**Open Session Board Minutes**

**Providence Hills HOA Board of Directors Meeting**

**June 24, 2024**

Meeting Location: Clubhouse (2663 Providence Hills Drive)

Participants:

Present: Jose Diaz, Andrew McDermott, Mark McKain, Mujeeb Shah-Khan

Absent: Taryn Burns

Guests: Mickey Bumgardner & Shannon Wagner (Bumgardner Association Management), 10 residents

Board Meeting – Open Session

1. Call to Order
   * The meeting began at 7:05 p.m. by Jose Diaz.
2. Roll Call
   * All are present except Taryn.
3. Reading and Approval of Minutes
   * The May meeting minutes have been approved and posted to the website for community access.
4. Reports of Officers
   * President (Jose Diaz)
     + No updates.
   * First Vice President (Mujeeb Shah-Khan)
     + No updates.
   * Second Vice President (Taryn Burns)
     + No updates.
   * Treasurer (Mark McKain)
     + No updates.
   * Secretary (Andrew McDermott)
     + 95.7% of houses are receiving our emails.
       1. Danhill: 3305 (New)
       2. Over Stream: 1200, 1201
       3. Providence Hills: 2621, 2635, 2720, 2930
       4. Savannah Hills: 3306, 3410
       5. Wallbrook: 4003, 4129
5. Reports of Committees
   * Adult Social Committee (Sharon McGowan)
     + Water Aerobics occurring on Wednesdays at 7 pm in the pool. 20 adults showed up to the first session, which is an encouraging number.
     + Starting to think of a fall party / chili cook-off. Possibly combining Meet & Greet for new neighbor adults for the fall event.
   * Architectural Review Committee (Taryn Burns)
     + 2 requests received this month.
   * Children’s Social Committee (Katie McDermott and Shannon Vo)
     + Rubber Duck Rodeo at Pool Opening Party had a good turnout again.
     + Next event: Rubber Duck Rodeo, September 2, 12:15pm
   * Community Social Committee (Amy Gemereth)
     + First Friday Pizza Party occurred last Friday. There was a good turnout and almost all of the 30 XL pizza pies were eaten. The only issue was the electrical outlet tripped when the musician tried to play his guitar.
     + Next event: Friday Pizza Party, July 26 at 6 pm.
   * Holiday Decorations (Liz Thomas)
     + Upcoming neighborhood decorations:

|  |  |
| --- | --- |
| May 19-July 9 | * Clubhouse Doors: Patriotic decorations * Neighborhood Entrances: Patriotic decorations * Inside Clubhouse: None |
| July-September | Summer decorations will come back up |

* + Neighborhood Message Boards (Doug Smith)
    - Nils Andersen will take a look at board at McKee Road to help take it out so it can be measured and the new board can be ordered.
  + Pool Committee (Jessie Alkemeyer)
    - The nine findings from the pool committee and one from Carolina Pool Management were sent to Matt Crowley; see “Common Area Maintenance” for updates.
    - Multiple reports have been received of break-ins to the pool deck. The committee recommends the Board consider use of security cameras to monitor this; see “Common Area Maintenance” for updates.
  + Social Media Committee (Katie McDermott)
    - Reach out if you have neighborhood news that needs to be communicated through our social media!
  + Welcome Committee (Liz Thomas)
    - Event:
      1. Next event: TBD
    - Real Estate/Welcome
      1. 2825 Hampton Glen closed on June 12. The new owners have been added to the communication list and will receive gift once they move in.
      2. 3305 Danhill closed on June 21. Once contact information is received, new owners will be added to communication list and will receive gift.
      3. 1012 Kendall Knoll was listed for sale on June 14.
      4. 2531 Providence Hills will be for sale this Wednesday.
    - Email sent on April 25 to solicit new committee chair; will continue to seek a chair.

1. Old Business
   * North Carolina Secretary of State’s Office Business Registration
     + As of June 12, our business registration with the North Carolina Secretary of State was updated to show the correct registered agent.
       1. <https://www.sosnc.gov/online_services/search/>
   * Storm Drain Dry Creek
     + Maintenance information was added to our website and emailed to the community on June 4.
       1. Mecklenburg County: <https://servicerequest.charlottenc.gov/service>
       2. Union County: <https://citizenportal.dudesolutions.com/IndianTrail>
   * Common Areas Maintenance
     + Repairs

Background

* + - 1. We have contracted Matt Crowley to provide a quote for nearly 20 items, including pool deck findings, gutter cleaning, playground railroad tie replacement, AED relocation and more.

