

Bolin Forest Phase II Homeowners' Association

Minutes of the Board of Directors meeting, Monday, January 10th, 2005, 7:30 pm

Board members present- Cliff Haac, Hope Wyss, John Rintoul, Gary Giles, Cameron Binnie.

Additional homeowners present: Linda Haac, Bob Ross

Minutes

Cameron made a motion to accept the minutes of the short Board meeting held in December, contingent on final changes and review by the Board. Cliff seconded. Motion was approved unanimously.

Holiday Party

Cameron stated that all feedback had been very positive. Food, refreshments and atmosphere at both the Campbell and Gillespie/Ferguson homes had been great fun and full of neighborly warmth. Steve and Terry Campbell generously donated the food they prepared. Expenses had generally been lower than expected. Hope estimated that based on preliminary receipts she had received the cost had been less than \$200: approximately \$20 for pizza and \$150 for wine. Some paper plates were left and returned to her for future HOA use, otherwise everything else was consumed. Attendance was approximately 70% of the BFII homes.

Treasurer's Report

Hope reported that after the end of year expenses the HOA will have approximately \$2100 in the bank.

According to the conditions of the business account from the bank (BofA) we get charged \$12/mo. if our balance drops below \$2500, so we are now being charged this fee.

John suggested that in future we should try to keep our balance above this target at all times in order to avoid this fee.

The only source of revenue is the annual homeowners dues.

A brief discussion followed concerning the timing of the dues notices. This is historically set as early as possible in the year while avoiding the holiday rush period. Hope said that we should be looking for a bank with a better rate.

Cliff made a motion to set the fiscal year as the calendar year, so that dues notices are sent out as soon as reasonably possible after January 1st with a 30 day due date on receipt. Cameron seconded. Motion was passed unanimously.

Insurance status

In previous meetings there were questions about exactly what our HOA insurance policy covered. Hope said that after calling our State Farm Insurance company three times to get a copy of our policy we still don't have a copy yet. This is something that is not kept in local offices. The State Farm representative stated that "all common areas are covered, including steps and playground."

John mentioned that recently he had switched his family's auto insurance from State Farm to Nationwide and it was significantly cheaper. Perhaps it was worth searching for a better deal.

Bob said that it would be up for renewal in June or July. It was bumped up from \$150 to \$185 last year.

The policy is up to \$1 million for liability. At this time this does not include officers' insurance. John said that individuals could add this, probably with no additional charge to their own policies, but given the \$1 million- a sizeable sum- it is not a big issue. Nevertheless, Cliff will ask a sister-in-law attorney to see what other Boards do. Everyone else will do the same. Hope and John will continue to look into the insurance policy.

Executive session

Cliff made a motion to have an executive section at the end of the open meeting. Approved unanimously.

Unleashed dogs

Cliff met with the Carrboro Police Chief, patrol officer and Animal Control officer to discuss the ongoing problem of uncontrolled dogs down by Bolin Creek. Compliance is about 80% for dogs on a leash in the common area, but dogs that are on a leash are more likely to be attacked by those that are not on a leash. The town manager had recently had a dog attacked. Animal Control (including both Carrboro and Chapel Hill) had put up signs at the far side of the creek last year but these had immediately been ripped down. Carrboro's Animal Control Officer also only works business hours- Monday to Friday 8 am to 5 pm. Guidance was given that if you are attacked you should call 911. They keep a log of calls and this is used to determine where the police should patrol in future.

Hope said she had found a stray and taken it to Animal Control.

Linda said she did call 911, talked to Animal Control and requested police patrols and bike patrols. Both towns realize they have a growing problem and growing liability. John mentioned that vandalism of the signs stopped in August when college started and then restarted in December when out of town college students would have returned to start the Christmas break. Possibly the perpetrator is a non-UNC college student who returns home to Chapel Hill/Carrboro for breaks.

Linda said that the Phase II playground is attractive to dog owners because they can sit down and still see the dogs when they go into the creek- there is no creek bank to go down to block view of the dogs. The town ordinance for both Chapel Hill and Carrboro is a 6-foot length of leash.

