



THORNHILL COMMUNITY ASSOCIATION, INC.sm
c/o Brawley Management, LLC

3325 Springbank Lane • Suite 150 • Charlotte, N. C. 28226 • 704-364-2139 • Fax 704-364-5812

Board of Directors Regular Meeting

Thornhill Pavilion
Charlotte, NC 28226

A Regular Meeting of the Board of Directors of the Thornhill Community Association, Inc. was held on Monday, June 25, 2007.

Board Members Present:

Michael Stitt, President
Ed Ferris, Vice President
P V Archer
Todd Atwood

Board Members Absent:

Linda Stipo, Secretary
Darren Morrow, Treasurer

Brawley Management Representatives Present:

Craig Brown

Others Present:

None

Call to Order

The Chair called the meeting to order at 7:15 p.m.

Member Forum

- The Chair asked if there were any objections to dispensing with the Members' Forum in view of the fact that no Members were present. There were no objections and the Members' Forum was closed

Appointment of Secretary Pro Tempore

The Chair noted that the Secretary was absent and that there was a need for a secretary to minute the meeting. He asked if there were objections to the Chair taking the minutes of the meeting. There were no objections and the Chair was appointed Secretary *Pro Tempore* for the duration of the meeting.

Special Guest: – Discussion Regarding Development of Big Rock Park

John McClelland, Mecklenburg Department of Park and Recreation attended the meeting as a follow-up to the meeting attended by the President on April 17, 2007 with representatives from Park & Recreation (see President's Report, Minutes of 30APR07 meeting). The purpose of Mr. McClelland's visit was to describe the department's development process and to gain feedback from Thornhill on the proposed \$600,000 in improvement funds tentatively placed on the development agenda for Big Rock Park.

Mr. McClelland made the following salient points:

- It is a priority of the County to develop "Neighborhood Parks"
- The tentative budget for improvements in Big Rock Park were surfaced during a Park and Recreation planning meeting in 2005



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- There are no specific plans for site improvements. The funding amounts were used as a “placeholder” in the departments Capital Needs Assessment
- The tentative development budget is not funded and will be part of a significant bond request to be put to the voters in the fall of 2007 or 2008
- A Nature Preserve via the Stewardship Services section of the department might be a good option that would keep the park available for passive recreation

There was active dialogue between the Directors and Mr. McClelland over the planning and development process. The Directors shared that they opposed any development in the park that would disturb its natural character, diminish its historic and cultural value or would invite higher levels of non-neighborhood traffic and the potentially negative consequences that might develop for Thornhill as a result. The Directors stated their belief that the amount and priority of the contemplated development funds were a concern and that the funds could be likely better used elsewhere in the county.

The Chair noted that these type of projects can have long planning, budgeting and development timelines and that because Thornhill elects its Board each year a significant risk exists that the current constructive dialogue between the community and the County might be lost over time. He noted that he believed it critical that this dialogue remains active into the future and that the community continues to have a voice in the decision process. Mr. McClelland noted the importance of community input and suggested that Thornhill might consider fielding a representative to the South Park Advisory Council as a means to create a stronger linkage with the County.

The Chair asked Mr. McClelland if he thought it would be productive for the Board to formally communicate its concerns with the director of the department. Mr. McClelland acknowledged that this might be appropriate and suggested that a letter should be directed to the Director, Jim Garges and the Director of Planning, Lee Jones.

At the conclusion of this session, the Board agreed that the President would draft a letter for Board review to accomplish this purpose.

Approval of Minutes

- The Chair asked if there were any objections to the approval of the minutes of the Regular Meeting of the Board of Directors held on May 21, 2007. Hearing no objections, the minutes were approved.

Officers' Reports

- The Chair offered his President's Report (filed as Attachment A). Highlights included:
 - Elaine Babcock resigned her position on the Board with effect from May 22, 2007 as a result her moving out of Thornhill.
 - In the absence of the Treasurer, a financial report was given. Several classification issues were identified in the financials and these had been communicated to Brawley for resolution. Financial results were tracking well to plan.
 - On the night/morning of 09JUN-10JUN07 the pool area was the target of serious vandalism in the form of spray-painted graffiti. 13 incidences of “tagging” occurred on the pool house walls, guard chairs, signage and the pool deck. Charlotte-Mecklenburg Police is investigating.



