

**MINUTES**  
**Treetops / Ocean Breeze**  
**Board of Directors Meeting**

May 5, 2010  
3:30 p.m.

- I. Call to Order / Roll Call – Bob VanSchelven called the meeting to order at 3:30 p.m.
  - a. Officers and Directors – Bob VanSchelven, President; Stan Stolarczyk, Vice President; Merle Brown, Secretary / Treasurer; Peggy Edwards, Director; Jeff Martyn, Director
  - b. IMC resort services, inc – Ron Fenstermaker, President; Bryan Dorshimer, Association Manager; Melissa Fenstermaker, Minutes
  - c. Owner observer – Bob Peters
  - d. Concerned Owner - Laurie Tacik
- II. Guest – Requested a concern be put on the agenda
  - a. Laurie Tacik (5802) – She asked to present her concern to the board about the entrance roundabout and her request for them to redistribute the handicapped spots in the community. She thanked the board for the hard work that they do in running the community as well as Bryan for his efforts. The Board listened to her presentation. When she was finished the Board provided some input. Bob VanSchelven explained that there are less than two spots allotted per villa. Peggy Edwards explained that the handicapped spots are located in the area of the circle to make them convenient to the location of the elevators for handicapped residents. Bob also added that the Board will look into alternatives and will let her know what their decision once the financial position improves.
- III. Approval of the Minutes
  - a. April 7, 2010 – **Peggy Edward made a motion to waive the reading of the minutes from the April 7, 2010 board meeting and accept them into record as written. Merle Brown seconded the motion. The motion passed without opposition.**
- IV. President's Report – Bob welcomed Bryan and Scott back to 30 hour coverage of the community. He reported that the fire lane is on the schedule for the vendor who is currently working on the Town's bike paths. He thanked IMC for helping the association maintain their budget.
- V. Management Report
  - a. Cash position – Bryan reported on the cash position as of May 5, 2010

Working Capital – RBC	\$33,008.59
Operating Checking – RBC	61,222.09
Replacement Fund – CSB	51,930.37

Insurance Reserve – CSB

64,354.51

Insurance Reserve – The flood insurance premium is due in July.

Replacement Fund reserve – This account is stagnant due to not being able to make transfers.

- b. Site Manager Report – The association does not have any outstanding bills; All vendors are current and have been paid for the service that they have provided. By turning off a major portion of the irrigation (except at the entrance monument signs) the association was able to save a lot toward the irrigation budget. Overall, the association is running about in the black and within the parameters of the operating budget. Bryan presented a price to re-plaster, re-tile, replace the lights and coping all three pools for \$110,000. This price does not include any improvements to the decks. Bryan reported that 8 raccoons were caught during the last week. Spring color has been added at monument entrances. The landscaper has provided free color at the pools. The Board asked for Bryan not to authorize any expenditures / enhancements that are not included in any vendor's contract. The Board authorized the expenditure to spray wash OB 1 – 17.

#### VI. Committee Reports

- a. Budget & Finance / Contract Review / Insurance – None at this time
- b. Long Range Planning – Jeff Martyn approached the subject of Ms. Tacik's request to adjust the handicapped parking. The Board agreed that the roofs are a top priority, followed by the pools then the parking lots. Stan suggested installing one spot in the vicinity of the 5300 building as there is a resident who is in a wheelchair. **Merle Brown made a motion to remove the two of the diagonal spots at the circle and leave the three parallel spots while adding a spot near the 5300 building. Stan Stolarczyk seconded the motion. The motion passed with Peggy Edwards opposed.**
- c. Parking / Security / Neighborhood Watch – None at this time
- d. Maintenance – None at this time.
- e. Newsletter – The newsletter went out May 5, 2010
- f. Buildings & Grounds – None at this time
- g. Environmental Quality – None at this time

#### VII. Old Business

- a. Annual Meeting Update – the package is scheduled to go out during the week of May 10, 2010

#### VIII. New Business – None

IX. Executive Session

- a. Collections Update – Garrett Hamilton joined the meeting at 4:32 p.m. to discuss the status of collections. See the attached report for complete information and below for detailed instruction of how to pursue some of the accounts.

The Board authorized 5504 to be sent to the collections agency, nothing more.

As the bank has foreclosed on the owner of 5301 Garrett asked for direction from the Board. The Board authorized sending the account to the collections agency. Additionally, the Board asked for Garrett to find out how long the association can pursue legally in GA.

7103's owner is in bankruptcy, the foreclosure went through and the bank now owns the villa. The past debt is protected by the bankruptcy.

