

Minutes of 18 January 2010

Attendees

Guy Mapstone (Vice President/Board), Lisa Rogers (Treasurer/Board), Jeanne Phillips (Board/ACC/Mears Improvement Committee), Dave Keller (Board Member), Randy Banez (Secretary/Architectural Committee) and David Riley (Accountant) were present. Jim LaBau (Grounds) was absent.

Deanne Tuckerman represented Ben Marsh & Associates, Inc.

Quorum

The Board meeting was called to order at 7:10 P.M. A quorum was established with four of four Board members present.

Approval of Agenda

Lisa Rogers made a motion to add in Registered Agent to the agenda.

Lisa Rogers moved to approve the agenda. Guy Mapstone seconded the motion. Motion carried unanimously.

Approval of Minutes

The minutes of 19 October 2009 meeting were reviewed. Lisa Rogers made a motion to approve the minutes. Jeanne Phillips seconded the motion. Motion carried unanimously.

Treasurer's Report

David Riley presented the financial report. See attached Treasurer's report. This year we have six homeowners who have not paid their dues as of 18 January 2010. Five homeowners haven't paid late fees. The five-year average is 8 homeowners who have not paid by this date, so we are right where we have been in the past. Right now we have \$2,340.00 in outstanding dues, \$200.00 in late fee, \$115.00 in fines for an RV violation and miscellaneous clutter that hasn't been paid. Total outstanding \$2,655.00 as of 18 January 2010.

Premium Saving Account has \$62,458.34, Savings Account \$5.00, and Checking Account \$2,046.85 as of 31 December 2009. Income for the month of December was \$3,662.64 and total year to date income is \$45,840.92. Total expenses year to date \$39,364.82.

One homeowner made a notation on his statement and suggested ABOA research or look into the Usury Law about the \$25 late fee for late dues. David Riley did check on the Usury Law and the law only pertains to personal loans. Late fees on unpaid dues are not personal loans and are not protected under the Usury Law in the State of Alaska.

On December 29th we received a payment from a homeowner for the dues as well as late charges for November and December. An additional \$10.00 was included with no explanation as to what it was for. David Riley applied the \$10.00 to the \$100.00 RV violation fine.

Question to the Board; Does David Riley continue charging the late fees that haven't been paid when the dues were paid? In the past the Board of Directors have been lenient with the

homeowners and have forgiven the late fees once the dues were paid. Question to David Riley; are these the same people who are habitually late every year? Out of the five homeowners one is late every year and late fees have been forgiven.

Lisa Rogers made a motion to forgive the late fees for the homeowners who have paid their dues. Dave Keller seconded the motion. Motion carried unanimously. David Riley will stop charging the late fees for paid late dues.

Letter was sent in July for general clutter with a fine of \$25.00 to one homeowner, which haven't been paid with the dues. On the weekly drive through, management has written the homeowner letters for the smoker on the front porch, buoy hanging from a tree, boards in the driveway and against the garage, and general miscellaneous clutter. Management let the miscellaneous clutter slide because it appeared that the home was in the stages of remodeling. In a phone conversation the homeowner stated that he ran a home business. When Deanne Tuckerman pointed out that it's against the Bylaws to run a business in ABOA, he changed his statement by saying he is working on his own home. When Deanne Tuckerman was hired she was told to apply things fairly and be consistent all the way through.

The RV fines are questionable. We do not have consistency and documentation of when the RV was in the neighborhood. Jeanne Phillips read the letter to the board that the homeowner wrote to the Association in response to the fines that was charged for the RV. His claim is that his RV was not in the neighborhood more than it was out and he hasn't broken any rules and shouldn't be fined.

Lisa Rogers made a motion to stop the fines for the RV because we do not have sufficient proof that the RV was here more than not. Jeanne Phillips seconded motion. Motion carried. David Riley will discontinue the fine and reimburse the \$10.00 back to the homeowner that was applied to the fine. For the year 2010 management will document the RV, boats, and any other off road vehicles with photos, dates, and time, per Bylaws and House Rules.

Lisa Rogers made a motion to accept the Treasurer's Report. Guy Mapstone seconded motion. Motion carried unanimously.

Grounds Report

Nothing to report. Lisa Rogers made a motion to accept the Grounds Report. Jeanne Phillips seconded motion. Motion carried unanimously.

Tract I

David Keller needed clarification on the playground equipment for Track I. Do we need three-fourths of the homeowners to vote in favor of putting in a playground and maintaining it? The answer is yes, we need two-thirds of the homeowners for a capital expenditure.

We have had several questions regarding this matter in the past. Lisa Rogers made a motion to approve the Tract I Report. Jeanne Phillips seconded motion. Motion carried unanimously.

Architectural Committee Report (ACC)

No report.

Vehicular Report

Deanne Tuckerman reported a couple of snow machines and trailers in driveways. They weren't there long enough to be written up and fined. Got an e-mail from a homeowner in Hogan Bay, complaining about cars parking in the center of the cul-de-sac. He has difficulty getting out of this driveway and emergency vehicles wouldn't be able to get through at all. Deanne Tuckerman explained to him that there is nothing the manager or the association can do about the vehicles unless they are parked on the sidewalks. The city officials or the police wouldn't answer the Managers call. The cul-de-sac is the city right of way and the home owners need to call the city or the police and report the vehicles.

Lisa Rogers made a motion to accept the Grounds Report. Dave Keller seconded the motion. Motion carried unanimously.

Welcome Committee

Have the new homeowners of 10111 Eshmay Bay been welcomed? Lisa Rogers will find out from Michael Hanifen if he had welcomed the new homeowners to ABOA. Lisa Rogers will also need to ask Michael Hanifen for the welcoming gifts. We do not have an accounting of what was in the box of welcoming gifts that Chris Breest had turned over to Michael Hanifen.

David Keller made a motion to accept the welcome committee report. Lisa Rogers seconded motion. Motion carried unanimously.

Old Business

Lisa Rogers made a motion to hire a registered agent to send yearly notification to file State & Federal Taxes. Guy Mapstone seconded the motion. Vote is on the table and a discussion was led. The annual cost is \$160.00 to retain a registered agent. The registered agent will notify the Association when the taxes need to be filed. A registered agent will also notify the Association when there is a foreclosure of a property in ABOA. A registered agent can be an attorney but is not required per Alaska Law. David Riley is the registered agent and has been since he was hired as an accountant for ABOA. Last year David Riley was late with filing the Bi-Annual Report. David Riley called the state and was told it wasn't a problem. David Riley personally paid the fine and the Bi-Annual Report was filed.

One vote yes and two votes no to retain an attorney as a registered agent.

David Keller made a motion to retained David Riley as the registered agent. Jeanne Phillips seconded motion. Motion carried unanimously.

Guy Mapstone moved to approve the Old Business. David Keller seconded the motion. Motion carried unanimously.

New Business

Michael Hanifen resigned as the president of ABOA and needs to be removed from the accounts as a signer. David Riley will check with the bank on how to remove Michael Hanifen from the account.

Once a new board is in place after the Annual Meeting the bank signatures need to be changed immediately. The new board will also need to direct management as to what will be required in the meeting packets.

Guy Mapstone moved to approve the New Business. David Keller seconded the motion. Motion carried unanimously.

Next Meeting

The Annual Meeting will be 10 February 2010, at Bayshore Elementary School, at 7:00 P.M. Lita will notify the board members at the number of proxies that come in. The next board meeting will be 15 February 2010. David Keller suggested that the board meeting be held right after the annual meeting. New board will decide the next board meeting.

Adjournment

Motion to adjourn the meeting was made by Lisa Rogers. Motion seconded by Guy Mapstone. Motion carried unanimously. Meeting adjourned at 9:10 P.M. on 18 January 2010.

Alaskan Bay Owners Association, Inc.

Annual Meeting

10 February 2010

Attendees: Guy Mapstone (VP, Board), David Riley (Accountant), Lisa Rogers (Treasurer, Board), and David Keller (Board). Deanne Tuckerman and Ulita Martusheff represented Ben Marsh & Associates, Inc.

Homeowners present at the meeting were Chris Breest, Michael and Paula Hanifen, Corey Doil, Jan Scherr, William Steel, Cheryl Stewart Vernon and Dot Watts.

Quorum: Proxies for 25 homeowners were mailed in. The number of owners represented in person or by proxy exceeded the minimum of one-tenth of the membership required by the by-laws.

The Annual meeting was called to order at 7:09 pm.

- ∞ Proof of notice of the annual meeting was presented.
- ∞ The minutes of the 11 February 2009 Annual Meeting were approved unanimously.

Presidents Message

Guy Mapstone introduced himself and explained that Michael Hanifen had resigned as president this past year. This is the reason that he would be conducting the meeting rather than Dr. Hanifen.

- ∞ Ben Marsh & Associates, Inc., represented by Deanne Tuckerman, remains as the property manager for the purposes of maintaining consistency with the rules and regulations.
- ∞ David Riley is the accountant. He was introduced to the homeowners present.
- ∞ The bond for the Mears project did not pass. This had been a concern for several homeowners on Eshamy Bay because the Mears project plans called for the elimination of the buffer zone between the school and their property. The school driveway was straightened out and a few trees were removed, but it appears this was the extent of the project that got authorized.
- ∞ The association requested that the school district maintenance personnel not plow snow at Mears in the middle of the night, as the back-up alarms beeping disturbed many of our members' sleep.
- ∞ We did work on the Ensign and Bayshore sign and flowerbed, but there is more work to be done. Cheryl Stewart has volunteered to keep up the flowerbed.

