

**Homestead Homeowners' Association Board of Directors
August 15, 2011 Minutes**

- I. The regularly scheduled board meeting was held August 15, 2011, at The Homestead clubhouse. The following board members were in attendance:
- A. Ty Albright
 - B. Charles LaFleur
 - C. Rusty Nejd
 - D. Edwin Skelton

- II. The agenda was presented, Quorum was established and the meeting was called to order by President Ty Albright at 7 p.m.

Karen Rayl Bassham, HOA Administrator acknowledged the presence of three homeowners: Ashley Spoto, Mark and Beth Boehm

Throughout the meeting the visitors politely interrupted with various question about process and protocol which the board responded to.

- III. Ty Albright moved to approve minutes from the July 18, 2011 board meeting and Edwin Skelton seconded. Board approved unanimously. Karen Rayl Bassham, HOA Administrator, was appointed scribe for this meeting.

- IV. Charles LaFleur said that the sale on his home would be completed any day and he would resign from the board at that time.

- V. Landscaping:

- A. The Board approved the Southern Botanical invoice for the hydro-mulching and reseeding, asking that it be paid out of the reserve fund. There was discussion about the fact that some board members were not completely happy with the final results of the grass restoration efforts, but indicated that Southern Botanical has pledged to provide the community with “the results that were paid for” and acknowledged that we have experienced a summer of unusual high temperatures. Since the board had previously agreed to pay for the services provided there was no reason not to pay.
- B. The Board would like Southern Botanical to split out the cost for lawn maintenance on the 55 Morning Glory lots, so it can be determined if this might be bid out and contracted separately in the future to keep prices down.

- VI. ACC:

Gary Carpenter asked the board to approve blanket approval for all future ACC requests asking to replace a roof with the same color and type of materials. This will prevent delays for people fixing roofs damaged by storms. This provision will remain in effect until revoked. Charles moved and Ty seconded this provision be made and the board unanimously approved. This will be communicated to residents as they send in requests.

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- VII. Resident Mailing:
Board approved resident mailing of cover letter and self-inspection form at the price quoted by RealManage: \$1,383 (3 pages x 461 residents).
- VIII. Pool & Amenities:
- A. KRB reported that motion sensor lights have been ordered for placement behind the pool pavilion.
 - B. The Board approved the sign design provided by KRB regarding the new rule limiting pool guests to 5 per member family. She will have these printed at FastSigns for \$50. These will be placed on both gates into pool.
 - C. KRB reported that park benches (2) had been installed in Maud's Park and Hillside Park.
 - D. KRB provided a plan showing the general placement plan for winter holiday décor. Rusty moved and Ed seconded the proposed plan for winter holiday decor be approved and it was unanimously approved by the Board.
- IX. Legislative/Financial/Fines:
- A. Board reviewed legislative changes for HOAs starting in January 2012 and determined it was already in compliance with most new requirements. These changes will be considered for future board actions.
 - B. The Board discussed a budget analysis provided by Ty comparing major expenses from 2009 to 2011 to use in composing the 2012 budget. The Board wanted to ensure that administrative costs from the management company will be split out in future budgets.
 - C. Ed Skelton reported that he has received bids for new insurance policies and is expecting more. These will be studied before insurance policies renew in September.
 - D. The following board resolution was unanimously passed and signed.
"Communications to residents regarding fines:
When a resident's violations have escalated to fine stage, the management company will refer to HOA Board and Administrator for any further communications to that resident. The HOA Board and Administrator will inspect the property and determine next steps and fine feasibility." KRB will send this to RealManage.
- X. Welcome packet: KRB reported the new Welcome Packet was now posted on the website in documents with a link on the Home Page. The first printed copy will be mailed to new resident Bobby L. Cook at 1714 Morning Glory.
- XI. Ty Albright, Board President, announced to the guests present (Ashley Spoto, Mark and Beth Boehm) that further business would be discussed in the confidential Executive Session.
- XII. Resident Discussion:
In a recent email on the neighborhood's HS Discuss email List, Rusty had asked for volunteers for various positions. Ashley Spoto had volunteered to participate on the

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clubhouse committee. Ashley Spoto reported that she was told she would not be allowed to volunteer and wanted to understand why. It was explained to her that Rusty never told her that she would not be allowed to volunteer but only that some board members had concerns about her participation and this would be discussed at the board meeting during the executive session.

Ashley disputed this and claimed other things were told to her.

Ashley Spoto stated that in accordance with the association by laws the board must divulge the topics to be discussed in the Executive Session. The visitors were referred to the published agenda which listed as the board agenda for the executive committee the following:

- Contract changes
- Volunteer roles
- Board member prospects
- Property care

Mark Boehm wanted to know the process by which the Board determined which topics were included on executive sessions vs. general sessions.