Mr. Maleh (4904) owes the association over \$9,000 – since the last meeting he has contacted management twice by email; once to say he had retained an attorney who advised him that the association is not acting legally and a second time to say that he is willing to pay his debt minus late fees and minus the attorney's fees for a total of \$4,484. The association's attorney and Garrett have researched it and they believe that if it would go to court the association would be successful. The Board denied the payment plan and asked Garrett to go back to Mr. Maleh and let him know that the board would waive the late fees if he brings the account current. If the owner doesn't accept the offer, then foreclose. If he does accept the offer, the Board wants a contingency in the agreement that the owner must stay current on his fees or the late fees will be put back on the account and the board will continue pursuing the debt.

On the bright side, Mr. Cilliers (4803) paid his account in full.

Garrett left the meeting at 5:02 p.m.

- X. Adjournment – **Bob VanSchelven adjourned the meeting at 5:13 p.m.**

**Next meeting**

To be determined after the annual meeting

# Balance Sheet

Wednesday May 5, 2010

## Treetops Ocean Breeze

Accrual Accounting Year Starts July 1, 2009

### ASSETS

#### Cash Accounts

1009 Working Capital - RBC	\$33,008.59
1010 Operating Checking - RBC	\$61,222.09
1300 Replacement Fund-CSB	\$51,930.37
1301 Insurance Reserve - CSB	\$64,354.51

Total Cash Accounts \$210,515.56

#### Prepaid Accounts

1240 Prepaid Insurance	\$347,544.00
1241 Prepaid Flood Insurance	\$34,876.84

Total Prepaid Accounts \$382,420.84

#### Receivable Accounts

1130 A/R Association Fees	\$249,191.51
1131 A/R Annual Pet Fees	\$290.00
1133 A/R Ins Bill 1 of 2	\$8,400.86
1135 2009 Insurance A/R	\$11,639.56
1411 Retainer	\$5,000.00

Total Receivable Accounts \$274,521.93

#### Fixed Assets

1501 Roof	\$110,089.00
1520 Accumulated Depreciation	(\$73,501.85)

Total Fixed Assets \$36,587.15

**TOTAL ASSETS** \$904,045.48

### LIABILITIES

2210 Prepaid Association Fees	\$66,742.25
2211 Prepaid Annual Pet Fees	\$60.00
2213 W/C Withholding	\$488.14
2214 Prepaid Ins Bill 2 of 2	\$16,049.00

**TOTAL LIABILITIES** \$83,339.39

### EQUITY

Current Year Earnings	\$97,782.20
3210 Retained Earnings	\$722,923.89

**TOTAL EQUITY** \$820,706.09

**TOTAL LIABILITIES AND EQUITY** \$904,045.48

Board of Directors Meeting; Treetops/Ocean Breeze; HPR.  
Wednesday, May 5, 2010  
Site Managers Report, Bryan C. Dorshimer

1. Monitoring your vendors:

- ◆ Pool: **Plantation Pool Services** – good, all pools are 100% ready for DHEC inspections. Pool shells, decks and bathrooms do need renovations.
- ◆ Refuse: **Coastal Waste** – good, service is performed on contracted service days and at a regular time on those days. The service days are M-TH-Sat. Between management and U.S Lawns the enclosures have been fairly clean on a day to day basis.
- ◆ Pest control: **Lanes Pest Control** – good, minimal complaints, very responsive if there is a call back, minimal key problems, very accommodating to those residents with pets, very good at reporting owner maintenance items; no call backs since our last meeting.
- ◆ Landscaping: **U.S Lawns**, good, very good at maintaining/regular maintenance and responsive upon any requests. Many owners are requesting pine straw. Spring flower rotation has been completed. All turf has been treated and fertilized. All irrigation is up and running.
- ◆ Elevators: **Atlantic Coast Elevators**, good, minor functional issue since our last meeting which involved an electrical panel, it has been repaired and all elevators are fully operational.

Outlook: Continue to monitor vendors.

2. Management makes consistent security walks and light checks at various points throughout the week and weekends. Ticketing has also been random, less numerous. Minimal amount of cars without permits. The regime has not removed any vehicles since our last meeting; there are a few on notices that will be relocated if there is no compliance. Management does intend to step up the patrolling as the high rental season approaches and is in full swing.

Outlook: Continue to make patrols, light checks and ticketing.

3. Continuously notifying owners and/or renters of covenant violations. The violations include but certainly are not limited to noise, cars, dogs, windows, car maintenance, college flags, and welcome signs.

Outlook: Continue to keep balcony/patio and common area violations under control by way of hangtags, letters and fines. Regime will be replacing fogged glass, missing screens and removing illegally attached items at the owner's expense.

4. Maintenance Issues: Misc. including but not limited to:

- Garbage runs; mattresses, couches, grills, bikes, other misc. items.
- Light bulb replacement is done daily; light timers are adjusted as needed.
- No new roof leaks have been reported since our last meeting.
- Delinquent notices are posted for all those in arrears and will be updated monthly.
- Selective roof and gutter cleaning, has been done and will be done as needed. With the afternoon storms the debris falling out of the trees is ongoing.
- Cleaned out all of the fountain heads and will be ongoing.

