEETING MARCH 19, 2009

#### Attendance:

Allen Massey  
Michael Shambaugh  
Tom King  
Lisa Neff  
Joanne Weaver

Trasey Welton  
Tina Shambaugh  
Kathleen McNulty  
Mary Ellen Tulper  
Doug Tulper

Richard Bracken  
Barbara Bender  
Andy Scialdone

*Mike Sesan & Jim Bitner have excused absences.*

#### **Open Regular Meeting – Allen Massey at 7:02 p.m.**

##### **1) Approval of Meeting Minutes – Tom King**

**Motion 2009-06** – Motion made by Tom King to approve the minutes from the January 15, 2009 Regular Board Meeting as written. **Approved Unanimously.**

**Motion 2009-07** – Motion made by Tom King to approve the minutes from the February 3, 2009 Planning Session. **Approved Unanimously.**

**Motion 2009-08** – Motion made by Tom King to approve the minutes from the February 10, 2009 Annual Meeting, with the addition of the vote totals from the election. **Approved Unanimously.**

**Motion 2009-09** – Motion made by Tom King to approve the minutes from the February 10, 2009 Organizational Meeting. **Approved Unanimously.**

**Motion 2009-10** – Motion made by Tom King to approve the minutes from the March 10, 2009 Planning Session. **Approved Unanimously.**

##### **2) Treasurer Report – *see attached report from Mike Shambaugh.***

##### **3) Committee Reports**

a) **Men's Club** – Doug Tulper reported for the Men's Club. They have provided a monthly report to the Board on the number of Clubhouse rentals, as requested.

b) **Rental Advisory Committee** – *see attached reports submitted by Ken Hall.*

**Motion 2009-11** – Motion made by Allen Massey to increase the rental administrative fee from \$80 to \$90, as recommended by the Rental Advisory Committee, to become effective May 1, 2009. **Approved Unanimously.**

**Motion 2009-12** – Motion made by Allen Massey to add a \$10 administrative fee to all abatement processes involving violations, as recommended by the Rental Advisory Committee.  
**Approved Unanimously.**

4) **Activities Report – Trasey Welton**

3/28/2009 Bunny Breakfast  
4/4/2009 Eggstravaganza  
Women's Self Defense Class

5) **Property Report** – *see attached report submitted by Lisa Neff.*

- a) **Appeals:** 3616 Bancroft Main, Appeal dismissed, violation corrected.  
2952 Stanton Court, Appeal denied, 3 – 0.
- b) **Covenant Enforcement:** Joanne provided a report of the current status of violations.

6) **New Business**

- a) **Main Pool House Renovations** – On March 4, 2009, the Board approved a contract with Loren Construction for the renovations to the pool house bathrooms for \$54,087.  
**Approved Unanimously.**
- b) **Care and Concern Committee – Motion 2009-13**– Motion made by Mike Shambaugh to recognize the Care and Concern Committee as an official Legacy Park Group, with Barbara Bender as the Chairperson. *See attached documents as approved by the Associations' attorney.* **Approved Unanimously.**
- c) **Board Member Event Policy – Motion 2009-14** – Motion made by Tom King to *rescind* the following motion:

The following motion was approved during an Executive Session on October 25, 2007 and will be placed in these meeting minutes: A Motion made by Daryl Kidd: In recognition of the time commitment required by members of the board of directors of Legacy Park, both serving on the board and attending as many Legacy Park events as possible, it shall be the policy that past, present, and future board members and their immediate families attend Legacy Park events free of charge as long as they are members in good standing. **Approved 4 – 0.**