Actions

* + - 1. None - We are waiting for him to provide a line itemized quote for approval consideration.
    - Playground Timber/Mulch Replacement

Background

* + - 1. In prior meetings, we discussed the deteriorating condition of the timbers and mulch around the playground. In April, Gomez Lawn and Landscape provided a quote of $5,782 for performing this.
      2. In May, we discussed this quote felt high. We want to receive one or two other quotes for the railroad tie replacement.

Actions

* + - 1. No update/actions as we are still waiting on the quote from Matt Crowley.
    - Tennis/Pickleball Court Light Repair

Background

1. In early May, it was reported that the glass on one of the tennis/pickleball court lights was broken.
2. Dove Electrical, who installed these a couple of years ago, will replace this for us. Dove Electrical needs to know if all lamps should be replaced while he has the lift out, as this would brighten everything up and it has been a few years.

Actions

1. We determined not act on this; this item will be added for consideration on the Project List.   
   * + Exterminator

Background

1. We entered in to contract with Charlotte Pest to perform common area pest services (spiders, wasps, rodents, fire ants).  
   Charlotte Pest came for the first quarterly service on May 28.
2. Ants were reported again on June 17. Charlotte Pest came back out to address.

Actions

1. None.  
   * + Phone & Internet

Background

1. The Board previously voted to approve a contract with Spectrum for providing clubhouse/poolhouse phone and internet service.
2. Spectrum established service on May 24.
   1. With this, the phone number has changed. This has been updated in our documentation and relayed to Carolina Pool Management.
   2. The WiFi is configurable by Bumgardner Association Management.
3. We determined that phone service is only required at the poolhouse; the phone will be removed from the clubhouse and updated in our documentation.

Actions

1. None.

* Landscape Irrigation

Background

1. Feedback was received that our watering times of mid-afternoon are costing the neighborhood money and are contributing to poorer health of the plants.
2. We have provided Gomez Lawn and Landscape with guidance to change the times to 5-8 am or 7-9 pm and seen compliance.

Actions

1. None.

* Union County Fire Marshal Inspection

Background

* + - 1. The Union County Fire Marshal needs to inspect our clubhouse and pool house every three years. On May 29, they performed an inspection. Four findings were noted:
         1. Fire extinguishers need to be properly mounted on the wall
         2. Fire extinguishers need to be inspected and tagged annually
         3. Emergency exit signs need to be repaired/replaced
         4. Emergency exit lights need to be repaired/replaced
      2. The findings were addressed on June 17, except for installation of new emergency exit signs.
      3. We are waiting on Matt Crowley quote to install new signs. Following install, Union County Fire Marshal will be called for reinspection.

Actions

* + - 1. Mujeeb Shah-Khan made a motion to approve the expenditure of $867.35 for the fire extinguisher and emergency light testing and remediation as quoted by Cintas.
         1. Seconded by: Jose Diaz
         2. Vote: Andrew, Mark, Mujeeb, and Jose all voted in favor. No dissent or abstains.
  + Code of Conduct Adoption

Background

* + - In 2023, we determined we should look in to a Code of Conduct document. A working draft of the document has been created.
    - In the May meeting we reviewed the draft document, with plans to vote in June and if approved, distribute to neighborhood. This is attached to the minutes below.

Actions

* + - Jose made a motion to adopt the Board of Directors Code of Conduct. [Included at end of meeting minutes]
      1. Seconded by: Andrew McDermott
      2. Vote: Mujeeb, Mark, Jose, Andrew all approved. No dissent or abstains.
    - Once all directors sign, Bumgardner Association Management will retain the master copy.
    - Andrew will have this added to our website and emailed out.
  + Automated External Defibrillator (AED) Coordination

Background

* + - Earlier in 2024, we purchased an AED and installed it within the clubhouse; the intention is to have it indoors in the pool offseason and outdoors during the pool season.
    - We do not currently have a mount outside for the AED, so it remains indoors, inaccessible to the pool deck.
    - We also expressed interest in performing a training. Carolina Pool Management offered a one-time free training (Adult and Infant) for up to 10 people.

