

**Lockwood Folly POA Board of Directors
Minutes from June 9, 2011 Meeting**

Present: Gordon Ackley, Joe Geise, Kitty Kesler, Ken Palumbo, Jill Notter, Charlie Pepe, John Van Dusen, Mike Whitwam

Absent: Joe Pollard

The meeting was called to order at 2:01. No residents were present. (Theresa Tese arrived shortly after the meeting began.)

Old Business

Joe reported that sewers were voted down.

The recreation park surveying is done. Changes suggested by our attorney have been made and we are ready to file the property as a single parcel. Concerning the threatened law suit, our attorney advises us that we are in a very defensible position since approval of use of common property rests with the POA Board of Directors.

The POA election results were announced. Paul Boileau, Mike Collins, and Mike Whitwam were elected the new Board members. Vote participation was 48.9% of the community. Thank you the Nomination Committee. We will have a workshop meeting June 24 to make the transition to the new Board.

Theresa Tesa made a formal request that all votes be counted in public. The Board responded that public counts are done on major issues such as the club house vote.

The CSC researched the tenant issue and wrote to both the complainants and the tenants. We are waiting for a response from the property owners and their tenants. The CSC will write a list of recommended changes to the covenants that the Board will review.

We voted to pay Dwayne Masser \$10,000 for his buildings in the maintenance area based on research into fair market value.

We held a long discussion of the issues raised by the community about the fence on North Court. There is no provision for the community to appeal a decision of the ASC. Only the applicant can appeal. However, we felt the concerns raised by the community needed to be addressed. In order to overturn a decision of the ASC, the Board must find that an error has been made in the application of the rules as written in the Covenants.

The original application for the fence stated that the purpose was the screen an objectionable site element (an above-grade septic system).

We examined Architectural Standards Guidelines Section 6.4 Fences (amended 5/22/2006). As written, the rule allows for a six foot fence for screening an objectionable site element.

We examined Master Declaration Article X, Section 11 Storage Area and Service Areas. This pertains to screening of fuel tanks, HVAC units, lawn equipment and trash receptacles. Since this does not cover an objectionable site element, this section does not apply to the fence in question.

The Covenants as written do not address the maximum allowable size for screening an objectionable site element; therefore, the ASC had no choice but to use the restrictions of no more than 50% of any property line, as stated in Architectural Standards Guidelines 6.4 Fences (amended 5/22/2006).

The Board could not find a reason in the Covenants and Master Declaration as currently written to overturn the ASC's decision. However, we recognize that the current wording needs revision to reflect the community's objections to six foot stockade fences within the community. The Board voted at its last meeting to put a moratorium on approval of all fences until the current fence issue was resolved. The ASC will revise the Architectural Standards Guidelines Section 6.4 to reflect the use of fences as a last resort and to define clearly what type of fencing is appropriate. The Board will review their recommendations and only after approval of a revised fence policy will new fences be considered for approval by the ASC.

In addition, Gordon and Joe Geise will visit the resident to make him aware of the community's concerns and see if he is amenable to changing the fence or some other compromise.

Ken suggested we purchase a theft and fraud policy for the president, treasurer, and assistant treasurer. We approved purchase of a \$250,000 policy.

The tent has arrived. Diane Sandoval and her committee erected it and created a color-coded diagram for future use. Thank you to her and her committee.

Mike reported that he has put a deposit on the storage shed and is waiting for permits.

Facebook is up and running. The community is encouraged to sign up so that they can be part of discussions about community issues as well as to share information.

Director's Reports

Jill—A lock and a malfunctioning door knob in the restrooms by the library were replaced.

Mike— Seven trees were removed and one house is being painted. The Fulwood construction is ongoing.

Kitty—The community picnic will be held July 3. Grass Roots will put up the tent for the event.

John—The pool gates are being fixed to meet code. The Oyster Shoals/Genoe's Point storm water work will begin next week. The Windward Village/Lockwood Lane work will occur in July and August. An additional project to address the flooding at E. Lakeview may be added when the other projects are completed. We approved money for work on the entrance to the maintenance area from Purple Finch to widen the entrance and pitch the road to minimize run-off from the maintenance area.

Charlie—nothing new

Joe—Patching of roads will begin in mid to late June.

Ken—May was a big spending month mainly because of pool repair and repainting and purchasing mulch.

Theresa Tese said that her fliers continue to be taken down. She suggested that fliers be approved before they can be posted. Gordon said he will put out an email reiterating the bulletin board policy.

The meeting was adjourned at 5:00.

Submitted by Kitty Kesler