

PH

**Minutes of**  
**Jordan Springs Two Homeowners Association**  
**Board of Directors and Annual Meeting of Members**  
**February 1st, 2010**

Location: Middle Tyger Library

**The meeting was called to order at 6:45 pm.** In attendance were Board Members Rik Boghani, Howard Brockner and Paul Huber. No other homeowners chose to attend although every homeowner was formally notified of the meeting by mail the weeks of October 18<sup>th</sup>, 2009 and November 30<sup>th</sup>, 2009 and a meeting announcement sign was placed at the entrance to the community the Friday before the meeting. Also Randy McGwinn representing Hinson Management Company was in attendance to answer any questions and address any issues.

**Homeowner Concerns**

No individual homeowner concerns were raised during the meeting.

**Annual Meeting of Members**

Minutes for the January 4, 2010 regular meeting of the Board of Directors and the February 2, 2009 Annual Meeting of Members were submitted and were accepted and approved as submitted. They will be made available for homeowners to review upon request.

**Old Business**

**Empty Lot**

Paul Huber reported that the house recently built on the last remaining lot #16, 221 Jordan Springs Drive is now up for sale and association fees for the property have been paid for 2009 and 2010.

**Treasurer's Report**

The Treasurer's Report for January 25, 2010 was presented as follows:

Previous Balance as of December 31, 2009 - \$4,922.89  
Revenue - \$840.00  
Expenses - \$114.00  
Operating Surplus for January - \$726.00  
Balance of Available Funds January 25, 2010 - \$5,648.89

Additionally a report was presented that detailed Actual 2009 Revenue & Expense vrs the 2009 Approved Budget. There were no major variances in any line items except for favorable variances in legal expenses, lein and court fees and miscellaneous operating expenses which resulted in a favorable carryover for the year of \$1,122.26 and a combined carryover for all years to date of \$2,262.89.

It was pointed out that while the available balance represents a satisfactory collection of annual membership fees to date, it must be remembered that these funds must provide for an entire year's expenses and if any legal action is required to uphold the Restrictive Covenants or support assessment collection the balance could be quickly used up. It is estimated that any legal actions could cost between three and five thousand dollars and thus the Board agreed that the current surplus should be expanded as possible without raising annual homeowner fees above the present amount of \$140.00 per homeowner.

The full reports were approved as presented and are available for homeowners to review upon request.

### **Collection of 2009 and 2010 Homeowner Assessments**

Paul Huber reported that all homeowners had paid their dues up to and including 2009 and only one homeowner had not paid their dues for 2008 and 2009. He further reported that the Board had placed a lien on the property of the one person who had not paid their dues for 2008 and 2009 and also obtained a personal judgment against them. The delinquent homeowner thus has an unfavorable credit record with Spartanburg County and the Association will receive some \$550 when the property is sold or when the person attempts to clear their credit record. To date collection of the 2010 assessments has been about the same as 2009.

### **New Business**

#### **2008 Board of Director Elections**

It was pointed out that while every homeowner was presented with a written form to volunteer to run for the 2010 Board for three years, only one homeowner, Howard Brockner volunteered. Howard was voted to a three year term on the Board unanimously.

#### **Formalizing Archives**

Rik Boghani reported that he is currently in the process of putting the 2009 monthly financial reports on CDs. Randy suggested that we put all documents on CD backup for the past five years. We will follow up this project in future months to similarly record meeting minutes and appropriate legal documents.

The next meeting of the Board of Directors will be during the second quarter of the year or as needed.

**There being no further business, the meeting was adjourned at 7:00 pm.**

Respectfully submitted by,



Howard Brockner  
Vice President/Secretary

**Minutes of**  
**Jordan Springs Two Homeowners Association**  
**Special Board of Directors Meeting**  
**April 5, 2010**

Location: Middle Tyger Library

**The meeting was called to order at 6:00 pm.** In attendance were Board Members Rik Boghani, Howard Brockner, & Paul Huber and homeowners, Bo Corne, Linda Corne, C.K. Owens, Bruce Karaszewski, Kim Karaszewski, Roger Penland, Linda Penland, Chris West, Matt Ray and Jenneane Froman representing Hinson Management Company. Paul Huber indicated that the purpose for the Special Meeting was to inform the homeowners about the implications of the recent foreclosures and subsequent abandonment of two homes in the community, as well as Duke Energy's notification that it could no longer replace any burned out street lights in our neighborhood which are currently maintained on a month to month basis with no long term contract.

**Homeowner Concerns**

Kim Karaszewski notified the Board that she was not able to secure the parts needed to fix their mail box from any of the local home stores. Paul Huber committed to finding a source and letting her know. CK Owens stated that someone in the neighborhood was discarding cigarette butts on the curbs, driveways and lawns in the neighborhood on a regular consistent basis. The Board committed to deal with these two issues in the next community news letter.