Treasurer's Report

- ∞ Lisa Rogers presented the Treasurer's Report. Lisa prepared a budget running August 1 – July 31 (see attached report). Total revenue for the year was \$44,000.00. Expenditures were approximately \$42,000. The largest expense is the property management. Lawn mowing was the second highest expense. Lisa's estimate is that our income will be \$44,880.00 (\$340.00 X 132 homeowners).

- ∞ Expenses for 2010 are estimated at \$45,485.70, based on last year's expenses and the mowing contracts for the current year. Lisa discussed the budget which she prepared using the time period of 1 August 09 to 31 July 10. (ABOA's fiscal year is January through December.)
- ∞ The city sent out the Final Assessments for Bayshore West Subdivision Area Street Reconstruction RID, including Alaskan Bay Owners Association for tracts H, M, L, and I. The total assessment for the Association common areas is \$12,127.53, payable at \$961.55 per year. The Association can pay it all off at once or take 20 years to pay at 4.85911% interest.
- ∞ In response to a question, David Riley explained that we get paid \$150.00 for preparing a resale certificate and a \$50.00 transfer fee when the sale closes. Housing sales are down in the neighborhood.
- ∞ The Grounds and Mowing costs depend upon several factors. Several tracts have been off-line for the past few years or not mowed because of roadwork in the neighborhood. All the tracts should be on-line this coming summer, which will cause an increase in the Grounds and Mowing expenses.
- ∞ According to the Balance Sheet dated 31 December 2009, we had a total of \$65,275.19 in our bank account, \$111,500.00 in fixed assets, and \$11,515.00 in capital improvements.
- ∞ **Road Improvement District**
- ∞ The city sent out a letter stating the project has been completed. There will be a public meeting on Monday 22 February 2010 at Bayshore Elementary School multipurpose room to answer any questions regarding the proposed final assessments for this road reconstruction project.
- ∞ A homeowner asked if there would be an opportunity to question the final assessment. Another homeowner stated that the proposed assessment was 10% higher when it was first talked about 6 years ago. We actually paid less than what was initially proposed. The Municipality will confirm and levy the final assessments sometime in March 2010.

Tract I Committee

- ∞_The mowing contract went up this year because the acreage of grass in tract I was increased with all the improvements made over the past few years.
- ∞ Tract I has seen more use as it has been developed. Many homeowners have noticed the amount of mess left by dogs and not picked up their owners. Please be considerate of other neighbors and pick up after your animal. Chris Breest also mentioned that we could contact the city and have a dog doo station put in. The station has plastic bags at the entryway to the park and you can just grab a bag as you come into the park to walk the dog. The bottom line is picking up after your pets. Kids do play in the park and do not need to be exposed to the dog mess.
- ∞ When Tract I was purchased, the Tract I committee had three set of plans drawn up with showing varying degrees of usage and improvements. Currently we have the most open plan in effect. That seems to suit the homeowners who live around tract I. Eric Persson has the plans, and there is a copy of the plans on the web site in the Spring 2007 Newsletter.

- ∞ The past board talked about putting some playground equipment in Tract I. The board is aware any capital expenditure would require two-thirds of the homeowners to approve the vote on purchasing the playground equipment.

Grounds Report

- ∞ __Jim LaBau was out of town so Chris Breest gave the Grounds report.
- ∞ Cheryl Stewart volunteered to take care of the flowerbed at the corner of Ensign and Bayshore last year and again for 2010. Thank you, Cheryl! Also, the sign at Ensign and Bayshore was rebuilt.
- ∞ Jim LaBau did the flowerbed at the corner of Ensign and Admiralty Bay. He planted lilacs and updated the flowerbed as the flowerbed timbers had rotted.
- ∞ Tract I had 5 trees die. They were replaced. Saplings from KFQD Park were taken out and planted in other parts of the park, mostly around the perimeter. KFQD Park had more of the park mowed this past summer. It appears a homeowner mowed where the city in past years has not mowed; well, now the city is mowing more of the park. Things in KFQD Park looked very nice this past summer.
- ∞ Vern Watts expressed his satisfaction with the Dumpsters for the spring cleanup. He suggested having a daily pick up for the first week. A second recommendation was to put a notice in the spring newsletter reminding people that the Dumpsters are for yard clean up and yard debris only. In the past there have been BBQ grills and other household items put into the Dumpsters.
- ∞ Trash bags should NOT be left in front of the containers when the Dumpsters are full. This causes more problems as the trash removal people cannot dump the Dumpster so they will just drive away and leave the can full. Please take the trash bags home with you and return them to the Dumpster after it has been emptied. If they are left at the side of the Dumpster someone from the association has to pick them up and put them in the Dumpster after it has been emptied.

Property Managers Report

- ∞ __Deanne Tuckerman from Ben Marsh & Associates, Inc., reported the weekly drive-through inspections are still being done. The large write-ups are miscellaneous items and/or garbage bags in the driveways or front yards. Vehicles have not been the problem they have been in the past years.
- ∞ A homeowner questioned what was considered a vehicle violation. The answer was mostly RV type vehicles that appear to be more in the neighborhood than out. Another homeowner asked about the parking in the center of a cul-de-sac. Deanne reported that she asked the police about the legality of parking in the cul-de-sac. She was told this is not legal. Near-by homeowners need to call the police when vehicles are parked there. This is a hazard for emergency vehicles getting to the homes at the end of the cul-de-sac.
- ∞ The point of concern is the "eyebrow" on Bettles Bay. Snowplowing does not get done properly because of the cars parking there. The plows leave a berm in the middle of the street, and the street is choked down to one lane.
- ∞ Deanne has also had calls regarding cars parked in the center of Hogan Bay. She told the homeowner he would have to call the police. Chris Breest commented on how much

better the neighborhood looks since the property management company was hired. Another homeowner said barking dogs have not bothered him as they did in the past.

Vehicular Report

No vehicular report.

Architectural Report

The board appointed an Architectural Control Committee (ACC) this past year. Jeanne Phillips is the chairperson. Randy Bañez, Chris Breest, and Paula Hanifen are the other members. Chris Breest noted a lot of homeowners are restoring the cedar shakes on their houses. The restoration can add years to the life of the roofs and cost is minimal compared to a new roof.

Election of Officers

The following people were nominated for Board Members:

- ∞ Jeanne Phillips
- ∞ Randy Bañez
- ∞ Michael Hanifen was nominated on a write-in ballot and he declined to run.

Lisa Rogers and Guy Mapstone's positions are not up this year. Jeanne and Randy both volunteered to run for full terms. David Keller has decided not to run for a second term.

There was discussion about whether Randy Bañez could be a viable board member because of his Guard duty taking him out of town. There was also discussion about his not being a good neighbor because of the color he and his family choose to paint their house. Guy Mapstone explained to the members present that there were three votes taken on the house color by the board and the board approved the color all three times.

After discussion was finished, the membership approved both names nominated to the board as board members. The new board will discuss how to fill the fifth position when they meet for the regular board meeting.

New Business

- ∞ Lisa Rogers requested that the Balance sheet be added to the web site. Lisa also said the last minutes on the web site are for September 2009. Deanne agreed this was correct as the last board meeting was in October 2009 since we did not hold meetings in November or December. When the board meets next, the January 2010 minutes will be added to the web site after they have been approved.
- ∞ Chris Breest stated he would like to thank the outgoing board members for a job well done. Guy Mapstone seconded the thank you.
- ∞ A homeowner asked if the association had any legal issues arise in the association this year. The answer is no. The same homeowner asked if all dues have been paid for this year. The answer is that two homeowners have not paid this year's dues out of 132 homeowners.

Meeting Adjourned

Guy Mapstone accepted a motion to adjourn the meeting.

Moved by David Keller, seconded by Guy Mapstone. Carried.

Next Meeting

The next meeting will be 15 March 2010, 7:00 p.m., at Ben Marsh & Associates, Inc., office at 2550 Denali, Suite 1310

The meeting adjourned 8:15 pm.

Attendees:

Guy Mapstone (President/Board), Randy Bañez (Vice President/Board/Architectural Control Committee (ACC)), Jeanne Phillips (Secretary/Board/ACC/Mears Improvement Committee), Lisa Rogers (Treasurer/Board) and David Riley (Accountant) were present. Jim LaBau (Grounds) was absent.

Deanne Tuckerman and Lita Martusheff represented Ben Marsh & Associates, Inc.

Quorum:

The Board meeting was called to order at 7:08 P.M. A quorum was established with four of four Board members present.

Approval of Agenda:

Jeanne Phillips made a motion to add a Mears Improvement update to the agenda.

Lisa Rogers moved to approve the agenda as amended. Guy Mapstone seconded the motion. Motion carried unanimously.

Approval of Minutes:

The minutes of 18 January 2010 meeting were reviewed. Lisa Rogers made a motion to approve the minutes with the correction to the Treasurer's Report, paragraph 2, second line. Income for the month of December was \$6,476.82. It should be changed to read \$3,662.64, based on page 5 of the budget report. Jeanne Phillips seconded the motion. Motion carried unanimously.

Treasurer's Report:

David Riley presented the financial report. See attached Treasurer's report.