- MAJ Enterprises has the association on schedule to repair fire lane in the next week or so.
- Wood rot repairs have been made to stair treads and hand railings as needed and only if a safety concern.
- Went and secured most penetrations around crawl space of 7300-7500, with new lattice, dryer vent covers and hardwire mesh. This will be on going.
- Ongoing irrigation issues.
- Multiple garbage enclosure doors re-secured.
- Soft washing of the buildings and power washing of the sidewalks is going on this week and next week. This will include but is not limited to the entire stucco and Z sections/villas, the entrance monument sign, main pool house, and tennis court.

Outlook: Continue to inspect and repair common element as needed. Please keep in mind that all common element repairs are evaluated and prioritized as it relates to safety.

#### 5. Villa to villa leaks

- None to report at this time since the last meeting.

Outlook: Continue to work with owners to make sure all parties resolve the issues that caused the leak and are satisfied with the all associated interior repairs.

#### 6. Treetops unfinished roofs

- 3901-4002, 4301-4402, 4501-4602, 4701-4904, 4801-5004, 5301-5304, 5401-5504, 5901-6002, 6101-6104, and 6601-6604.
- Three mailbox kiosks and the main pool house.
- HHI Residential and Commercial Roofing Co. has submitted a proposal in the amount of \$103,000.00; this does not include unforeseen roof sheathing issues and the cost of material is increase every two or three weeks.

Outlook: Management will continue to monitor conditions of the roofs and repair as needed. Preventative roof blowing and inspections are done at least 3 times a year.

As of April 30, 2010, the total aged-receivables were \$270,415.93, which breaks down as follows:

Regime Fees	\$ 98,166.66
Insurance Fees	\$ 20,040.42
Legal Fees	\$ 48,176.33
Pet Fees	\$ 290.00
ate Fees	\$ 13,238.06
Reimbursable Maint.	\$ 2,783.15
Judgments/Bankruptcy	\$ 87,721.31
	<u>\$ 270,415.93</u>

The following accounts are being handled by the association's attorney (Alford & Wilkins):

Unit	Owner	Account Balance	Good News	New Liens	Liens	Money Judgment	Regime Foreclosure	Bank Foreclosure	BNK	Write-Offs	Notes
24	Jolley	\$ 8,604.94		12/2/2009	7/16/2008	1/22/2009					Atly has conflict - xfer to W. Newton 9/28/09 - 4/5/10 Foreclosure suit has been served to all parties.
32	Counts	\$ 2,072.96	11/24 paid in full \$3,030		6/11/2009		10/30/2009				
90	Bowler	\$ -	11/10 paid in full \$4,033		3/24/2009		9/9/2009				
93	Sprouse	\$ 3,580.00	Going on pymt plan		10/6/2009						11/4/09 owner called atly for pay-off - 3/1/10 Owner contacted us about entering into a payment plan and Confession of Judgment. should happen by end of month - 12 month plan
4001	Berkeley	\$ 191.29			2/26/2009						11/4/09 payoff letter sent
4502	Inman	\$ 10,505.95							7/14/2009		
4602	Johnson	\$ 12,769.55			7/14/2008		10/30/2009	filed 3/24/2009; dismissed 9/09; filed 11/14/10			Notice pr payment or Foreclosure action 11/09 1/20/10 - answer filed on bank foreclosure - 2/23/10 issue with Homestead Act (owner occupied), Appoint receiver? - 5/4/10 Foreclosure suit reviewed, signed and notarized. To be served to all parties.

4803	Cilliers	\$ -		6/11/2009	9/9/2009	11/09 TT Foreclosure - 2/17/10 Affidavit of Homestead exemption filed - Foreclosure Hearing on 3/26/10 - Attended foreclosure hearing, awaiting judgment and notice of sale papers to be signed by Judge. May 3rd foreclosure sale date.
4902	Patrick	\$ 6,141.20	Paid: \$3,664.00 on 3/26/10	2008	9/9/2009	owner request payoff altny addressing - 2/4/10 default docs sent to BC - 2/17/10 Affidavit of Homestead exemption filed - 2/23/10 Atty contacting owner about payment plan after default is filed - order of Default/Reference entered 3/5/10 - Sent payment plan and confession of Judgment, will cancel foreclosure hearing when documents are signed - leaving foreclosure suit open until payment plan is satisfied or defaults - 12 month plan. - Owner signed/started payment plan; didn't signed confession of Judgment, will cancel foreclosure hearing when document is signed.
4904	Maleh	\$ 9,043.40		9/1/2009	9/9/2009	Sent owner letter to BOD back to attorney 1/26 - Rec'd Counter offer Letter on 2/4/10 - Foreclosure complaint sent to Court for filing 3/12/10 and will serve when filed - Filing Homestead Affidavit when case is filed - Homestead affidavit sent to court for filing on 4/1/10 - Maleh has contacted the atty for settlement, see file.

