

**Briar Chapel Community Association Board of Directors Meeting
Teleconference, June 16, 2021
Minutes**

Quorum was Established.

I. Call to Order.

- Meeting was called to order on June 16, 2021, at 7:07 p.m. by Tom Speer, President. The meeting was held by teleconference because of COVID-19 restrictions.
- Board Members present:
 - Jennifer Drake, Vice President
 - Jerry Cole, Secretary
 - Cathy Washburn, Treasurer
 - Vonzell Jones, Director
- Management Represented by:
 - Laura Goguet, General Manager
 - Jennifer Brymer, Community Manager
 - Janay Burwell, Lifestyle Director
- HOA Legal Counsel
 - Hope Carmichael, Jordan Price Law firm

II. Opening Remarks

Participants were introduced by the President Speer. Mr. Speer introduced the Board members, and members of management.

III. Agenda Review

Tom Speer reviewed the agenda for this evening's meeting with certain changes he identified.

- Motion was made to approve the agenda as presented.
MSC (Drake, Washburn), Unanimous, Motion Passed.

IV. Approval of Minutes of Previous Meeting

- Motion was made to approve the minutes of the meeting of May 19, 2021.
MSC (Cole, Drake), Unanimous, Motion Passed

V. Member Comment

Prior to beginning the Member Comment, Tom Speer asked BCCA General Counsel Hope Carmichael to provide the legal reasons for denying a member the opportunity to address the Board during the Member Comment. Ms. Carmichael explained that the Board of Directors meetings are business meeting for the Board. Residents are allowed to be present during these meetings as observers. Although the Board provides an opportunity to members to provide input to the Board, it is not meant to be an opportunity for members to restate previous positions or proselytize for a particular action or point of view. The individual denied the opportunity to speak had also shown no respect for the time limit imposed on speakers during a previous Board meeting, despite being asked to close his

comments. Ms. Carmichael also noted that this same individual had been sent a “cease and desist” letter demanding that he refrain from trespassing on BCCA property to interfere with BCCA efforts to manage flooding from a beaver dam on BCCA property. The individual was also given 30 days to reimburse BCCA for the cost of removing logs and other debris that he had added to the dam, despite being told by BCCA to not carry out this action, which is a violation of US Army Corps of Engineers’ regulations.

President Speer then opened the resident forum, calling on Frank White, who was the only other member requesting time to address the Board. Mr. White asked for replacement of trees and vegetation on BCCA property behind Old Piedmont Circle. The damage to trees and vegetation occurred more than 3 years ago during the installation of a new sewer force main by Old North State Water Company. Mr. White pointed out that BCCA had received a monetary settlement from ONSWC and urged that the funds be used to repair the vegetation in the autumn.

VI. Management Report

Laura Goguet presented the Management Report including the following:

- Amenity status, including pool, gym, and clubhouse.
 - The repairs to the activity pool were completed and it opened on Memorial Day weekend after all inspections were passed.
 - Memorial Day party went well and the pool opening resulted in very positive feedback.
 - Several items for the pool were identified as needed and have been ordered. One of the deep end ladders was found to be loose and was repaired.
 - Encore guest pass policy was put in place. See attached policy.
 - The gym will be open on a full-time basis on June 14.
 - The sprinkler system in the clubhouse has been repaired.
 - Additional repairs to replace the roofing and other locations will be undertaken.
 - The Clubhouse passed Fire Marshall inspection 100%.
 - The Clubhouse is now open to members.

- Lifestyle Activities
 - New Lifestyle Director, Janay Burwell, is on staff and is working with FSR’s head of Lifestyles, who will be visiting Briar Chapel from Florida to conduct training for Janay.

- Receptionist
 - Four candidates for receptionist have been interviewed and it is hoped that the position will be filled with a few weeks.

- Inspection of common property and individual homes will begin soon. Reports to the Board will be made and priority areas for actions will be set.

VII. Committee Reports

The following reports were received and read by Board Liaisons to the Committees. Full committee reports will be posted on the BriarChapelLife.com website.

- a. Parks and Recreation Committee, Report by Jennifer Drake, Board Liaison
- b. Swimming Pool Complex Committee, Report by Tricia Bouzigard, Pool Complex Committee Chair
- c. Finance Committee, Report by Brad Register, Chair
Brad Register reported that BCCA has incurred approximately \$18,000 in fee costs for letters to members who are delinquent in dues. These fees were thought to be chargeable to the delinquent member, but legal counsel has advised that this is not permitted. It is the recommendation that funds be transferred from one account that has a surplus of funds to an account to cover the letter fee costs.

- Motion was made to transfer \$18,000 from account 711507 (Misc. Mulch and Straw) to account 533200 (Professional Services).

MSC (Drake, Washburn), Unanimous, Motion Passed

- d. Communications Committee, Report by Tiffany Farina, Chair
- e. Social Committee, Report by Jennifer Drake, Board Liaison
- f. Landscape Committee, Report by Suzanne Lowe, Chair
- g. Covenants Committee, Vonzell Jones, Board Liaison
- h. Nominating Committee, Report by Cathy Washburn, Board Liaison

The Nominating Committee recommended the following persons for committee assignment:

- Andrew Veety—Communications Committee
- Mary O’Laughlin—Communications Committee
- Jorge Hernandez—Finance Committee
- Karen Holmgaard--TCG

- Motion was made to appoint the recommended candidates to the various committees.

