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HOA President's Comments

By Sharon Valvona



As you will see, our November newsletter focuses on our very important Annual Meeting and Annual Meeting ballot. The Annual Meeting is the opportunity for the Board to recap the successes and challenges for 2024, to report ballot results, and to thank many people whose efforts have made it a successful year for the community. The ballot is the culmination of all the hard work by the Treasurer, Finance Committee and Kuester staff to complete the final step in the Budget approval process.

This year, as the Annual Meeting article explains, the ballot is computerized and is being managed by an outside company, Vote HOA Now. This is the company that was originally chosen for the Board of Directors election. You all should have received their invitation to vote on Monday, October 28. For those who have not yet voted, I hope you find the description of how the ballot works helpful and that it encourages you to get that ballot completed. The article also explains what to do if you did not receive the invitation.

It is important not to take your objections to the Amberly Master assessment out on the CP Budget ballot. All those involved in developing our budget <u>have worked hard to keep our actual assessment increase to a modest 2.3%</u>. As the Amberly Budget article explains, not ratifying our budget does not remove CP's obligation to pay the Amberly Master assessment. <u>I would encourage you to support the hard work the Proposed 2025 Budget represents by voting yes</u>.

Finally, I am concerned that the highly charged debate about the Amberly Master assessment has created unnecessary negative feelings toward the Amberly Master Association and Board and perhaps the larger Amberly community. The Amberly Master Board, like the CP Board and others in CP, are hardworking volunteers. Unlike most CP volunteers, Amberly Master Board members are carving out time for their community amidst the challenge of full-time jobs and growing families. CP residents have high expectations of our CP clubhouse and offerings. The Amberly Master Board are responsible individuals doing their best to provide a vibrant, safe, clean community gathering place for all Amberly residents, including us, with interesting programs for a much broader age range than we have to provide. CP residents have the luxury of coming back to Bradford Hall if the Amberly Clubhouse environment or offerings are not satisfactory. The rest of our Amberly neighbors do not. I respect the hard work the Amberly Master Board members have done to try to meet their own challenges, and I would ask you to do the same. And regardless of your thoughts about the assessment or perhaps because of it, you should take advantage of our membership in the larger Amberly community.

Marsalis Project Update

A quick update on the Marsalis project. The 60" Junction Box, and Headwall are now installed. The Geotechnical Engineer was onsite periodically during this time and has filed reports. The rock below the structure has been removed, to his satisfaction. They replaced the rock with and fabric below the structure and dry screening below the pipe and headwall. The crew has maintained proper erosion control throughout the project.





Now comes the step of importing fill and pacing it to elevate the site to finished grades. The crew will continue to actively sweep and maintain a clean work area and roadway.

Upon completion of fill which will take +/- 6 days, there will be another erosion control inspection. After that inspection they will roll into plantings and mulch placement. Erosion control is evaluated as needed during fill placement and final landscaping.



Thank you for being so gracious and understanding during this disruption. We still anticipate being substantially complete / fully complete by thanksgiving.

The Landscape Advisory Committee

The Landscape Transition Task Force has been approved to become the Landscape Advisory Committee beginning next year.

The Task Force is justly proud of the progress in addressing landscape issues in the community. It worked with Yardnique to modify next year's fertilizer application to minimize losses from runoff, worked with Hansley to eliminate dead shrubs and invasive plants and continue to work with Leaf and Limb to raise street tree canopies. They have worked with Josh Hughes to prioritize irrigation needs to help ensure that future planting will flourish. Several volunteer groups have been established centered on the pocket parks to help identify problem areas going forward.

With all this progress, there is much work left to do to restore and improve CP's landscaping. These long-term needs justified establishment of the Landscape Advisory Committee. The Committee will continue the Task Force's work designing new plantings for O'Kelly Chapel and Yates Store entrances, as well as the Butterfly Garden and south corner garden triangles in the Community Garden. Irrigation systems in the common areas have received attention and Josh has been able to return some of them to operating condition. Hopefully, the remainder will be functional by next spring. They will be important to maintain our renewed landscape vitality. The Committee will be the contact point for volunteer groups who will in turn provide feedback on the success of landscaping efforts. The newly established Committee can continue the active advisory role with the GM for informed interaction with our landscape contractors initiated by the Task Force.