Lisa had several questions on the income portion of the financial report. They were as follows:

- ∞ We had income from a resale certificate; does that mean a house has sold? No, it only means there was a resale certificate requested. Usually there is an offer on the property when a resale certificate is ordered. In this case the seller just wanted to have the resale certificate on hand. Buyers have five days to look over a resale certificate, which include the By Laws, CC&Rs and House Rules. If there is something in the resale certificate the buyer cannot live with they can back out of the deal with no penalties and be reimbursed their earnest money. The certificates are only good for six months and then the seller has to order another one and pay another \$150.00.
- ∞ We had income from a transfer fee; does that mean the property sold? Yes, when we get a transfer fee the property has sold. David did say in the past a title company did not collect a transfer fee and they would not go back to the seller and collect the fee.

At the January meeting a board member requested more detailed information on the financial reports. David Riley presented a package for the board members including the bank statement, reconciliation report, and check register. Lisa asked David if he had the Adobe Acrobat that the association paid for and said he could e-mail the report to board members password-protected. David was not sure about the Adobe Acrobat. He said he would talk with his computer person. After discussion it was decided David would bring one of these extended reports for any interested board member to see.

Lisa Rogers made a motion to accept the Treasurer's Report. Guy Mapstone seconded the motion. Motion carried unanimously.

Grounds Report:

Nothing to report. Lisa Rogers made a motion to accept the Grounds Report. Jeanne Phillips seconded the motion. Motion carried unanimously.

Tract I:

No report. Lisa Rogers moved to omit the Tract I report from the standard package and only discuss when there is something new. Jeanne Phillips seconded the motion. Motion carried unanimously.

Architectural Committee Report (ACC):

Jeanne Phillips reported there were no requests turned into the ACC.

- ∞ Deanne Tuckerman reported during drive-through inspections they had noticed several houses with chipped and peeling paint.
- ∞ Lita Martusheff said there were two or three houses that did not have trim around the windows. Ben Marsh & Associates will send out letters to the owners whose houses need paint and window trim and to let them know their houses need to be taken care of. The letter will have a paragraph covering the requirement for getting approval from the ACC for any change from the current paint color (not the color it was when first painted).
- ∞ Lisa Rogers pointed out that a new ACC needed to be selected since we have a new board. Lisa Rogers moved to appoint an ACC and Jeanne Phillips seconded the motion. Lisa Rogers moved to appoint Jeanne Phillips, Randy Bañez, and Chris Breest to the ACC. Guy Mapstone seconded the motion. Motion carried. The new committee will be Jeanne Phillips, Randy Bañez, and Chris Breest. Lisa Rogers will call Paula Hanifen and see if she is up to being on the ACC.
- ∞ The ACC discussed problems at a house on Bettles Bay. It was decided every infraction needs a separate letter. If one discrepancy has not been cleared up when a second discrepancy appears, a second letter is to go out. Fines are based on the date of correction in the letters that are sent out. We could have more than one fine going on for the same property. We do have pictures taken with cameras that should have a date stamp. We can prove the discrepancies have not been corrected with dated pictures.

Lisa Rogers made a motion to accept the Architectural Committee Report. Randy Bañez seconded the motion. Motion carried unanimously.

Vehicular Report:

- ∞ Lita reported that a homeowner called about a house on Admiralty Bay where there are two very junky-looking vans that are not running. The Board discussed what could be done. Deanne Tuckerman is to call Muni Code Enforcement. Deanne Tuckerman or Lita need to check the vehicle registration. If the registration is not current we are to send letter a letter to the homeowner.
- ∞ The same homeowner complained about auto body parts beside the house. We sent a letter to the house that had the auto parts and they have until April 20th to clean them up.

Guy Mapstone made a motion to accept the Vehicular Report. Randy Bañez seconded the motion. Motion carried unanimously.

Welcome Committee:

Lisa Rogers will follow-up with Michael Hanifen regarding the welcoming gifts. Lisa Rogers has talked with him before but Michael Hanifen could not put his hands on the box. The question asked was how many gifts are left in the box and do we need to purchase more.

Guy Mapstone made a motion to accept the welcome committee report. Randy Bañez seconded motion. Motion carried unanimously.

Mears Middle School

Jeanne Phillips provided an update for the board on the Mears Middle school upgrade. The school district found the money to make changes to Mears parking lot. The entry way was completed when the work on W. 100th Ave. was done. The upgrades are the plan agreed to last year before the bond measure fell through. There will be a walking trail to Ensign, and the tree barriers on our side will not be bothered. The hockey rink will be along the east side of the area. Jeanne Phillips will e-mail Deanne Tuckerman a map of the design for the parking lot to put on the web site. Jeanne Phillips had the bid plan with her and the changes are just as agreed last year.

RID:

The association's assessment for all the road improvements made last year is \$12,127.53. We have 20 years to pay the assessment at 4.85911% interest plus a collection charge every year. The interest alone would be over \$7,000 over the 20 years.

Lisa Rogers moved that we pay the whole assessment at once. Jeanne Phillips seconded the motion. Motion carried.

Old Business:

Newsletter: The board discussed the spring newsletter. Guy Mapstone will write the newsletter except where noted.

- ∞ Christmas decorations and other holiday need to be removed. The standing rule is all Christmas or holiday decorations should be taken down by the time the last musher crosses the finish line of the Iditarod. Property Management was asked to use common sense and not force individuals out on patches of ice to remove decorations. No one wants anyone to get hurt by ice hazards.
- ∞ Dumpsters will once again be placed in Hogan Bay and Whale Bay for spring clean up debris. Homeowners will be reminded these are for yard trash not household items or BBQ grills, etc.
- ∞ Lisa Rogers will provide an article for the newsletter explaining the RID Assessment and why the Association was assessed over \$12,000.
- ∞ Jeanne Phillips will update the homeowners with the changes to the Mears Middle School parking lot and the bus parking.
- ∞ Chris Breest had an energy audit done on his house. Chris Breest got information on restoration for the cedar shake roofs. The subdivision is at an age where maintenance is required to maintain the nice-looking houses.
- ∞ Anyone who is interested in being on the board should let a board member know, as we have a vacant position to be filled.
- ∞ We need a chairman for the summer block party. If you are interested please contact a board member or the management company.

Lisa Rogers moved to close Old Business. Jeanne Phillips seconded the motion. Motion carried.

Guy Mapstone moved to approve the Old Business. Randy Bañez seconded the motion. Motion carried unanimously.

New Business:

The board has a vacant position that we would like to fill. All the officers' positions are filled. The vacancy would be a board position. When we do the newsletter we will request anyone interested to contact the management company or a board member.

Lisa Rogers nominated Guy Mapstone for President, Randy Bañez for Vice President, Jeanne Phillips for Secretary, and herself for Treasurer. Jeanne Phillips closed the nominations. Guy Mapstone moved to vote on the nominations. Lisa Rogers seconded the motion. Motion carried.

Deanne Tuckerman had new bank signature cards to be filled out by the newly elected board members. The new check signers will be David Riley, Deanne Tuckerman, Lisa Rogers and Guy Mapstone.

Lisa Rogers moved two signers should sign any check over \$2,500.00. Randy Bañez seconded the motion. Motion carried.

Guy Mapstone moved to approve the New Business. Randy Bañez seconded the motion. Motion carried unanimously.

Next Meeting:

The next meeting will be 19 April 2010 at the office of Ben Marsh and Associates 2550 Denali, Suite 1310 at 7:00 pm.

Adjournment:

Lisa Rogers made a motion to adjourn the meeting. Motion seconded by Jeanne Phillips. Motion carried unanimously. Meeting adjourned at 8:52 P.M. on 15 March 2010.

Minutes of 19 April 2010

Attendees:

Guy Mapstone (President/Board), Randy Bañez (Vice President/Board/Architectural Control Committee (ACC)), Jeanne Phillips (Secretary/Board/ACC/Mears Improvement Committee), Lisa Rogers (Treasurer/Board), Jim LaBau (Grounds) and David Riley (Accountant) were present.

Deanne Tuckerman and Lita Martusheff represented Ben Marsh & Associates, Inc.

Quorum:

The Board meeting was called to order at 7:05 P.M. A quorum was established with all four Board members present.

Approval of Agenda:

Lisa Rogers moved to approve the agenda. Guy Mapstone seconded the motion. Motion carried unanimously.

Approval of Minutes:

The minutes of 15 March 2010 meeting were reviewed. There were two corrections required. Randy Bañez is now the Vice President and Jeanne Phillips spells her name Jeanne, not Jeannie. Lisa Rogers moved to approve the minutes and Randy Bañez seconded the motion. Motion carried unanimously.

Deanne asked that Board members read the minutes of the Annual Meeting and make note of any corrections needed. The minutes cannot be formally approved until the Annual Meeting. Lisa Rogers recommended Deanne watermark the Annual Meeting minutes as draft and have them posted to the web page.

Financial Report:

David Riley presented the financial report. The reconciled bank statement was passed around the table for board members to examine. (See attached financial report.)

The Federal income tax returns for 2007–2008 were amended to account for paying Alaska State Corporation taxes. They had not been paid previously. The taxes for the two years amounted to a total of \$25.00.

Two homeowners have not yet paid their association dues. They owe a total of \$490.00 with dues and the \$25.00 late fees charged each month. One homeowner owes \$50.00 for fines received for general clutter around the house.

Lisa Rogers made a motion to accept the Treasurer's Report. Jeanne Phillips seconded the motion. Motion carried unanimously.

