

MINUTES

Treetops – Ocean Breeze, HPR
Board of Directors Meeting
July 7, 2010
4:30 p.m.

- I. Call to Order / Roll Call – Bob VanSchelvan called the meeting to order at 4:35 p.m.
 - A. Directors present – Bob VanSchelvan, Stan Stolarcyk, Merle Brown, Peggy Edwards, Jeff Martyn
 - B. IMC Resort Services, Inc. representatives – Ron Fenstermaker, President; Bryan Dorshimer, Association Manager; Garrett Hamilton, Collections Manager; Melissa Fenstermaker, Minutes

- II. Board Reorganization – **Peggy Edwards made a motion that Board be structured with the following individuals in the following positions: Bob VanSchelvan as President; Jeff Martyn as Vice President; Merle Brown as Secretary / Treasurer; Stan Stolarcyk & Peggy Edwards will serve as Directors. Stan Stolarcyk seconded the motion. The motion passed without opposition.**

- III. Approval of Minutes
 - a. May 5, 2010 – **Peggy Edwards made a motion to waive the reading of the minutes and accept them into record as written. Jeff Martyn seconded the motion. The motion passed without opposition.**

- IV. President's Report – Bob thanked Stan for standing in as the chairman for the annual meeting. He noted that the community is very busy with summer rentals.

- V. Management Report
 - a. Cash Position – Bryan reported on the cash position as of July 7, 2010.

Working Capital – RBC	\$ 25.32
Operating Checking – RBC	\$116,403.04
Replacement Fund – CSB	\$ 38,537.35
Insurance Reserve – CSB	\$ 21,320.05

All vendors are current and bills are up to date. AllCare Tree Service is set for Wednesday, July 14, 2010 (weather permitting). The chips from the trees will be kept to be spread through the community. This will cost \$5,000 to get the trees removed. Merle asked if maintenance bills had been approved prior to her signing the checks; Bryan reported that Dewey made some wood rot repairs and repairs to the boardwalk as approved by Peggy during a recent walk through with Bryan.

Ron reported that the association received approximately \$18,675 in loss free credits from the insurance agency minus 5% management fee for a total of \$17,686.00 which has been deposited to the association's insurance reserve.

- b. Collections – Garrett presented the collections report as of June 30, 2010. See the attached update. The Board mandated that no more passes are to be provided to #93 Ocean Breeze until that account has a zero balance; the owner agreed to zero out their account by June 30th. The association now owns 7503; Bryan to check with the tenant who the rental agent is and what she pays a month for rent. Garrett then covered the list of suggested accounts to be written off as bad debt and asked the board for their input. **Stan made a motion to write off the following accounts as bad debt. Peggy Edwards seconded the motion. Harmon (5301A), Keenan (5302A), Roberts (5602D), Kollerous (7103B)/(bankruptcy), Szymanski (7304A); Slade (7503A & jdg); All 7801 accounts Chism. The motion passed without opposition. Garrett left the meeting at 5:19 p.m.**

- c. Site Manager Report - Bryan reported that he is walking the property on a regular basis and has spoken with several owners who are pleased with the appearance of the property.

Bryan reported that Palmetto Electric has authorized the installation of a light at the trash dumpster. Based on the current financial situation of the association the Board will table the approval of installing the light until such a time that the budget can handle the additional expense. The Board asks that the residents take out their trash in the day or carry a flashlight if it is necessary to take out at night.

VI. Board Reports

- a. Budget & Finance / Contract Review / Insurance – Ron asked if the board wanted a one year or a multi-year contract. The Board agreed on a one year contract.
- b. Long Range Planning – None at this time.
- c. Parking / Security / Neighborhood Watch – Merle noted that two motorcycles are currently parking in the community without permits. Bryan has ticketed them twice and contacted the owners. Peggy asked about the moped; Bryan spoke with the resident and he does not want to park his moped near the tennis courts as it is too far from his villa.
- d. Maintenance - None

e. Newsletter – Peggy will start putting together a fall newsletter.

f. Buildings & Grounds – None at this time

g. Environmental Quality – None at this time.

VII. Old Business – None at this time.

VIII. New Business

a. Temporary Passes – The Board unanimously agreed that effective immediately, IMC is not to mail passes to owners nor their guests unless the owner provides a postage-paid envelope. Otherwise, passes may continue to be put outside the door for pick up after hours. Additionally, the Board is considering charging owners who have notified management that they require passes for certain time frames and the passes are not picked up. Management will collect the ones that are not used between this meeting and the next scheduled meeting to present to the board for their decision. Peggy will include an article to this effect in the next newsletter.

