

**North Brandon Shores
Homeowners Association, Inc**

2012 Annual Meeting Minutes

April 24, 2012

I. Call to order

Doug Hester called to order the regular meeting of the **North Brandon Shores HOA** at **7:00pm** (or shortly thereafter due to waiting on quorum) on **April 24, 2012** in the banquet hall of the First Baptist Church of Brandon, MS.

II. Roll call

Doug Hester verified we had enough proxies and members present for the quorum needed to conduct the meeting. There were 28 people and 9 proxies.

III. Other/New business

- a) **Legal Issue** – Due to previous commitment, we started the meeting with the issue that Mel Coxwell was handling. Mel explained to HOA members that there were 100 acres that had originally been advertised by North Brandon Estates, LLC (NBE) as future phase for the Ridge in which covenants would apply; however, Hank Jungling transferred the property to Brandontown, LLC. The HOA believes Brandontown (also owned by Jungling) was created to divert assets to keep from complying with covenants. There are 3 cases that support the HOA's stance that developments cannot be changed midstream in the development.

There was a right-of-way (ROW) platted where the road is being constructed off North Brandon Blvd. Covenants do not apply to roads. 18 acres was sold to Saulters by Jungling. The road is going to Saulters 18 acres; on the 18 acres, there is an easement to the 82 acres (for an emergency exit). There is also another ROW platted between lot numbers 1 & 2 which Jungling would use as an entrance to the 82 acres he plans to develop. Our land values are based upon what people see when they drive into our subdivision. If Saulters and Jungling do not agree to covenants, this will adversely affect our land values. They must both agree to covenants, or we will sue. Saulters requested financials and a set of covenants from the Ridge before he agreed to join the HOA. The Ridge did not agree to hand over financials. Hank wants to try to settle because he does not want us to sue. In a meeting Saulters would almost agree to a resolution but then would retreat from the resolution.

Mel fielded questions about the issue including how much this was going to cost. If it goes all the way to court, it could cost \$10-15,000 which will be split with the Ridge. Skip Brisker declared we should move forward to stop. He had a similar situation at there old home and that's why they moved.

- b) **Lake Report** – Next, Scott Kirk was introduced by Russell McCollough to report on the status of the lake. Scott said several came to observe the electro fishing. The report would be posted to the website. There is a good fish balance of small and large blue gills, crappie (which we have some very large ones), bass, threadfin shad and some catfish. We have an average size bass of 15-19 inches that are between 2-5 lbs. Scott's recommendations were as follows: 1) proper harvest- 10 bluegill per person per day; all the crappie you want; bass harvest of 15 bass per day of 16 in. or smaller 2) Fertilizer – this week the 4th application of 11 annually would be applied 3) Supplemental feeding – fish feeders on lake front properties with 32% protein solution 4) optional recommendation was aquatic vegetation control. This is for aesthetic purposes. Brian does a good job around his lot, but others should do as well. The overall shape of the lake is very good which speaks well for property values. The industry standard measure that Southeastern Pond Mgmnt uses is relative weight. A good weight is anything above 100. A measure below 80 means there is an imbalance. Our lake is 102.

Anse stated that the updated lake rules are not on the website. Russell said that the new harvest limits of 15 needs to be updated for this year and that it will be updated to reflect that limit. Someone asked how much the largest shocked fish weighed. Scott answered that it was over 8 pounds but that there were double digit fish in the lake; they just didn't get shocked up. Allen said that there had been an 11 ½ pound fish pulled out.

IV. Approval of minutes from last meeting

Kim McCollough read the minutes from last year's meeting. The minutes were approved as read. (Jeff Murray moved, Joseph Ray seconded)

V. Routine issues

- a) **Treasurer's Report** – Doug reviewed the expenses on the expense report that was included in the handout. He also reviewed the revenue. Someone asked if the handouts were missing a page since the revenues were not listed. Doug explained that only expenses were printed for the handout. Jennifer Anderson asked if the \$700 was the amount of outstanding dues. Doug answered that it was the write off amount that would not be collected. Kim responded that there was a little over \$3,600 still outstanding.
- b) **Lake Committee report** – discussed after Mel had the floor
- c) **2012-2013 Proposed Budget** – Doug then reviewed the proposed budget and stated that the dues would stay the same as last year. He opened the floor for questions but there were none. Jennifer made a motion to approve budget; Joseph seconded. Vote was taken, and budget was approved.
- d) **Nominations and Vote for Board of Directors** –Joseph reviewed the nominations for open board positions. He asked that we take Doug's name off the list and add Taylor Wood's name. Doug had agreed to finish out a 1 term position only if we did not have enough names on the ballot. Since Taylor Wood volunteered to be on the ballet, he asked that his name be removed. Joseph opened the floor for other nominations. None were given, so Joseph made a motion that all 4 names be

approved. Anse moved; Rusty seconded. Motion carried. Allen later noted he is on the nomination committee and asked that if anyone wants to share in the “ton of fun”, they should contact him. We always want new people to serve.