5004	Hayes/Robirds	\$ 25,066.37								Foreclosure filed by on 10/29/09 - Answer and Cross Claim for foreclosure filed 11/5/09 - Per Bank. Order of Default and Reference by Bank being filed, currently served Hayes and serving Robirds - Bank foreclosure hearing scheduled for 6/11/10. Atty still can't find Robirds to serve, PUBLISH???
5301	Harmon	\$ 9,683.50							8/7/2009	11/09 BAC Mort Default JDG - Property foreclosed on 1/19/10 by bank - 2/22/10 execution rec'd by sheriff - Foreclosure deed recorded by County 1/19/10, setting up new owner as of 12/7/09 (Fed National Mortgage Assoc.) and mailing out new owners packet. - Execution returned with nothing found on 3/26/10, we know owner lives in GA., Domesticate judgment to GA?
5501	McGuffin	\$ 1,142.00								12/13 \$500 1/8 \$500
5602	Roberts	\$ 3,990.39							5/1/2009	Will get JDG on balance 1/16/10 pd \$5000 - Rec'd \$2,886.94 from Federal Home Mort. On 3/18/10
5902	Keenan	\$ 7,312.86							9/9/2009	Conflict issue with foreclosure and atty, awaiting response

6202	Hammerle	\$	-	On 4/6/10 Paid \$3,665.00	9/19/2007			Execution rec'd by Sheriff on 2/19/10 - Found that Hammerle owns a 2007 Nissan truck that can be executed on (no lien), and also wants to work with us on payments - Contacting to discuss pymt plan. - 4/2/10 Agreed with Hammerle on \$3,665 to release judgment and truck from impound.
6304	Inman	\$	10,543.32		3/24/2009		7/14/2009	Atty has conflict - xfer to W. Newton 9/28/09 - Owner signed Payment Plan with IMC, \$300 down and \$200/month.
7016	Kass	\$	2,176.40	Paid: \$300.00 on 4/5/10 and signed payment plan.	9/1/2009			
7103	Kollaros	\$	10,179.53			8/14/2009	9/15/2008	Slay has been lifted by Bank in bankruptcy. Foreclosure filed by bank and notice of hearing set for 4/5/10. - 5/5/10 Rec'd bank foreclosure deed and processing change of ownership. GET JDG??
7107	Egan	\$	3,712.71		3/2/2009			demand letter sent 12/3/09
7304	Szymanski	\$	6,216.63	Foreclosed 10-20-09	5/22/2007	6/23/2009	1/8/2009	
7305	Jenkins	\$	5,596.23		6/11/2009			11/4/09 payoff letter sent 1/25/10 Attorney addressing owner email reply - 1/26/10 Atty sent answer response letter - 2/12/10 sent verification of debt letter - Foreclosure suit pending - Foreclosure filed 3/4/10 and being served - Homeslead Affidavit filed 3/15/10

7503	Slade	\$ 15,122.18		7/16/2008	3/27/2009	9/9/2009			TT Lien Foreclosure - on 2/17/10 order for publication rec'd - Could not serve Foreclosure Suit - Currently publishing service. Scheduled foreclosure hearing for 5/21/10 at 130pm in Beaufort.
7706	Keenan	\$ 14,620.94		4/22/2009		9/9/2009			TT Lien Foreclosure - 1/15/10 order of default filed with BC - 2/17/10 Affidavit of Homestead exemption filed - Foreclosure hearing on 3/26/10 - Attended foreclosure hearing, serving one other lender, then judge will sign judgment and notice of sale, pending May 3rd sale date.
7710	Curley	\$ 1,611.62	2/5/10 Pymt Rec'd of \$3,617.37				1/29/2010		2/17/10 lien released and answer filed, monitoring foreclosure - Payment of \$3,617.37 rec'd on 2/5/10
7801	Chism	\$ 22,150.27		9/17/2007	1/7/08 2/3/09		7/27/2009		1/20/10 Execution Against Prop EMC Mort Corp - 2/22/10 execution rec'd by sheriff, monitoring
7804	Kitty	\$ 30,965.76		6/22/2009	1/8/08 7/17/09	10/30/2009	1/19/2009		11/4 Notice of intent to foreclose letter - 2/23/10 issue with Homestead Act (owner occupied), Appoint Receiver??
7902	Inman	\$ 10,882.93		2/20/2009				7/14/2009	