Actions

* + - Jose is working with Colleen from Carolina Pool Management to get preferred dates and times. We will pick the time that works the most for the participants. Homeowners should let Jose know if interested in participating.
    - Bumgardner Association Management will follow up with Matt Crowley on the quote for installing the mount to move the AED outdoors.
      1. Following completion, our clubhouse documentation will be updated and reservations will be notified.
  + McKee Road Extension Impact

Background

* + - As part of the McKee Road NC DOT project to extend McKee Road, our landscaping, inground irrigation, electrical, and eastern sign on Providence Hills Drive may be displaced.
    - In May, we reported working with Colliers Engineering to have them stake the project out so we can determine full impact.
    - Also in May, tree removal began as the NC DOT project entered the next phase of the project.
    - The majority of the impact to our community is done.

Actions

* + - The bulk of the negotiated settlement is tied up in mediation. Mark is following up with our attorney, Chris Karrenstein, to see what our options.
  + 2024 Pool Deck Access System – Member Splash pilot

Background

* + - In March, voted to adopt a pilot program of MemberSplash through the remainder of 2024.
    - The vendor has turned the site access over to us, and the Board has been provided credentials. The board will internally discuss the “kinks” seen this week. From there, a communication plan will be determined for the pilot.
    - 21 households have signed up for the pilot to date; registration is open at <https://forms.gle/Du2tNe12GZuTy7cx7>.

Actions

* Jose will provide the iPad that will be used. Once shared, documentation will be provided to the lifeguards and the pilot participants. Anticipate rollout immediately following July 4.
  + Three/Five Year Vision of Community Projects

Background

* + - In recent meetings, we committed to collecting community input and publishing a 3- or 5-year project plan, with expected dues increases incorporated.
    - On May 13, we held a community working session to draft the next revision of this. The board resolved to come up with a Top 10 list, from which a ranking survey will be distributed to the neighborhood.

Actions

* + - We are tabling this for this month. Reserves at the end of the year are forecasted to come in around $40-45k and we do not want to spend additional funding if not prudent.

1. New Business
   * Trespassing Concerns

Background

* + - Multiple reports have been received of break-ins to the pool deck.
    - Neighbors of common amenities have reported lights and loud music by the tennis courts.
    - In the past, guidance has been to have homeowners call the Union County Sheriff's Office when issues occur.

Actions

* We had a discussion on possible options.
  + Lighting: We can check the timers for the parking lot lights and tennis courts to ensure power only in allowable time.
  + Cameras: Options exist with and without our security system.
  + Gates: Could be obtained, but maintenance is question.
  + Communication: We do not know the offenders, so blanket communication may not be effective.
* Over the next month, we will price out a camera system and present findings in July so we can know what the options are.
* One of the neighborhoods nearby has a drive-by service. We will inquire about a possible quote.
  + Security System  
    Background
* We have been paying CPI $45/month for service of the clubhouse
* There have frequently been issues, but now with no phone line, there is no service.

Actions

* Mujeeb Shah-Khan made a motion to approve the quoted cost of $957.73 to install the digital security system at the clubhouse as a replacement of the current system, and increase of bill by $5/month to $49.99/month for the new service.
  + Seconded by: Jose Diaz
  + Vote: Andrew, Mark, Mujeeb, and Jose all voted in favor. No dissent or abstains.
  + Landscape Committee

Background

* In the April meeting, an idea was raised of a Landscape Committee – residents can provide input to the landscape decisions within the neighborhood, such as plant purchases.

