

BPV
BOARD MINUTES
NOVEMBER 20, 2006

Jan calls meeting to order at 7:10 and introduces the Board.

Jan asked if there is a quorum. A quorum is confirmed by Tyra Regan.

Jan introduces Pruitt Ashworth, Attorney for the Homeowner's Association. She hopes that we can get some answers tonight.

There are no minutes from last year so no board minutes are approved.

A quorum has been established and we will move on. Jan tells everyone that there will be a 2 minute time limit per person to speak and ask questions.

Board election nominations were taken from the floor:

Rhonda Neal V2 and Christine Pringle nominated from the floor.

Rhonda Neal stood up and spoke about herself

Christine Pingel H4. Christine stood up and spoke about herself.

Anita Thompson 13 stood up and spoke about herself.

Sue Green MI stood up and spoke about herself.

Bill Clark P3 stood up and spoke about himself. He has been on and off the board for 3 years.

Connie Rodriguez asked how many ppl to vote for.

Jan - discussed how she is as the president. She got on the board last year and its her home as well as everyone's. It is a job, but it is well worth the effort.

Bruce Grentz A6. Who will be on the board?

Jan - the people we are voting tonight

C7, CIO - who is Sue Green

Jan pointed Sue Green out.

Raymond Randall U8 stood up. He wants to be nominated to be on the board. He knows how to deal with contractors and building codes. He knows how to save money and see that we use bonded people that do the work. He understands the commercial side. He has lived there a little over a year.

Connie Rodriguez - addressed Jan. These people are who are in charge of whats going on in the complex?

Bill Clark - you would need to call the police.

Connie Rodriguez - No I mean ifthere is something going on?

Dick Weiss 14 - Moved to close the nomination

Murph Savage KI-Seconded the Motion.

Motion to close. Approved

Jeff Skinner B8 - Wants a list of the nominees. Lauren Twyman read him a list ofthe nommees.

Jan Paul, has everyone voted that wanted to vote? Yes. There are no committees so there won't be any reports from committees. There is no unfinished business.

A6 - Do we have to have committees per the bylaws?

Jan -We do not have to have committees. We will be asking people throughout the year. We had a committee at one time for the paint. Yes there will be and we will be calling on any of you willing to help.

Pruitt Ashworth - If you feel like there is a need for a committee you should contact the board members and make sure that they understand what you want and why you want it. I think the more active you will be the better the HOA will function. So make sure you contact the people that are still on the board.

J an Paul - We will welcome any of the help we can get.

J an Paul-Is there any new business.

Dick 14 - moves that the Board move that the board of directors terms expires as follows 2006 Bill Clark, Terry Daley, Bill Swetmon, 2007, Tyra Regan, Lauren Twyman and 2008 Lynn Ryan and Jan Paul.

KI Murph Savage Seconded the Motion.

Discussion -- none followed.

Approved

Jan asked if there was any more new business. Dick Weiss 14 stood up and said he had a series of motions that he thinks the association should support the board and ratify these things due to threats of lawsuits ..

Motion 2. Moves the owners approve that the board took the appropriate action to remove TD as president of the association and as

C7 - does not know what he means by that and wants an explanation of exactly what happened.

Pruitt Ashworth - stands up and explains a meeting on September 25 that was called. As he understands there was 1 officer removed as president, Dr. Daley. When the bylaws say that the president and treasurer would normally sign the checks there are also times that the management company does that as well. Question was raised as to whether the notice to the board of directors was specific enough to allow the board to remove Dr. Daley as president. And also whether there was proper notice given under the bylaws with regard to the meeting. Then there was a 2ⁿ meeting held on October 30. This meeting had the proper notice and was very specific to what the board of directors would do. What the board was doing was removing Mr. Daley as president and also affirming specifically that the people who would be able to write checks on behalf of the association. The meeting on the 25th was properly documented. There were 5/7 that came to that meeting. They redid what was done on the 25th. Then there was another meeting. And these meetings were just to be safe. The members of the board have a fiduciary responsibility to you. If they do something that violates that they are in trouble. So there was a 3rd meeting to ratify all of the decisions that were made earlier. I am just here to represent the HOA. This motion is to again ratify that decision that was made on September 25th.

C7-Here is my problem. What was the decision about the September 25th meeting and was it legal and if it was why did we have to have a 2nd one? I would rather leave September 25th out of this. I believe the 2nd meeting was properly noticed and ratified so I question, why are we bringing that up unless we think something's not right.

Pruitt Ashworth - My opinion is there were two letters that came from different attorneys. They were about the notice and the specificity. When it comes to these meetings. I am an attorney and I deal with due process all the time. When you want to have a special meeting you have to give the other board members a certain amount of notice and be very specific about what you are going to do. There was a question about the 25th meeting about what they were going to do. There was a question so as an attorney the best thing to do is to recall the meeting but to ratify and redo it, to the extent necessary these people had the right to write checks and the third meeting was to specifically use the word ratify.