Grounds Report:

Jim stated this is his final grounds report. He will help the new Grounds person with anything that is required this summer. He will also wrap up items he has started and has not completed yet. The board needs to appoint a new grounds person soon.

Mowing:

M&A Enterprise will submit a monthly billing for costs of cleanup, mowing, fertilizing, etc. The Grounds Chair needs to review the billings and forward them to Deanne for payment. It has been the policy to maintain a running spreadsheet of costs by area mowed and type of cost. In December of 2009, the ABOA Board agreed to extend the Mowing Contract for M&A Mowing thru the summer of 2010, allowing for a slight increase in the cost of mowing the pocket park.

Spring Cleanup:

In the past, the Grounds Chair has been involved in ordering and policing the spring cleanup containers provided by Alaska Waste Company.

Flower Bed Care at Ensign and Admiralty Bay and at Ensign and Bayshore:

The flowerbed at the corner of Ensign and Admiralty Bay has been reworked, but we still need to replace the rotten wooden border at the back of the bed. This is a project for professionals sometime in 2010. I would estimate that it might take \$1,000 to replace that border. It would be best to use rock or some sort of masonry wall.

In the fall of 2009, the front part of the flowerbed area was cleaned out and planted to grass. It came in very well. In the back, we planted three lilacs, three trolius, and two artemisias (round sage), all perennials. We also put down weed-inhibiting fabric and covered the fabric with small rock.

The flowerbed at the corner of Ensign and Bayshore is in need of some bark chips. Jim LaBau will deliver those in the spring of 2010, and Cheryl Stewart of 3010 Admiralty Bay Drive (past president of ABOA) has agreed to spread the chips and do some landscaping with perennials.

Moving spruce seedlings from the middle to the edge of KFQD Park

We ran out of time getting Adam Breest in to move trees to the edge of KFQD Park before he returned to college in the fall of 2009. I personally moved five trees and plan to move about five more. I removed about 10 clumps of moose-browsed birch shrubs to make mowing easier. There are about 12 trees in the southeast corner that we will probably leave in place. One tree will be moved to the pocket park to replace one that died there, and another may be moved to Ensign to replace a Limber Pine that died there.

The city began mowing the whole park in 2009 instead of the one-third they had been mowing before. They have also been watering the trees along the edge of the park. Most of the previously planted trees are large enough to no longer need special moose protection such as we had done in the past.

A cleanup party should be planned for this spring (2010) to clean up the winter trash in KFQD Park. We have a Cooperative Agreement with the Municipality to assist in cleanup of that park.

Deirdre Miller's situation:

The Municipality has agreed to correct the property situation along her Ensign frontage and compensate her for.

Respectfully submitted: *Jim LaBau*
Outgoing Grounds Chair

Jim LaBau handed in folders for the Grounds maintenance since 1995, mowing contract for the last two years, and other pertinent information. These included information for mowing contracts, dog doo pick up folder from a former project, spring clean-up trash dumpsters, folder for the Deirdre Miller project with the city, and the mowing costs since 1995. He will send a spreadsheet that he used to track the cost of mowing to the next grounds person if they are interested.

Lisa Rogers made a motion to accept the Grounds Report. Jeanne Phillips seconded the motion. Motion carried unanimously.

Architectural Committee Report (ACC):

The owners of 3008 Eaglek Bay will be moving and there will be some activity going on in connection with this.

The ACC approved white door, window trim and garage doors for 10040 Eshamy Bay.

At 3005 Eaglek, the new owners wanted to put in a plastic shed and do some other outside maintenance. Jeanne Phillips asked them to check the CC&Rs and house rules for what is acceptable. After the homeowner decides what they want, they are to turn in a request for the ACC to approve. At that point the homeowner can perform approved maintenance.

Wiley and Maryann Brooks were out of state for the winter. While they were gone they had pipes break and flood the crawl space, ruining the main level flooring. Maintenance crews are in remodeling where the damage was.

The ACC discussed whether Paula Hanifen still wanted to be on the ACC. If she does, the board needs to appoint her.

Lita said that she had noticed several houses that have peeling paint, windows requiring trim, and fences requiring repairs. Lita gave a list to Jeanne Phillips of what she saw during the management company drive-through.

Lisa Rogers asked if we were sending out the notices regarding the Christmas lights. As of yet we have not sent out letters, as the snow has not melted enough yet to be completely safe for a person to climb ladders. Many of the homeowners are removing the lights as they can get to them.

Lisa Rogers made a motion to accept the Architectural Committee Report. Randy Bañez seconded the motion. Motion carried unanimously.

Vehicular Report:

There were questions about the two vans at the corner of 3125 Admiralty Bay. One of the vans has been removed. The other one was moved up into the driveway where it cannot be seen as easily. Both vans were registered, licensed and insured. Deanne called the city code enforcement office. In this case there was nothing that could be done.

Guy Mapstone made a motion to accept the Vehicular Report. Randy Bañez seconded the motion. Motion carried unanimously.

Old Business:

Guy Mapstone acknowledged he needed to do the newsletter.

Guy asked Deanne whether we had a firm date when the dumpsters would be placed for spring clean up. The dumpsters will be put in Hogan and Whale Bay like last year. Deanne stated the dumpsters would be placed when yard work can start. If they go in too early, we will get household stuff rather than the yard clean up that they are set out for. The cost of dumpsters in 2009 was \$1,323.82.

Lisa Rogers moved to have Deanne call and schedule the delivery of the dumpsters. Pick up will be six days a week for the first week, than three times a week for the last three weeks. Guy Mapstone seconded the motion. Motion carried.

Guy Mapstone moved to approve the Old Business. Randy Bañez seconded the motion. Motion carried unanimously.

New Business:

David Riley has a request regarding Resale Certificates. They cost \$150.00 each and all the money goes to ABOA. No money goes to him for his time, copy toner, or paper. He produces the resale certificate in three to five days. He would like to propose that he be allowed to charge an extra \$50.00 for anyone who would like to expedite a resale certificate, and that the money would go to David rather than ABOA. What prompts this is on 14 April a seller came in requesting a resale certificate. Their closing was 15 April at 2 p.m. David had to drop everything and fulfill this request right when he was at his busiest in the middle of tax season.

For other associations, Deanne charges \$250.00 per resale certificate. All the money goes to BM&A, not the association for which the resale certificate is being done. By state law we have 10 days to turn around a resale certificate. Deanne charges \$50.00 if someone would like to expedite a resale certificate.

The resale certificates are vital to the seller. A buyer legally had five days from receipt of a resale certificate for review of the contents. If there is anything in the resale certificate that the buyer cannot live with they can back out of the transaction and have their earnest money returned. Most sellers and listing agents want the resale certificate early so if the buyer chooses not to purchase the unit has not been off the market that long.

Lisa Rogers moved to have David Riley charge \$100 extra fee for a resale certificate that has less than three days to be prepared and the money goes to David Riley not ABOA. Jeanne Phillips seconded the motion. Motion Carried.

David Riley asked if there is a time limit for which a resale certificate is valid. The answer is a resale certificate is only good for 6 months. After that, a new resale certificate has to be issued and another fee of \$150.00 should be charged.

The owner of 3008 Eaglek Bay Circle has requested a resale certificate for a relocation company. The seller believes the relocation company has a buyer. If this is the case, could one resale certificate work for both the relocation company and the buyer? Deanne explained she does not insert the buyer's name in the resale certificates so she does not require two resale certificates.

The house at 3160 Admiralty Bay is for sale. The selling agent has a sale flyer showing that RV parking is permitted at the house. The agent's listing in MLS also states that RV parking is available. One of the Board members also saw this flyer and was tempted to call the listing agent to let him know he was wrong. Deanne has already called the agent. The agent said he would do what ever he had to do to sell the house. He has purchased a resale certificate and says he has flagged the CC&Rs showing where the association does not allow RV parking. The house does have a wide driveway and a fence that can be moved so that small "toys" on trailers such as ATVs or snow machines could be hidden behind the fence. Lisa stated she would write a letter to the agent. She asked for a copy of what we got from the homeowner.

David Riley provided some food for thought about "excess" money in the savings account. We have over \$59,000.00 in the premium savings account. The premium savings account generates a 0.9% interest as long as the balance is above \$50,000. When the balance falls below \$50,000, the rate will drop to 0.8%. The rate for a 6-month CD under \$40,000 is 0.9%. The rate for a one-year CD under \$40,000 would be 1.35%. We do have the Road Improvement District assessment to be paid off within the next three to five months, which will bring our balance down to under the \$50,000 and we will lose our good rate. After discussion, it was decided not to invest in a CD.

Guy Mapstone moved to approve the New Business. Randy Bañez seconded the motion. Motion carried unanimously.

Next Meeting:

The next meeting will be 17 May 2010 at the office of Ben Marsh and Associates 2550 Denali, Suite 1310 at 7:00 pm.

Adjournment:

Lisa Rogers made a motion to adjourn the meeting. Motion seconded by Jeanne Phillips. Motion carried unanimously. Meeting adjourned at 8:11 P.M. on 19 April 2010.

Minutes of 17 May 2010

Attendees:

Randy Bañez (Vice President/Board/Architectural Control Committee (ACC)), Jeanne Phillips (Secretary/Board/ACC/Mears Improvement Committee), Lisa Rogers (Treasurer/Board), and David Riley (Accountant) were present. Guy Mapstone (President/Board) was absent.

Deanne Tuckerman and Lita Martusheff represented Ben Marsh & Associates, Inc.