**Regular Meeting of the Board of Directors**

**Minutes of Previous Meeting**

Minutes from the February 1<sup>st</sup> Board of Directors and Annual Meeting of Members were read and accepted as submitted. As usual, they will be made available for homeowners to review upon request.

**Old Business**

**Formalizing Archives**

Rik Boghani reported that he has completed the computerized storage process by putting the 2008 records on CDs and is working on 2009 further indicating that this process will allow us to meet record retention requirements with no additional expense to the homeowners.

**Treasurer's Report**

Rik Boghani presented the Treasurer's Report for March 25, 2010 as follows:

Previous Operating Balance as of February 25, 2010 - \$6,672.70

Income - \$299.00

Expenses - \$310.82

Operating Deficit For March - \$(11.82)

Available Funds at March 25, 2010 - \$6,660.88

The full report was read and approved as submitted. In addition, Rik supplied all those present with a copy of Actual 2009 Revenue & Expenses versus the 2009 Approved Budget which was previously presented and discussed at the Annual Meeting of Members in February.

### **Foreclosures and Abandonments**

Paul Huber informed the homeowners present that there are presently two homes in Jordan Springs that are in the foreclosure process and the same two of which have been abandoned. He indicated that the purpose of the Special Meeting was to inform the current homeowners what foreclosures and abandonments were all about and what the consequences to the community could be and how we could deal with those consequences so as to maintain our property values and quality of life. The Board invited Jenneane Froman, President of Hinson Management, the property management company for Jordan Springs and many other associations in the Up State to address these issues to educate our property owners.

Jenneane indicated that the first official notice that is given that a home is in foreclosure is when Hinson Management is served notice by the Court of Common Pleas and this is usually several months after payments by the owner have not been made. At this point Hinson Management notifies the Board of Directors and fees can no longer be billed to the homeowner of the property. Jenneane indicated that at this point the homeowner usually abandons the property and nothing official is heard from the courts, the creditor or any new owner until the process is officially settled some six to twelve months later. In the meantime the Board has no legal knowledge as to who still owns the house; the Board only knows who is the ultimate creditor seeking action against the non paying owner. Until the case is settled, the delinquent home owner still owns the property

The first problem for the neighborhood is that the creditors may, or more often, may not be concerned with the appearance of the property until they take final title and attempt sale which again is part of a six to twelve month process. In the meantime lawns are uncut and houses not maintained all of which serves to depress property values in the community as many potential buyers of other homes for sale may feel the neighborhood is run down. In some cases neighborhoods have attempted to maintain the abandoned properties on their own. Jenneane indicated that the risk of liability to those neighbors who volunteer to mow the lawns, the owner in foreclosure and the creditor are too complicated and risky to mow the lawns and that the best approach is to contact the creditor to encourage them to at least cut the lawns. Fortunately this is the case with one of the Jordan Springs abandonments and the Board is presently attempting to accomplish the same with the second abandoned home.

A second problem for the community that Jenneane presented is that of property theft. As is often the case, no one knows who should have access to the property thus thieves can break into the abandoned house and steal lighting fixtures, appliances and in one neighborhood thieves even tore out all the copper tubing for scrap sale. The problem created for the property owners is that while this may not affect the appearance of the neighborhood, potential buyers of the foreclosed property may be discouraged from making an investment to restore the property thus increasing the time the abandoned property remains an eyesore in the community. Paul Huber stated that in a recent meeting with the Spartanburg Police, they stated that the Sheriff's Office encouraged every community member to not hesitate reporting any suspicious activity in their neighborhood. The officer stated that any unusual or suspicious activity should immediately be called in to 911 and not the local (Duncan) police; the police would rather have a false alarm then to have a crime committed. Jenneane stressed that the best way to deal with the problem of ransacking abandoned houses is for the neighbors to keep a watchful eye and notify 911 of any suspicious activity.

A discussion followed dealing with possible alternatives to resolving lawn maintenance for the two abandoned properties. Homeowner CK Owens suggested that in the interest of neighborhood appearance the Association pay to have these properties maintained. Paul Huber pointed out that this would require approval by the entire association for a non budgeted increase and that the Board could not use the surplus for legal reserves to mow the lawns as those funds were committed to guarantee support of legal obligations specifically spelled out in the Declaratory Statement of Covenant Restrictions for Jordan Springs II Jenneane further pointed out the extreme difficulty in getting approval from a lender to maintain the property free of liability and that our best bet was to continue to pursue the identity of the current lender to take responsibility for external appearance as has been achieved with one of the abandoned properties. Howard Brockner stated that Bank of America owns the second of the two properties; the Board will attempt to get Bank of America to maintain the property on a satisfactory basis and will do everything possible including seeking help from Spartanburg County, to deal with the problem of foreclosed/abandoned houses in the best interest of all Jordan Springs property owners.