I4-- The purpose of this is that the board took the proper action. The individual knew the meeting was going to be held and knew what the board was going to do and then went out after the meeting and tried to confuse everyone. The board took actions and changed signature cards. HE thinks association should support the board and say they did the right thing. Dick says the individual knew what happened and that there was a threat of a lawsuit. A new officer was signing checks incorrectly? He thinks we should support the board and say 5 members knew what they were doing and got together

Ryan Randall Seconded the Motion

A6-By ratifying this do we help protect the HOA in the event that Dr. Daley sues the HOA. Would this help the HOA over the long hall and protect them?

Pruitt Ashworth - He thinks this is just icing on the cake and that the board has already done everything that is necessary. This would not hurt the situation.

H4--What was the result with Jan being the new president? Was there a rule that changed that someone else has to sign checks now.

Pruitt Ashworth-What you normally have when you go the bank, is the minutes that are signed,. The bank looks at the minutes and whoever the people are have the authority to sign the checks. You give to the bank and they change the signature cards. What was given initially was not signed.

H4-We as homeowners were told there was fraud, slander, defamation of character.

Pruitt Ashworth - Is not going to make a comment on that. He thinks the board has done what was necessary

Lauren Twyman -- explained the check situation

Motion 2 was voted and Approved.

Raymond Randall --U8 wants to know if we can get the minutes published.

We will come back to that - J an Paul

KI-Moved that Terry Daley be removed a.s president ofBPV

U8 - Seconded the Motion

Voted - APPROVED

J an - is there any other motions?

Dick Weiss I4-Motion 4 -

Christine G4 - Seconds the Motion

B6-The way he understand it is that to be on the board you need to own.

A discussion was followed between several homeowners. Dick states that he just thinks we should have a

B6-we have been married 5 years, I am on the Deed. If in the future one of us wanted to be on the board, could I assign my interest to be on the board?

A6-we wrote in some people tonight, but they did not give us any advanced notice.

Pruitt Ashworth - if the resolution passes, you cannot have the same kind of write in as you have tonight, you would have to do establish this. Anyone wishing to run for the board would have to approve.

Vote. Majority Approved.

I4-Motion 5-Moves the board appoint an internal audit committee to review all expenditures from October 1, 05 through November 30, 2006 and report their findings to the board of directors. The board has the authority to retain legal counsel to recover funds from ppl.

P 1 O-Seconds the Motion.

H4-Who will be on the committee? Its to be decided

G4 - has anyone looked into filing criminal charges against Terry Daley and Bill Swetmon?

Pruitt Ashworth stated that as an attorney does not recommend an HOA with limited amounts of money stmi going after anyone unless an audit shows that there is specific amount of money has been embezzled. Recommended that we do nothing of that nature.

Jan is there anyone opposed?

H4 -are we responding to any allegations against the HOA to this point?

Pruitt Ashworth - addressed that. Spoke about letters and allegations in letters. No lawsuit has been filed that he is aware of.

A6-Committee appointed by the Board? J an -Yes.

No one is opposed

Motion Approved.

14-Motion 6 - immediately remove signatories on all accounts and any management company's be removed and submit checks 2x monthly.

B-Seconded the Motion

PID-Wants someone to explain.

14-Wants only directors signing checks for the association. No more outside parties.

Bill Johnson - stands up and wants people to know that if there is a question about the integrity of the Board. There is an audit and he wants it to be known that there are no statements made that the management company has done anything illegally. Wants to know from J an if there is anything done wrong.

J an chooses not to answer,

Pruitt Ashworth - says to his knowledge there is no problem with the management company that the management company has done to his knowledge. Evidently there has been issues. I came in a month ago. I have just tried to make sure all the documents are in order and I have not been involved in that part.

H4-She has an opposition. We selected AMGI and we send our payments to them and they researched payments to them. What would the advantage be to taking them off as signatories on account? She does not think it's a bad idea for them to be on there to make sure that the board is doing the right things. They helped with legalities and things. They maintain our records and should be involved. Unless there is a good advantage

G3-She moved out and turned unit into rental. She has personal knowledge. She has attended every board meeting. She thinks that Terry Daley acted independently of the board and spent money to upgrade his own condo and the area around it. For someone to stand out in his front yard and water his lawn and everyone else's sprinklers don't work. I don't think that anyone is truly innocent but I do think that he spent the money to his advantage

Raymond Randall U8-Wants to be careful not to burn any bridges to the management company. The management company showed him some paperwork. He said to look at their situation and asked them

H4-Wants evidence to see if anyone on the part of AMGI has done anything wrong. It has all been directly towards Dr. Daley. She goes by facts and thinks it's a good thing to have a company

B6-She knows that the govt has checks and balances. She does not think hes saying to point fingers, just *from* now forward to have a check and balance.

A6-Are we saying that AMGI approved spending through Dr. Daley.

Bill Johnson - AMGI does not approve any spending. The designated officer approves spending.

A6-Even if Dr. Daley mis-spent money, we have no proofthat AMGI was culpable of that?

I4-There are no accusations that

C7-The person who submitted the motion? If I understand what he was saying - to regain control or identify the minimum no. of ppl by position who should be signing. If there is something we need *trom* the management company.