Quorum:

The board meeting was called to order at 7:03 P.M. A quorum was established with three of four board members present.

Approval of Agenda:

Jeanne Phillips moved to approve the agenda. Lisa Rogers seconded the motion. Motion carried unanimously.

Approval of Minutes:

The minutes of 19 April 2010 meeting were reviewed. Lisa Rogers moved to approve the minutes and Jeanne Phillips seconded the motion. Motion carried unanimously.

Financial Report:

David Riley presented the financial report (See attached financial report.). The reconciled bank statement was passed around the table for board members to examine.

Two homeowners have not paid dues. They each owe \$515.00 with late fees. One homeowner has an outstanding fine for \$50.00 for general clutter.

Lisa Rogers moved to approve the Financial Report. Jeanne Phillips seconded the motion. Motion carried.

Grounds Report:

The report below was emailed by Jim LaBau (former Grounds Chairman) for the meeting.

"I sprayed the lilacs in the Ensign/Admiralty flowerbed with moose repellent. They have been nipping on those 3 new lilacs we planted last fall.

We removed the guy-wires from the trees the city planted along Ensign between Bayshore and Admiralty Bay Drive so it would be easier to mow. Those restrainers have been in two years, and the trees should be wind firm. We did leave two wires anchored because there was a great deal of lean tension on them.

This afternoon, I plan to cut down the dead limber pine they planted there. We will move a tree from KFQD Park to plant there later. This job has been completed as of this meeting.

I picked up two barrels of bark chips, which Cheryl Stewart spread over the flowerbed at the corner of Bayshore and Ensign. I will drop off two more barrels of chips tomorrow. Chips were delivered and Chris Breest helped spread the chips.

I plan a walk-thru of KFQD Saturday to pick up litter. I have signed the Adopt a Park agreement with the Muni for KFQD Park.

Jim"

Randy Bañez asked Deanne Tuckerman if there was going to be a charge for the chips. Deanne said she did not believe so as the board has approved nothing. Jim delivered the chips.

Lisa Rogers made a motion to accept the Grounds Report. Jeanne Phillips seconded the motion. Motion carried unanimously.

Architectural Committee Report (ACC):

Jeanne Phillips did a drive-by and looked at all the houses that were noted on the management company drive-by inspections. Jeanne felt that letters should be sent all on items noted by the management company to ask the owners for repair dates. The management company will send the letters.

There have been three requests for landscaping, one request for window replacement, and one request for paint; all were approved.

Jeanne Phillips reported Paula Hanifen would like to be on the ACC committee this year.

The board went into executive session to address the membership of the ACC. After discussion, the board resumed the regular meeting.

Jeanne Phillips made a motion to appoint Paula Hanifen to the ACC committee. Lisa Rogers seconded the motion. Motion approved.

Lisa Rogers made a motion to accept the Architectural Committee Report. Randy Bañez seconded the motion. Motion carried unanimously.

Vehicular Report:

No report.

Lisa Rogers moved to accept the Vehicular Report. Randy Bañez seconded the motion. Motion carried unanimously.

Mears Improvement:

Jeanne Phillips has a copy of the plans for the bid package that was sent out on the proposed Mears improvements. Some of the homeowners had concerns about the trees that now serve as a sound barrier between homeowners on Eshamy Bay and the middle school. Jeanne took the plans to Guy Mapstone, who has over thirty years in project control and has read plans for a living. He says that the package shows there are not going to be any more trees cut down.

There will be a few more light poles added, but the illumination will remain the same. Down further to the south, there will be a few select trees cut to allow for a walking trail. Paula Hanifen had concerns that there would be clear-cutting but this will not happen according to the plans. Our homeowners will keep watchful eyes on the construction.

Lisa Rogers moved to approve the Mears Improvement Report. Randy Bañez seconded the motion. Motion carried

Old Business:

The Spring Newsletter has been emailed out to the board members. Some of the board made comments. Jeanne Phillips gave Guy Mapstone the contact information on the cedar roof restoration to include in the newsletter. Lisa Rogers recommended that we add the vacant board position to the newsletter.

Deanne Tuckerman told the board that she does not know the current status of the newsletter, as the president has not provided an update. Lisa Rogers asked about the procedures for the

newsletter, which are as follows: The president, Guy Mapstone, writes the newsletter and emails the draft to board members. The board members make comments and additions to the draft. Guy gets all these back and incorporates the changes. He then emails the final newsletter to Deanne.

Deanne then takes the newsletter and the updated mailing list, provided by David Riley, to the printer. The printer then puts the formatting and header on the newsletters and mails them out. Jeanne Phillips asked if this has to be "camera-ready". Deanne Tuckerman told her no, that Alaska Laser Printer finalizes everything. Lisa Rogers volunteered to stop by Guy Mapstone's house on her way home and ask him about the newsletter.

Deanne reported the dumpsters were delivered on 7 May and will be picked up six days a week for the first week, then Monday, Thursdays, and Saturdays for three weeks. The dumpsters' last pick-up will be on 3 June 2010.

Jeanne Phillips moved to approve the Old Business. Lisa Rogers seconded the motion. Motion carried unanimously.

New Business:

Lisa Rogers volunteered to be the Grounds Chairperson. Randy Bañez called for a vote and Lisa Rogers was unanimously voted to be the Grounds Chair.

Lisa Rogers moved to have a lien placed on 2921 Admiralty Bay because of the foreclosure notice we got and the fact that the owner has not paid her dues for the year. Deanne Tuckerman had called the owner asking if she had forgotten about the dues. The owner said she would send a check for one-half now and one-half in another month. Then she asked if the board would forgive her on the late fees as she lost her husband and his salary so she was having a really hard time right now.

Lisa Rogers knows it costs money to hire an attorney to place the lien, but she feel it is the board's obligation to the homeowners to do all we can to collect the dues owed the association. Deanne Tuckerman stated she could place the lien for the dues and late fees. It will cost the filing fees and the time to go downtown to the recorders office and file the paperwork. Lisa Rogers moved to direct the property manager to place a lien on 2921 Admiralty Bay for back dues and late fees. Jeanne Phillips seconded the motion. Motion carried.

Lisa Rogers asked if any properties have sold and closed this year. Jeanne Phillips said Chris Breest told her five properties have sold this year. David Riley stated there have been two houses that have actually closed since the first of the year. However, there were a total of five resale certificates asked for this year. David Riley just got a request for a sixth resale certificate today. There have been more resale certificates requested this year than were issued all of last year.

Lisa Rogers asked which houses had closed. David will email the board members the names and new addresses of the new homeowners. Lisa will remind Guy Mapstone he should make a welcoming call to these new homeowners with the welcoming gifts.

David Riley reported he received a phone call from Susan Jensen at Bayshore Association. She wanted to make sure he was the person who prepared the resale certificates for Bayshore West. David told her that was correct. She than asked if ABOA would like to combine the two associations together for one large association. David told her he would present it to the board. If the board chooses to entertain the idea she would be invited to attend a board meeting to present her pitch. This has been proposed before and turned down.

Jeanne Phillips stated this would be something the whole association would have to vote on. This would require major changes and changes to the CC&R's as well as the By-Laws. This

would include higher dues. David Riley checked into the dues and Bayshore West owners are paying \$65.00 per month, which would be \$780.00 per year. There would also be the additional cost of combining the associations. With this there would be access to the clubhouse and fitness center.

Lisa Rogers moved to invite Susan Jensen to the June meeting to explain how they would propose to merge the two associations. Randy Bañez seconded the motion. Motion carried. David Riley will call Susan Jensen to invite her to the 21 June 2010 meeting.

Lisa Rogers moved to approve the New Business. Jeanne Phillips seconded the motion. Motion carried unanimously.

Next Meeting:

The next meeting will be 21 June 2010 at the office of Ben Marsh and Associates, 2550 Denali St., Suite 1310 at 7:00 pm.

Adjournment:

Lisa Rogers made a motion to adjourn the meeting. Motion seconded by Jeanne Phillips. Motion carried unanimously. Meeting adjourned at 7:49 P.M. on 17 May 2010.

Attendees:

Guy Mapstone (President/Board), Randy Bañez (Vice President/Board/Architectural Control Committee (ACC)), Lisa Rogers (Treasurer/Board), and David Riley (Accountant) were present. Jeanne Phillips (Secretary/Board/ACC/Mears Improvement Committee) was absent. Deanne Tuckerman and Lita Martusheff represented Ben Marsh & Associates, Inc.

Quorum:

The board meeting was called to order at 7:03 P.M. A quorum was established with three of four board members present.

Approval of Agenda:

Lisa Rogers moved to approve the agenda. Guy Mapstone seconded the motion. Motion carried unanimously.

Approval of Minutes:

The minutes of 17 May 2010 meeting were reviewed. Lisa Rogers moved to approve the minutes and Randy Bañez seconded the motion. Motion carried unanimously.

Financial Report:

Lisa Rogers presented the financial report. (See attached financial report.) The reconciled bank statement was passed around the table for board members to examine.

One homeowner has not paid his dues of \$340.00 dues and \$200.00 late fees. One homeowner has two violation fines that have not been paid for a total of \$50.00.

Randy Bañez moved to approve the Financial Report. Lisa Rogers seconded the motion. Motion carried.

Grounds Report:

Lisa Rogers drove around the Association grounds and saw that two of the split rails are out of the split-rail fence on the pathway from Admiralty Bay to KFQD Park.

