

### **POLICY RESOLUTION # 3 – Jonathan Association Board of Directors**

**DATE: February 8, 2011**

**RE: Bavaria Court Water Drainage & Damages Issues**

While acknowledging that:

1. Mike Sibley, Community Manager, contacted the Jonathan Association via email in August 2010 “on behalf of the Board of Directors of the Bavaria Court Association” with regard to “drainage issues created by the Karen House property”; and,
2. David G. Hellmuth, Attorney at Law, responded via letter in September 2010 on behalf of Jonathan to wit: “unless and until the Bavaria Court Association provides the Jonathan Association with an expert report or similar evidence to the contrary, which evidences that the Karen House property is the source of an alleged drainage issue within the Bavaria Court Association, then the Jonathan Association respectfully declines your request to meet with the Bavaria Court Association’s Board of Directors, and/or you as their ‘Community Manager’, to discuss any alleged drainage issue.”; and,

In addition to reaffirming that:

3. Bavaria Court Association’s Board of Directors has not explained to the Jonathan Board of Directors the SPECIFIC “drainage issues” referred to by Mr. Sibley; and,
4. The “expert report” or “similar evidence” referred to by David G. Hellmuth in his letter to Mike Sibley in September 2010 should address the following list of issues (to which there may be other items that are added later) as they pertain to the Karen House property: a) storm water flow pattern analysis, b) drainage regions identification, c) the amount of storm water volume, d) soil erosion measurements, e) volume and flow of storm water, f) existing water flow and site analysis, g) surface water analysis, h) storm water runoff and retention, i) flood impacts summary, j) flood forecasting, k) a detailed culvert analysis, l) the exact amount and calculation of storm water generation, m) a preliminary percolation test, and n) a general soil structure assessment;

The Jonathan Association Board of Directors resolves, by way of this Policy Resolution on this date (02-08-2011) to continue abstaining from meeting with the Bavaria Court Board of Directors and/or Mike Sibley regarding the alleged water drainage issues discussed above; per recommendation of Jonathan attorney David G. Hellmuth.

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Sandra J. Rossol, Secretary – Board of Directors

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Date