

ARPOA BOARD MEETING

1/10/00

Members Present: John Coche; Leslie Beers; Zane Schauer; Andy Wittner, Judy Vaughn; Rosemary Williams; and Donald Walsh.

Also Present: Toby Johnson

President's Report:

Minutes of the 11/2/99 meeting were accepted with corrections.

The Board was presented with a Letter of Resignation from the President, Joe Hogan. A motion was made, seconded and approved to accept Mr. Hogan's resignation. A motion was made, seconded and approved to appoint Mr. Coche as interim President. A discussion ensued regarding the 'standing' of a President who resigns and whether that resignation constitutes total withdrawal from the Board. Mr. Hogan had intimated that he would like to remain on the Board as a member for the remainder of his term. A review of ARPOA's by-laws was made and from that review and discussion it was apparent that the by-laws were silent on this point. Given this, the interpretation drawn by a majority of the members present was that a resignation by an Officer, is in effect a total resignation in that an Officer is a Director only by virtue of his Officer status. A motion was made, seconded and approved that henceforth, any resignation by an Officer constitutes total resignation from the Board.

The Board was presented with a letter, sent to us by the County's liaison for Special Tax Benefit Districts, in essence charging ARPOA with inappropriate use of its Special Tax Benefit funding. The County's letter directed ARPOA to discontinue using tax funding for the purchase of legal council, regardless of whether it benefits one property owner or all property owners. The Board noted that this interpretation is contrary to the Board understanding as well as a long history of experience. The Board has never hidden the actual use of funding and has a history going over 20 years of procuring legal services to represent the Community's interest. The President was directed to compose a letter in response to the County with our concern. In addition the Board agreed that further research of County regulations and code would be necessary before we agree with the opinion of the County's liaison.

The interim President informed the Board that John Miller, the current owner of the Golf Course property, contacted him. Mr. Miller would like to meet with the Board and discuss his concept for development of the property. A date will be arranged as soon as possible.

The interim President also provided a copy of a letter that had been circulated to property owners that misrepresented various facts from ARPOA's annual meeting held in December. It was agreed that the minutes from the annual meeting be circulated with the next Bay Breeze.

Treasurer's Report:

The Treasurer informed the Board of receipt of a bill from Sideline Services of \$1,600.00 and questioned the amount. Sideline Services was hired by the Garden Club to maintain the common areas within the Community. The Garden Club has been authorized by the Board to spend a certain amount annually for this program. A number of Board members felt that the bill appeared excessive given their perception of the work performed. The Board requested that more documentation be provided to justify the amount billed. The Treasurer and Zane Schauer agreed to contact Sideline and discuss this issue.

The Treasurer presented the Board with a revised 2001 budget as discussed at the annual meeting.

The Treasurer noted for the record that the new stipend approved for the Treasurers position would not be effective until the 2001 budget cycle beginning on 7/1/2000 and the other stipend adjustments just approved by the Community would be effective on that same date.

As noted above, the Board discussed the County's letter regarding use of Special Tax Benefit district funding for the procurement of legal services. Given the uncertainty of a final resolution on this issue the Board directed the Treasurer to open a checking account within ARPOA private funds.

During the Treasurers report the issue was raised regarding the payments for services being provided by Will Nuckles. The question was raised whether proper authorization had been given for the payment of an hourly fee for services provided. Though it is not noted in the minutes of previous meetings the majority of the Board members present do recall approval being authorized to pay Mr.Nuckles. Mr. Hogan had verbal confirmation from the Board and directed the Treasurer to pay Mr.Nuckles for his time. Mr. Nuckles had volunteered to pursue an alternative solution to the shoreline problem and was sanctioned by the Board to pursue finding an engineering firm willing to provide engineering services. Given the lack of documentation available, the Treasurer offered to contact Mr.Nuckles and request a Contract Letter of Intent, his qualifications and a fee schedule. A motion was made that the Treasurer also contact Mr.Nuckles and request a return of the recent payment made, pending the completion of a contract document. This motion was seconded and approved. Following approval of a contract document, the payment would be returned to Mr. Nuckles as previously agreed to.

Meeting adjourned at 10:00pm

D.Walsh