

EAGLE'S POINTE PROPERTY OWNERS ASSOCIATION
BOARD of DIRECTORS MEETING
MINUTES
March 13, 2002

The Eagle's Pointe Property Owners Association Board of Directors met on March 13, 2002 at 4:01 pm at the Association Room at the Clubhouse. Present for the Board was Bill Gordon, Jill Barbor, Todd Elliott, and Paul Adkins. Jim Morrison was present for the Infrastructure Committee. Kathy and Robert Bundy were present for the Management.

Catalano complaint about uneven concrete. Is marked in green and will be fixed by Centex.

Schugot complaint about standing water. Is draining improperly from common area into the side yard and Magnolia is leaving ruts in the yard when they mow. Water needs to be drained away from the yard by Centex.

The following items were unanimously approved by the Board. The Minutes from the February 4, 2002 meeting (Bill motioned, Jill seconded). February's Financials (Jill motioned, Bill seconded). The March 2, 2002 Joint Meeting Minutes (Bill motioned, Paul seconded). March 13, 2002 letter to our attorney (Jill motioned, Paul seconded). March 13, 2002 letter to Bill Layman (Bill motioned, Todd seconded). "Notice of Violation" form (Jill motioned, Paul seconded). The Board reaffirmed the 18% per annum interest rate (Jill motioned, Paul seconded). Approval was given to give Notices of Violation to the Warner household for their above ground, electric dog fence and to the Powell household for the fence in their backyard (Jill motioned, Paul seconded, Todd abstained from the vote).

ACC Standards were rewritten with changes on truck signage and an addition of a fine for homeowners who do not allow final inspections of ACC approved projects. ACC did not approve the Design Standards because they want to insist that all vehicles with signs be parked in the garage. Bill drafted a letter to the attorney requesting clarification of the CC&Rs' Article VII, Section 7.09 (no sign whatsoever, without ACC approval, may be visible from the exterior of any homesite) and Section 7.14 (b) and (c) (regarding the size and weight of vehicles). The letter also asks if the ACC/Board can force vehicles with signs to park in the garage.

The letter to Bill Layman about the Association Room was responded to by the LinksCorp attorney. The letter claims that the Association Room is owned by LinksCorp. The attorney agrees that Eagle's Pointe residents may use the room, without charge, during business hours. He agrees that after hours Links may charge us a reasonable fee for use of the room and the bathrooms or use the rest of the clubhouse and the food/beverages. The question of whether we can use only the Association Room after hours with no charge. We believe that the POA owns the room via Centex Homes and the Association Room Assessment in the amount of \$74,700. Bill drafted a letter to Bill Layman to clarify these issues.

Phase 3 issues need to be addressed by Centex or Links. Centex or Links need to come back and sod stripped areas. The garbage from left over construction and food needs to be cleaned up by either Centex or Links. Jim Morrison and the Infrastructure Committee will walk Phase 3 and report back to the Board so a letter to Centex and/or Links can be drafted and these issues can be addressed.

Greg Shanks ignored the letter sent to him by the attorney on February 17, 2002. Bill asked if we could put violators' names in the newsletter. The attorney said that we could legally, but it gets very messy and we would be better off if we didn't. Bill informed the attorney that we would like to send Shanks a letter of intent to inspect the property on Saturday the 9th and then a notice of violation. The attorney agreed. Bill met with Greg prior to the 9th and agreed that Mr. Shanks would be given 2 weekends to complete the work. Bill put a letter of inspection outlining the problems in the Shanks' mailbox. If the work is not completed in the agreed upon time the ACC/Board will go to the attorney and not give him any more extensions. Mr. Shanks requested that he be able to trim his porch in white to match his house. The ACC was fine with the white trim.

The Board would like clarification of the “lien” that will be placed on a property if they are in violation of CC&R’s, Bylaws, or ACC Design Standards. Does this lien automatically go against the property? Can it be used as a judgement against a homeowner? Can it be filed for public record? We will check with the attorney for clarification.

The Notice of Violation was revised with the addition of the CC&R’s wording on “rights to appeal”. The Notice of Violation includes places to note the problem, the cure, and the possible fine(s). Kathy suggested that we add her extension onto the Notice so that people don’t bother staff who will be of no help.

The covenants call for 10% interest per annum to be charged for late fees. 18% is what we have been charging, but Bill can’t find any verification that the Board had passed that interest rate. 18% per annum comes out to 1.5% per month. Kathy Bundy reminded the Board that Bundy/Eagle’s Pointe is willing to work out a payment plan for dues.

The Board would like the Recreation Committee to add fines to the Common Area Rules and Regulations. Jim Morrison was advised have the Infrastructure Committee to impose fines for violations of their rules and regulations, especially concerning the dog poop. Some people who live around the lake and own dogs need to be reminded to pick up the poop on the Common Property just behind their property because most likely it is their dogs going just over the property line.

The ACC has requested that the Board take action against two property owners. Ms. Warner has an electric dog fence, above ground, that she was notified must come down. Kathy informed us that the first notification was March 28, 2001 and the fence had not been removed. Subsequent letters were sent in April, November 12th, and December 11th. Paul says that Ms. Warner commented that her fence is no more unsightly than anything else in the neighborhood and that her neighbors don’t mind. Kathy reminded us that Mr. Powell was asked to remove a lattice style playpen, that had not been approved, from his backyard on September 7, 2001 and again in November of 2001.

Once the ACC Design Standards are finalized the ACC will walk around the neighborhood to assess anything that is in violation of the standards. They will also notify the Board of items that have not been approved but are in accordance with the Design Standards.

On Sue’s notes of the phase 2B and phase 3 walkthrough she ended the list with a notation that there are still items from the phase 1 and phase 2A punch lists have not been completed to our satisfaction. The issues pertaining to the lake path and entrance ways will probably be turned over to Bob Deeb since Centex is not willing to correct the problem properly. The lake has been an issue from the beginning of the Board’s punch out lists. Jim Morrison would like reflectors put on the curbs or street to the entrance of Eagle’s Pointe. This is Links property and Bill will bring it up with Bill Layman. Many homeowners have complained that the flowers at the entrance look horrible. Members of the ACC and other homeowners have volunteered to plant flowers if Links will allow us to do so. Jim would like to have someone from the Clemson Extension Office come out and give a talk about how to care for our lawns and possibly take soil samples.

Robert Bundy let us know that Atlantic Pools is waiting for the chemicals to come in to treat the pools, and that the treatment would be done by April 1st so that the pools would be able to open on time. Robert called the State Management about the problem with the floating, if it is a problem, it will probably break up and fall to the bottom (Robert has not heard back from the State). He talked to Servpro and asked them to begin cleaning the bathrooms on March 29th since the pool opens on April 1st. We will follow up with Mona to see if she is still interested in doing the cleaning. Servpro charges \$65 per cleaning and Mona had submitted a bid for less.

Bill will arrange the next Board meeting with Board members as April approaches. Being no further business to be discussed, the meeting was adjourned at 5:35 pm.

Sincerely,
Jill Barbor

