

Minutes  
Hazel Dell Woods Homeowners Association  
Board of Directors Meeting  
May 24, 2005

The meeting was called to order at 6:30 p.m. by Dorothy McNerney, Vice President  
Attendees: Wade Roberts, President, David Leyda, Treasurer, Janice Lengel, Social/Architectural Chairperson and Janice Pegues, Secretary, at the pool.

I. Pool

A. Pool Management Company Performance Issues:

- a. Poor performance through the year with pool cleaning/equipment maintenance
- b. Poor customer service/low quality in response to request
- c. Exceeding contract with forcing HOA to lease expensive equipment

\*\*3 potential courses of action that HOA can take:

1. Forward correspondence from attorney requesting termination of services based on breach of contract.

Risk: HOA could be sued for breach of contract

2. Pay new price & withhold the amount over the contracted price @ the very end.

Risk: Paying this cost could be perceived as acceptance & HOA could be sued in court for the balance of the new cost.

3. Pay at the contracted cost & indicate on each check (memo field) that the contract is under protest, following contractual procedures with each new performance issue.

Risk: Court battle w/pool maintenance slacking

Course of action 1 recommended by Attorney, Gerald M. McNerney. It was motioned by Dorothy that a certified letter be sent by Attorney McNerney to the Indianapolis Pool Management (IPM) Company, with the overpayment subtracted from the next payment, if they don't respond within 48 hours. Correspondence will request that services be provided at the 2004 contracted cost. It was also motioned that the letter be Fed-X-ed. All voted in favor.

Dorothy requested that further issues be handled by another member of the Board. David agreed to follow up with upcoming matters until July 1, 2005, ensuring to follow up with IPM as a means of them providing contractual services. All Board members were issued a copy of the contract with IPM.

B. Pool Motor:

The pump is functional but loud and will be replaced under warranty by DRW in mid June 2005 (to the main pool).

Testing: Spread sheet being composed to document testing instructions/documentation by David. Mention was made to have either homeowners (2 sharing responsibility) or Board members alternate testing the pool water. Mention was made to pay homeowner \$50 per month. Dorothy approaching her neighbor as a possibility.

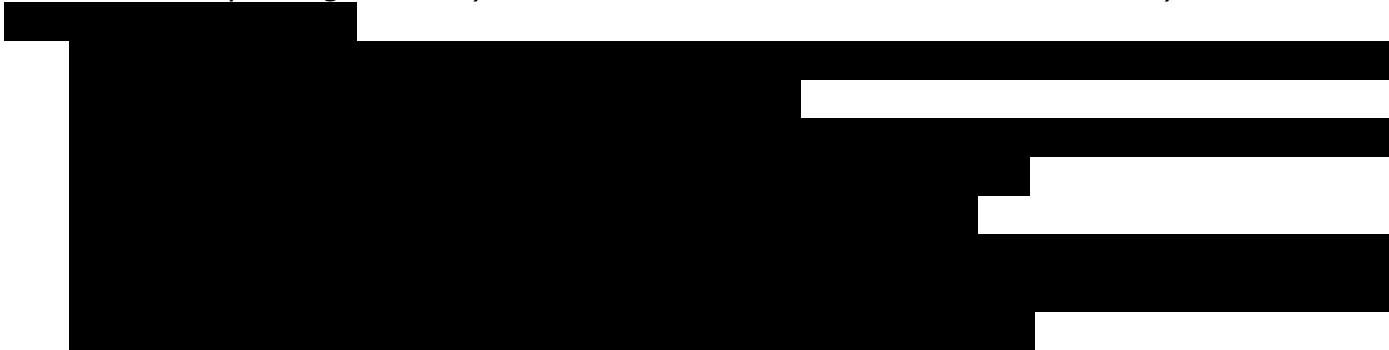
**\*\*Blood borne Pathogen/Pool training information was distributed to Board members.\*\***

- C. Flowers @ Pool:  
Estimated cost submitted by Kris Abrahamson for 2 large potted plants and 2 wire flower racks to be installed on the columns inside the pool house. The decision was made to hold on the flowers.
- D. Pool Cleaning:  
To be completed on 5/26/05 as Terry Moore was ill  
Janice P. agreed to expect the pool house following.

II. Architectural Issues:  
Report of a broken light in the center street island: Janice P. to inspect

III. Meeting Minutes:  
Dorothy indicated that she was informed that minutes are being read by homeowners and it was requested that they be distributed within two weeks of meeting date. Janice P indicated that she would meet this deadline as she could. Dorothy agreed to assist if necessary.

*Removed 6/1/2005 pending review by Board of Directors. This will be available shortly.*



- V. Board Member Comments  
Dorothy suggested that her husband work on removal of the sub-division buffer zone as a favor to the Board. David made mention to the fact that perhaps the homeowners affected by the buffer should pay the removal fee, with concern being that this wasn't budgeted in. Janice L. stated that the Board won't approve improvements in the buffer zone and if homeowners proceed, they still must meet the covenant requirements, but they proceed at their own risk. This was tabled for a later discussion.

Next meeting scheduled for Tuesday, June 7, 2005, @ 6:30 pm.