

Minutes of Special Meeting of the Board of Directors Cove Pointe Owners Association, Inc.

Date: Friday, December 11, 2009
Time: 12:00 pm
Location: St. Andrew Bay Yacht Club
Attendance: Officers/Directors: , Buddy Dye, Vice President, Christine Reiss, Treasurer/Director; Tom Neubauer, Secretary/Director; Roger Spencer, Director.
Other Members: Margaret Neubauer (Lot 34); Paul Dick (Lot 12).

Proof of Notice of Meeting: For the record, Director Chris Reiss previously provided to the secretary for approval, proof of compliance that the meeting had been properly noticed by posting of written notice in the subdivision as required by the bylaws.

The meeting was called to order by Buddy Dye at 12:07. Chris Reiss moved to accept minutes of the previous meeting as written, seconded by Roger Spencer; approved.

Presentation: Mr. Dye presented the Landscape Committee recommendation and discussion followed on the following subtopics.

Review of proposed landscape contract: presented by Mr. Dye on behalf of the landscape committee.

The board was updated on the issue of references and pest service licensure issues from previous meeting and discussed the following additional issues of concern:

- Price difference of \$1400 vs \$1600
- 48 hour turn around on payments once invoice is received. Recommended that we amend the contract to read "*payable on a timely basis*".
- Mulch. The board agreed after discussion that we recommend the use of pine straw rather than mulch.
- Contact person for landscaper: The contact person would be authorized to communicate with the landscaper, but would not have the authority to amend the contract or approve other changes. Mr. Buddy Dye agreed, as a resident of the subdivision that he would serve as the contact person.
- Plant replacement of anything removed – (delete this section)
- The Property to be maintained is not clearly defined in current contract; The board agreed that the contract should specify common areas, right of ways on vacant lots, storm water retention area and the park area. Square feet of applicable area is defined, however we are not sure the numbers are actually correct. Mrs. Reiss recommends the plat be submitted with contract to illustrate the areas to be maintained.
- Pest control. The board must determine that and include a provision that this is being done by a licensed, insured pest control provider, and that we receive a copy of the licensure and insurance showing CPOA as additional insured.

- Remove: "police checks will be completed on all employees".
- Throughout the proposed contract, the phrase "by separate agreement" is referenced in several places. The board agreed that these references should be removed.
- Sprinkler parts/etc. – specify that these parts would not be marked up to retail or up-charged.
- Protected wetlands issue must be addressed so that all parties understand these sensitive areas cannot be modified beyond what is allowed.
- Other services ... - remove this provision.
- Default: A standard default provision should be included defining remedies for default by either party.
- Miscellaneous items will be removed that are not clear or do not make sense.

Motion: Christine Reiss thanked Mr. Dye for the time and work that he, Mr. Nichols and Mr. Dick contributed to move the negotiation forward. Mrs. Reiss made a motion that Gorilla's bid be accepted, with contract period to begin January 1 through December 31 2010, and once the contract is revised, it should be emailed to all for review, and then signed by an officer of CPOA. This motion was seconded by Tom Neubauer. Buddy called for vote, and the motion passed unanimously.

It was agreed by all that Lawnsapes will be notified as soon as possible that their services will be terminated as of 12/31/09.

Paul Dick suggested adding a clause to allow us to extend the contract; Discussion followed with regard to making the contract longer or if necessary using a CPI index for pricing future terms Mrs. Reiss agreed to the motion with an amendment to propose a two-year contract with a CPI adjustment in the 2nd year.

Mrs. Reiss moved to adjourn, and Mr. Neubauer seconded the motion. The meeting adjourned at 12:50PM.

These minutes approved April 14, 2010

A handwritten signature in cursive script, appearing to read "Tom Neubauer".

Tom Neubauer, Secretary