FAQs

Frequently Asked Questions...

This recurring HOA Newsletter article addresses frequent questions by Carolina Preserve Residents.

Even though there is no HOA Board election, where can I find information about the candidates who will be elected via acclamation? Also, where can I find the roles and responsibilities of our Kuester employees?

All of this information, along with many other important nuggets about our community, can be found on the home screen of Club Express, our community website. To learn all about our recent election process and the four candidates who will be elected via acclamation at our November 15th Community Meeting, simply select *Governance* from the blue menu bar across the top of the screen and then select *Committees and Task Forces*. Then scroll down and select *2024 Election Task Force* from the list of task forces. If you scroll down the page to the Helpful Links section and select *2024 HOA BOD Election Results*, you can see pictures of all four candidates along with their application bios and answers to select resident questions.

Back to the blue menu bar along the top, if you select **Resident Services** and then select **Bradford Hall Staff**, you will be presented with pictures of all the Kuester employees along with their roles/duties.

There is important and relevant information about our community available on Club Express, including governing documents, Lifestyle and HOA newsletters, and Club and Lifestyle activity information. We encourage all residents to frequently explore Club Express, and if you have any questions accessing our website, please reach out to the IT Committee (IT.Committee@cpamberly.net) for help.

I thought there were certain restrictions on rental properties such as minimum time for an owner to live in their house before putting it up for rent, and requiring rental agreements to run for at least one year. Why is that not being enforced?

You are referring to the proposed 8th amendment to the Declaration of Covenants that was drafted and put to community vote in 2022. This would have updated our Covenants to include the restrictions you mentioned above. To pass the 8th Amendment, it required 67% or 912 homeowners voting "yes." While we had a tremendous turnout of support to pass the 8th amendment, unfortunately we did not get enough "yes" votes to pass the amendment. As a result, there are no such restrictions as mentioned on rental properties in our Covenants.

Why was there no lien or foreclosure filed on 202 Beckingham Loop? What is the Board's process in general for late payments, liens and foreclosures?

A lien was placed on the property in July of 2020, and after no response was received to our attorney's attempts to address the delinquency, the Board voted to foreclose on the property in January of 2021. This doesn't automatically trigger a foreclosure – rather it starts the process of our attorney conducting a title search and investigating if other liens or foreclosure have been placed.

In general, the HOA's process for late payments and liens and foreclosures was documented in the Open Working Meeting Minutes of April 20, 2021. To paraphrase those minutes:

"The collection Policy for first late payment is friendly notice, 2nd late is a Warning, 3rd late, is a 15-day demand letter. If no response, the account is turned over to the collection Attorney, who sends a 15-day notice to pay or a lien will be placed on their property. A lien is placed to secure the HOA's position as a creditor if the owner sells the home. If no response to payment of Lien, then owners receive a notice of Foreclosure with 15 days to respond. The Attorney advises that if there is no response, then the Board must vote to Foreclose and sign the Resolution to Foreclose, which is then sent to the Attorney along with the meeting minutes where the Board approved to Foreclose. Before Foreclosure happens, the collection Attorney researches to see if the bank is foreclosing and if property taxes have not been paid and there is possible Foreclosure by the County. If there is a mortgage bank involved or the County, the HOA will hold on the Foreclosure because the Bank and County are automatically the first 2 creditors that have preference."

As you can see, not only is this a complicated process, but when pursuing foreclosure, an HOA may incur significant legal fees without ever recouping any of the outstanding assessment fees. The decision has been further complicated by a Raleigh News and Observer article in November of 2022 regarding HOA foreclosures on resident homes. As residents may remember, this caused quite a stir in all HOA communities across North Carolina including ours, and HOA Boards were encouraged to think very carefully before initiating foreclosure actions.



Why Am I Being Asked To Vote On Revenue Ruling 70-604?



The Annual Meeting ballot which has been sent out to all residents includes three items on which they are asked to vote. One of those items pertains to Revenue Ruling 70-604.

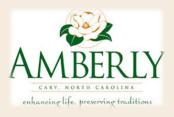
A Revenue Ruling is a public administrative ruling by the Internal Revenue Service that applies tax law to a particular factual situation. Revenue Rulings are issued to assist the public in making correct interpretations, and to promote uniform application of tax law. Revenue Rulings are binding on the IRS. Revenue Ruling 70-604 allows an HOA to avoid taxation on its excess membership income by either refunding it to members or carrying over the excess to the following tax year.