Guy Mapstone recommended that all correspondence be forwarded to the Management Company and the ACC. If the homeowner corresponds with the Association by means of the website and presses the button for ACC the message automatically goes to both Jeanne and Deanne.

The Grounds committee needs to find out who really owns what as far as fences go. The Grounds committee also needs to find out is which committee is responsible for fences, the Architectural Committee (ACC) or the Grounds Committee.

Lisa Rogers would like to find out exactly what property belongs to ABOA in common and not to individual owners or other persons. The fence on W. 100th Ave. is an example of installed property that ABOA has put in place and maintained even though it is on either MOA's land or homeowners land instead of ABOA common-interest property. This fence was put in place by the association to maintain an appearance of uniformity and good maintenance, rather than having different colored fences in various stages of repair and some places with no fence at all.

The board would like to know exactly what property the association owns and where the easements are. We paid the Road Improvement District (RID) assessment for the common

area property where its fronts on several roads. However, the paths to the school were not done in the roadwork.

The board discussed the fence along W. 100th Ave., and everyone thinks it went in around 1995 or 1996. Randy Bañez and Mike Bridges were on the board at that time. The individual fences along W. 100th Ave. were in various stages of disrepair and did not present a favorable impression to someone entering the area. The then-board decided to place a fence along all the homes there at the association's expense. If the homeowner wanted a gate they would have to pay for it. The Fenceman was hired to install the fence.

Lita asked what the thick black cable leading from a box over the fence was. This looks unsafe and we are not sure what it is. Lisa Rogers stated she would walk around and see what she could find out.

Randy Bañez made a motion to accept the Grounds Report. Lisa Rogers seconded the motion. Motion carried unanimously.

Architectural Committee Report (ACC):

Mr. Turner of 3090 Admiralty Bay Drive would like to replace the split rail fence on his property with a 6' cedar fence which he will donate to ABOA. Mr. Turner states he will still mow the grass between the walkway and new fence. Mr. Turner states he has received a letter approving the project. However, Deanne said she did not write a letter approving the fence.

Mrs. Ellison of 10011 Eshamy Bay Drive was given permission to cut the trees on her property as long as the stumps were ground.

Mr. Grether of 3112 Bettles Bay Loop had requested permission to remove some of his trees. The request was approved with the provision the stumps be ground.

Mr. Barria of 3005 Eaglek Bay Circle had by emailed requested permission for a shed and chain link fence. The ACC advised the current request would not be approved and they should look in the regulations for what would be approved. No new requests have been received.

A dumpster suddenly appeared in the driveway of Mr. Miessner, 10040 Eshamy Bay Drive. His old cedar fence was removed and a new cedar fence installed to the front of the garage and the driveway beside the house. The current ACC has not granted approval for this project. However, Jeanne Phillips researched past minutes and found where Michael Hanifen, when he was president, told Mr. Miessner that he could extend the fence to hide this driveway. The goal was for Mr. Miessner to not be fined for the boat and other toys he liked parking in his driveway. Jeanne's recommendation was to approve the fence. Deanne was requested to send a letter of approval for the fence to Mr. Miessner.

Lisa Rogers made a motion to accept the Architectural Committee Report. Randy Bañez seconded the motion. Motion carried unanimously.

Vehicular Report:

No report.

Lisa Rogers moved to accept the Vehicular Report. Randy Bañez seconded the motion. Motion carried unanimously.

Mears Improvement:

Guy Mapstone stated he looked at the plans for the construction at Mears Middle School and no more trees will be removed.

Lisa Rogers made a motion to approve the Mears Improvement Report. Randy Bañez seconded the motion. Motion carried.

Welcoming Committee:

Guy Mapstone stated he is not sure who bought which houses last summer and whether or not they received welcoming gifts. Guy said he has two Lowe's and four Great Harvest gift certificates left. Lisa Rogers moved to authorize Guy Mapstone to buy gift cards for welcoming new homeowners. The receipts are to be given to Deanne for reimbursement. Randy Bañez seconded the motion. Motion carried.

Welcoming gifts need to be given the new homeowners. Guy will welcome the new owners of 10111 Eshamy Bay and 10010 Eshamy Bay. There was a question whether or not the new owner of 3030 Bettles Bay was given the welcoming gifts, but there was a report they were welcomed. We know there are new homeowners on Eaglek, and at 3040 Admiralty Bay. Some others home sales are in the works so Guy feels he needs five or six more gift certificates.

Old Business:

Lisa Rogers reported the dumpster bill was more than expected, even though in the e-mail Deanne sent out stated the final amount would be just short of \$2,000. The cost per pick up was the variable Deanne put in the e-mail, but she did not include the static costs of dumpster rental, fuel surcharge, etc., in the e-mail. This caused the confusion.

There was some abuse from some lawn companys dumping lawn debris in the dumpsters but overall the neighborhood benefits from the dumpsters.

The newsletter to all owners can help stop some of this abuse if we get it done by the end of March before the dumpsters show up. All homeowners will know why the dumpsters are being placed in the neighborhoods.

Lisa Rogers moved to approve the Old Business. Randy Bañez seconded the motion. Motion carried unanimously.

New Business:

Deanne received an e-mail from a homeowner regarding the Tract I maintenance, mowing, weed abatement, etc. He felt he had never seen it with such a population of weeds and unmowed as it was at that time. Deanne called the grounds maintenance crew and discovered they were waiting on hoses that a homeowner had stored for the association. Grounds maintenance finally gave up and borrowed hoses from somewhere else to spray the dandelion killer. Once the killer had been sprayed (5 June) the grass could not be mowed for one week. The weed killer made the dandelions bloom and look unsightly. The seeds could no longer produce new dandelions due to the weed killer. The grass was to be mowed the next day.

Deanne was asked why Lisa did not get this information since she is the grounds chair. Deanne stated she would check the website and if corrections needed to be made she would see to it that it happens.

Cheryl Stewart, one of our homeowners, sent an e-mail to all board members stating she would rather her dues pay for other items rather than the fence and the association picnic. She said she would rather not have a picnic that the majority of the homeowners did not attend. Lisa Rogers stated since she no longer chaired the picnic, and no other homeowner has stepped up to the plate, there would not be a picnic this year. Lisa Rogers moved there not be an ABOA picnic this year due to lack of interest. Guy Mapstone seconded the motion. Motion carried.

Guy Mapstone received an e-mail from a new homeowner, Amy Newman on Bettles Bay, regarding the assessment for the Road Improvement District. She wanted to know what the assessment was for and if the work has been completed or was it to be done in the future. Guy was not sure if the title company had an escrow account for this assessment. Guy just explained what improvements were made to the road as a result of the Road Improvement District bond being passed. He also told her to check with the Municipality to see if there was any money escrowed from the sale of her house to pay for this.

Susan Jensen from Bayshore could not make our meeting tonight but requested an informal meeting to see if there was any interest in combining the two associations together. She was invited to our July meeting if she is interested. Randy Bañez stated the joining of associations had been talked about in the past. There are several differences in the CC&Rs that in the past had kept the merger from happening, such as Bayshore allows RVs and chain link fences. David Riley was requested to extend the invitation for Susan Jensen to show up at our July meeting.

Guy Mapstone asked how the speed bumps were allowed when the streets in Bayshore were done. Lisa Rogers stated this is because the design was done before the standards changed not allowing speed bumps.

Lisa Rogers moved to approve the New Business. Randy Bañez seconded the motion. Motion carried unanimously.

Next Meeting:

The next meeting will be 19 July 2010 at the office of Ben Marsh and Associates, 2550 Denali St., Suite 1310 at 7:00 pm.

Adjournment:

Lisa Rogers made a motion to adjourn the meeting. Motion seconded by Guy Mapstone. Motion carried unanimously. Meeting adjourned at 7:49 P.M. on 17 May 2010.

Minutes of 19 July 2010

Attendees:

Guy Mapstone (President/Board), Randy Bañez (Vice President/Board/Architectural Control Committee (ACC)), Jeanne Phillips (Secretary/Board/ACC/Mears Improvement Committee) Lisa Rogers (Treasurer/Board), and David Riley (Accountant) were present. Steve Neff and Susan Jensen from Bayshore Homeowners Association were guests.

Deanne Tuckerman and Candice Britton represented Ben Marsh & Associates, Inc.

Quorum:

The board meeting was called to order at 7:03 P.M. A quorum was established with four of four board members present.

Deanne introduced Steve Neff and Susan Jensen from Bayshore Homeowners Association to make a presentation to the board about joining the two associations. Susan Jensen passed out a handout about the events that are done at Bayshore Clubhouse (see attached). Susan went on to say they encompassed 4 subdivisions from the beginning. Each subdivision had their own CC&Rs but they have encompassed all the subdivisions together. This information can be seen at www.bayshoreclub.org. The Bayshore Association wanted to know if we were interested in joining with them. Susan thought it would take a 75% majority vote of all the homeowners to join the originations. At this point the required majority has not been looked into. Susan will do so if this were something our association would be interested in doing. Bayshore has income coming in from businesses that subsidizes the expenses of the clubhouse. Their dues are only \$65.00 per family and \$2.00 per guest. Jeanne Phillips asked if they had considered letting members of other originations pay a fee and join the club even if the joining of the associations did not work. The answer was no.

Susan went on about the local bear that shows up Wednesday evening getting into the trash that has been put out early. Last Wednesday they had 14 calls regarding the bear in the trash. She has made flyers with the bear's picture on it and hung this along with Fish and Wildlife's flyer on 29 homes that had trash out early.

