

**AUDUBON TRACE CONDOMINIUM ASSOCIATION, INC.
MINUTES OF THE BOARD OF DIRECTORS**

Wednesday, November 4, 2009
Sixth Meeting of Fiscal Year 2009-2010

Meeting called to order by Board President Stephanie Prunty at 6:35 pm at Unit 3104

Board members present: Sara Bugbee
Linda Harang
Roma Gibson-King
Al Lafaye
Patsy Phipps
Stephanie Prunty
Lenny Simmons

Staff present: Tim Munch, Property Manager
Jeff Adams, Asst. Property Manager

1. MANAGER REPORT

A. Building maintenance status –

- finished Building 32 and 40 (Office); now working on Building 33

B. Claim from accident at Unit 204 –

- received payment of \$7,683.00 from owner's insurer for repairs to front of Unit damaged by auto hitting front wall
- funds deposited into Operating account

C. Landscaping –

- contractor has completed trimming in North and South entrance beds

D. Gate outside Office –

- new handle has been installed on outside gate on South Drive

E. Voting on Declaration changes –

- 89 ballots have been received

Item 1 (definitions)	yes = 84	no = 5
Item 2 (67%)	yes = 80	no = 9
Item 3 (trustee)	yes = 81	no = 8
- Ad hoc committee will meet after Nov 15th and assign buildings/units of owners who have not yet voted; door-to-door visits will begin

F. Request for surveillance camera –

- owner requested adding a camera on parking area between “Big 10” buildings
- Board discussed extent of problems, whether there is a need
- Board concluded that funds are not available in current budget; need is not sufficient to justify expense at this time

G. Building 22 plumbing –

- Manager still waiting on bid; will seek bid from second plumber

2. COMMITTEE REPORTS –

A. Finance –

- financial reports presented; currently “on budget”
- Manager reported that Parish just approved increase in water bills; can expect increase soon; increases also promised in future; increase in this budget item will have to be considered for next fiscal year
- Manager reported we currently have \$21,000 outstanding in unpaid condo fees; \$17,000 due from just two units (both already have liens placed)
- Unit 1401 past due, no payments have been made; Manager will send letter to owner notifying that if dues are not paid by deadline water to Unit will be cut off
- Unit 1401 has lien on unit; attorney has advised that default judgment will be obtained

B. Permits –

Unit 3324 –

- owner requests permission to place water line on outside of Building to give easy access for watering plants on upstairs patio
- committee met to discuss request and recommends rejection

- Board discussed request and committee recommendation
- Linda Harang moved, Lenny Simmons seconded approval of committee recommendation to reject request
- motion passed by a vote of 7-0; request not approved

Unit 603 –

- owners request permission to remove, replace overgrown plants, shrubs in front of Unit and enlarge planting area
- committee met to discuss request and recommends approval
- Board discussed request and committee recommendation
- Linda Harang moved, Lenny Simmons seconded approval of committee recommendation to approve request, at owner expense
- motion passed by a vote of 7-0; request approved

Unit 603 –

- owners request permission to remove rear patio surface, replace with concrete pavers, same type and color as those previously approved for Unit 602
- committee met to discuss request and recommends approval
- Board discussed request and committee recommendation
- Linda Harang moved, Patsy Phipps seconded approval of committee recommendation to approve request, at owner expense
- motion passed by a vote of 7-0; request approved

Unit 1805 –

- owners request permission to remove, replace overgrown shrubbery in front of Unit, and to plant shrubbery along “Riverdale” fence
- committee met to discuss request and recommends approval
- Board discussed request and committee recommendation
- Linda Harang moved, Patsy Phipps seconded approval of committee recommendation to approve request, at owner expense
- motion passed by a vote of 7-0; request approved

Unit 1704 –

- owners request creation of “Handicap” parking space at end of street near Unit
- Board discussed request; owners have their own driveway, so owner already has a dedicated parking space directly in front of their Unit
- Linda Harang moved, Patsy Phipps seconded rejection of request

- motion passed by a vote of 7-0; request not approved
- C. Long Range Planning –**

- new members have joined committee
- committee will meet after Thanksgiving
- committee met with owners of Buildings 1 and 2 to discuss solutions to parking problem created by narrow street
- Lenny Simmons reported that the owners who attended the meeting all agreed that the curbing along the street could be removed to allow for easier access and ability to back out of spaces
- Lenny Simmons moved, Roma Gibson-King seconded removing the curbing along the street in the area between Buildings 1 and 2
- motion passed 7-0

D. Social –

- next social event planned third Friday of November, Nov. 20th
- Christmas social set for Sunday December 6th

3. NEW BUSINESS –

- Al Lafaye reported that owner of Unit 2303 found a dog in her Unit belonging to owner of Unit 1401; unknown how dog got into Unit or how long it had been there
- Manager reported that Unit 1401 owner has been warned in writing about her dogs being off leash and loose on the property
- Board discussed appropriate action
- Al Lafaye moved, Linda Harang seconded that the Manager notify owner of Unit 1401 of \$100 fine and warning that another offense will result in \$500 fine
- motion passed by a vote of 7-0

4. EXECUTIVE SESSION –

- Board went into Executive Session at 7:15 pm to discuss legal matters
- Board exited Executive Session at 8:10 pm
- Linda Harang reported that Audubon Trace has been sued in First Parish Court by the owner of Unit 3622, who claims that she fell on the stairs outside of her Unit and claims she is now suffering permanent partial disability, emotional distress, pain and suffering, lost wages, and loss of enjoyment of life
- the Board decided in March 2009 that this claim, if suit was filed, would not be tendered to State Farm for defense and indemnification
- Lenny Simmons moved, Roma Gibson-King seconded that the Association will retain the services of attorney Robert Diliberto of the firm of Diliberto & Kirin to

represent/defend the Association in this suit at his hourly rate of \$125.00 per hour plus all costs and expenses

- Linda Harang will serve as co-counsel with Mr. Diliberto and is not charging the Association for her services
- financial responsibility for all legal fees, costs, expenses, and any settlement or judgment paid in this matter will be borne solely by the owners/Association
- Board will decide at the end of the case whether to assess all owners for their proportional share of the legal fees, costs, expenses, and any settlement or judgment payment for this claim

5. ADJOURN –

- Linda Harang moved, Lenny Simmons seconded that the meeting be adjourned; motion passed by a vote of 7-0
- meeting adjourned at 8:15 pm

Submitted for publication on the _____ day of _____, 2009.

Linda S. Harang, Board Secretary
Unit 602