Through our accounting firm, Carolina Preserve files a Form 1120-H which is the federal income tax return for an HOA. Per our bylaws, Carolina Preserve HOA's sole activity is to own, operate, improve, and maintain the assets and to carry out functions of maintenance and governance of the community. That activity generates income and expenses which are reported on the tax return.

Excess membership income is the amount by which income is greater than expenses. In accordance with the Revenue Ruling, the excess income for 2024, as presented by the HOA Board, will be applied to the Contingency Reserve, making it available in future periods and reducing the need to increase assessments. In this manner, Carolina Preserve avoids being taxed and the excess income is effectively being returned to the HOA members.

At the Annual Meeting, an election must be made by the HOA regarding the excess income. The residents of Carolina Preserve are asked to <u>vote for approval</u> of the Revenue Ruling on their ballots and to avoid paying the tax. All ballots must be received by 5 PM on November 8, 2024.

Amberly Master Budget Increase



Questions have been asked about the 2025 increase in the Amberly Master Association assessment to the Carolina Preserve sub-association (CP).

Prior to 2023, there were three Master Association management entities, one for property management, one for lifestyle and one for the pool. All included their own overhead, personnel and other expenses and each had their own financial reporting process, making it difficult

for the Master Board to determine a comprehensive, accurate financial picture. The Master Association contracted with Kuester Management at the beginning of 2023 to assume the property management functions. Kuester then expanded the contract to absorb the lifestyle function at the beginning of 2024. With better, consolidated financial reporting available on lifestyle events, programs and income, the Amberly Master Board was faced with difficult budget decisions. Amberly Master financials have had an end of year deficit of at least \$150K in 2022 and 2023 and will be in the red again at the end of 2024. Unrealistic revenue expectations and unanticipated expense increases had to be addressed going forward.

- The 2024 budget overestimated revenue from classes and amenity rentals by over \$100K. This is a significant element in the increased regular assessment revenue requirement. Errors in these categories have existed in the Amberly Master Budget for several years and are finally corrected in the 2025 budget.
- The 2025 maintenance budget for the Amberly master clubhouse and pool is a 24% increase from 2024.
 - Like CP amenities, the Amenity/Clubhouse and Pool are aging. HVAC, plumbing, security and routine building maintenance incurred extraordinary costs in 2024.
 Unlike CP, the Master Association does not have a facilities manager, and all maintenance work must be completed by outside contractors. More realistic, increased budgeting was required in these areas.
 - The Janitorial budget has been noted and was increased to obtain an acceptable level of building cleanliness. Their original company left conditions that no CP resident would tolerate and had the administrative staff doing janitorial work when residents complained. A change to a similarly priced company did not improve conditions. Hiring the same company used by Carolina Preserve finally achieved the necessary results. However, this increased the janitorial costs significantly.
- Other anticipated increases in 2025 include utility costs, pool management costs, landscape contract costs, and pond maintenance/management contract costs.

• The Master Association's 2024 Reserve Study recommends a 4% annual increase for the next three years.

Carolina Preserve is a part of the Amberly Master Association. The relationship is defined in both the Master and CP declarations. In recognition of CP's special situation, CP residents are assessed at only 64% of the assessment to Amberly residents in other neighborhoods.

Frustration or concern about the Amberly Master assessment increase should not be taken out by voting against ratification of the Proposed 2025 Carolina Preserve Budget. If 681 CP residents vote against ratification of the CP budget, CP would revert to its 2024 budget. CP would have less money to pay its bills and still would have to pay the 2025 Amberly Master assessment obligation. Whatever numbers residents may have seen on social media or emails, the bottom line is that the yearly assessment to Carolina Preserve residents will increase by 2.3% to cover all anticipated 2025 expenses and Strategic Planning Projects. This is well within the yearly increase any HOA can reasonably expect and below the 3.3% increase that was estimated last year. Thank you to the Finance Committee, the Treasurer and Kuester staff for their hard work.



