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LONG HILL ESTATES CONDOMINIUM ASSOCIATION

Board of Directors Meeting

August 17, 1998

MINUTES

A Meeting of the Board of Directors of the Long Hill Estates Condominium Association was held on Monday, August 17, 1998 at SDE, Route 202, Peterborough.

Present: Board members, George Austermann, Amy Myhaver, Jonathan Hampson and Ted Davison of Cardiff Management.

Absent: Whalen Dunn, Treasurer

Call to Order

The Meeting was called to Order at 5:05 p.m.

Review/Approval of Minutes

July 15, 1998 BOD Meeting

A **Motion** was made to approve the minutes as amended. All in favor: 2; opposed: 0. Abstained: 1 (Jonathan Hampson). Motion passed.

Old Business

Declarant Issues

There was a review of the Meeting with the Town officials, Peter Ryner and Tom Weeks; Amy Myhaver and George Austermann of the Board, and Ted and Cal Davison of Cardiff.

Cardiff will send a letter to these Town officials asking that a) the Association be copied on all appropriate correspondence between the Town and the Declarant, and b) that prior to release of any provisions of the Letter of Credit held by the Town, the Association be notified.

Amy Myhaver will consolidate lists of outstanding issues, or those felt to be the responsibility or obligations of the builder to be developed by members of the Board and Cardiff Management.

New Business

Appointment to Fill Vacancy Created by Tom Forman

Minutes of the meeting at which the Board appointed Jonathan Hampson to fill the vacancy will be forwarded by Amy Myhaver.

A **Motion** was made to appoint Jonathan Hampson as President, serving out the term of Tom Forman in this position. All in favor: 2; opposed: 0. Motion passed.

Bees, Wasp, Etc. Treatment

As the season was approaching where people will be increasingly bothered by bees, wasps, etc., and trying to enter units to escape the cold, there was a discussion regarding Association treatment or removal of nests identified by residents. Ted advised that while the Association does not have any actual responsibility for removal of nests, that historically associations do so when identified on the Common Area. However, there is no responsibility for such removal by the Association from the interior of units. Therefore, a **Motion** was made for the Association be responsible for removal of such nests from the Common Area only. All in favor: 3; opposed: 0. Motion passed.

Capital Reserve Study

This will be reviewed at a future meeting once Jonathan has received a copy.

Add Additional Lengths to Downspouts

A **Motion** was made to include such requests on a listing for the Declarant to address; such additions will not currently be a responsibility of the Association. All in favor: 3; opposed: 0. Motion passed.

Other Business

Tom Forman

Cardiff to purchase a gift certificate for Tom Forman at Lata Carta from the Association.

Payment Envelopes

Send a supply of envelopes to Amy and Jonathan.

Unit Owner Lists

Cardiff to send a Unit Owner list of record to all BOD members.

Building Perimeter Spray

For the next year's budget, Cardiff to include funds for this treatment.

Meetings

Jonathan asked that attendees get to meetings on a timely basis so that they can begin at the designated time promptly.

Next Meeting

The next Board meeting will be held on Tuesday, September 14 at SDE.

Management Report

The Management Report was reviewed without further discussion.

Adjournment

There being no further business before the Board, the Meeting was adjourned at 6:06 p.m.

Respectfully submitted,

Cal Davison, Scribe

td

Date

Date: August 17, 1998

To: Board of Directors
Long Hill Estates Condominium Association

Fm: Cardiff Management, Inc.

Ref: **Monthly Management Report**
Financials: EOM 07/98
Property/Admin: 07/15-08/17/98

Financial

Revenues

Association fees:

YTD Budget	4,500
YTD Actual	<u>4,500</u>
YTD Variance	00

Total revenues:

YTD Budget	4,500
YTD Actual	<u>4,500</u>
YTD Variance	00

Expenses

YTD Budget	3,601
YTD Actual	<u>1,320</u>
YTD Variance	2,281

63.3% under budget

Primarily due to not receiving a landscape or fertilization invoice for payment in July, and for no current repair and maintenance charges as budgeted.

Capital reserve contribution

Note that the \$7500 capital reserve contribution showing for July was actually the year end transfer. The \$417 budgeted for July for FY98 was made in August with the August transfer.

Delinquencies (we comment only on those over two months past due)

Wenger/ITT, #33, \$250. Unit transferred without obtaining appropriate certificate regarding fees owed, working capital and initial capital reserve required.

Forrest, #34, \$225. Same as above for #33.

Have sent statements with notes to each of the above, but have heard nothing from either.

