

**Miller Cove
Property Owners Association
October 23, 2011 Meeting Minutes**

The meeting was held on the street of Miller Loop in the Miller Cove Subdivision on October 23, 2011 following a community cookout.

Tim Elczyn called the meeting to order.

Tim reviewed the proposed agenda (see attached), and discussion began on several topics including the following:

1. POA Packet Provided to all Homeowners
 - a. A month prior to this 10/23/11 meeting Tim Elczyn and Kim Tinkle passed out POA Packets to all home owners. Contents included:
 - i. Newsletter
 - ii. Copy of Declarations (i.e Bylaws)
 - iii. New POA Forms - Board advisement, Proxy
 - iv. Directory Update Form
 - v. Suggestions for future newsletter
2. Attention to Neighborhood Concerns
 - a. The POA discussed concerns as follows:
 - i. Lawn Maintenance - 2 notification letters sent
 - ii. Parking on street - 2 notification letters sent
 - iii. Animal noise/roaming - Letter to Miller Loop homeowners; 2 notification letters sent
 - iv. Non-sanctioned mailbox - Certified notification letter sent to homeowner; failure to comply will result in lien for cost of mailbox and legal filing fees
 - v. Identified areas that need further action
3. Discussion around infractions
 - a. There are several infractions that will need to be dealt with by the Miller Cove Board, including issue with mailboxes not in compliance, and other by law infractions.
 - b. One resident suggested that we all instill a spirit of cooperation, instead of pointing everyone's faults and attacking them. It's so much better to do it in a positive way vs sending 5 violations.
 - i. If we need to change tone of letters we can, but it is a way to let people know of the concern of the board and community at large.
 - ii. Making Miller Cove feel like a strong cohesive community is always a good thing.
4. Treasurers' Report
 - a. Expenditures since last meeting
 - i. Tim Elczyn incurred expenses of roughly \$134.88 for copies made of bylaws and other items in the packet that were dispersed to all Miller Cove Residents. Motion was made by Kim Tinkle and seconded by Lu Ham to approve these, and expenditure was approved by a voice vote.

5. Approaching infractions
 - a. The POA board needs to decide how we will approach infractions etc.
 - i. We may want to invite infractor to a board meeting. The board will work on this item.
 - ii. It was suggested that the board gain additional advice from Tom Baxley regarding how other POAs deal with these kinds of issues
 - (1) Raley will set up meeting with Tom Baxley
6. Drainage from Highway 5
 - a. Lloyd Cambrey brought up issue with Drainage off of Highway 5
 - i. There is no new news or progress on this issue
7. Paving Streets in Miller Cover
 - a. The City of Benton has done a good job repairing the streets in Miller Cover.
 - i. The question was asked if they were going to put down another layer of asphalt to make the street even with the curb.
 - ii. Dave Raley will ask Lamonte Cornwell (Lamonte works with the city of Benton) if there is a plan to add the extra layer.
8. Fountain Repair
 - a. Tim Elczyn has been doing some investigating into the Fountain issue
 - i. Tim has discovered that a whole new fountain will cost \$1,999. Northside Electric had said they would charge \$1,406 to fix the one we have now.
 - ii. One option is to ship by mail, the motor to a certified repair center for that fountain. Tim talked to Kasco Marine - they said \$800 to put a whole new motor in, and \$50 to ship it to them and \$50 to ship it back. John Crews has called 4-5 times to Northside Electric and they never responded. Friday (two days ago) Tim went and picked up the fountain from Northside.
 - iii. Every 3 years fountains typically need new seals replaced and oil changed etc.
 - iv. It would be advisable to get someone local to service the fountain.
 - v. Board will talk to vendors locally and see if we can negotiate a reasonable deal to include new fountain and service agreement.
 - vi. Greenthumb may be a local vendor we can talk to.
 - vii. Tim Elczyn to head up this effort.
9. Mailbox Spruce up
 - a. Some people have spruced up their mailboxes - thank you.
 - b. The current plan is for the board to publicize to the residents how to spruce up their mailboxes using the correct Black Paint and Reg Paint(for the flag), so that all will be consistent. Everyone is still individually responsible for maintaining their mail boxes.
 - c. Lloyd Cambrey made a motion that the board put out exact specifications for the black and Red required on a mailbox. The architectural review committee can specify this
 - d. The board will publish this on the new Website that will be created.;
10. Bylaws
 - a. Miller Cove needs more defined descriptions in our by laws. A lot of the issues are vaguely addressed and the bylaws are over 20 years old.

