

HIGHLAND POINTE RECREATION ASSOCIATION, INC.
Board of Directors and Budget Meeting
Minutes

Monday, July 11, 2013

Board Members in Attendance: Mr. Tom Haslach, President; Ms. Judy Taylor, Tennis; Mr. Steve Fincher, Ground; Ms. Paula Robin, Clubhouse; Mr. Micah Levin, Social; Ms. Sandy Carpenter, ACC; Mr. Matt Tock, Pool; Mr. Paul Amoruso, Treasurer; Ms. Melanie Smith, Administrator and Ms. Beth Roedersheimer, Administrative Assistant.

The meeting was called to order at 6:05 pm.

Approval of Minutes:

Ms. Taylor made a motion to approve the minutes of the June 3, 2013 Board Meeting. Mr. Fincher seconded the motion and it passed unanimously.

Guest:

Ms. Jamie Lyons of Lazaga & Johanson LLC, Attorney at Law.

Guest Presentation:

The Board invited Ms. Lyons, who is Highland Pointe's attorney on retainer, to provide information pertaining to Highland Pointe's position of owner and/or operator of the North Lake Dam. Ms. Lyon provided documents from the former legal office of Leuder, Larkin & Hunter showing that Highland Pointe did not accept ownership of the dam or the north lake. In March 1993, Larry Thompson tells Georgia Department of Natural Resources that Highland Pointe is owner of the dam and in May, HP received an application for Operator of the Dam. This application is completed in December of 1993 and in May 1995; HP receives the permit to operate the dam. The permit is date 4/28/94.

Cumberland Southern did not pay any taxes on this property from 1988-1996; it was purchased by Wendell Cunningham, who lived on Forest Peak Landing adjacent to the dam. Mr. Cunningham moved out of state and continued to pay the taxes until 2010. Mr. Cunningham sent a Quitclaim Deed to Highland Pointe giving HP the property. November 2010, the Board declined the Quitclaim Deed and Leuder, Larkin & Hunter; Attorney at Law sends a certified letter rejecting the Quitclaim Deed. Mr. Jim Newton, then President of Highland Pointe gives an Affidavit to disclaim the Quitclaim as Mr. Cunningham never presented it to Highland Pointe nor did Highland Pointe ever accept the Quitclaim. In June 2011, the residents around the North Lake asked Highland Pointe to resume mowing and taking care of the dam. The Board decided to pay for the mowing and maintenance quarterly. Ms. Lyons' legal advice is for the Board to ask the Georgia Department of Natural Resources (DNR) to revoke Highland Pointe as the operator of the North Lake Dam and to stop maintenance on the dam.

Ms. Lyons also spoke to the Board concerning mandatory membership. There are 3 categories; Permanent Homeowner, Voluntary Homeowner and Recreation Membership. There are currently 66 homes in Highland Pointe who pay nothing. The goal is to make Highland Pointe Homeowner Dues Mandatory. To get there, Ms. Lyons suggested giving homeowner's incentives to become Permanent: first year of dues free or reduced, enforce the \$3,000 initiation fee currently in the bylaws and passing an amendment that your property will automatically become permanent when you sell your home. She also said that you could pass an amendment that when you sell your home and are a Permanent Homeowner, your property becomes Permanent Recreation. Highland Pointe is aging, but it is still a sought after neighborhood because of the schools and amenities. The amenities will need to be replaced and updated and it will take the whole neighborhood participation to achieve this. Ms. Lyons completed her presentation at 7:35pm.

Monthly Budget Update:

The monthly financials were printed for review. \$163,688.19 has been received in HOA and HPRA dues. He reported that there currently are 432 HOA Members and 218 HPRA Members. There are 6 HPRA members from Mountain Creek and Wigley Preserve. There are 9 unpaid Permanent Memberships.

