



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

2007 Annual Meeting of the Membership

October 1, 2007
7:00 p.m.
Thornhill Pavilion
Charlotte, NC 28277

The 2007 Annual Meeting of the Membership of the Thornhill Community Association, Inc. was held on October 1, 2007 at the Thornhill Pavilion, Charlotte, North Carolina

Members Present:

Michael Stitt, President TCA, Ed Ferris, Vice President TCA, Darren Morrow, Treasurer TCA, Linda Stipo, Secretary, TCA, Elizabeth Johnson, Director TCA, PV Archer, Director TCA, Doug Maiden, Mark Ranzinger, John Littlefield, Barbara Crabtree, Colleen Vignos.

Brawley Management Representatives Present:

Craig Brown

Call to Order

The Chair called the meeting to order at 7:00 p.m.

- Invocation – The Chair asked the members to remember those neighbors no longer with us, new babies, and our neighbors serving in the Armed Forces
- Consent to Agenda – The Chair asked if there were any objections to the approval of the agenda which was included in the notice of the meeting mailed to the Membership. Hearing no objections, the agenda was approved.
- Recognition of 2007 volunteers – The Chair recognized the following people for their efforts given to the community over the past year.
 - Ray Eschert – Thanks for your considerably effort with landscaping within our community.
 - Jill & Glenn Goodrich – Thanks for managing the newsletter, web site and the directory.
 - Barbara Crabtree & the TWA – Thanks for your continual planning of the social activities for our neighborhood.
 - Susie Grace – Thanks for chairing the Neighborhood watch and keeping everyone informed.
 - Rosemary DeGiovanni & Danny Paulson – Thanks for your endless efforts with the Education Committee.
 - Gina Shay & Barry Hall – Thanks for all the work you put into a successful Swim Team season.
 - John Littlefield – Thank you for designing and managing the tornado web site.
 - Nominating Committee – Thank you for making this years election process run smooth

Election of 2008 Directors

The Chair read the names of the seven nominees forwarded by the Nominating Committee. The chair then asked if

- There were any nominations from the floor. Hearing no other nominations; each candidate was allowed 3 minutes to address the membership. At the conclusion of the last final candidates' speech, ballots were distributed by the management company and the polls were opened. The members were reminded that



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cumulative voting was no longer allowed under our Bylaws. After 10 minutes had elapsed, the Chair asked if Members who wished to vote had voted. After confirming that all the Members had completed their ballots and passed them to representatives of the management company for counting, the polls were declared closed and the meeting agenda was resumed.

Officers Reports

- President's Report – See Attachment A
- Treasurer's Report – See Attachment B

New Business

- Announcement of 2008 Directors – Craig tallied the ballots. The 2008 board was announced as follows:
 - PV Archer 83 votes
 - Todd Attwood 83 votes
 - Ed Ferris 83 votes
 - Elizabeth Johnson 87 votes
 - Darren Morrow 87 votes
 - Michael Neddo 87 votes
 - Linda Stipo 86 votes
- The Chair welcomed new Directors on behalf of the 2007 Board and announced that the Organization Meeting of the 2008 Board would be held on October 10, 2007.
- The Chair asked if there were any other motions from the members. Hearing none he moved on to the Member Forum.

Member Forum

- A brief member's forum was held to allow membership to address any item not covered in the agenda.
 - Doug Maiden expressed his concern regarding swim lessons over the summer. He said that he was unable to get his granddaughter in for lessons. He stated that the life guard was rude when he inquired about this. He also received no phone call back when complained. He never got his granddaughter in for lessons.
 - Doug also raised concerns regarding a drainage issue behind his home. The city contacted him regarding work being done, but nothing has been done yet.

Adjournment

There being no more business before the Membership, the Chair asked if there were any objections to adjourning the meeting. There were no objections and the meeting was adjourned by unanimous consent at 8:02 p.m.