11. Miller Cove Web Page
 - a. Miller Cove Web page was discussed.
 - b. Motion was made by Mrs. Bourne and seconded by Tim Elcyzyn to spend up to \$100 per year to host a Miller Cove Web Page. This was approved by voice vote.
 - c. Dave Raley will create the web page and provide update at the spring meeting
12. Garage Sale
 - a. We set a tentative date of April 14 for Miller Cove residents to have a Garage sale at their homes. This will allow for only 1 day where people will be driving in and out.
 - b. We will want to have traffic control to help with the flow of traffic.
 - c. The board will work out the details of this date and communicate to the residents.
13. Front Entrance
 - a. Lloyd Cambre said he would be glad to pressure wash the front sign of Miller Cover
 - i. He will need to use someone's water to do it.
 - b. Clean up of Front Entrance
 - i. General clean up of the front entrance is needed including shrubs etc.
 - ii. Tim Elcyzyn, Kim Tinkle and Angie Rutherford agreed to head up this effort.
14. Back flow Valves
 - a. If you have a sprinkler system, your backflow valves are supposed to be tested each year and certified.
 - b. It was mentioned that Jim Love has been doing that for some residents. If interested in contacting Jim.
15. Rebar issue
 - a. It was mentioned that there is Rebar (steel) sticking up near the front entrance. And between the Rutherfords and the Southernns. Across from the Loves there are a couple of tall ones.
 - b. Tim Elcyzyn to talk to the families about the rebar.
16. Bourne's chainlink fence
 - a. Mrs. Bourne talked about their desire to have a chain link fence constructed on their property.
 - b. They are asking for an exception to the bylaws, not a change to the bylaws.
 - c. Lloyd Cambrey said that according to today's bylaws, you can create wood or wrought Iron Fence.
 - i. If the committee goes outside the bylaws of what the bylaws say today, a different owner could sue the POA
 - ii. It would have to be a 90% approval to approve an exception
 - (1) With 63 total lots that would mean 57 lots would have to vote for the exception.
 - (2) If we vote today and get more than 6 NO votes, there is no sense in taking a POA wide vote as it wouldn't meet the 90% threshold.
 - (3) Currently the bylaws state 90% is required. In June 2012, the threshold changes to 75% (per the bylaws).
 - (4) In other words, if we were to re-write the bylaws, we would need 90% approval to ratify the change.

- iii. Someone said that we would be setting a precedent if we approve this for them, and the likelihood of us having to approve for others would increase.
 - iv. We need a process to make an exception. The only option we have, since the architectural review committee can't approve things against the bylaws, would be to change the bylaws which would require 90% approval.
 - v. The Board will work on updating the bylaws. Tim Elczyn will head up this effort.
 - vi. Timeline to propose new bylaws: Spring Meeting 2012
- 17. Approval of Minutes from June 2011 POA Meeting
 - a. Lloyd Cambry made a motion that we approve the minutes from the June 2011 POA Meeting and Charlie Jones seconded the motion.
 - b. The POA voted and the June 2011 POA meeting Minutes were approved as written.
- 18. Trash Cans
 - a. Everyone was reminded that they need to hide their trash cans the evening the trash is picked up.
 - i. Bylaws state that trash cans cannot be visible from the curb
- 19. Garbage Companies
 - a. It was suggested that Miller Cove consolidate with one Garbage collection company so we don't have as many companies / trucks coming in and out of Miller Cove
 - b. Dave Raley will call and investigate what options we may have here.
- 20. Next POA meeting
 - a. The next POA meeting will be in the April 2012 time frame.
 - b. Tim Elczyn will coordinate this and publicize date, time and location.
- 21. Collection of Dues
 - a. 7 POA residents have not paid their dues.
 - b. Board will need to formulate policy to address delinquent dues.
 - c. We're running break even or slightly positive but if people aren't paying their fair share, POA dues will have to be increased
- 22. Complaints
 - a. We have had the same issues over and over again. We address it and it doesn't change.
 - b. Board will need to formulate method and policy for addressing infraction

Respectfully submitted

David Raley
 Secretary
 Miller Cove POA