The board decided they would look at all the documents on the Bayshore website and discuss the proposition at a later time. Susan Jensen stated they are no longer approving chain link

fences but they are not forcing homeowners who have chain link fences to change. If a new fence has to be put in it must be cedar. The guests then left the meeting.

Approval of Agenda:

Lisa Rogers moved to approve the agenda. Guy Mapstone seconded the motion. Motion carried unanimously.

Approval of Minutes:

The minutes of 21 June meeting were reviewed. Lisa Rogers moved to approve the minutes with corrections. Guy Mapstone seconded the motion. Motion carried unanimously.

Financial Report:

David Riley presented the financial report. (See attached financial report.) The reconciled bank statement was passed around the table for board members to examine.

One homeowner has not paid their dues of \$340.00 dues and \$250.00 late fees. If we are correct, this property was to be sold at a foreclosure sale this month.

Last month, the association paid the whole ABOA assessment (\$12,217.53) for their share of the RID at once, rather than paying the interest and billing charges.

Lisa Rogers moved to approve the Financial Report. Randy Bañez seconded the motion. Motion carried.

Grounds Report:

Deanne reported on the drive-through last week. The city was correcting the fence they installed incorrectly last year during the RID at Deidra Miller's. There were new trees planted in the front yard.

Lisa Rogers gave the grounds report as follows:

1. The split rail fence between KFQD Park and Admiralty Bay Dr. needs 4 crosspieces replaced. Will coordinate repair with Adam Turner's fence work to use crosspieces from portion of fence he will remove with this new fence if possible. Awaiting word from Adam Turner on his project. I plan to get a quote from Thee Fence Man when I know more.

Mowing costs are as follows:

2. May \$2,235 plus \$311.90 in fertilizer and broad-leaf herbicide and \$165 in extra labor for picking up tree litter, etc. in the spring.

b. June \$2,075 plus \$45 for tree net removal.

3. Jim LaBau is coordinating volunteer efforts in KFQD Park and said he would file the monthly volunteer work report with the Municipality as required with the Adopt a Park contract.

Lisa Rogers drove by the large black cable Lita mentioned in the last meeting. She did not feel it was dangerous or any concern to ABOA Board.

Lisa asked Deanne if she had checked the website as to who was listed as being on the Grounds Committee. Deanne reported that up until last week it was Deanne. Deanne has since made sure the Webmaster, Chris Robertson, has all the correct information.

Randy Bañez made a motion to accept the Grounds Report. Lisa Rogers seconded the motion. Motion carried unanimously.

Architectural Committee Report (ACC):

See attached PDF document.

Lisa Rogers made a motion to accept the Architectural Committee Report. Randy Bañez seconded the motion. Motion carried unanimously.

Vehicular Report:

No report.

Mears Improvement:

Construction continues. It looks like they will be doing the final parking lot paving today or tomorrow. The walkway has been graded and everything else is hitting the final stages. Guy Mapstone is concerned there is not a pullout on Ensign Drive for cars to pull over and let students out. This was not in the design and might not cause a problem since the middle schools and elementary schools start at different times.

Guy Mapstone stated he noted the lighting and it looked like it was moved closer to the school buildings. It seems to be the same kind of lighting that was there before so the residents should not be bothered by a different type of lighting.

Lisa Rogers made a motion to approve the Mears Improvement Report. Randy Bañez seconded the motion. Motion carried.

Welcoming Committee:

No report.

Old Business:

Guy Mapstone reported he had not bought the welcoming gifts yet. He was wondering if the gifts should be extended to renters or just to new owners of the association. After discussion, Jeanne Phillips moved to include only new owners in the welcoming gifts. Lisa Rogers seconded the motion. Motion carried unanimously. The gifts are a \$25.00 Lowe's gifts certificate and a \$10.00 Great Harvest Grain gift certificate.

Lisa Rogers moved to approve the Old Business. Randy Bañez seconded the motion. Motion carried unanimously.

New Business:

The management contract was reviewed and Lisa Rogers stated she wanted to have the one week for management to prepare the minutes be put in force. She does not like getting the minutes one month after the meetings. Deanne stated she thought that provision only held true of the approved minutes being forwarded to the Webmaster for uploading to the website. After looking at the signed contract more closely, Deanne agreed it stated that the draft minutes would be forwarded to the board members one week after a meeting. Deanne stated she could make that a reality.

Guy Mapstone questioned Deanne about the insurance coverage she is required by the management contract. Deanne pulled out her policy and found that at some point the insurance company dropped this. Deanne will contact her carrier and get this corrected. (Deanne has since called her agent and found the rider was dropped in 2009 and Deanne is in the process of getting ABOA added again as additional insured. She will email a copy to all board members when the insurance company completes their actions.)

Lisa Rogers asked if ABOA was interested in having the attorney review the contract again to see if there are new areas that be added to the contract. Lisa Rogers moved that the Board approve spending a maximum of \$500 to have Todd Timmermans at the law firm of Hartig, Rhodes review the contract to determine if it needs to be updated. Randy Bañez seconded the motion. Motion carried.

Guy Mapstone asked about the post office box. This is the association's box however, Deanne stated she gets all the other associations she manages mail there at the office and would not mind getting ABOA's mail there also. Deanne does have to drive right by the post office to do her drive through and it is not out of her way to stop and get any mail that there is but it only

gets checked once a week. If the mail were delivered to the office it would be received every weekday.

Lisa Rogers asked if we were to look up her address if there is a folder with all of letters sent to this address. The answer is yes, but the information is in two stages. In Deanne's storage there are all the files which were given to her. Here in the office, the folders are filed by address with copies of all the letters that have been sent out since Ben Marsh & Associates took over management.

Lisa Rogers would like all board members to figure out what property the Association owns and what the Association is responsible for. For example, the fence along W. 100th Avenue was presumed to be located on ABOA-owned property and it is not. What does that do for the insurance policy which we increased to cover the fence should it be blown down in a storm. Randy Bañez asked if Lisa had talked with Mike Bridges, who was President at the time the fence went in, about all the history behind the association paying for the fence.

Lisa Rogers moved to approve the New Business. Randy Bañez seconded the motion. Motion carried unanimously.

Next Meeting:

The next meeting will be 23 August 2010 at the office of Ben Marsh and Associates, 2550 Denali St., Suite 1310 at 7:00 pm.

Adjournment:

Jeanne Phillips made a motion to adjourn the meeting. Motion seconded by Lisa Rogers. Motion carried unanimously. Meeting adjourned at 8:23 P.M. on 19 July 2010.

Minutes of 23 August 2010

Attendees:

Guy Mapstone (President/Board), Randy Bañez (Vice President/Board/Architectural Control Committee (ACC)), Jeanne Phillips (Secretary/Board/ACC/Mears Improvement Committee), and David Riley (Accountant) were present.

Candice Britton represented Ben Marsh & Associates, Inc.

Quorum:

The board meeting was called to order at 7:15 P.M. A quorum was established with three of four board members present.

Approval of Agenda:

Jeanne Phillips moved to approve the agenda. Randy Bañez seconded the motion. Motion was passed.

Approval of Minutes:

The minutes of 19 July meeting were reviewed. Jeanne Phillips moved to approve the minutes with corrections. Randy Bañez seconded the motion. Motion carried unanimously.

Financial Report:

David Riley presented the financial report. (See attached financial report.)

There is one homeowner with outstanding fines in the amount of \$50.00 dating back to September 30, 2009. There is also another homeowner who owes back dues in the amount of \$590.00, \$340.00 in annual dues and \$250.00 in late fees.

There is a check that was issued to Chugach Electric on August 4, 2010 that hasn't cleared the account.

Jeanne Phillips moved to approve the Financial Report. Randy Bañez seconded the motion. Motion carried.

Grounds Report:

The following grounds report received by email from Jim LaBau was reviewed.

I do not have a lot to report personally for August. I noticed that the City rebuilt Dee Dee Miller's fence--nicely done, and planted some trees for her. I think ABOA should send the city a letter thanking them for taking care of this. We have been on their case for two years and should recognize what they have done. A few things to report on KFQD Park I don't remember if I reported planting the Larch tree in KFQD park to replace a prunus that has been girdled by the moose. I fenced it to keep the mowers away. Kay??--Chris Breest's neighbor on the north--has done a lot of nice weeding and care of the flower bed at the west edge of KFQD. Adam Breest and I plan to put some wire around the prunus trees stems at KFQD to protect them from moose damage. The wire came off other Muni tree protection, so there will be no expense. We also plan to move some more of the spruce from the center to the edge of the park on this coming Saturday before Adam returns to college. I will report about 5 hours of activity to Parks and Rec in the August report. Cheryl Stewart continues to maintain the flowers and shrubs at the corner of Ensign and Bayshore. I think she added some more bark chips.

I can't remember if I reported this last month or not, but I got a dog do bagging station back up and running south of Mears School by the Tennis Courts. It is being used.
Jim LaBau

There is vetch vine overrunning the park. The board will request that Lisa look into to seeing what can be done to get the problem under control.

Guy Mapstone moved that the grounds report be accepted. Randy Bañez seconded the motion. The motion passed.

Architectural Committee Report (ACC):

No report.

Mears Improvement:

Things around the school look good and the noise and traffic from the school has been greatly reduced.

Vehicular Report:

There is a construction trailer parked outside of one of the homes on Eshamy Bay Drive, but there is clearly work being done at that home. No action at this time.