Respectfully submitted,

Linda Stipo
Secretary
Thornhill Community Association, Inc.
Date approved: November 26, 2007



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**ATTACHMENT A
Annual Report of the President to the Association
1 October, 2007**

The following is the President’s Report to the Membership. It is organized in four sections:

1. Association Administration, Finances, Operations and Governance
2. Common Areas and Amenities
3. Quality of Life
4. Summary

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**Association Administration, Finances, Operations and Governance**

**Finances**

The Association Treasurer has delivered a more detailed report on year-to-date financial performance of the Association, but a few points on our budget should be highlighted:

- Thornhill’s finances are sound and we are adequately reserved according to the 2004 Reserve Study. The 2008 Board may want to consider updating this study to adequately anticipate asset replacement schedules, changes in inflation and other costs bases.
- Thornhill’s expenses and discretionary operating expenditures have been made in accordance with the established budget and we expect to make contributions to reserves as planned.
- Legal expenses have been significantly reduced in 2007 and currently stand at \$582. Although the fiscal year is just 2/3 complete, there are no additional legal issues on the horizon that I think might compromise this good result. 2007 legal expenses compare very favorably to recent years, as follows:

|          |    | Legal Expense | % Change from<br>Prior Period | % of highest<br>period (2004) |
|----------|----|---------------|-------------------------------|-------------------------------|
| FY03     | \$ | 3,145.00      | N/A                           | 25%                           |
| FY04     | \$ | 12,489.00     | 297%                          | 100%                          |
| FY05     | \$ | 11,283.00     | -10%                          | 90%                           |
| FY06     | \$ | 1,468.00      | -87%                          | 12%                           |
| YTDAUG07 | \$ | 581.50        | -66%                          | 4%                            |

**Policies, Regulations and Procedures**

During the term it became clear that many Members are not aware of the architectural rules, procedures or facilities regulations that prevail in Thornhill. It has also been clear that not all new neighbors are receiving the requisite copies of the governing documents and associated rules at closing and that some longer term Members no longer have their copies of the rules.

While all of the rules and policies are published on the community’s website and are easily accessible, the president gathered all the relevant documents into a “Homeowner’s Handbook” which has been posted to the HOA section of <http://www.thornhillinc.net>. The property manager also has an electronic copy and will share this with new homeowners when they are notified of a closing.



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**Architectural Control Enforcement**

The Board took an active role in enforcing the covenants and guidelines in 2007. Over 50 violation letters were served and 4 hearings were conducted relating to non-compliance with the architectural rules. The Board and the members of the Architectural Control Committee have attempted to be understanding of homeowner situations but firm in their enforcement activities. In most cases violations have been resolved quickly and in a cooperative environment. There are several outstanding situations at the present time and enforcement activities consistent with the violations policy and the governing documents are ongoing.

**Review of Major Service Contracts**

All significant contracts were reviewed with service providers in order to evaluate performance, establish expectations consistent with the contracts and to review pricing.

- Landscape Management Contract

A 1 year contract extension with the Brickman Company was executed in February of 2007. Pricing for that contract remained unchanged from the previous year. Although the Board remained in close contact with Brickman on an ongoing basis, Brian Allio, Thornhill's account representative attended the July Regular Meeting of the Directors to discuss issues relating to the drought and the overall service performance of the company;

- Pool Management Contract

In the final year of a three year contract, members of the Board met with the US Aquatics to review pool opening requirements, maintenance needs and staffing plans for the 2007 season. In view of the upcoming expiry of the contract period, a detailed "Request for Proposal" was developed and issued to US Aquatics and Carolina Pool Management in late July. The responses to this RFP have been delivered to the 2008 Board for their consideration and decision.

- Property Management

Members of the Board met with the management company to analyze their performance and to discuss their compensation. In view of their strong performance relating to project initiatives, the Board authorized a small increase of \$150 per month beginning in January of 2007.