Actions

* We discussed that if approved, we will include in the 2025 budget process to include a few small items such as plant food, etc. that will help extend the life of our existing floral work.
* Andrew McDermott made a motion to form a Landscape committee, initially chaired by Liz Thomas, to work directly with the landscape company to advise on plant selection and maintenance, while the board will continue to maintain contracts.
  + Seconded by: Mujeeb Shah-Khan
  + Vote: Mark, Mujeeb, Jose, Andrew all voted in favor. No dissent or abstains.
  + Playground Maintenance  
    Background
    - Feedback has been received that the playground is in poor condition. Outside of the mulch and railroad ties, the equipment has not been maintained.
    - The same company we used prior, H2O Cleaning Solutions, came by on June 10 to assess the playground:
      1. The curbs on both parking lots will total $215.52.
      2. The playground equipment will total $210.00
      3. Softwashing the tennis/pickleball courts will total $1014.64

Action

* We will not move forward with a quote at this time. We will retain this information for future consideration.
  + HVAC Maintenance Agreement  
    Background
* In 2023, we adopted a one-year agreement that Horne Heating and Air would maintain our HVAC system for us, with the purchase of a service plan. It has been one-year since we made this agreement.
* To retain Horne Heating & Air for the next 12 months, it will cost $577.01.

Action

* **Mujeeb Shah-Khan** made a motion to adopt the contract with Horne Heating and Air Conditioning to provide maintenance to our two-unit HVAC system for Summer 2024-2025, with a total cost of $577.01. (Note, this amount was previously included in the budget)
  + Seconded by: Jose Diaz
  + Vote: Mujeeb, Andrew, Jose, Mark all voted in favor. No dissent or abstains.
  + Internet Usage

Background

* + - An idea was suggested to open the wifi for resident use.
    - We could look into a Captive Portal Solution, which presents a “login” screen prior to connectivity. Tiered Bandwidth will allow a revenue stream, requiring cost based on time of internet access, use of data, and/or chance to upgrade to faster speed. Example: Pay $20/week for internet access at the clubhouse. A solution like this could cost around $150/year.

Action

* + - A discussion occurred about getting community input and allowing hourly rentals of the clubhouse.
    - This initiative will be revisited in the future when it gains additional traction.

1. Open Forum
   * Sharon McGowan requested an update on where the Adult Social Committee is year-to-date budget wise. The Board will help with assisting with the numbers.
   * There was a question raised if we can look at expanding the color pallet available for exterior house trim.
   * There was a question raised if we can get dedicated turn lanes at Savannah Hills Drive and Pleasant Plains Road. There used to be turn lanes. This is a Charlotte Department of Transportation question.
   * Feedback from homeowners is that Carolina Pool Management is not checking for pool tags.
   * Instructions to arm the clubhouse security system are not in the Clubhouse Rules to arm the system when leaving. We will add this in to the rules that the resident sign. If they don’t arm the system, we will retain the deposit.
   * We will plan a playground cleanup community involvement day. More to come once we complete the quote process.
   * A homeowner inquired about vending machines at the pool.
   * A homeowner inquired about open internet at the amenities; at this point, for the Member Splash pilot, we are only supporting it for Providence Hills amenities.
   * Nils Andersen volunteered to move the AED outside for us to address a concern about having the AED but not outside.
   * A neighbor mentioned that a pool skimmer filter is broken; we will pass the feedback on to Carolina Pool Management.
   * A neighbor was concerned about the responsibility for the grass cutting along Savannah Hills from the clubhouse to Hampton Glen. There are multiple parcels there so we will address the concern with the resident.
   * A neighbor inquired about if the router for the internet in the women’s bathroom of the poolhouse. The handman will be putting this in a permanent location.
   * A resident expressed concern that the clubhouse furniture continues to not be returned to proper location.
2. Announcements
   * The July Board of Directors meeting has been consolidated with the Semi-Annual Community meeting and is scheduled for July 21 at 6 pm at the Clubhouse.
   * There are opportunities to get involved within the neighborhood. Inquire if interested!
   * Three positions on the Board of Directors will be up for election on January 26, 2025. Inquire if interested!
3. Adjournment
   * Jose made a motion to move to Executive Session to discuss legal matters, personnel issues, and confidential matters.
     + Seconded by: Mujeeb Shah-Kahn
     + Vote: Andrew, Jose, Mujeeb, and Mark all voted in favor. No dissent or abstains.
   * The Open Session portion of the meeting ended at 8:32 p.m.