2024 Annual Meeting

As announced last week, electronic voting for the annual meeting ballot items, 2025 budget ratification, the 2023 Annual Meeting Minutes and Revenue Ruling 70-604 started at 12:00am, Monday, October 28, 2024. This article is a brief reminder about the voting and information about what to expect.

By now, the person in your household whose email address is on file with Kuester as the property owner should have received an email like this:

Invitation to Vote - Carolina Preserve ∑ Inbox ×

∴ Carolina Preserve eVoting Administrator <carolina preserve@ivotehoa.com>



2024 Annual Meeting Ballot for Carolina Preserve by Del Webb at Amberly

Dear Your name

Your community needs your vote on the Annual Meeting ballot.

Voting online is easy and quick.

Your vote will count 1 time(s) for property(ies) Your address

GET STARTED NOW

- Please <u>CLICK HERE</u> to go to the online voting website (your personal registration code ______ will prefill)
- Make your choices on the electronic ballot and submit (once your vote is submitted it is final)
- A confirmation of your vote will appear onscreen and be sent to your email



Online Voting Ends:

Nov 8, 2024 5pm ET

Thank you, Paul Fogg General Manager

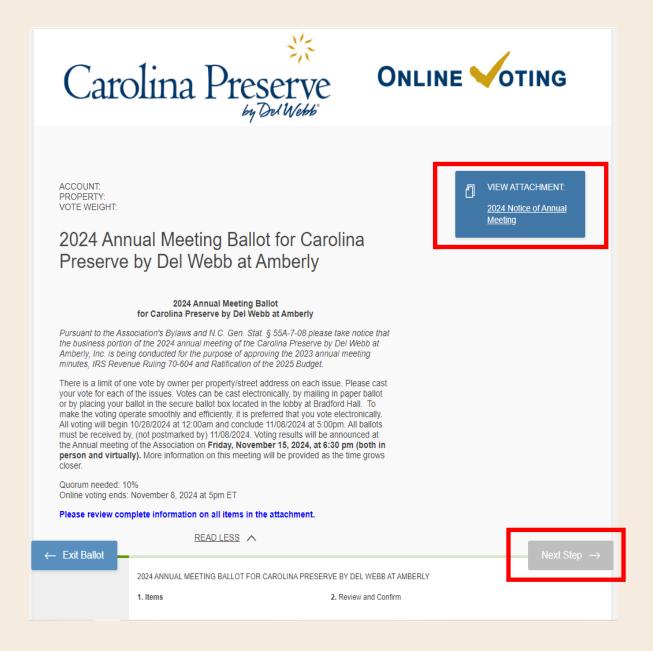
Please Note: Even if you previously used the site, you will need to register with the above code for this vote.

carolinapreserve.ivotehoa.com

Unsubscribe

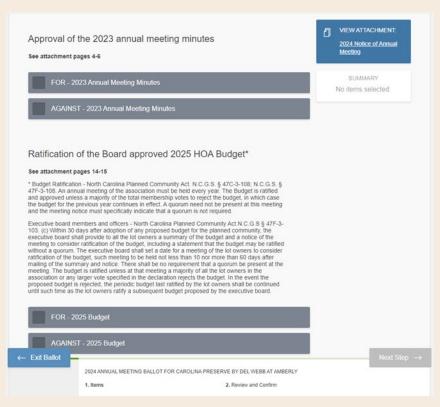
If you have not received the "Invitation to Vote" email, you should contact the front desk at <u>carolinapreserve@ivotehoa.com</u>. Do an email search on "Invitation" and check you spam filter before you contact them.

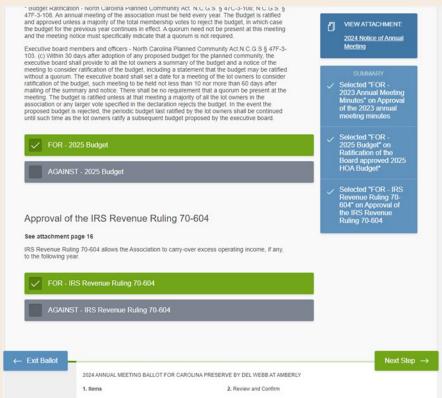
Selecting **CLICK HERE** in the email will take you to the next step in the voting process. On this next page, you can find the attachment with the 2024 Annual meeting packet containing the 2023 Annual Meeting Minutes, the Budget detail and the information about the Revenue Ruling.