	<u>Budget FY 13-14</u>	<u>Actual (6/30/13)</u>
HPRA Income	\$ 88,400.00	\$ 85,141.49
HPHOA Income	82,600.00	80,021.20
Other Income	200.00	13.93
Total Income	<u>\$ 171,200.00</u>	<u>\$ 165,176.62</u>
HPRA Expenses	\$ 91,145.00	\$ 32,430.03
HPHOA Expenses	80,024.00	31,018.16
Total Expenses	<u>\$ 171,169.00</u>	<u>\$ 63,448.19</u>
HPRA/HPHOA Net Income	<u>\$ 31.00</u>	<u>\$ 101,728.43</u>

The following shows the breakdown of HPRA expenses vs. budget for the period ending June 30, 2013:

	HOA		HPRA	
	Budget FY 13-14	Actual 6/30/13	Budget 13-14	Actual 6/30/13
	\$ 80,024.00	\$ 31,018.16	\$ 91,145.00	\$ 32,430.03
Clubhouse	3,749.00	697.28	14,240.00	705.37
Grounds	3,500.00	5,373.00		
Operations	72,775.00	24,947.88	29,605.00	7,591.19
Pool			36,300.00	22,585.00
Tennis			5,000.00	47.70
Social			6,000.00	1,500.77

The report was accepted as information only.

Discussion of Action Items

The following is a summary of the items discussed and the actions taken.

- Mr. Amoruso made a motion to ask the Georgia Department of Natural Resources (DNR) to remove Highland Pointe as operator of the North Lake Dam. Mr. Fincher seconded the motion. Ms. Robin opposed the motion and Ms. Smith abstained from voting: all other voting members approved the motion. Motion passed. Ms. Jamie Lyons will prepare a letter and send it to the DNR and the Georgia State Attorney General.
- Ms. Smith will spearhead the Membership Drive. There are several residents who have expressed a desire to help on this drive.
- Ms. Robin reported that five new exit signs and emergency lighting were installed in the clubhouse. She will let the insurance company know that this request has been taken care of. The sprinkler inspection company will be inspecting the system within the next 2 weeks. The dock will be replaced the first week of July and the semi-annual service inspection was done on the HVAC system. The thermostat in the workout room needed

replaced. The door to the workout room is sticking and difficult to open. You need to push really hard on the door. She will have someone look at it to see what can be done.

- Mr. Haslach forwarded the reports on increased wildlife activity in the neighborhood. Some residents wanted Highland Pointe to trap and relocate the animals. After discussing the mobility of the wildlife, it was determined Highland Pointe would not trap and relocate the wildlife. It will be left up to the individual homeowner if they want to personally remove the wildlife.
- Mr. Haslach reported the waterfall pump was replaced in May for \$1985. Mr. Page came out again in June to waterproof the areas that were leaking water and to repair cracks and the bill was for \$2253. Ms. Carpenter made a motion to pay him for the materials and one half of the labor now and wait to see if the waterfall maintains its water level. The balance will be paid in August if there are no more leaks. Mr. Levin approved the motion and it passed
- Mr. Levin said the 4th of July party will be held, Saturday July 13, 2013. The Labor Day Social will be on Monday, Sept. 2nd with hamburgers, hotdogs and drinks provided by HPRA. He is planning on have a low country boil during football season.
- Ms. Carpenter reported Vivian Pacifico will help with ACC compliance. She is also interested in offering decorative mailboxes to HP residents at a reduced rate.
- Mr. Fincher reported the doors are off the trash area again. The sprinkler system and lights on one side of the Wigley entrance are not working. He will have a meeting with Meer Electric, Clear As Rain and Lynscapes. The lattice work still needs replaced by the tennis court sign up board. He is working on estimates, but would like it to be in the same design as the fishing dock.
- Mr. Amoruso suggested we give the police patrol access cards so they can check the clubhouse area. Ms. Roedersheimer will give them a card this weekend.

Having no further business to discuss, the meeting was adjourned at 9:10 pm.

Next Board Meeting:

Monday, August 5, 2013

7:00 p.m. – 9:00 p.m., Clubhouse