14-- They wont be cut out, they just prepare the checks and the checks are signed by two board members.

VI-Thinks its normal what Dick is saying. She says that we have really good reserves. VI e all worked hard to have this protection and its easy for it to go away and do what most condo associations do have them print the board and have two board members sign it.

Suzanne McClain - Wants to say something positive. This all began because a lot of board members felt like there was not a lot of group participation. The management co. deals with only one board member predominantly. It was more convenient for the one board member to come by the office. We assumed that it had been approved by all home owners and board members. A lot of the board members felt like they were not involved in the decision making. She has seen this board that is currently in place has done an excellent job tonight getting done for the annual meeting. Normally the management company takes care of that. Everyone has worked really hard to get everything ready for the meeting. They want to be involved as a group, they have been involved. It is a positive thing. Be a board together and not have the dissention. You are a community and homeowners should be looking out for their best interests. There has been a lot more participation and communication is good. The board is a group to work for you. They will come to us. She has seen a lot of positive.

Dick I4-He sent out letters but did not think they were negative. He continues with discussions about the checks. The purpose of his motion is to make sure that the money is signed by the board.

PIO-Just as a new homeowner, it sounds like having the management company sign the checks creates a sticky situation, it might keep everyone at bay. He thinks that we vote on it.

Raymond Randall U8 - Seconds it.

G3-Question. Spoke out against the current board, specifically Terry Daley. She wants to know if we elected Terry Daley last year and Treasurer? Who was signing checks? Mark was signing checks?

Lynn Ryan P4 - She was not on the account until recently. She provided her information to Terry but was never put on the account.

Motion was Approved Unanimously.

I4-Motion 7 - Moves that the term Owner be clarified. Must have something on file to be an owner and that any other person claiming to be an owner must submit into advance to be qualified as an owner. The board will get a nominal fee to cover the attorney fee to verify that they are an owner.

G3-Seconds the Motion

U8-What would be someone that is legally an owner? On my deed of trust it says husband and wife, and heirs, does that count too?

Pruitt Ashworth - The purpose is that when you buy a property, it uses the word heirs, it doesn't mean anything. If you wanted to use an heir to vote on your behalf, you do what the other motion says and bring something to the association. Says you cant have a document that says anybody can be an owner. A specific person must be a homeowner.

Motion Approved Unanimously

New Business:

C7 - Question. Are we going to get to approving the budget for 20077 A discussion was . followed. J an - a draft of the budget was provided but we have not approved anything.

U8-- Wants to bring up new business. He wants the minutes to be published on our web page if its possible. Bill Clark - as he has gotten them they are on there. Bill Clark - he was given documents he put them in the format that he had them. He is going to go to word. The company that he bought the software went out of business so he needs to do it. Discussions about target dates to get to have it up. Bill Clark says he will change it.

G3-Question about the BPV newsletter that came out last January with all Rules & Regulations rrom Terry Daley. Are we going to continue with some ofthese items. Landscape in particular? All the people have their own landscaping? People have decided to replace rront doors for people? In the last 3 months on Terry Daley's reign.

B6-Last month, when she was approached by Terry Daley to sign a petition. She did not sign, but he mentioned the doors. If what he says is true, he said the doors were being purchased for the ones who needed them the most and the HOA was paying for the half and the homeowners the other half. Wants someone to make a motion that the building structure is the homeowner's responsibility. Whatever the vote was that we negate that. If people have a problem with the door, they either fix it or get a fine.

A6-When you bill for the doors can you payout over time? Has a question as to the maintenance. He was told every five years, the whole development would be painted. To his knowledge, his unit has been painted 3x in 23 years.

Lauren Twyman - We are going to focus on siding and maintenance and then paint.

Dick Weiss - Does not think there are specific numbers in there. He was painting on a five year basis, but the 3rd time, instead of flat paint we used satin and it has been 7-8 years, but we were trying to do a juggle of replacing the hardi board. After the 5 years, all the women on the board said

K1-Who on the board has cameras. Anita went and got the cameras from the pool. The camera guy got the cameras

B6---Wants a leak in her gutters to be fixed.

V2--Wanted to say that things are upsetting. Even before this board. She bought a house down the street from BPV and then she bought a unit in BPV. She is renting it out and she communicates to the renters what she knows to be the rules. Her understanding is that if there is a violation, she would appreciate a letter stating such. She wants a warning letter, not just a fine.

Ed Ambrose - Everyone gets the warning. Every person gets a warning and then a fine.

A discussion pursued that the people got fined straight out.

G3- Concerned about the painting. Very concerned

K1-Can we find out who the new board is?

Jan - The results of the election. Bill Clark 50, Sue Green got 36, Anita 32, Rhonda 12, Christine 10, and Ryamond 9. Anita Sue and Bill Stood up.

G4-Her shed was taken apart because someone said there was rotten wood. The roof was crushed by standing on it. It still has caulking from the outside.

A6-Moved that we Adjourn the Meeting.

Lynn Ryan --- Seconded Motion