When you have finished reading the information on the first page, if you select "next step", you will be taken to the electronic ballot.

This is the format of the electronic ballot. And how it appears when you have voted.





You will be asked to confirm your vote and will receive confirmation once you have voted.





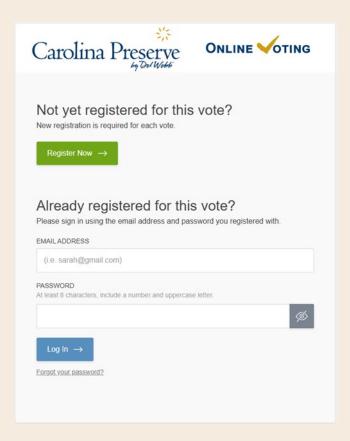
Shortly after completing the steps above, you will also get an email confirming your choices. Other than reviewing the Annual Meeting Packet, the process should take you about 5 minutes!

From: Carolina Preserve eVoting Administrator < carolina preserve@Ivotehoa.com>
Date:
Subject: Your vote has been recorded.
To:

Thank You!

Vote: 2024 Annual Meeting Ballot for Carolina Preserve by Del Webb at Amberly

You may get this final pop-up when your vote is complete. However, if you completed all of the steps and got the success screen above, you do not need to log back into the system.



Follow one of these links to register to participate in the Annual meeting 6:30, November 15 at Bradford Hall. Make sure to vote!

Register to attend in person OR Register to attend virtually

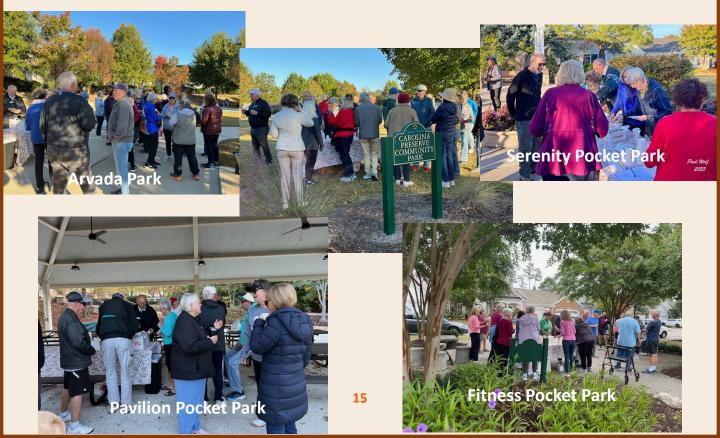
Pocket Park Meet-ups a Big Success

In October, the Lifestyle Advisory Committee (LAC) sponsored a "Meet-up" in each of CP's lovely Pocket Parks. LAC's President, Chris Reinhold reports that these events were a great success. Having a meet-up in each park is a great way to expose these potentially overlooked, potentially underutilized amenities to the whole community.

About 250 residents in total attended, roughly evenly spread over the five events. As the pictures show, lots of talking, newer residents were meeting neighbors and the hot chocolate (new this year) was a hit given some cool, crisp mornings. Folks didn't just come for a coffee and leave, they hung around, talked and enjoyed a very relaxed, fun morning.

For 2025, the LAC will continue the events but is considering spreading the Pocket Park Meet-ups more throughout the year rather than having them clustered in one month. This year, even though everyone was invited to all of the gatherings, folks tended to just come to the event nearest to their home. By spreading them out, the LAC hopes more people might attend each event and be exposed to all of the different pocket parks.

Thanks to everyone who came out. Be on the lookout for invitations to next year's events.



2024 Financials At A Glance

By David Jackson, HOA Treasurer

OPERATI	ONS (\$000	O'S)			
	Septembe	er YTD			Full Year
	Actuals	Budget	Difference		Budget
Income	3,954	3,854	100		5,138
Uses:					
Reserves	-628	-628	0		-925
Nesei ves	020	020	J		323
Expenses	<u>-3,297</u>	-3,229	<u>68</u>		<u>-4,209</u>
Net	29	-3	32		3

RESERVES + EQUITY (\$000'S)								
	Replace-				Oper Resv		Total Reserves	
	ment	Villa	IIF	Painting	(Equity)		+Equity	
12/31/2023	1,403	294	3	51	664		2,414	
Contributions	605	0	9	14	29		657	
Interest	42	7	0	1	0		50	
Expenses	<u>-403</u>	0	<u>-4</u>	<u>0</u>	<u>0</u>		<u>-407</u>	
9/30/2024	1,647	301	7	65	693		2,714	

Treasurer's Comments By David Jackson, HOA Treasurer

Through September 30, year-to-date total revenue has exceeded expenditures by \$29K.

