

To: Southwinds Association, Inc. Homeowners

From: Southwinds Association, Inc. Board

Re: Board Volunteer Recruitment Concern

Date: November 22, 2020

Linda Levene's tenure as Secretary concludes December 31, 2020. Several attempts, over the summer months, were made by the board to recruit a volunteer, until just recently, when Suzanne Tweed volunteered. The lack of available volunteers was also experienced when attempting to find a replacement for John Shepherd, who served as Treasurer for almost seven years. As a result, the board initiated a contract with the Crehan Group, LLC. to administer some of the Treasurer's duties for calendar year 2020. The cost for this service was reflected in an increase in annual dues of \$17.00 for each member of our 58 homeowners. Recently, Peg Farley informed the board that she will assume full responsibilities of the Treasurer's position, beginning next year. As a result, our annual dues for 2021 will be reduced to \$250.

Our By-Laws (Article III. Section 2) and Certificate of Incorporation (Section C. #3) require at least three homeowners serving as President, Secretary and Treasurer. Our respective tenures conclude December 31, 2021 (Fred DeCrescentis) and December 31, 2022 (Peg Farley). Our By-Laws are predicated upon the basic provisions of the following documents:

- (1) Certificate of Incorporation filed March 21, 1979 by the developers of Southwinds Association, Inc.;
- (2) Developer's Declaration of Restrictions and Easements, dated March 21, 1979; and
- (3) Second Developer's Declaration of Restrictions.

As referenced, Southwinds Association, Inc. is required to adhere to the provisions of those documents noted above. Should the Association fail to fill future board vacancies, the following implications may occur without a functioning board:

1. Significant increase in dues if the Association defers its board responsibilities to a management company;
2. Should the Association fail to find, or agree to the costs of a management company, then the Association would find itself without a functioning board:
  - a. Open space maintenance (e.g. grass cutting, trail maintenance leading to the pond and picnic area) via contracts, could not be authorized;
  - b. Maintenance contract of Birchmill Pond could not be authorized and maintenance would discontinue;
  - c. Liability insurance premiums could not be authorized for payment, subjecting all homeowners to an unreasonable liability for all fifty-eight homeowners; and
  - d. The attractiveness of Southwinds Association open space would be compromised and may affect the subsequent sale and value of the fifty-eight homes within Southwinds Association, Inc.

It is our hope, with the information provided, that more volunteers will come forward when future board vacancies occur. Thank you.