**Common Areas and Amenities**

The following projects were pursued and completed during 2006. All expenditures were made within the operating or capital budgets as appropriate:

- Replaced the copper roofing of the entry monument at Elm lane that was stolen just before Christmas in 2006. The new roof is composed of a synthetic slate material that fits well with the entry aesthetic and that should require low maintenance in the future;
- Re-paved and striped the parking lot at the pavilion; installed 4 removable parking bollards that will allow the closure of the south end of the lot during off-seasons.
- Redesigned and re-planted the entry monuments and the monument at the pavilion



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- Installed 2 additional tower lights in the pavilion parking lot to provide lighting at the pool as well as increase illumination of the pavilion at night;
- Installed new flood-lighting at the pool and removed the unsightly 4"x4" lighting masts on the pool deck;
- Removed brush growth along pond banks to create open views of the picnic area and island from Elmstone;
- Created a new picnic area at the southwestern corner of the pond;
- Re-furbished the wooden picnic tables at the pavilion;
- Replaced the nets at the tennis courts and repaired the fencing;
- Replaced the failed pond pump motor and installed an attractive lighting treatment of the pond fixture.

**Pond Erosion and Siltation Control**

The Board moved forward and completed the dredging of the fore bay area of the pond as per the 2004 Reserve Study. The sediments at the south end of the pond were removed and spread over the common area at the rear of this area for drying and possible reuse as soil for future landscape projects. The dredging contractor confirmed that the stone weir was intact and functioning.

Also addressed (as per the 2004 Reserve Study) was the significant erosion issue along the southwestern pond banks. The erosion corridors were treated with stone rip-rap and the storm water catch-basin drainage pipe was replaced.

Gravel composite was used to re-pave the access paths along the western bank and south around the island. This paving will not only help slow run-off from the elevated pavilion slopes but has also re-rejuvenated an inviting walking path from Elmstone to the pond and the new picnic area.

Although not directly related to erosion issues, the pump motor of the fountain was re-built and replaced after several months of repair efforts. A new decorative lighting system was installed to provide an aesthetic view of the pond by night from Elmstone Drive.

**Big Rock Park**

As amply documented in the meeting minutes of the term and through correspondence with the Membership, the Board successfully engaged with the Mecklenburg County's Park and Recreation Department to find an attractive solution to potential development of the Big Rock Park area.

As Thornhill Members will be aware, the 2006 Board became aware that the County had moved to acquire, via tax foreclosure, 9 acres of land to the northwest of the existing 14 acre park since that land had never been properly transferred as common area to the Association by the original developer of our community prior to its bankruptcy and ultimate dissolution.

Several meetings were held with County attorneys during 2006 and while they agreed that the land was clearly intended to belong to the Association at no cost, they ultimately elected to move forward with a tax foreclosure.

Thornhill was given the option of bidding \$40,000 to acquire the land at the foreclosure sale but was afforded a slim 2 week time frame in which to make its decision. Given the timing of the County's action, it became unrealistic to call a Special Meeting of the Membership to consider purchasing the property and annexing it to the Association (the Board could not act alone on this decision and it would have to be decided by the Members under our governing documents). Such a meeting would have required a majority of 244 lot owners to agree to the expense and the annexation. Despite an active and sympathetic dialogue with several members of the Mecklenburg Board of County Commissioners that included a request for a stay of the auction to allow time to



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organize a meeting of the Thornhill owners, the Board had little recourse but to see the land acquired by the County.

During this process, the County attorney's made a written assurance that the "...County has no intention to alter or otherwise develop the landscape in a manner that the members of the Association might find inappropriate or objectionable." The 2007 Board of Directors decided that it was in the best interest of Thornhill to pursue more permanent and legally binding assurances from Mecklenburg County's Park and Recreation department who would become responsible for this property along with Big Rock Park

Following several meetings with the leadership of Park & Recreation, starting in April of 2007, Jim Garges, the department's senior executive, noted in writing his concurrence with Thornhill's proposal that the land should be designated as a nature preserve in the 23 acre area. This designation is intended by the County to maintain the land's character as forested-open space.