As of September, the Capital Reserve was over \$2M (including replacement, IIF, villa, and painting reserves). The only expenditure from reserve accounts in September was \$56K toward the Marsalis Project, which is just getting underway. The Contingency Reserve is now \$693K.

There have been 66 recorded resales of houses in Carolina Preserve this year, providing over \$139K in revenue. Resale income for the month was \$11K, putting us up more than \$47K over budget YTD.

We are still getting higher than expected interest income from Certificates of Deposit (CDs). Two CDs matured in September and were renewed at 4.15% and 4.45% annual interest. We are over \$9K favorable to the budget for operating interest income. We currently have \$1.6M in CDs, and almost \$1.3M in money market and checking accounts, providing good financial stability for the community.

BUDGET

A tentative budget was discussed with the CP residents in two community presentations on October 7th and 8th. The October 8th presentation was recorded, and the recording is available on Club Express. Seventeen CP residents submitted written questions which were answered by the Finance Committee and the Treasurer. As a result, some minor adjustments were made to the tentative budget, which was submitted to and approved by the HOA Board on October 15th. The tentative budget has been provided to all CP residents for them to vote on ratification. The results of that vote will be announced at the Annual Meeting on November 15th.

I want to thank the Finance Committee for working diligently throughout this process.



Architectural Submissions

Everything you need to know for Architectural Submissions

A box labeled ARC Modification Request and Fast Tracks is beside the front entrance at Bradford Hall.



Note: All Modification Requests to be placed on the agenda for consideration MUST be turned in at Bradford Hall by Wednesday 12 noon, seven days before the scheduled meeting.

Meetings are held twice a month on the 2nd & 4th Wednesdays

Please note the box is for architectural requests only – no other forms of communication will be accepted through this box.

Email inquiries to

Architectural.Committee@cpamberly.net

or

Patrick Dzimiri, Compliance Coordinator: compliance@cpamberly.net



A few things that would be good to know if you are contemplating an addition or modification to your yard or exterior of your home or if you are selling your home

- 1. What to do: Almost all modifications to your home exterior or yard require a Modification Request or Fast Track form to be submitted to the Architectural Review Committee ARC. What this entails can be found in the Design Guidelines which are available on the CP website.
- 2. New Updates: Soon, version 8.2 of the Design Guidelines will be updated and published (new version will be 8.3), and it is important to know that there are 61 different changes. Mostly minor revision and clarifications but be sure to revisit them when considering a change to your yard or home exterior.
- 3. Damaged Cable: Annual aeration of your lawn can cause an issue with buried TV or internet cables. If you are thinking about adding a new service, it would be wise to make sure that when the cable is installed, that the trench is at least 3-4" deep. While ARC doesn't know the "standard" for this, some in the community have had their cables cut by the aeration, so it would be wise to be sure that the installers don't cut corners and create a future issue.
- 4. Keeping Records: If you have submitted a Modification Request or Fast Track in the past, it would be wise to keep copies of the documents as well as the approval letters (for MRs) to pass on to a future homeowner should you ever sell your house. This also applies to Plot Plans. All original owners of homes at CP received Plot Plans from Pulte and they can be very helpful and are required for many exterior projects that homeowners may consider. Many recent new owners didn't get the Plot Plans from the previous owner, and it can be costly to get a new survey of one's property. Plot plans show where property lines and easements are located, as well as the footprint of your home.
- 5. ARC On Call: The Design Guidelines can appear to be a bit intimidating, and it's common for homeowners to have questions about what they can and can't do regarding modifications to their homes as well as the process to submit a modification request.

 ARC always has a member "On Call" to answer questions that a homeowner may have. All you have to do is email ARC: "architectural.committee@cpamberly.net."