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Property Manager's Report

- Craig Brown reported the status of the following
 - BB&T accounts open – Treasurer needs to sign documentation/signature cards. New check stock has been ordered.
 - Paving - complete
 - Pond brush abatement - complete
 - Tennis net installation scheduled for week of 25JUN07
 - Tennis fence repair – Contractor to be on site on 27JUN07 to offer bid
 - Fountain repair – working with contractor to identify issue and make repairs

Committee / Project Team Reports

- **Pool** - Todd Atwood reported on pool status and the meeting held with the aquatics director, pool management company staff and lifeguard staff on June 4, 2007. Highlights from his report included:

Pool Management – June = A+

Meeting on 04JUN07 with Board President, Aquatics Director, guard team and management company to:

- ✓ Share accountability and Board's role in pool management
- ✓ Discuss needs from guards and areas to focus
- ✓ Share new tasks and responsibilities
- ✓ Discuss additional steps and improved communications

New routines established include:

- ✓ New comment and suggestion box
- ✓ Closing of gates at pool closing
- ✓ Call list for emergencies (Jill, Todd, Mike, etc.)
- ✓ Simplified sign-in process
- ✓ Bi-weekly pool review and inspection with USA
- ✓ Guard incentive for performance
- ✓ Revised guest payment process

Issues and miscellaneous communications

- ✓ Graffiti
- ✓ Lights adjustment – far Elmstone corner
- ✓ Child with disability incident
- ✓ Sound & PA system installed

Discussion & decisions from Board

- ✓ Funds for guard incentives. Propose 50.00 (x5) gift card from local retailer
- ✓ Sound / PA receiver mounting – music during weekends?
- ✓ Updates to the facilities rules and regulations?
- ✓ RFP for facilities management – begin outlining the RFP



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- **Community Watch** – Todd Atwood reported the following for Community Watch:

Community Watch – June = A-

Meeting with Community Watch Director, Board President, Board Liaison, CMPD and Ray Eschert to discuss:

- ✓ Recent events (Naked woman at the rock; smashed car window of visiting guest; neighborhood egging; graffiti; drag race down Elmstone; others???)
- ✓ CW communications
- ✓ Paid off-duty patrolling
- ✓ Opportunities for improving watch and security

Meeting outcome:

1. We are doing more than most and have a higher than average “safe” neighborhood comparative to other Ballantyne neighbors
2. Camera’s do not justify the cost and are typically not effective to secure an arrest
3. Alarm monitoring or motion sensing audible alarm may be an opportunity but may cause more headache than value
4. Off-duty patrol schedule completed
5. Need pre-paid phone for officer – owned by Thornhill Board and shared among patrolling officers

Next steps and actions

- ✓ Community Watch visit with CMPD Officer Collinworth during July 4th activities at the Pavilion
- ✓ Organize management and meeting routines for CW Director, Board Liaison and Block Captains
- ✓ Review / revise and adopt new CW charter...
- ✓ Come up with CW Block Captain Schedule of communications, meetings and CMPD updates
- ✓ Share the patrol phone number with Board and CW Block Captains

Discussions & decisions from the Board:

- ✓ Pre-paid phone – Lowes Foods, loaded with 100.00
- ✓ Phone list and escalation
- ✓ Next CW / CMPD event (Fall – before school; child ID kits; etc.)

- **Nominating Committee**

The Chair reported that acting in the role of the Chair of the Nominating Committee he had recruited 2 community members to serve on the committee and that he would seek ratification of their appointment in New Business.

Unfinished Business

None



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New Business

The following items of new business were brought by consideration:

- **Pool**

Motion: *To move \$350 from 7750 – Pool Repairs & Maintenance to 7700 – Pool Other to fund performance bonuses for lifeguard staff that meet performance metrics as defined by the Board.*

Brought by: Todd Atwood

After discussion, the Chair asked if there were any objections to the motion. Hearing none, the Chair announced that the motion was passed by unanimous consent.

- **Community Watch / Security**

Motion: *Authorize up to \$200 to purchase a pre-paid mobile telephone for use by off-duty CMPD officers hired for security patrols. Funds to come from the \$3,000 in budgeted for security patrolling.*

Brought by: Todd Atwood

After discussion, the Chair asked if there were any objections to the motion. Hearing none, the Chair announced that the motion was passed by unanimous consent.

- **Nominating Committee**

Motion: *At the recommendation of the Chair of the Nominating Committee, Gina Shay and Mark Ranzinger are appointed as members of the Nominating Committee*

Brought by: Michael Stitt

After discussion, the Chair asked if there were any objections to the motion. Hearing none, the Chair announced that the motion was passed by unanimous consent.

