

ELV HOMEOWNERS ASSOCIATION ANNUAL MEETING
TUESDAY, OCTOBER 9, 2012
TROY UNION ELEMENTARY SCHOOL CAFETERIA
7:00 P.M.

MINUTES

Call to Order – President Haxer called the meeting to order at 7:05 p.m. with some brief remarks.

Welcome to New Residents – Two new residents attended tonight's meeting and were introduced.

Introduction of Current ELVHA Board of Directors – The current ELV officers and chairs were introduced.

Introduction of the Tellers – Two residents will serve as tellers this evening; Henry Allemon, Chairman, and Joe Coffey.

Establish A Quorum (5% of 550 = 28 homes) – A quorum of 5% of the homes in ELV Homeowners Association is required. Five percent of 550 homes is 28, which constitutes a quorum. **There were 55 homes represented; therefore we do have a quorum.**

Awards Presentation – The 2012 ELV Volunteer of the Year is Corresponding Secretary Kathleen Donovan. Kathleen has served on the Board as corresponding secretary and newsletter editor for the past 17 years. Congratulations Kathleen and thank you for your exceptional service.

Approval of the 2011 Fall Annual Meeting Minutes – The minutes of the 2011 minutes were presented and discussed and President Haxer then called for a motion. **Resident Paul Clark moved to accept the 2011 Fall Annual Meeting as presented. Joe Power seconded and the assembly unanimously approved.**

President's Remarks – President Haxer began by saying we've had an interesting year this year. The biggest event was the fact that we had almost no winter last year, which destroyed any plans we had for our lakes; and because of the warm weather, an excessive number of weeds have grown. The Board has taken a proactive approach on planning for the year. One new project was to initiate an active boat destruction plan to help clean up our beaches at no cost to our residents; just call. We also made available to our folks a discount tree-trimming program through All State Tree; the consequences of which will be seen later in the fall. All State does not have a final count as yet, but they were delighted by the response they received from our residents. It should be noted that every Poplar and Willow tree removed will save 200 gallons of water per day to say nothing about the leaves and debris that clogs our drains and may end up in our lakes.

All cul-de-sacs (CDS) were evaluated and graded as to what needed to be done. A number of trees were identified as being diseased, destroyed by lightning or over grown; and All State agreed they could be included in the discount program allowing us to have 17 trees scheduled for cutting and grinding for \$3,300. That's \$200 a tree. We would now like to repopulate those trees. The new Special Projects Chairman's first priority will be to research companies that would be able to plant all trees at the same time.

The Northpoint South CDS has been completed. This CDS was desperately in need of help and even contained poison ivy. Watering was also a problem; however, several residents have agreed to water this CDS; and we are hoping to get help from other residents on watering other CDSs.

The third thing that was done on proactive basis was to treat Cattails and Phragmites in our lakes. Last year we ran a test on Sandshores Lake that had two patches of Cattails. First the Cattails were cut down, which was followed by five applications of chemical spraying. The cost was \$250 to cut and \$50 for each spray application. They have now been eradicated. Cattails and Phragmites have been seen on Andale and Walker and an eradication program began on those two lakes this fall. Spraying will be completed in the spring. This problem will never go away, but residents are asked to watch the lakes so treatment can begin as early as possible.

Other projects included the building of a new ramp on Sandshores beach replacing 9 of the 11 sections of cement and installing a sea rat wall along each side of the ramp. Also, the sign on Sandshores beach was rehabilitated by our Maintenance Chairman. There is a three-year plan to continue updating CDS landscaping and adding paver paths where needed.

Treasurer's Report and 2013 Budget Presentation – President Haxer discussed the 2013 Proposed Budget (**Attachment #1**). Two reasons were given as to why there was a \$3,200 overage on Lakes: 1) the extra amount of weeds in the center of the lakes and 2) the settlement of a recent litigation. The portion budgeted this year for the litigation was \$10,000 but the actual cost was \$12,500. The total was about \$18,000 of which \$6,000 was spent last year.

Because there was no Special Projects chairman for the earlier part of the year, \$2,900 of the Special Projects budget was used for some of the above expenses. However, a transfer of \$6,500 was still able to be made into the Reserve Fund. As of tonight, the Operating Cash is at \$40,000 and the Reserve Fund is just under \$51,000. Additional money was put into Lakes with the hope that the entire amount will not be needed if we have a normal (cold) winter. Grounds maintenance remains the same. A larger amount was budgeted for FunDay due to its increased popularity. This is one of the highlights of our Village. Total income projected is \$114,248, so basically we do have a balanced budget. Several questions were discussed: QUESTION: What does advertising entail? ANSWER: Advertising is mostly for publication of the newsletter. QUESTION: Is there any money allocated from the Lakes budget for eradicating Phragmites in the Creek? No, ELV cannot treat the Creek without permission from the County. Since ELV does not own the Creek, it is not responsible for treating it and there isn't any money for that at this time.

Bruce Gleba moved to approve the 2013 Budget as presented; Scott Wetzel seconded and the assembly approved by unanimous vote.

Vote on the 2013 Annual Dues – President Haxer said it has been four years since there has been a dues increase; however, the Board has proposed to keep the dues at \$200. Also, our current treasurer will soon be moving making it essential to find someone to run for that office. If there is one position on the Board that is exceptionally important, it is the Treasurer. As a contingency plan, the Board has looked at the possibility of hiring a treasurer to do the paperwork. This would include about 100 hours a year at \$35-40/hour or \$4,000/year. The extra cost would average about \$10/year per household, which may necessitate a dues increase for next year. This was mentioned as a prelude to the dues decision. President Haxer called for a motion to approve the dues noting that a two-thirds vote (67%) is required. **Ray Donnelly moved keep the annual dues at \$200. The motion was seconded by Jay Reynolds and the assembly unanimously approved.**

Introduction of New Candidates Including A Short Biography – Vice President Dan Ewald will be taking on other responsibilities and will not be returning to the Board. Dan was thanked for his exceptional service on the Restrictions updating. John Martin, a 25-year resident, has agreed to fill that position. John is an attorney and has worked on ELV's Restrictions and Bylaws in the past and will dedicate himself to complete the update of the Restrictions.