**Motion 2009-14 approved 2 – 0, with Tom King and Mike Shambaugh voting yeah.**

**Allen Massey adjourned to at 8:25 p.m.**



## **Legacy Park Community Association, Inc.**

*A Georgia Nonprofit Corporation*

***Board of Directors Regular Meeting***

***Thursday, March 19, 2009***

### **Agenda**

7:00 **Call to Order – Allen Massey**

7:05 **Approval of Meeting Minutes – Tom King**

*January 15, 2009 – Regular Meeting*

*February 3, 2009 – Planning Session*

*February 10, 2009 – Annual Meeting*

*February 10, 2009 – Organizational Meeting*

*March 10, 2009 – Planning Session*

7:10 **Treasurer Report – Mike Shambaugh**

7:15 **Committee Reports**

*a. Men's Club – Rental Update*

*b. Rental Committee*

7:25 **Activity Report – Trasey Welton**

7:30 **Property Update**

*a. Appeals*

*b. Covenant Enforcement*

*c. Management Report*

7:45 **New Business**

*a. Main Pool Bathroom Renovations – Contract*

*b. Care and Concern Committee*

*c. Board Member Event Policy*

8:00 **Old Business**

*a. Tennis Pavilion Update*

8:30 **Adjournment**

# FINANCIAL UPDATE

February 28, 2009

|                          |              |
|--------------------------|--------------|
| SunTrust Checking        | \$81,906.83  |
| SunTrust Imprest Account | \$1,000.00   |
| PayPal Account           | \$74,837.88  |
| Edward Jones Investments | \$809,309.52 |
| Suntrust Money Market    | \$250,959.35 |

**Actual Cash on Hand 02/28/09** \$1,218,013.58 (1)

## Operating Income/Expense:

|                   | 02/01-02/28   | 02/01-02/28   | 02/01-02/28     | 02/01-02/28         | Year-To-Date  |
|-------------------|---------------|---------------|-----------------|---------------------|---------------|
|                   | <u>Actual</u> | <u>Budget</u> | <u>Variance</u> | <u>Year-To-Date</u> | <u>Budget</u> |
| Total Income      | \$149,190.61  | \$226,355.00  | (\$77,164.39)   | \$808,875.92        | \$714,908.00  |
| Total Expenses    | \$92,463.61   | \$94,034.00   | (\$1,570.39)    | \$164,564.47        | \$206,517.00  |
| Net Income/(Loss) | \$56,727.00   | \$132,321.00  | (\$75,594.00)   | \$644,311.45        | \$508,391.00  |

[2]

## Operating Cash:

|                                         |          |              |     |
|-----------------------------------------|----------|--------------|-----|
| Actual Cash on Hand as at               | 01/01/09 | \$620,486.29 |     |
| Operating Net Income/(Loss) as at       | 02/28/09 | 644,311.45   | [2] |
| Prepaid Assessments as at               | 02/28/09 | (7,664.16)   | *   |
| Clubhouse Security Rental Deposit as at | 02/28/09 | 400.00       | **  |
|                                         |          | 1,257,533.58 |     |
| Less Capital improvements as at         | 02/28/09 | 39,520.00    |     |
| Operating Cash on Hand as at            | 02/28/09 | 1,218,013.58 | [1] |

Reserve Fund (Repair & Replacement) (300,000.00)

**Total Cash Available as at** 02/28/09 918,013.58 [3]

\* Net pre-paid assessments calculated

|            |                 |
|------------|-----------------|
| 12/31/2008 | 8,517.37        |
| 2/28/2009  | 853.21          |
| *          | <u>7,664.16</u> |

\*\*Net prepaid clubhouse security rental deposits

|            |                 |
|------------|-----------------|
| 12/31/2008 | 2,200.00        |
| 2/28/2009  | 2,600.00        |
| **         | <u>(400.00)</u> |

**Projected Cash:**

|                                  |                 |                            |                            |
|----------------------------------|-----------------|----------------------------|----------------------------|
| Available Cash as at             | <u>02/28/09</u> | <u>918,013.58</u>          | [3]                        |
| Budgeted Yearly Income           |                 | 1,319,261.00               |                            |
| Original Budgeted Yearly Expense |                 | 1,368,107.00               |                            |
|                                  |                 | <u>Budgeted Projection</u> | <u>Budgeted vs. Actual</u> |
| Remaining Budgeted Income 2009   |                 | 604,353.00                 | 510,504.68                 |
| Remaining Budgeted Expense 2009  |                 | <u>1,004,790.00</u>        | <u>1,164,022.53</u>        |
| Net surplus/(loss) as at         | <u>02/28/09</u> | <u>517,576.58</u>          | <u>\$264,495.73</u>        |