- **Tree Removal**

Motion: *To approve the \$825 bid by Cascade Tree Service to remove 2 dead Pine trees near the Elm entrance and to remove the fallen Ash tree along Thornhill Club Road. Funds will be drawn from budget category 6550 – Grounds Maintenance and Repairs.*

Brought by: Michael Stitt



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After discussion, the Chair asked if there were any objections to the motion. Hearing none, the Chair announced that the motion was passed by unanimous consent.

Adjournment

There being no more business before the Board, the Chair asked if there were any objections to adjourning the Regular Meeting of the Board of Directors and reconvening in Executive Session to discuss discuss ACC violations, delinquent accounts and homeowner correspondence.

There were no objections and the meeting was adjourned by unanimous consent at 9:05p.m.

EXECUTIVE SESSION

An Executive Session was convened to discuss ACC violations, delinquent accounts and homeowner correspondence.

No motions were raised, voted or approved and no official actions taken in the Executive Session. There being no other issues to consider, the Chair asked if there were any objections to adjourning the Executive Session. Hearing none, the Executive session was adjourned at 9:15 p.m.

Respectfully submitted,

/s/

Linda Stipo
Secretary
Thornhill Community Association, Inc.
Date approved: July 30, 2007



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ATTACHMENT A
President's Report
25JUN07

The Association President makes the following report on activities and issues since the last Regular Meeting:

Corporate Governance

- It is with regret that the President announces that Elaine Babcock resigned her directorship with effect from 22MAY07 as a result of the sale of her home in Thornhill (see letter of resignation in Exhibit 1). Elaine was a key contributor to the community throughout her nearly 3 years of Board service. Through her leadership in a variety of roles that included Vice President, President and Assistant Treasurer, she always led with integrity and never failed to keep the best interests of the entire community as her guiding principle. She will be missed as a leader, a neighbor and a friend.
- Gina Shay and Mark Ranzinger have volunteered to serve on the 2007 nominating committee to serve with the President in his capacity as Chair of the committee. Work will commence on the nominating process after they have been confirmed by the Board.
- Currently serving Directors are asked to consider standing for election to an additional term on the Board. It is the view of the President that the current Board has done an outstanding job and that returning Directors will be best positioned to carry the institutional memory and learning curve forward into 2008.

Budget / Finance

- The President has briefly reviewed the MAY07 YTD financials and discovered that the two principal reserve projects (parking lot paving and pond dredging) have been classed along with some building maintenance items under 6550 – Grounds Repairs & Maintenance. It is his view that these expenses should be re-allocated to a reserve account and to 8320 Building Repairs & Maintenance and 7750 Pool Repairs & Maintenance, subject to the concurrence of the Treasurer.
- Actual operating results are tracking well to established budget amounts

Security

- On the night/morning of 09JUN-10JUN07 the pool area was the target of serious vandalism in the form of spray-painted graffiti. 13 incidences of “tagging” occurred on the pool house walls, guard chairs, signage and the pool deck. Charlotte-Mecklenburg Police is investigating. With the considerable effort of several volunteers on Sunday morning/afternoon, most of the graffiti was removed. The thanks of the Association is offered to Barry and Jill Hall, Todd Atwood, Dan Paulson, Gregg McKay, Tiffany and Scott Reeder and Hector Velado for putting forth about 4 hours of labor in the summer sun.. While the graffiti was removed, it is likely that the exterior of the pool house will need to be painted.
- The President, Todd Atwood, Director, Suzanne Grace, Community Watch Chair and Ray Eschert, Member met with Officers Peter Grant and Colin Cumberworth, CMPD community liaisons to discuss the vandalism incident along with details of the current off-duty patrol program. The officers commented that they thought that Thornhill was doing the right things to enhance security on our common areas by increasing lighting and through the Community Watch program. They shared skepticism that a security camera system would provide either a deterrent or sufficient after-incident evidence to support the expense.



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- Charlotte-Mecklenburg has a curfew (children under 15 are required to be indoors or with a guardian Sunday through Thursday evenings from 11:00pm at night and from 12:00a.m of Saturday nights/Sunday Mornings. They noted that the off-duty patrol officers will enforce the curfew in Thornhill.

Pool

- Todd Atwood, Director, the President, Jill Hall, Thornhill Aquatics Director, Brian Pearson of US Aquatics met with the lifeguard staff on 04JUN07 to review policies, procedures and expectations. Subsequent to that meeting the President sent a community email outlining expectations of pool patrons and that the parking lot would be locked at the 8:00p close of the pool by the lifeguards (see Exhibit 2).