- e) **Clubhouse/Pool** –Joseph reported on clubhouse and pool issues. The pool will need to be resurfaced soon which will cost about \$10,000. Due to other costly issues, we are going to put off for another year. Also, the clubhouse will need a new roof very soon and the doors & shutters need to be refinished. The roof is being patched to try to put that expense off for later. Joseph mentioned that we are still having problems with kids jumping the fence. They moved the cameras so that we could not get a picture of their faces. Allen repositioned the cameras again. This is becoming a costly problem for us because last year we had to replace about 140 finials on the top of the fence. These cost about \$2.50 apiece. We are trying to keep a better eye on the pool and will review footage more often before it erases so that we can catch who’s responsible. When we catch them, we will call the homeowner and ask them to take care of the situation or else HOA will take care of it. We need to deal with it seriously including but not limited to a fine due to the seriousness of the problem. There has been drug paraphernalia found around the pool per Joseph. Jeff Murray noted that the men’s bathroom lock needed to be fixed. On a good note, Joseph stated that there have been no more break-ins since we changed the locks to key pad and installed new cameras.
- f) **Maintenance** – Allen discussed major maintenance issues. He briefly reiterated the point that the pool will need to be fixed due to it being too rough for kids’ tender feet, and he restated that the roof will need to be replaced soon. The main issue that must be addressed immediately is the sloughing problem on the levee. In March, the problem was discovered due to such a dry winter and the heavy rains since the beginning of the year. The slough is on south side of the spillway. He emphasized the point that ATV’s must be banned. If people continue to go around the fences and chains, they will be in trouble. Per Mr. Roberts, it’s not just kids that are doing this. He witnessed an adult doing this recently. We will put a heavier chain up and will check the cameras for violators. We need to stress the fact no one (excluding foot traffic) needs to be on the levee or private property. Rusty let everyone know that the drive at the end of Westerly that goes to the levee is private property. Allen stated that by doing nothing about the problem, we are enabling violators, but we would stop enabling. Everyone knows they must have stickers on the vehicles if they are parked at the boat ramp. This will be enforced. The sheriff will be called for trespassing. Linda Barber asked if there are signs stating the rules. There are signs posted. Jeff suggested that we put signs on both sides of the levee as well put a string across the levee so that it is abundantly clear that no vehicles are allowed on the levee. Mr. Roberts stated that he will help monitor for violators. Allen said to not confront a violator alone. He suggested that if someone sees a violator to take a picture of the tag, contact a board member and then the sheriff. Wait for someone else to come before approaching because there must be two witnesses. Jeff volunteered to help view footage if necessary. Due to all of the upcoming expenses, we may deplete the contingency fund, and it may be necessary to collect a special assessment. We will, of course, prioritize expenses (levee 1st, lawsuit next, clubhouse and then pool). We will hold off on

any expenses we can to keep from having to charge a special assessment. We try to cut cost where we can. For instance, we had volunteers cut below the spillway and used that savings to pay for the much needed chairs at the pool. Volunteers have saved the association thousands of dollars. That is why our dues are only \$400/yr. Brian has especially saved the HOA money. Mr. Roberts has volunteered to cut below the spillway if the HOA will buy the fuel. If anyone wants to volunteer to help save the HOA money, please step up and contact a board member. It is very much appreciated. Allen opened the floor to questions regarding maintenance issue. There were none.

VI. Recognitions – Doug recognized board members for their help. He also recognized Mel Coxwell and Brad Jones for their legal assistance, Harvey for his printing services, Anse & Linda for reserving the meeting space. He thanked committee members for their assistance, Brian for his contributions to the HOA and all others who have helped with HOA matters. All contributions a very much appreciated. Kim recognized Doug for his hard work and time given to the HOA.

VII. Other/New business – The floor was then opened for other business.

- a) Burt McPhail had to leave meeting earlier but had asked Jimmy Anderson to bring up the issue with the drainage ditch by his house. It backs up and floods his yard. Jungling owns the property with the drainage ditch. The HOA may need to ask Mel how we can get Jungling to fix it.
- b) Rusty asked that we consider moving the annual meeting to the clubhouse. It was agreed that this would encourage more participation in the annual meeting.
- c) Allen suggested we think about having a crappie fry and make it a neighborhood event. Perhaps rent blow ups, etc for the kids. This will allow neighbors to interact with one another.
- d) Jennifer stated that we all need to do our part to keep the neighborhood safe. We need to be accountable and question suspicious activity. We need to all work together to try to obey the speed limit and call out neighbors/kids that are not driving safely. Doug also mentioned that we need to be aware of what's going on in the neighborhood to keep it safe.

VIII. Adjournment

A motion was made that the meeting be adjourned. Rusty seconded. Motion carried and meeting was adjourned.