**Assessment Delinquencies:****2009****2008****Legacy Park**

|                      |                   |                   |
|----------------------|-------------------|-------------------|
| assessments          | 224,577.31        | 180,906.24        |
| interest & late fees | 41,966.68         | 33,646.03         |
| attorneys fees       | 21,890.23         | 28,243.93         |
| violation fines      | 52,771.47         | 46,803.24         |
| admin.fees           | 250.00            | 200.00            |
| lease fees           | 560.00            | 0.00              |
| initiation fees      | 2,950.00          | 1,760.00          |
| <i>sub-total</i>     | <u>344,965.69</u> | <u>291,559.44</u> |

**Northgate**

|                      |                  |                  |
|----------------------|------------------|------------------|
| assessments          | 60,086.67        | 46,849.89        |
| interest & late fees | 14,263.54        | 9,742.54         |
| attorneys fees       | 11,224.92        | 13,379.29        |
| violation fines      | 0.00             | 0.00             |
| admin.fees           | 0.00             | 0.00             |
| initiation fees      | 0.00             | 0.00             |
| <i>sub-total</i>     | <u>85,575.13</u> | <u>69,971.72</u> |

**Totals**

|                      |            |            |
|----------------------|------------|------------|
| assessments          | 284,663.98 | 227,756.13 |
| interest & late fees | 56,230.22  | 43,388.57  |
| attorneys fees       | 33,115.15  | 41,623.22  |
| violation fines      | 52,771.47  | 46,803.24  |
| admin.fees           | 250.00     | 200.00     |
| lease fees           | 560.00     | 0          |
| initiation fees      | 2,950.00   | 1,760.00   |

**Total of both communities**430,540.82361,531.16**Assessment delinquencies as a percentage of assessment budgeted income**26.42%21.14%

## **March Property Management Report**

### **HOA Items:**

- For 2009, the HOA has collected \$685.00 in non-resident sport participation fees.
- For 2009, the HOA has collected \$82.95 in vending machine proceeds.
- We will be sending out 2009 amenity stickers this month with new pool codes.
- We have been working with the Cobb County Board of Elections to allow the usage of our clubhouse as a voting precinct. However, the Board of Elections will be using their time to prepare for a Special Election in Kennesaw; the precinct has been put on hold.

### **Amenity Monitoring:**

- We now have one security guard working part-time and will begin full-time the beginning of April.
- Police will continue to work Friday, Saturday and Sunday evenings.

### **Playgrounds:**

- Recreation Station has continues monthly inspections and is repairing all necessary safety issues as needed.
- The steps to the Kentmere gazebo have been replaced.
- We are working on re-staining and sealing all the playground equipment.

### **2009 Projects & Maintenance:**

- The Belltower has been painted and has a new roof. The concrete monument accents at the main entrance have been painted.
- The Main Pool house has a new roof and the concession stand and tennis pro's office has been painted. All storage areas have been cleaned out. The bathroom renovations are underway and should be completed by mid-April.
- We have sold over 600 access cards to the gym.
- The first installation of pine straw has been done and mulch will be refreshed this month. Sod is being repaired around the circle and dirt and straw is being added adjacent to the stairs on the right hand side of the amphitheatre.
- The fence next to the tennis area has been torn down and we are working on a resolution to hide the garbage cans that are stored in that area.
- The baseball field has new infield dirt and we are working on a drainage issue by the 1<sup>st</sup> base dugout.
- Plumbing repairs have been made at the Winterthur and Lullwater pool houses.
- New main drains have been installed in all the pools, which required draining each pool. I have filed a claim with the water department to have the sewage charge waived for refilling the pools. The mushroom has a new filtration system and will get a fresh coat of paint prior to opening day.
- Pool furniture has been ordered as well as picnic tables for the tennis area.