Ty explained that one of the purposes of the executive committee sessions is to protect privacy issues, and topics involving individuals (including such things as delinquencies or legal actions) were reserved for the executive session.

Ashley stated that since she was to be discussed during the discussion on "volunteer roles," she should be present during the discussion. Mark and Ashley asked for this topic to be transferred to the Open Session so she could participate. It was explained that issues discussed during the open session would be documented in the minutes and Ashley Spoto agreed to waive her right to privacy. The Board agreed to discuss Ms. Spoto's potential participation in the club house committee during the open public session.

Ashley made various allegations against the board and wanted to know the names of people who had concerns about working with her and the reasons.

Rusty and Ty each gave multiple examples of her past and current behavior which they consider being hostile and attacking or bullying in nature, and indicated that these episodes were examples of concerns.

Ashley made multiple allegations against Ty and other homeowners and explained that her actions were provoked.

Ty said that he had firsthand knowledge of these allegations made by Ms. Spoto and the allegations were slanderous and false.

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Ty said she was welcome to draft her own comments to be attached to the board minutes so we can accurately document her complaint. She then thanked the board and left.

Ty adjourned the open meeting at 8:45 p.m. before the Board met in Executive Session.

Note from Ty Albright; HOA President;

It is important to accurately document what transpires at official meetings, but I also believe we have an obligation to protect privacy and not perpetuate unfounded allegations, and to the extent specific allegations are made against others, these items should be documented in the executive committee minutes. The following was provided by Ms. Spoto, however specific names and details of allegations have been removed in the interest of privacy concerns. The full draft of Ms. Spoto's submission, along with additional details of specific things said are documented in the executive committee minutes. It should also be noted that following the executive committee meeting, Ms. Spoto, along with other volunteers, received communication that they were selected to be part of the club house committee and they were thanked for their offer to volunteer.

Submission From Ashley Spoto:

During Open Session, new business was introduced by Ashley Spoto regarding Rusty's email pertaining to his request for her to delay her request to volunteer until the Board could discuss the matter.

Per Rusty's email "I have heard from other board members giving extreme misgivings about working with you but I will be meeting with them next week at the board meeting to get more information. It is evident from the replies that I have gotten that you have burned some bridges with people in the neighborhood, both on and off the board. I am trying to keep myself neutral throughout all of this, without giving you a run around, and trying to normalize relations between everyone."

At that point, Ty indicated the open session was closed and the matters would be discussed in Executive Session. Ashley Spoto noted that per Bylaws, "the nature and scope of matters discussed in Executive Session shall be divulged in Open Session". Karen acknowledged the statute. The topic of "volunteering" was to be discussed in Executive Session. Mark Boehm made a point of order regarding the traditional topics reserved for Executive Session: the Executive Sessions are typically reserved for penalizing items and those matters for which the Board must take action: liens, fines, delinquencies. Ashley Spoto asked if volunteers were ever previously discussed in closed, Executive Sessions. A response was not given. Mark Boehm made a point of order to move the portion of the Executive Session pertaining to Ashley Spoto be moved into Open Session. Ashley Spoto waived her privacy to facilitate this discussion. During the discussion, Board Member 1 and Board Member 2 (one is Edwin, and the other I thought was David, but apparently is not) indicated they had no misgivings about working with Ashley Spoto and had in fact never met her. Ty indicated that the "real circumstance" was that (Redacted Homeowner name) refused to work with Ashley Spoto given Ashley's "personal attacks against (Redacted name)". As the subject was introduced by the Board President, Ashley then asked that the record be clarified to reflect the personal attacks were actually initiated and

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produced by (Redacted name) against Ashley Spoto and continued outside of the HOA into (Redacted name) former place of employment (Redacted place of employment) as well as to a (Redacted allegation). Ashley did clarify the record to indicate that her personal attack was limited to Ty.

During the heated discussion of personal attacks, Ashley Spoto indicated that she had several times made her desire to volunteer known to Rusty, but had misgivings about working in concert with Ty. Once an open call to volunteer for the clubhouse committee was made by Rusty in the email discuss list, Ashley volunteered for the committee as well as offered to chair it. Ashley asked for clarification of the emails from Rusty as to which people had been made aware of her offer to volunteer, why her name was shared but not vice versa, and which specific Board members had extreme misgivings about working with her. The answer was not given. Ashley informed the Board that she considered the email from Rusty to be malicious and deceitful when the only 2 who had voiced concerns about working with Ashley were (redacted names). Ashley also asked as to the number of volunteers who had emerged in 2 weeks. A list of 4 people was given to review to fill the (2) positions on the Board, the (2) positions on the ACC, and the entire clubhouse committee. Rusty indicated there were at least 4-7 more volunteer names in his head and not on the list. At the end of the meeting, Ashley thanked the Board for their time and departed. The Board began the Closed Executive Session at that point.