

Winslow Farm Community Association
Board Meeting Minutes
Monthly meeting August 14, 2008 MCPL (Notification attached)

I. President Sherry Knighton-Schwandt called the meeting to order at 6:05.

All board members were present.

II. Minutes from July 10, '08 Board meeting were read & approved. Vote 3-2.

Several questions were discussed including board decision to turn off sump pump and responsibility of treasurer to direct manager to collect unpaid annual fees.

Minutes from July 15, '08 special board meeting approved with change. Vote 3-2.

Changed language regarding discussion of board knowledge and direction of document committee to "members of the board were not aware". Sherry objected to the July 14th meeting and stated said meeting lacked proper notification. (Notification attached)

Motion to investigate the purchase of a digital recorder and additional tapes so record of meeting minutes could be retained in manager office for homeowners.

Maker Sherry

Second Nancy.

Motion passed 5-0.

III. Financial report

Report reflecting activity thru the end of July was presented. 13 unpaid homeowners. Board questioned Treasurer about checks for bentonite and duck removal. President stated she authorized payments without board approval. Treasurer stated checks requiring two signatures had one signature only. Discussion followed about officers spending monies without board approval and status of 2008 budget.

Motion to approve financial report.

Maker Anita

Second Sherry

Motion failed 2-3

Motion to move forward with collection of late fees.

Homeowners who are delinquent on annual fees be turned over to small claims court immediately; and Board talk to attorney, Guy Loftman, about drafting three letters for future use:

1. Letter for final warning to delinquent homeowners before filing small claim.
2. Generic letter regarding homeowner noncompliance with covenants.
(Letter can be modified for specific neighborhoods, and to site specific section of noncompliance.)
3. Letter to homeowner who is landlord and/or tenants regarding compliance issue.

Maker: Carol

Second: Nancy

Motion passed 3-2

Board members raised concerns over paying lawyer for something that could be handled by board or manager. Support for motion was due to legal nature of letters to be written. Question was called. Chair did not proceed with vote. Homeowners in audience commented. Board member requested chair control meeting. Question called 4 times before vote taken.

IV. Committee Reports:

Pond Committee—Phyllis Mitchell

Pond Committee presented 4 issues to the WF Board and will have budget presentation for the Sept meeting.

1. Request for electrical repair (pond #7 fountain line) by Star Electric. Sherry asked for estimate. This repair was requested of Star before June floods.
2. Request to have Bynum-Fayno repair sump pump. Cost less than \$200.—
3. Request to use previously approved money (to bush hog dry pond) for planting flowers in the dry pond area. Cost estimates requested. No Board action.
4. Request to have Mike Deckard repair erosion behind 717 Moss Creek Circle, estimate less than \$200.

Motion to repair sump pump by Bynum Fanyo at a cost of no more than \$200.

Maker: Sherry

Second: Anita

Passes 3-1

Nancy votes no because legal opinion has been rendered to not run sump pump and keep ponds below 36" and in compliance with city code; and, if it is to be repaired it should be when Bynum Fanyo is here doing other work.

Motion to have Mike Deckard repair erosion behind 717 Moss Creek Circle at a cost of \$150.

Maker: Sherry

Second: Anita

Passes 4-1 abstention

Carol reluctantly votes yes due to public safety issue without seeing damage.

Nancy not prepared to vote without viewing damage, or seeing pictures of it.

Motion to have pond circulation pump run no less than 2 hours per day and no more than 8 hours per day during dry months of August and September. The pumping of water must maintain a healthy water level in pond number 7 at all times. Pond Chair Phyllis Mitchell will determine pump times, and request board member to turn pump on and off.

Discussion included questions about officers turning pump time up to 13 hours and water levels in pond 7 getting low. Potential damage to main pump. Important to have one person in charge of system.

Amendment offered by Sherry, second by Anita, to add Jenny Perkins name.

Amendment passes 3-2

Maker: Carol

Second: Nancy

Motion (amended) passes 3-2

Sarah introduced a motion for clearing area to be fenced and placing rip rap.

Motion is not allowed at this time by President.

Nancy introduced a motion to hire Bynum Fanyo to get ponds 6&7 in compliance with city code requiring fence if pond is over 36 inches deep.

Motion is not allowed at this time by President.

Nancy stated that it is 7:15pm and we have 15 minutes left in this meeting to deal with this very pressing problem. Carol seconded the motion and called the question.

Audience asked for chair to move forward with the agenda. Nancy requested that the Board move to executive session as audience was disrupting work of the board.

Documents Committee –Joan Lewis

Concern expressed over lack of action by board this year on their proposed documents.

Joan read report and emails submitted to Board 08/14/08 and asked, in light of actions and inactions by the Board, we respectfully request an answer to this question: Is the Board still endorsing this effort?

Motion to move forward with Bylaws and Documents.

Maker Anita

Second Sherry

Motion failed 2-3

Communications Committee-- Louise O'Connor

1. WFCA Communications Committee purpose is to promote productive communication among the Winslow Farm homeowners.
2. The Communications Committee feels it is important to discuss three other web sites and a blog.
3. Question about statement, "Winslow Farm Community Association, Inc. – a not for profit mutual benefit corporation formed for the purpose: acquisition, construction, management, maintenance, and care of 'association property'"
4. The Communications Committee feels that other web sites conflict with the promotion of productive and clear communication of WFCA, Inc business.

Board members asked why non-WF business was being addressed by the committee rather than the work of the committee on the official WF website.

Motion introduced by Anita to request Nancy Szakaly resign from the Winslow Farm Community Association board of directors.

Member requested President take Board to executive session. Request denied.

Point of order--Carol Sylvester

I request you take us in to executive session pursuant to section 3.1.4 of the by-laws.

1. "Appointment of officers."
 2. Allowing board member who resigned to represent homeowners, and vote on non-community property repair.
 3. Leaving sump pump on after being alerted there was likely a problem with it.
(Later ordered turned off by Bynum Fanyo.)
 4. Running pumps so long each day that pond number 7 was running extremely low.
 5. Allowing homeowners to work with equipment and pond when they are not insured.
 6. Payments being approved for unauthorized expenses.
(Duck removal, bentonite)
 7. Allowing payment on said bills by one signature on a two signature account.
 8. Never addressing pond standards, or getting compliance on buffer.
 9. Sending libelous* statements out via email to neighbors in our community.
(Proven through emails from others to be unfounded)
- *a written or oral defamatory statement or representation that conveys an unjustly unfavorable impression **b (1):** a statement or representation published without just cause and tending to expose another to public contempt **(2):** defamation of a person by written or representational means **(3):** the publication of blasphemous, treasonable, seditious, or obscene writings or pictures **(4):** the act, tort, or crime of publishing such a libel
10. Not calling this matter to executive meeting per by-laws 3.1.4

Due to these above reasons I make a motion to ask for you to step down as President of this association.

Second: Nancy

No action taken

If Not: I make a motion to remove you as president of the WFCA.

Maker: Carol

Second: Nancy

No action taken

Motion to adjourn and contact an attorney regarding these matters.

Maker: Carol

Second: Nancy

Motion to adjourn passed 3-2.

Meeting adjourned at 7:30 having completed only 25 minutes of meeting agenda.

Minutes submitted by Carol Sylvester, Secretary/Treasurer