Communications

- All outstanding approved minutes have been published on thornhillnc.net
- The summer newsletter deadline is approaching. Directors are asked to contribute content .

Miscellaneous

- The President received concerned emails from several community members regarding a real estate firm who was touting a “Thornhill” website. In response to these concerns the President communicated the letter shown in Exhibit 3 to the owners of the site. The site has since been removed.



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Exhibit 1

From: Elaine Babcock
Sent: Tuesday, May 22, 2007 1:42 PM
To: Darren Morrow; Ed Ferris; Linda Stipo; Mike Stitt; P V Archer; Todd Atwood
Cc: Suzanne Grace; Gregory Taylor; Rosemary DiGiovanni; Danny Paulson; Ray Eschert; Officer Peter Grant; Officer Colin Cumberworth
Subject: Letter of Resignation

Dear Colleagues,

Please accept my resignation as a member of the Thornhill Board of Directors effective immediately as we prepare for the sale of our home on June 12th, 2007.

Serving on the Board for the past two and half years has been an honor and a privilege. Much has been accomplished during my tenure and I am confident that the Board now in place will continue to do great things. The Thornhill community is, and will continue to be, well-served.

My best wishes for your continued success. You have my respect, my admiration, and my support.

All the best,

Elaine F. Babcock
Past President
Thornhill Community Association, Inc.



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Exhibit 2

From: Michael Stitt [mailto:stitt@carolina.rr.com]
Sent: Sunday, June 10, 2007 5:05 PM
To: 'residents@list.thornhillinc.net'
Subject: hoa Thornhill Swimming Pool Update

Dear Thornhill Neighbors:

Now that the pool is in full operation the Board thought you might appreciate an update on the pool schedule, some detail about pool operations for the 2007 season and information regarding closing hours of the parking lot.

First, you should be aware that we were victims of some pretty serious vandalism over the weekend that consisted of copious amounts of spray-painted graffiti on the pool deck and pool house (late Saturday or early Sunday morning). This intrusion and damage was perpetrated while all of the pool lighting was on and was extensive enough to suggest that the vandals were on the pool deck for some time. Charlotte-Mecklenburg Police is investigating the incident now. Their preliminary comments were that it looked like it was non-gang related and was most likely caused by young people. Although there is no definitive proof as to who might of committed these acts, if you or your teenagers have any information that might aid the investigation, please let the Board know. Or, if you feel more comfortable in talking directly with the police, you can contact Officer G. N. Gormican at 704-544-4835.

With the significant efforts of several neighborhood volunteers (4 hours of work in today's heat), most of the graffiti has been cleaned up, but some further remediation may be needed. This incident points out very clearly the need for our Members to be vigilant in reporting suspicious activities to 911 and to share their observations with our Community Watch.

The Board will be prioritizing additional methods to enhance security around our amenity areas in addition to our current off-duty police patrolling program. We will report out on this in due course.

Regards,

Michael L. Stitt
President
Thornhill Community Association, Inc.

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**Pool Schedule:**

The 2007 schedule is attached, and we would like to draw your attention to the planned swim meets when the pool will be closed and the late swim Fridays (until 10:00 pm) which will occur through the first weekend in July.

**Pool Rules / Facilities Regulations:**

Thornhill has rules about how the pool may be used for 2 primary purposes: 1) Ensuring life safety/public health and; 2) Providing a welcoming an enjoyable environment for Members of all ages. For the sake of convenience, the rules that support these purposes are posted on the premises of the pool via signage. In addition to the signage in the public areas of the pool, please also see the attached Facilities Regulations for more information on current pool rules.

The Board would like to share with our Members that we have explicitly asked US Aquatics, Jill Hall, our Aquatics Director, and the guard staff to increase their vigilance in enforcing the rules. Towards this end, we have vested in the guards **our absolute authority** and **discretion** to enforce the rules and to take whatever actions they deem appropriate or necessary to address rule violations or unwanted behaviors. This authority can extend to directing Members or their guests to leave the premises for rule violations. In practical terms this means that your guard staff, while they may be young people, has the final authority on the premises regardless of their age or our Members' opinions of their judgments. Our Members are asked to comply immediately with



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the direction of the guards and to address any resulting concerns to the Aquatics Director. We ask and expect your cooperation with the guards in the execution of their important duties.