MSC (Washburn, Drake) Unanimous, Motion Passed

- i. Technical Consulting Group, Report by Jerry Cole, Board Liaison

VIII. Old Business

Tri-Party Council

Jerry Cole presented a report on the activities of the Tri-Party Council. The Tri-Party Council met once on June 8, since our last Board meeting. The meeting report will be posted on the BCCA website after it has been approved by the Council. President Speer has appointed Vonzell Jones as a BCCA representative to the Tri-Party Council. This was done to better balance Board workloads.

IX. New Business

Ratification of Actions Taken by the Board by Electronic Vote

Since the last meeting of the Board of Directors the Board has unanimously approved the following resolutions:

The following resolutions were passed by the Board unanimously by electronic vote.

May 25, 2021

It is resolved to approve the BC Games proposal and to task FSR to prepare necessary documentation and review with legal counsel for compliance with insurance requirements.

June 3, 2021

It is resolved to approve a proposal to approve the proposal from William Amend, dated April 24, 2021 "Proposal of Vending Pilot Program with BC Vending" to install vending machines in the area of the Briar Chapel Sports Courts.

June 6, 2021

Given that BCCA is required to sell pool passes to Encore homeowners, subject to pool rules and policies that are applicable for the amenity generally, it is resolved to approve the attached "BCCA Policy on Pool Passes for Encore Homeowners and Their Guests".

June 9, 2021

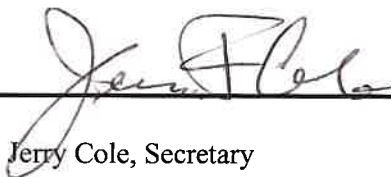
It is resolved to open the fitness center from 5 am to 11 pm daily under the same rules as were in place prior to the COVID-19 shutdown. It is further resolved to open the Clubhouse from 7 am to 11 pm daily, with the proviso that entry may be made by ID card only, and under rules specified by management. The COVID related ban on guests in the fitness center and Clubhouse is rescinded.

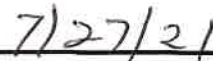
- Motion was made to ratify the above resolutions passed by electronic ballot.
MSC (Speer, Jones), Unanimous, Motion Passed.

X. Adjournment

- Motion was made to adjourn the meeting at 8:55 pm.
MSC (Cole, Jones), Unanimous, Motion Passed

Submitted by:


Jerry Cole, Secretary



Date

BCCA Policy on Pool Passes for Encore Homeowners and Their Guests*

Background

BCCA is required by its CC&Rs to make available for purchase a minimum of 10 pool passes to Encore Homeowners for each pool season, subject to pool rules and policies that are applicable for the amenity generally. These passes would be used for entry to the BCCA pools by the Encore residents and their guests. Both the Encore residents and their guests are required to have purchased passes for entry to the pools. Prior to 2020 the passes allowed entry for a full day, but for 2021 each pass will guarantee entry for one reservation slot, each of which is approximately 2 hours in length. This change is in line with changes applicable to use of the amenity by all other BCCA owners.

Current BCCA Pool Pass Policy for Non-Encore Residents

In 2020, BCCA allowed no guests because of COVID-19 and introduced a reservation system to prevent overcrowding at the pools and to mitigate the spread of the COVID-19 virus. The pool reservation system may be accessed through the Briar Chapel website: <https://www.BriarChapelLife.com>. For 2021, BCCA is maintaining a reservation system to prevent overcrowding and provide a more pleasant experience for pool users. At present, pool reservation slots of approximately two hours in length are available to non-Encore BCCA residents. Under the policy, each non-Encore household will receive 4 free electronic passes for use during June. These passes may be used, up to two at a time, for BCCA members to reserve a time slot for guests. Guests must be accompanied by their resident host. The guest(s) would also be able to obtain same day "walk-in" slots following their reserved slot in the same manner as their resident host who must accompany the guest at all times. Passes may not be used on Fridays, weekends, and holidays.

BCCA Pool Pass Policy for Encore Residents

The pool pass policy for Encore households would be similar to that in effect for non-Encore residents. For June, each Encore household would be able to purchase up to four passes for guests in addition to passes required for themselves. As with non-Encore residents, passes for Encore residents may be used for five reservations per week, with only one usable on weekends. The guest passes could be used, up to two at a time, for Encore residents to reserve a time for themselves and their guest(s). Guests must be accompanied by their Encore resident host, who also must hold a purchased pass. Encore residents and their guest(s) would also be able to obtain same day "walk-in" slots following their reservation slot in the same manner as the non-Encore residents and their guests. While Encore residents may use their passes for any time slot, Encore guest passes may not be used on Fridays, weekends, and holidays, consistent with current pool guest restrictions applicable to all BCCA residents. The cost of Encore resident passes and guest passes will be \$8 each and must be purchased in advance.

It is understood that some Encore residents have pool passes that were provided to them by David Weekley Homes, which purchased them through BCCA. These value of these passes (\$6 each and \$60 for 10 passes) will be credited toward the purchase of 2021 Encore resident and guest pool passes at the current rate of \$8 each. At present the total number of passes that can be purchased by an Encore household is ten for the season, in accordance with the applicable CC&R.

The reservation and guest rules will be evaluated by the end of June for both non-Encore and Encore members and may be revised for July and the rest of the season.

*Revised June 16, 2021