Property

Roof Leaks

As we have had some hard rains recently, we assume that the roof leaks reported have all been taken care of appropriately. Note that normally, short of removing all shingles, there is no confirmation that the repair has addressed all areas until there is a subsequent hard rain.

Mail Box Hut/Bank

Height: Post Office had promised to review the height of some of the mail boxes and get back to us regarding possible solutions for those who find them too high. However, they have not done so. Unfortunately, as the boxes are Federally controlled, we can't move them up or down without approval by the Post Office.

Repairs to Mail Box Hut: Should take place later in August or early September. Will have to coordinate with Post Office, however, as we will need access.

Irrigation System

Had a couple of reports of sprinkler heads not working. Reported to TJ Jarest who then did the repairs.

Grounds Care

Ted met with TJ Jarest on site to review a number of bushes, etc., that were dead or dying and would not come back for removal.

Admin

Tom Forman BOD Vacancy

While the Board had originally felt that it was not necessary to appoint a person to fill the vacancy created by the resignation of Tom Forman, we were later advised that they felt it important to have someone in the temporary capacity of President until the Annual Meeting and so that the person could then facilitate the Annual Meeting.

Accordingly, the Board had appointed Jonathan Hampson to this position. At the 08/17/98 BOD meeting, a formal vote will have to be taken in this regard.

Tom Forman - Attorney Direction

We were concerned that on July 26 we received a copy of a letter sent by Tom Forman to Attorney Seth Emmer directing Attorney Emmer to record the Amendment to the Bylaws to change the fiscal year for two reasons.

First, by not recording the amendment, the change to the current fiscal year of July to June was not legal, although already committed to. We anticipate no issue with this, however.

Second, as Tom had resigned, he did not have the authority to issue such a directive. In speaking with the remaining Board members, they felt we should contact Seth to ask that he not take on this task, rather, the documents should be forwarded to Cardiff for recording as this would be substantially less costly.

Declarant Issues

A. Outstanding Issues re Infrastructure.

George, Amy, Ted and Cal met with Peter Ryner and Tom Weeks from the City of Peterborough regarding outstanding issues identified by the City and Association. The Town had understood the Declarant would be sending a confirmation letter identifying those issues she knew to be required, but had not. Therefore, the City planned to draft such a correspondence and copy the Association. Thus far, we have not received any such copy and so have sent a follow up letter to the City.

All agreed that the principal of the Declarant, Mary Huot, appeared to be committed to doing all items required by both the City and the Association. However, there were mutual concerns that there may not be the funding to do so.

On July 18 the Declarant did, indeed do some work on the water system (disconnecting where it would later have served units that will now not be built). They had posted notices prior to this advising of the water shut off for approximately four (4) hours.

B. #34 Addition of Sunroom

We received a letter from Mary Huot's attorney in which he tried to explain that RSA 356-B allowed the declarant to add rooms, etc. It appears, however, that he is not aware that the building had already been turned over to the Association or that the AG's office had agreed that the issue must be addressed.

Basically, the Assistant AG overseeing condominiums has advised us that he would approve addressing the title issues by the Association sending a communication to all unit owners and mortgage holders advising that as there was no impact to the association or any member, we were transferring title to the land on which the sunroom was built over to the new unit owner unless they advised of their disagreement to such a title transfer by a defined date. He agrees, however, that all cost should be assumed by the Declarant. We will be reviewing with Mrs. Huot's attorney.

There is a question if this is necessary, the anticipation being that no one would challenge it. In this regard, it is important to note that as the cost would be assumed by the Declarant, and as the cost in the event anyone ever does challenge it could be substantial to the Association and the Board individually (no D&O coverage), it would be inappropriate to not do so.

Registration of Trade Name

Every five years condominium association must re-register their trade name with the State of New Hampshire. In this regard, the forms were completed and mailed earlier in August in order to meet the 'due date.'

Capital Reserve Study

Cardiff has completed the initial Capital Reserve Study for Long Hill Estates and provided copies to George Austermann, Amy Myhaver and Whalen Dunn.

Letters to, Letters from...

To State of NH, 7/27/98 regarding registration of trade name.

Fm Forman, copy of letter to Attorney Seth Emmer asking that amendment to documents be recorded. Note that attachments were not included with our copy. Called Seth to advise, per the Board, to forward info to us, that we would record as we were closer.

Fm Atty for Declarant, re unit #34 sunroom, advising that the Declarant can change floor plans, foot print, etc. Will write back to him advising building had been turned over as it appears he is unaware of this.