Contemporaneous with the Board's discussions with Park & Recreation, the President initiated discussions with the Historic Landmarks Commission of Mecklenburg County on designating this area as a historic landmark. Such a designation would give the Commission exclusive design review control over the land and would most likely prevent any commercial or active recreation development in the park. The land has a rich Native-American history stretching to pre-history and is a site of significant geological interest. The Survey Committee of the Commission recommended that its commissioners undertake a detailed historical and land survey of the park as the first step towards this designation. The Commission voted unanimously in favor of this recommendation at its meeting on October 8<sup>th</sup>, 2007. It is my view that a Historic Landmark Designation will be granted by the Commission.

I will also note that the community has been able to avoid an approximately \$40,000 expenditure to acquire land originally intended to be Thornhill's common area. This land, which has little commercial value given its location and topography, will be protected as open space and will, for all intents and purposes, function as open common area.

In summary, there has been an excellent outcome for Thornhill and a particularly positive development for neighbors who border the park land.

### **Quality of Life**

#### **Thornhill Field Day**

In May of 2007, nearly 20 neighbors came together to devote a Saturday to conduct small maintenance projects, remove litter along the common areas and pond, and prepare the pool and pavilion facilities for the opening of the pool for the 2007 swim season. This cooperation was an excellent example of the volunteerism that creates the sense of shared community within Thornhill.

#### **Social Activities**

The Thornhill Women's Association continued its great service to our community in 2007. We all owe a debt to its leadership and its membership for organizing and staffing the events that give us all a chance to be connected.

#### **Community Watch**

Using the Charlotte-Mecklenburg Police Department model our two chairpersons, Suzanne Grace and Greg Taylor, managed a communications network involving 39 block captains as conduits for alerting the police and neighbors of dangerous, suspicious or unlawful behavior around our Thornhill community. While our Community Watch is not responsible for reducing or managing crime, it has



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helped neighbors to share timely information that helps to further secure the community. It also is largely responsible for the open and constructive dialogue Thornhill enjoys with CMPD.

**Security Patrolling**

Separate from the efforts of the Community Watch, the Board continued its partnership with the Charlotte-Mecklenburg Police Department in providing random and unannounced patrols of the community by off-duty police officers. The patrol began shortly after the dismissal of area schools and will continue through Halloween. While success is difficult to measure, the Board believes that this partnership with CMPD is an important and valuable one and that the visibility of law enforcement in the neighborhood has a deterrent affect of undesirable activities.

**Engagement with Charlotte-Mecklenburg Schools**

Homeowners continued to actively engage with CMS concerning school developments.

**Thornhill Swim Team**

The Thornhill Tornados enjoyed a wonderful season in 2007 and were served well by their volunteers and corporate sponsors. The Tornados added greatly to the community's social life, the physical and mental development of its children and generated outside interest in the community.

**Thornhill Web Presence**

Many Thornhill Members know about <http://www.thornhillinc.net> as well as the various email distribution systems used to deliver information to homeowners. Homeowners know that the website is a convenient source of information regarding the social life and the corporate governance of the community. What many don't know is that the website and communications systems are administered by two unpaid volunteers.

**Summary**

2007 was an excellent and active year for Thornhill. Several important projects were delivered under budget allowing the community to continue contributing to its reserves on the schedule suggested by the 2004 Reserve Study.

Thornhill continues to be well-served by its volunteers who are the reason for its vibrancy. Thornhill is a place where neighbors make a community. It is a place where neighbors rally to other people's family emergencies. It's a place where lifetime friendships are forged.

It has been my distinct honor and privilege to serve as the Association's executive officer during 2006 and 2007. I have received many returns on the investment of my time and have been pleased to see Thornhill continue to advance. Above all, we could not have enjoyed the outstanding progress we have seen this year without the efforts of our volunteers and the excellent cooperation between the members of the 2007 Board. I congratulate and thank all those who contributed.

Respectfully submitted,

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Michael L. Stitt  
President  
Thornhill Community Association, Inc.