Compliance Corner

By Patrick Dzimiri, Compliance compliance@cpamberly.net

Hello All,

November is here! Election Month! We are fully into election season, and as I'm writing this, we are only 21 days (exactly 3 weeks) away from Election Day. Please go out and VOTE!

In the month of November, I'll be focusing on yard decorations, mailboxes and mailbox decorations:

Yard decorations- Section 4.17 of the Design Guidelines

- 1. All decorations must be placed in the mulched area
- 2. Hanging decorations on street trees is strictly prohibited unless they are seasonal lights (e.g. Christmas lights).
- 3. Decorations must be on owner's lot only; nothing is allowed in the common area.
- 4. Colored or multi-colored lights are prohibited unless they're being used as holiday decorations.
- 5. Statues and artifacts including inflatables cannot be higher than 6'.

Mailboxes & Mailbox Additions (These requirements are year-round.)

- 1. Please make sure that the area around the mailbox is free of obstructions so that the mail delivery driver can access the mailbox easily
- 2. Mailboxes, mailbox posts and numbers shall be uniform in design, shape, size, color and font and shall not deviate from those installed by the developer.
- 3. MAILBOX NUMBERS must be 2 inches in height and ¼ inch in width and gold in color, preferred font: Goudy Old Style bold. Exact matching numbers in size, font and color can only be purchased through Zboxinc, or https://customvinyllettering.net/ but any style font is acceptable. Matching font is Gouda Old Style Bold.
- 4. REPLACEMENT MAILBOXES may be obtained at Lowes Architectural Mailboxes Post Mount, Black Metal Standard Mailbox. Home Depot Architectural Mailboxes, Elite Black Medium
- Mailbox coverings are <u>allowed</u> provided that they are seasonal, in good condition, have clearly readable address numbers on the side or door of the mailbox, and meet all USPS requirements.

Wishing you all a wonderful November!

Your Friendly ARC & Compliance Coordinator, **Patrick**



Let's ríng in 2025 together!

Secure your spot for the ultimate New Year's Eve Bash. Limited seating available.

Register today



It's time to say goodbye to 2024 and welcome 2025.....
Please join us as we kick off 2025 in style!

"New Year's Eve Black & White Ball" Help us ring in the New Year on December 31, 2024 (8:30pm – 12am)

An elegant evening of Heavy Hors d'oeuvres, Live Music, Photographer on-site, Celebratory merriment, NYE hats & favors, and a Champagne toast at midnight.

Catered by: Catering by Design (premier upscale catering company)

Live Music by: The Pizazz Band (Finest in cover music and excellence in entertainment)

Ticket cost is \$60.00 per person.

"You can register right here"

2024 Committees

Architectural Review Committee

Steve Botha | Ed Benfold | John Bongino | Bill Gurecki Claire Hammitt | Kent Kjellgren | Ken Merten

Board Liaison: Ron Madl | Staff Liaison: Patrick Dzimiri

Club Advisory Committee

Wanda Abel | Joel Glassman | Cynthia Jackson | Ian Jagoda Cara Lehman | Francine McElhinney | Marie Milazzo Sandra Stein | Betsy Stevens

Board Liaison: Ron Oliveri | Staff Liaison: Laurene Adkins

Finance Committee

John Adamo | Dennis Curtin | Steve Harrison | Rahul Parikh Paul Wolf | Ted Young

Board Liaison: David Jackson | Staff Liaison: Paul Fogg

Information Technology Committee

Jean Curtin | Dennis Curtin | Alan DeCrane | Brian Dos Santos Margaret Horst | Amy Levine | Robert Willenberg

Board Liaison: Jeff Diton | Staff Liaison: Glenda Hunter

Lifestyle Advisory Committee

Harlean Botha | Alora Burton | Marianne Frisch

Jackie Millslagle | Louise Stanley | Christopher Reinhold

Gayle Streifford

Board Liaison: Stan Levine | Staff Liaison: Terrie Murray

2024 Board

Sharon Valvona
President

Ron Madl Vice President

Jeff Diton
Secretary

David Jackson
Treasurer

John Kasarda Member at Large

Stan LevineMember at Large

Bob GriffithMember at Large

Mark Your Calendar

CP Annual Meeting
November 15 | 6:30 pm
In person & virtual

Board Open Working Meeting
December 15 | 1:00 pm
In person & virtual