### **Street Lights**

Paul Huber reported that Duke Energy, the company that supplies street lighting for Jordan Springs, had informed Hinson Management that due to the Environmental Protection Agency prohibiting the use of mercury vapor bulbs, Duke Energy could no longer replace the bulbs in our community when they burn out. Further, the bulbs which are permitted to be used by the EPA do not fit in the sockets of the present fixtures. As a result, the Association must get new fixtures for the six light poles so new lights can be installed when the old lights burn out. The Board has examined various available lights and configurations and has decided that it is in the best interest of the community to replace the current lighting fixtures with ones that are similar to the ones we now have in order to provide similar lighting at a cost in the range now being paid. The lead time to replace the fixtures is some four to six weeks from the time Duke Power is notified and so the Board has voted to replace all six Jordan Springs fixtures when the first light burns out thus saving the time and money which would be incurred if each light was replaced individually. No street lights have needed to be replaced since the community was built and thus it could be a while before replacement is required. The Board will begin the replacement process as soon as the first light burns out.

The next meeting of the Board of Directors will be held in the third quarter of the year or as needed.

**There being no further business, the meeting was adjourned at 7:00 pm.**

Respectfully submitted by,

Howard Brockner  
Vice President/Secretary

Minutes of  
Jordan Springs Two Homeowners Association  
Board of Directors Meeting  
November 8, 2010

Location: Middle Tyger Library

**The meeting was called to order at 6:35 pm.** In attendance was Board Member Paul Huber; Rik Boghani was out of town on business and Howard Brockner had not yet returned from his summer residence but all items for consideration at the meeting had been previously dealt with via phone calls after each member had thoroughly reviewed the budget and other material. Homeowners in attendance were C.K. Owens and Elizabeth Huber.

**Homeowner Concerns**

Paul Huber reported that he had received a phone call from Lewis Yerian of 233 Jordan Springs Drive in which he indicated that several young boys from the neighborhood were throwing dirt from the side of the driveway at 221 Jordan Springs Drive (an empty house), trespassing on his and other property in the area and using fowl language. Mr. Yerian stated that he had talked to the parents of the boys and I told him I would keep an eye on the situation and speak to the boys and their parents if I saw any similar activity. CK Owens, who lives next to Mr. Yerian said that she has seen young boys in the area but has not noticed any unreasonable juvenile activity. No neighbors other than Mr. Yerian have reported any problems.

**Regular Meeting of the Board of Directors**

**Minutes of Previous Meeting**

Minutes from the April 5<sup>th</sup>, 2010 Special Board of Directors Meeting which covered primarily Foreclosures/Abandonments and street lighting were previously reviewed and approved by the Board and there was no interest expressed from the floor in reading them aloud. As usual, they will be made available for homeowners to review upon request.

**Old Business**

**Foreclosures and Abandonments**

Paul Huber reported that the two foreclosed and abandoned homes on 308 Dustin Reid Ct and 403 Benjamin Reid Ct were still in foreclosure and abandonment. However, progress has been made in getting the respective banks to maintain the appearance of the properties and no other properties were in foreclosure or abandoned as of April 5<sup>th</sup>, 2010.

**Mail Box Restorations**

A special news letter was sent out in August detailing Covenant Restrictions concerning mail boxes and supplying two individuals who offered to provide repair or replacement services along with respective price lists.

**Formalizing Archives**

Rik Boghani reported that he is still working to complete the computerized storage process putting the 2008 and 2009 records on CDs.

**Street Light Replacement**

All street lights in the community are in working order. The Board is ready to replace the lights as soon as the first unit malfunctions as reported in the April 5<sup>th</sup>, 2010 Special Meeting.

## Treasurer's Report

Paul Huber presented the Treasurer's Report for October 25, 2010 previously approved by Rik Boghani and the Board as follows:

Previous Operating Balance as of September 27, 2010 - \$4,256.86

Income - \$0.00

Expenses - \$457.73

Operating Deficit For October - \$(457.73)

Available Funds at October 25, 2010 - \$3,799.13

2010 dues has been collected from every homeowner and liens have been placed on the two foreclosed properties one of which has been collected.

### New Business

#### Community Association Law Review

Paul Huber reported that he and Rik Boghani attended a 2010 Community Association Law Review Session on September 20, 2010. The session was given by the law firm of Rogers Townsend & Thomas and was sponsored by Hinson Management Company, the company that manages our Jordan Springs Community. All aspects of legal HOA Management requirements were covered in the three hour session.

#### 2011 Budget

On October 16<sup>th</sup>, 2010 a copy of the 2011 Proposed Budget package was delivered to every homeowner in the Jordan Springs community along with notice of tonight's budget approval meeting and a response slip to record their approval or disapproval of the Proposed Budget. The 2011 Budget was approved with not one residence voting to disapprove it, thus the Board voted to approve the 2011 Budget as submitted at \$140.00 per homeowner per year representing no increase from 2010.

The next meeting of the Board of Directors will be held the first week of January for presentations by potential 2011 Board Member Candidates.

**There being no further business, the meeting was adjourned at 6:50 pm.**

Respectfully submitted by,

Paul Huber, President for Howard Brockner  
Vice President/Secretary