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**ATTACHMENT B**  
**Treasurer's Report to the Association**  
**1 October, 2007**

**FINANCIAL SUMMARY - YTD \* August 2007**

**REVENUE**

| <b><u>Category</u></b> | <b><u>Budget</u></b> | <b><u>YTD Actual</u></b> | <b><u>% Budget</u></b> |
|------------------------|----------------------|--------------------------|------------------------|
| Dues                   | \$214K               | \$160K                   | 75%                    |
| Finance/Fines          | \$0                  | \$6K                     |                        |
| Other                  | \$0                  | \$1K                     |                        |
| <b>TOTAL</b>           | <b>\$214K</b>        | <b>167K</b>              | <b>78%</b>             |

**Fixed Contract Expenses**

| <b><u>Category</u></b> | <b><u>Budget</u></b> | <b><u>YTD Actual</u></b> | <b><u>% Budget</u></b> |
|------------------------|----------------------|--------------------------|------------------------|
| Landscape              | \$44K                | \$30K                    | 68%                    |
| Pool Mgt.              | \$33K                | \$33K                    | 100%                   |
| Mgt. Fees              | \$17K                | \$12K                    | 74%                    |
| <b>TOTAL</b>           | <b>\$93K</b>         | <b>\$75K</b>             | <b>80%</b>             |

**Variable Expenses**

| <b><u>Category</u></b> | <b><u>Budget</u></b> | <b><u>YTD Actual</u></b> | <b><u>% Budget</u></b> |
|------------------------|----------------------|--------------------------|------------------------|
| Utilities              | \$18K                | \$13K                    | 71%                    |
| Pool Maint.            | \$7K                 | \$4K                     | 56%                    |
| Bldg Maint.            | \$8K                 | \$3K                     | 41%                    |
| Landscape              | \$17K                | \$19K                    | 114%                   |
| Insurance              | \$6K                 | \$0                      | 0%                     |
| Printing/Office        | \$7K                 | \$4K                     | 66%                    |
| Legal/Other            | \$6K                 | \$5                      | 87%                    |
| Other project          | \$12K                | \$3K                     | 25%                    |
| <b>TOTAL</b>           | <b>\$81K</b>         | <b>\$51K</b>             | <b>63%</b>             |

**Reserve Funding**



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| <u>Category</u> | <u>Budget</u> | <u>YTD Actual</u> | <u>% Budget</u> |
|-----------------|---------------|-------------------|-----------------|
| Reserve Funding | \$41K         | \$19K             | 46%             |
| Interest        |               | \$2K              |                 |
| <b>TOTAL</b>    | <b>\$41K</b>  | <b>\$21K</b>      | <b>50%</b>      |

|                       |               |               |            |
|-----------------------|---------------|---------------|------------|
| <b>TOTAL OP. EXP.</b> | <b>\$215K</b> | <b>\$147K</b> | <b>70%</b> |
|-----------------------|---------------|---------------|------------|

|                   |             |              |
|-------------------|-------------|--------------|
| <b>OP. INCOME</b> | <b>\$0K</b> | <b>\$20K</b> |
|-------------------|-------------|--------------|

**2007 YTD - Reserve Expenditure Summary**

1. Board voted and successfully completed the **installation of traffic bollards** in the parking area of the pavilion. This will better control access to area during night time and off season.
 

\$1,733
  
2. Board voted and successfully completed the **paving of the pavilion parking area, installation of concrete pad for garbage dumpster, and repair of cracks in tennis courts**

\$29,925
  
3. Board voted and successfully completed the following to ease and prevent erosion as well as improve appearance:
  - **Pond dredging**
  - **Turf repair along access trail**
  - **Treatment of vine growth along dam**
  - **Removal of weeds on plantings**
  - **Removal of trees around perimeter of pond waterline**

\$22,500

|                                 |                 |
|---------------------------------|-----------------|
| <b>YTD Reserve Expenditures</b> | <b>\$54,155</b> |
|---------------------------------|-----------------|