**Sign-In Procedures**

We ask that all Members sign-in at the table located at the bottom of the north stairwell when arriving at the pool. We ask this to help ensure that only Thornhill Members and their guests are using the pool as well as to track pool attendance (which helps to forecast staffing requirements). We plan to keep the south gate locked and will open it only for patrons with strollers. Please be aware that the guards may ask you to present your pool tag during adult swim sessions (every 00:50 on the hour). If you don't have a pool tag, you can obtain one at the check-in table (you can expect to be asked for your name and address).

This system, while not perfect and seemingly bureaucratic, is designed to reduce the numbers of unregistered guests and non-members using the pool (which has become an increasing issue). Our belief is that use of this important amenity should be limited to those who finance its upkeep (the Members).

**Food:**

Please be courteous with your snack food items around the pool, pavilion and playground. If you plan to enjoy a meal while at the pool, we ask that you do so in the pavilion and that you take your leftovers home with you if possible. Food = Pests, so anything you can do to limit the amount of food waste left in the pool, playground or pavilion areas would be helpful during the summer season.

**Pavilion Parking Lot:**

During the pool season, the pavilion **parking lot will close** when the pool closes (**8 pm** on most days, except Fridays during June and the first Friday in July when the pool and lot close at 10 pm). The gates will be locked by pool staff at closing time. Members are welcome to continue to use the playground and tennis courts after the lot is closed (until dark) but please understand that you may be asked to move your car if you are parked in the pavilion lot at its closing. We are grateful for your cooperation with pool staff in ensuring that the lot can be properly secured on time each evening.

**Basketball Goal:**

We have had problems with tampering with the goal over the last several months and recently discovered that the goal post has been partially dismantled by vandals. While we arrange to replace the bolts, the hoop has been removed. It may be several weeks before the goal will be ready for play.

**Take Ownership**

The pool, pavilion, playground and pond areas are your amenities and are key elements of the excellent quality of life we have in Thornhill. Please help all of us to keep them beautiful by cleaning up after yourself and refraining from littering these areas. Keeping our amenity areas clear of litter will help prevent an infestation by ants and will lessen the attraction of other potentially dangerous wildlife (snakes, opossums and raccoons have been observed around the pavilion and pond areas).



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**Exhibit 3**



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*Via Email*

Dear Diane and Trace:

I am the president of Thornhill Community Association, Inc. which is the homeowners association for the Thornhill community. I am writing you to let you know that I have received several concerned emails, phone calls and letters from our Members who have either received a post card or an email from you announcing your web presence known as "Thornhill Neighbors" at URL: <http://www.thornhillneighbors.com/index.php>. Our Members' concerns relate primarily to their view that your site may be confusing to potential homebuyers who may be looking for the official community website located at URL: <http://www.thornhillinc.net>. They are also concerned that content on your site may, in the future, conflict with the brand that the Association has assiduously built and invested in over the years.

While I suspect that your intent in publishing your web page is merely to reach and inform Thornhill Members of the availability of your services as real estate agents and that some of our Members may find value in these services, I have a fiduciary duty to ask you to reconsider your use of our corporation's service mark in your commercial communications. As a reference, the words "Thornhill," "Thornhill Community," "Thornhill Neighbors," "Thornhill Community Association," "http://www.thornhillinc.net," and "thornhillinc," and the logotype appearing on that site are service marks of Thornhill Community Association, Inc. Any use of these service marks without the prior and written consent of Thornhill Community Association, Inc. may be prohibited under Title 15 of the United States Code. This prohibition extends to Universal Resource Locators (web site addresses) and other expressions or combinations of the Thornhill name or impressions of the Thornhill logotype meant to attract attention to any other service but that of Thornhill Community Association, Inc. I am asking that you discontinue the page entitled "Thornhill Neighbors" referred to above.

If you want to reach all Thornhill Members (486 homes) while respecting the brand of their corporation, can I suggest that you consider advertising in the Association's newsletter and/or online presence? The rates are value priced (probably less than the hosting service charges you for your current "Thornhill" page) and advertising your message through the official Association communications media is likely to deliver for you a stronger level of credibility and comfort with your target audience than your current page.

In any event, I regret the somewhat legalistic tone of this email. But, I hope you understand that the Association has a duty to protect its brand and that as a practical matter you are most likely better served in your commercial pursuits (given the feedback that I have received from our Members) to publicize your services via the Association.

I welcome your comments as I am sure you mean Thornhill Members no harm and only want to publicize your services.

With respect,

Michael L. Stitt  
President  
Thornhill Community Association, Inc.