

POOL PROPOSAL
FREQUENTLY ASKED QUESTIONS

ADDENDUM #1 8-17-25

These additional FAQs are responding to some new questions and also to clarify former ones. They are sourced from submittals to the BCA website. Birkdaleonline.com and the Birkdale Residents Facebook page. Most are paraphrased because the questions included a lot of stated opinions. Some answers are in more detail due to additional follow-up questions.

WHAT HAPPENS AFTER THE QUESTIONNAIRES ARE RETURNED AND COUNTED?

When the results are counted, the Board will consider what to do next. Several options may be considered.

WHAT IS THE NECESSARY RESPONSE RATE TO MAKE A DETERMINATION?

This is a **survey** to determine homeowners' interest in continuing the process and incurring the additional financial liability. There is no finite number.

WHAT WILL \$450 PER UNIT PER YEAR PAY FOR?

As stated in the original FAQs, the benchmark amount of \$450 per unit per year was a consensus amount for gauging community interest and willingness to pay increased dues. It is in addition to the current annual dues of \$420 per unit. It is not based on any specific model or data sources. Considered in arriving at this number was some information from the pool committee report, information about other communities, and other viewpoints for the Board. **Dues at whatever level must cover operating expenses and debt service.** There are NO other costs anticipated. There is NO one-time fee anywhere in the process now.

Operating expenses would include, but may not be limited to, the cost of a contracted pool service company for lifeguards and other services to be negotiated, utilities which are initially shared with the golf club until direct billing can be arranged, liability insurance, security services, and an accrual for the capital reserves.

Debt service consists of the repayment of loans and interest. Loans which may be required are for a feasibility study, a down payment, purchase price, costs to refurbish the pool and surrounding area, and costs for expansion or additional functions. As with all loan repayments, the amounts will depend of principal, interest rates, and term.

WILL THERE BE ANY CONCESSIONS FOR SNACKS, DRINKS, AND FOOD SALES?

The Recreation Committee to be appointed by the Board will make some decisions or make recommendations to the Board as needed.

HOW WILL PARKING BE ADDRESSED?

This will have to be negotiated.

WAS LEGAL LIABILITY CONSIDERED IN THE ESTIMATE?

This will be considered in the feasibility study.

WILL A VOTE BE REQUIRED?

In the attorney's Memorandum, dated March 19, 2025, it is stated that according to the Declarations and Bylaws, it is most likely that these documents would need to be amended. **To amend the documents would require a two-thirds affirmative vote** of all homeowners. There are 657 units in Birkdale. The amendment would require 438 affirmative votes.

WHAT WAS THE MEMORANDUM OF LEASE AND IS IT VALID?

In 1990 the developers of the Birkdale Community proposed a lease between Birkdale Community Association and Spring Run Associates, the owner of the golf course at that time. **It provided that the pool and tennis courts would be owned by Spring Run and leased to BCA.** This was done as part of the zoning of the property for recreational use. The Memorandum of Lease was signed by both parties, but the deed of lease which was referred to in the Memorandum was not found by the attorney.

DOES THE DELINQUENCY RATE AFFECT THE POOL PURCHASE?

Yes. The delinquency rate would be a factor in financing the loans. BCA must show that it is **credit worthy** and can repay the loans.

WOULD THERE BE ANY SEPARATE CHARGES FOR THE POOL OR PICKLEBALL OR OTHER ACTIVITY?

No Under Birkdale Declarations, all members pay the same rate and have the same privileges.