PROVIDENCE HILLS COMMUNITY ASSOCIATION

CODE OF CONDUCT

FOR BOARD MEMBERS

The Providence Hills Community Association (The "Association") Code of Conduct For Board Members defines the standard of conduct that is expected of Board Members and establishes the Association’s commitment to integrity and the highest ethical standards.

The Board of Directors has approved the following Code of Conduct for its members; the Code of Conduct serves as a guide to make ethical decisions and to uphold a high standard of conduct in the performance of Association business. Compliance with the Code of Conduct is required to build and maintain trust, foster community relationships, and enhance and protect the reputation of the Association and the community it serves.

The following principles and guidelines constitute the code of conduct:

**Potential Conflicts of Interest**

No Board member shall accept any gift or favor made with intent of influencing decisions or action on any official matter.

No Board member shall solicit or accept, directly or indirectly, any gifts, gratuity favor, entertainment, loan or anything of monetary value from, a person who is seeking to obtain contractual or other business or financial relations with the Association, unless full disclosure is made to the Board of Directors and the membership of the Association.

No Board Member may provide any bid specifications including but not limited to costs, labor, materials and or components to any contractor or vendor prior to said contractor or vendor receiving a Request For Proposal [RFP] from the Association.

No Board member shall enter into a contractual agreement with any vendor, contractor or sub-contractor currently under contract with the Association.

No Board member shall receive any compensation from the Association for acting as a Board member, other than normal reimbursement of expenses on behalf of the Association.

No Board member shall willingly misrepresent facts to the residents of the community for any reason, including but not limited to advancing a personal cause or influencing the community to place pressure on the Board to advance a Board member's personal cause.

The Association will make no contributions to any political parties or political candidates.

**Treating Others with Dignity and Respect**

No Board member shall engage in any writing, publishing, or speech making that defames any other member of the Association Board or resident of PHCA Community Association.

Members of the Board will conduct themselves in a respectful manner to other members of the Board, Management Company personnel and homeowners. Board Members will not publicly or privately ridicule anyone. The President or his/her appointed designee is the only individual authorized to speak on behalf of the Association.

**Interference in Business Matters**

No Board member shall interfere with the system of management established by the Board of Directors of the Association.

No Board member shall interfere with duties of any staff member of PHCA Community Association and its Management Company.

No Board member, except for the President, will assume or is vested with any authority to direct a member, contractor, agent or employee of the Association. The authority of Board members is limited to the vote upon policies of the Association and participation in the meetings of the Board.

A Board member must, after a vote, support the decisions of the majority of the Board regardless of the position that Board member has taken at the time of the vote.

Discussions and deliberations of the Board shall be free of any political affiliations.

**Confidentiality**

A Board member must uphold his/her fiduciary duty to the Association in addition to upholding a duty of care, a duty of loyalty and a duty of confidentiality.

Confidentiality of other Board member’s personal lives, all resident’s personal lives as well as employee’s personal lives will be protected by the Board officers.

**Respect for the Law**

Any Board member under investigation for a felony will be given a leave of absence from the Board of Directors during the investigation and trial period.

Being convicted of a felony will be deemed immediate resignation as a member of the Board of Directors or as an officer of the Association.

**Personal Commitment**

A Board member who misses three (3) regular Association meetings beginning from the Annual meeting to the subsequent Annual meeting shall be subject to removal by the majority vote of the other members of the Board of Directors.

I understand that I have various duties to the Association and that I will be in breach of such duties if I divulge confidential information to persons who are not on the Board of Directors.

I further understand that these duties extend into the future so that I will be bound by this confidentiality requirement even after I no longer serve on the Board of Directors.

In addition to any other remedies that may be available to the Association in law or in equity, any Board member who violates this code of conduct or refuses to sign the code of conduct agrees to immediately resign from the Board.

In the event a Board member refuses to resign after violating this code of conduct, then the remaining Board members may vote to determine whether the code of conduct has been violated. If a majority of the Board determines that the code of conduct has been violated, then such a finding shall be entered in the meeting minutes, and the decision shall have the same impact as if the Board member in violation had submitted a formal resignation.

No provision of this Agreement can be rescinded, altered, and or amended without a majority vote of the members of the Board of Directors.

President Date

First Vice President Date

Second Vice President Date

Treasurer Date

Secretary Date