Welcoming Committee:

No report.

Old Business:

The Association's management contract was reviewed by our lawyer and found to be satisfactory. The management company is happy with the contract as well. The existing contract will remain in effect.

Guy Mapstone reported he had bought Lowe's gift cards for the welcoming gifts. The Great Harvest gift cards have still not been purchased. The cards have not been distributed yet. Guy requests reimbursement for the Lowe's cards. Guy Mapstone moved that the board reimburse for the welcome gifts. Jeanne Phillips seconded the motion. Motion carried unanimously.

Guy Mapstone moved to approve the Old Business. Jeanne Phillips seconded the motion. Motion carried unanimously.

New Business:

The work on Deirdre Miller's fence has been completed and it has been recommended that the board send a thank you letter to the Municipality of Anchorage for the completion of the fence and planting of trees.

Randy Bañez moved that the property manager draft the letter. Jeanne Phillips seconded the motion. The motion carried unanimously.

Cheryl Stewart requested reimbursement for the purchase of woodchips for the flower bed at Ensign & Bayshore with the remainder being used in KQFD Park to help control the vetch vine. Guy Mapstone moved that the board reimburse Cheryl Stewart in the amount of \$80.00 upon receiving her receipts. Jeanne Phillips seconded the motion. Motion carried unanimously.

Next Meeting:

The next meeting will be 20 September 2010 at the office of Ben Marsh and Associates, 2550 Denali St., Suite 1310, at 7:00 pm. The meeting for the month of October needs to be rescheduled and is tentatively scheduled for 11 October 2010.

Adjournment:

Jeanne Phillips made a motion to adjourn the meeting. Motion seconded by Randy Bañez. Motion carried unanimously. Meeting adjourned.

Minutes of 20 September 2010

Attendees:

Guy Mapstone (President/Board), Randy Bañez (Vice President/Board/Architectural Control Committee (ACC)), Jeanne Phillips (Secretary/Board/ACC/Mears Improvement Committee) Lisa Rogers (Treasurer), and David Riley (Accountant) were present.

Candice Britton represented Ben Marsh & Associates, Inc.

Quorum:

The board meeting was called to order at 7:04 P.M. A quorum was established with four of four board members present.

Approval of Agenda:

Randy Bañez moved to approve the agenda with the addition of a review of an insurance questionnaire. Jeanne Phillips seconded the motion. Motion carried unanimously.

Approval of Minutes:

The minutes of 23 August meeting were reviewed. Randy Bañez moved to approve the minutes as written. Jeanne Phillips seconded the motion. Motion carried unanimously.

Financial Report:

Lisa Rogers presented the financial report. (See attached financial report.)

The check to Chugach Electric on August 4, 2010 still hasn't cleared the account, resulting in what appears to be an overcharge in the electric bill. The check will be canceled with the bank if it still hasn't cleared in a month.

Lisa Rogers moved to approve the Financial Report. Jeanne Phillips seconded the motion. Motion carried.

Grounds Report:

The split rail fence on tract M is missing some rails. It has not yet been repaired because the homeowner who owns the property next to it is supposed to be replacing his fence and it would be best to wait and see what he puts in.

There are other grounds maintenance issues that need to be addressed in the spring since there is not enough time left this year to get them done.

Jim Labau has been filling out volunteer reports for the work done in KFQD. He has been asked to add Cheryl Stewart's work to his reports.

There was some graffiti on one of the electrical boxes. Lisa Rogers removed it.

Lisa Rogers moved that the grounds report be accepted. Jeanne Phillips seconded the motion. The motion passed.

Architectural Committee Report (ACC):

Approval has been given for improvements requested by the homeowners at 10010 Eshmay Bay Drive. A letter was sent notifying them of the board's approval.

The homeowners at 3101 Admiralty Bay Drive have requested permission to remove some trees. The request is pending while feedback is received from neighbors. Lisa Rogers moved

that the architectural report be accepted. Randy Bañez seconded the motion. The motion passed.

The homeowners at 10001 Eshamy Bay Drive have painted their house. They received approval after the painting had already started. They started painting without prior board approval due to weather conditions. The final color plan meets board standards.

Vehicular Report:

No report.

Welcoming Committee:

No report.

Old Business:

The board approved the draft of the thank you letter for the Municipality of Anchorage for the work done to Deidra Miller's fence. Guy Mapstone moved to accept the letter and that management should send it out. Lisa Rogers seconded the motion. Motion carried unanimously.

New Business:

The budget for next year was reviewed. (See attachment)

The increase in the landscaping budget is due to the fact that for the past couple years not all common areas have been mowed because of the improvement at Mears. Next year all tracts will be mowed regularly as the Mears construction is complete.

After reviewing the budget the board decided that dues could remain the same in the coming year. Lisa Rogers moved that dues remain at \$340.00. Randy Bañez seconded the motion. The motion passed.

Lisa Rogers had a questionnaire from the insurance company that she reviewed with the board to be sure that all the information is correct. The answers to question 15 will be provided by Deanne and then the questionnaire will be sent to the insurance company.

Next Meeting:

The next meeting will be 11 October 2010 at the office of Ben Marsh and Associates, 2550 Denali St., Suite 1310, at 7:00 pm. At that meeting the agenda for the annual meeting will be discussed as well as end of year newsletters.

Adjournment:

Jeanne Phillips made a motion to adjourn the meeting. Motion seconded by Lisa Rogers. Motion carried unanimously. Meeting adjourned 8:22 pm 20 September 2010.

Minutes of 11 October 2010

Attendees:

Guy Mapstone (President/Board), Randy Bañez (Vice President/Board/Architectural Control Committee (ACC)), Jeanne Phillips (Secretary/Board/ACC/Mears Improvement Committee), Lisa Rogers (Treasurer), and David Riley (Accountant) were present.

Deanne Tuckerman and Candice Britton represented Ben Marsh & Associates, Inc.

Quorum:

The board meeting was called to order at 7:03 P.M. A quorum was established with four of four board members present.

Approval of Agenda:

Lisa Rogers moved to approve the agenda. Jeanne Phillips seconded the motion. Motion carried unanimously.

Approval of Minutes:

The minutes of 20 September 2010 meeting were reviewed. Lisa Rogers moved to approve the minutes as written. Jeanne Phillips seconded the motion. Motion carried unanimously.

Financial Report:

Lisa Rogers presented the financial report. (See attached financial report.)

The bills for the annual dues have been sent out.

The check to Chugach Electric on August 4, 2010 has cleared the account. There is now a credit on the Chugach electric account in the amount of \$18.75. Deanne requested permission of the board to not pay the next electric bill that comes in since the credit will result in the association being billed a very small amount, probably less than \$1.00.

Lisa advised Deanne to call her with the amount when the bill comes in and a decision will be made at that time so as not to incur late charges. Deanne will check with Chugach Electric about a possible late fee on the very small amount expected.

Jeanne Phillips moved to approve the Financial Report. Lisa Rogers seconded the motion. Motion carried.

Grounds Report:

Lisa Rogers reviewed a spreadsheet of the mowing that has been done this season and the amounts paid for mowing this season. The question was raised of when the mowing contract will be up. Deanne will look into the mowing contract and notify the board.

Lisa Rogers moved that the grounds report be accepted. Jeanne Phillips seconded the motion. Motion carried.

Architectural Committee Report (ACC):

The homeowners at 10001 Eshamy Bay Drive have submitted a paint sample for the trim color of their house. They have received board approval to continue with their painting plans. The sample will be added to their file in the management office.

Vehicular Report:

The homeowner at 3051 Eaglek Bay Circle sent a letter of complaint to the management office to dispute a violation letter they received regarding a canoe stored on the property. Deanne showed the board pictures of the canoe and the board agree that it is clearly visible from the street and thus in violation of the CC&Rs. The homeowner is to be fined if she does not remove the canoe. Pictures containing a time and date stamp are to be taken every week the canoe remains.

The homeowner at 3130 Admiralty Bay Drive was sent a letter regarding the ATV parked on a trailer in the driveway. The homeowner should be assessed a fine if the violation remains at this week's drive-by.

Lisa Rogers moved to accept the vehicular report. Randy Bañez seconded the motion. The motion passed.

Old Business:

None

New Business:

The annual meeting is scheduled for February 9, 2011, at 7 pm. Deanne informed the board that she would not be available to attend the annual meeting. Candice will represent Ben Marsh & Associates at that meeting.

The annual meeting agenda includes review of the budget and election of officers. Two positions on the board are open, those now occupied by Guy Mapstone and Lisa Rogers. Notices need to be sent out to encourage nominations for the positions.

The newsletter needs to be prepared. It should be ready for the printer by 6 December 2010, so that there is plenty of time to solicit new members for the open positions on the board. Guy Mapstone and Lisa Rogers will submit articles. Jeanne Phillips will prepare and approve the final draft and see that it gets to Deanne in time to meet the deadline. Jeanne would like the printer to send her an email showing the final layout before it goes to print.

The board approved the extra postage cost necessary to send out the newsletters before the annual meeting notices and proxies go out.

Next Meeting:

The next meeting will be 17 January 2011 at the office of Ben Marsh and Associates, 2550 Denali St., Suite 1310, at 7:00 pm.

Adjournment:

Jeanne Phillips made a motion to adjourn the meeting. Motion seconded by Lisa Rogers. Motion carried unanimously. Meeting adjourned 8:06 pm 11 October 2010.