IX. Adjournment – *There being no further business to discuss, Bob VanSchelvan adjourned the meeting at 6:26 p.m.*

Balance Sheet

Wednesday July 7, 2010

Treetops Ocean Breeze

Accrual Accounting Year Starts July 1, 2010

ASSETS		
Cash Accounts		
1009 Working Capital - RBC	\$25.32	
1010 Operating Checking - RBC	\$116,403.04	
1300 Replacement Fund-CSB	\$38,537.35	
1301 Insurance Reserve - CSB	\$21,320.05	
Total Cash Accounts		\$176,285.76
Prepaid Accounts		
1240 Prepaid Insurance	\$302,102.88	
1241 Prepaid Flood Insurance	\$150,613.50	
Total Prepaid Accounts		\$452,716.38
Receivable Accounts		
1130 A/R Association Fees	\$307,414.88	
1131 A/R Annual Pet Fees	\$170.00	
1133 A/R Ins Bill 1 of 2	\$5,900.50	
1134 A/R Ins Bill 2 of 2	\$8,454.50	
1135 2009 Insurance A/R	\$8,568.00	
1411 Retainer	\$5,000.00	
Total Receivable Accounts		\$335,507.88
Fixed Assets		
1501 Roof	\$110,089.00	
1520 Accumulated Depreciation	(\$74,358.51)	
Total Fixed Assets		\$35,730.49
TOTAL ASSETS		<u>\$1,000,240.51</u>
LIABILITIES		
2110 A/P Trade	\$4,927.70	
2121 Administrative Fee	\$245.00	
2123 Foreclosure Process Fee	(\$325.00)	
2210 Prepaid Association Fees	\$16,526.00	
2213 W/C Withholding	\$40.00	
TOTAL LIABILITIES		<u>\$21,413.70</u>
EQUITY		
Current Year Earnings	\$59,412.29	
3210 Retained Earnings	\$919,414.52	
TOTAL EQUITY		<u>\$978,826.81</u>
TOTAL LIABILITIES AND EQUITY		<u>\$1,000,240.51</u>

As of June 30, 2010 the total aged-receivables were \$289,846.26, which breaks down as follows:

Regime Fees	\$ 101,285.13
Insurance Fees	\$ 24,328.00
Legal Fees	\$ 53,272.62
Admin Fees	\$ 2,188.71
Pet Fees	\$ 170.00
Late Fees	\$ 15,256.92
Reimbursable Maint.	\$ 1,710.32
Judgments/Bankruptcy	\$ 91,634.56
	<u>\$ 289,846.26</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	\$ 11,136.08		12/2/2009	7/16/2008	1/22/2009					Atty has conflict - xfer to W. Newton 9/28/09 - 4/5/10 Foreclosure suit has been served to all parties. - Default papers sent to BC Clerk of Court for filing, 7/6/10.
32	Counts	\$ 3,199.96	11/24 paid in full \$3,030		6/11/2009		10/30/2009				
93	Sprouse	\$ 3,012.00	PD \$2,000 - 5/13/10; \$175 - 7/1/10; \$446 - 7/6/10		10/6/2009						11/4/09 owner called atty 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	\$ 249.29	Pd - \$2,399.42 on 3/5/1		2/26/2009						11/4/09 payoff letter sent
4502	Inman	\$ 11,858.95							7/14/2009		

4602	Johnson	\$ 14,834.05			7/14/2008		10/30/2009	filed 3/24/2009; dismissed 9/09 - filed 1/14/10			<p>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. Pd in full on 5/3/10</p>
4803	Cilliers	\$ -			6/11/2009		9/9/2009				<p>owner request payoff atiny addressing - 2/4/10 default docs sent to BC - 2/17/10 Affidavit of Homestead exemption filed - 2/23/10 Atly 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.</p>
4902	Patrick	\$ 6,211.39			2008		9/9/2009				<p>Paid: \$3,664.00 on 3/26/10; \$1,232.00 on 4/30/10; \$917.00 on 6/3/10; \$917.00 on 7/1/10</p>

4904	Maleh	\$ 10,377.15			9/1/2009	9/9/2009			<p>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. Maleh is asking for mediation.</p>
5004	Hayes/Robirds	\$ 26,026.06			7/27/2009	9/10/2009	9/9/2009	10/30/2009	<p>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??? - Monitoring Bank Foreclosure, pulled from 7/6/10 sale list.</p>

5301	Harmon	\$ 9,823.50	Public Sale 1/19/10 Fed Nat Mort	12/15/2008	8/7/2009	J9 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?
5403	Clark	\$ 1393.00		6/25/2010		
5501	McGuffin	\$ 1,014.00	12/13 pd \$500, 1/8 pd \$624, 1/27 pd \$624, 3/2 pd \$624, 3/25 \$1277, 4/28 pd \$837	9/1/2009		
5602	Roberts	\$ 3,990.39	Foreclosed 10/26/09	2/19/2009	5/1/2009	Will get JDG on balance 1/16/10 pd \$5000 - Rec'd \$2,836.94 from Federal Home Mort. On 3/18/10
5902	Keenan	\$ 8,056.86		4/22/2009	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	\$	11,332.32					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	\$	2,263.40				Paid: \$300.00 on 4/5/10 and signed payment plan.	9/1/2009							
7103	Kollaros	\$	10,364.28								8/14/2009	9/15/2008			Stay 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	\$	4,316.71					3/2/2009							demand letter sent 12/3/09
7304	Szymanski	\$	6,266.63				Foreclosed 10-20-09	5/22/2007			6/23/2009	1/8/2009			Bankruptcy dismissed and no discharge given, as of 5/19/10. Continuing with cross-claim and obtaining judgment. Will execute once judgment is filed with BC

7305	Jenkins	\$ 6,952.30			6/11/2009					1 19 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 - Homestead Affidavit filed 3/15/10 - Foreclosure filed by bank on 5/24/10, answer and cross - claim filed 6/10/10 - holding off on regime foreclosure to monitor bank foreclosure
7503	Slade	\$ 16,841.24			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. Unit sold to regime at 7/6/10 foreclosure sale, foreclosure deed pending

7706	Keenan	\$ 16,096.94			4/22/2009	9/9/2009			TT 1 Foreclosure - 11/13/10 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, trying get on August or September sale list.
7710	Curley	\$ 1,681.62	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	\$ 22,909.27			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	\$ 31,969.76			6/22/2009	1/8/08 7/17/09	10/30/2009		11/4 Notice of intent to foreclose letter - 2/23/10 issue with Homestead Act (owner occupied), Appoint Receiver?? - File Foreclosure??
7902	Inman	\$ 11,761.93			2/20/2009			7/14/2009	