Cliff noted that it is a \$25 fine to have a dog off a leash. No citations ever seem to be issued.

John suggested that someone from the Board should present these concerns to the Carrboro Aldermen and ask for the leash laws to be enforced.

Hope made the observation that some homeowners may not agree with this course of action.

Bob said that once some \$25 fines are made the word would get out.

Cliff asked about making a motion to approach Carrboro to enforce leash laws.

Cameron stated that he could see both sides- a need for safety but a place for dogs to run around too.

John made a motion: Cliff and anyone else to go before the Carrboro Aldermen and seek their assistance in dealing with the dog problem and look into a bicycle patrol. Gary seconded. Motion passed unanimously.

John also suggested that the other Bolin Forest phases and The Cedars also be involved in the same issue so as to lend their voice. We will also find out who the HOA officers are for the Ironwoods neighborhood.

Hope mentioned that bikes are dangerous too. A discussion followed where it was noted that the abundance of bicycles in the greenway has resulted in significant degradation of the natural environment.

Representation of homeowners' views by the Board

Hope asked a series of general questions about how the Board functions- including how do we (the Board) listen to our homeowners, how do we decide how to vote?

There was a short debate in response. It was noted that homeowners are invited to Board meetings to express their opinion and board members should naturally listen to their constituents. Board members have been elected and are therefore empowered to make decisions. Elected politicians commonly make decisions that are not necessarily popular at the time and the Board is no different. Individual Board members terms last for 2 years and can be voted out of office when running for re-election.

John made the observation that it is surprising just how often the Board votes unanimously- split votes are comparatively rare.

Spring Workday

John made a motion that discussion of this item be moved to the February meeting Gary seconded. Motion approved unanimously.

Community Social Function with Phase I

Hope made a motion that discussion of this item be moved to the February meeting Gary seconded. Motion approved unanimously.

Architectural Review Committee (ARC) report

Gary said that Linda and he would come back to the Board with a draft guidance document about house color. He has a proposal that homes that face the Bolin Creek area should have a color range that blends in to the natural environment- so they would in harmony and not be so noticeable and intrusive to people walking in the greenway. Homes that do not face the greenway would have a wider color choice.

There are a number of things unspecified by our Covenants, including house color and the ARC process.

Gary brought up that there is also the matter of practicality - often the ARC is asked for a very quick decision (for example, a contractor is waiting to proceed with a job). This

makes it a challenge to contact other members of the ARC and any affected neighbors. The 30-day turn-around time for a response is rarely possible. Hope mentioned that if to expedite review of an architectural proposal the ARC duties get parceled out to specific individuals on the ARC then this is something that should be explicitly communicated to homeowners. Having only one person making critical decisions, such as house color, is not an acceptable solution.

There was significant discussion at this point about the desirability for setting color standards for homes in phase II. The appearance of intensely colored houses in phase I and II has caused alarm and strong feelings among some of the neighbors as being out of character for the neighborhood, not harmonious with the surroundings and precedent setting. On the one hand is individual property rights- to do what one likes with one's property. On the other is maintaining harmony between homes- both in terms of neighborly relationships as well as visual appearance. When a homeowner makes a property change the surrounding neighbors are unavoidably affected. It is the purpose of the Covenants and the Board to provide a community vision, maintain homeowner relations and maximize quality of life and property values for everyone affected when a property change is planned. The discussion continued into what the Board would do in situations when homeowners made changes in defiance of the Covenants- including home coloration. Legal action was mentioned although as a last resort.

Gary will work with Linda to develop draft ARC guidelines, with comments from interested homeowners. Homeowners interested in participating in this step should contact Gary. The full ARC will then review the proposal and provide input. Gary will present the resulting proposal to the Board. After input and endorsement by the Board the document will be sent to the homeowners as an ARC proposal for comments. Any change to the covenants would require approval of two-thirds of the homeowners, i.e. 18 households (see Article IX of the covenants).

Adjournment

Cameron made a motion to adjourn the meeting at 10:00 PM.
Cliff seconded. Motion was approved unanimously.