Election of the Nominating Committee – President Haxer called for volunteers to serve on the Nominating Committee. Henry Allemon and Don and Diana Douglas accepted the challenge. **Margaret McLand moved to nominate Henry Allemon and Don and Diana Douglas to the Nominating Committee. Laura Heyniger seconded and the assembly unanimously approved.**

Election of Directors – The new slate of officers was presented to the membership as follows: for President: Doug Haxer; for Vice President, John Martin; for Recording Secretary, Karen Charnawskas; for Corresponding Secretary, Kathleen Donovan; for Lakes Chairman, Tom Kuhn; for Maintenance, Joe Power; for Restrictions, Jay Reynolds; for Security, Allan Boots; for Membership, Andrea Allemon; for Special Projects, Kay Pomeroy. The office of Treasurer remains open; however, Megan Marx, currently a registered CPA, volunteered to seek the nomination for that office, which now provides a full slate of officers.

Since the bylaws were amended last year stating "*The members of the Board shall be elected by ballot of the members of the annual meeting except that if there is but one (1) candidate for an office, the candidate shall be elected by acclamation,*" a vote was called to accept the slate of officers as presented. **Grace Ure moved to accept the slate of officers as presented; seconded by Ray Donnelly and the assembly unanimously approved.**

Social Activities Reports

- Adult Holiday Party/Pam Kondziola and Irene Walter
 - Pam Kondziola reported that the Adult Holiday Party is scheduled for Tuesday December 18, from 7-10:00 p.m. at Troy Lanes; tickets are \$10 each. Anyone bringing a canned good will be given a raffle ticket.
- Halloween Parade/Cindy Stewart and Erica Powers
 - Cindy Stewart reported that the Halloween Parade is scheduled for Sunday, October 21, with the children meeting at 2:00 p.m. on Emerald Beach.
- FunDay/Susan Nord and Diane McAllister
 - President Haxer thanked Susan and Diane for running FunDay for the past ten years.

Open Discussion on Updating Restrictions to Include Fine Structure – President Haxer announced that we now have a final draft of the Restrictions redo and John Martin is currently working on the Fine Structure. As of today, we have two options to use in enforcing our Restrictions; writing a letter or suing. The fine structure would provide an intermediary option. The numbers are close to being done; however, in order to incorporate the fine structure, a due process is necessary. A research of the structures of other organizations would ensure that we are going in the right direction. Once the fine structure and due process are in place, we would need 50% plus one of all households within the Village (276 residents) to pass a rewrite of the Restrictions. Some of the items that will be covered in the rewrite include the use of fireworks, residential beach maintenance and sign postings on private property. As a point of information, if fireworks are set off from the lakes, ELV is liable; but if they are set off from a private yard, the homeowner is liable and ELV is not.

Questions from the Floor

QUESTION: Do floating islands count as a boat? ANSWER: No. Floating islands cannot be stored on any lake over 24 hours. They must be removed.

QUESTION: Concern was expressed about the Willow tree hanging over Sandshores Lake. ANSWER: This is the tree and property that litigation was served on. The final language stated that it must be maintained to its current size and shape at the time of signing. A letter was sent on September 25, 2012, saying the tree is in violation and has not been maintained. In addition, the yard has not been maintained to a minimum standard. There is a 30-day time period for the owner to comply, and we are in that time period right now. At the end of 30 days, a mediator will have the final say as to who is right or who is wrong and the wrongdoer must comply.

QUESTION: Will it be spelled out as to what can be done if someone is not in compliance? ANSWER: Yes, we can schedule work to be done and bill or lien the offender if the mediator agrees with our decision.

QUESTION: A resident approved the fact that people have been taken to small claims court to obtain back dues and wondered how effective has that been? ANSWER: Out of 550, there are currently only two residents past due.

QUESTION: The Lakes budget is twice as much as any other item on the budget and yet a resident who lives on Crystal Lake says the weeds are out of control. He contends that LakePro says they have to get permission from the Board to do more spraying. Why hasn't the Board given permission? ANSWER: The weeds in question came at the end of the year and the Board felt it would not be productive to go more in the hole to treat them this late in the season. Increased spraying has been budgeted for next year, but it is hoped that there will be a colder winter that will kill off more of the weeds. Another point to be made about the lakes is that the MDEQ says we cannot treat a whole lake at one time. It can only treat the edges and then spot treat. So each time the Board asks LakePro to add something, there is an additional cost; plus a new permit must be pulled every time the center of any lake needs to be treated.

QUESTION: When walking on Atkins, there is one house with pine trees hanging over the sidewalk. Can anything be done about that? ANSWER: Since this problem is on personal property, it was suggested the concerned resident email the Board and officially ask them to look into it. It was also stipulated that if the City of Troy is notified, they will send a violation letter. The homeowner who complained will contact the City and then the Board if necessary.

COMMENT: A resident thanked the goose busters for their diligence in chasing geese away. REPLY: As a point of information, the goose busters are being phased out because the crackers they now use must be stored in a special fireproof and inspected safe; and each person must have his own safe. The Security Chairman is working on an alternative method...that of using fireworks, which has been working well.

QUESTION: A resident mentioned that she saw a laser being used to scare geese away. ANSWER: The Board does not encourage laser use for liability reasons.

QUESTION: A resident asked if there was an ordinance on non-restrained pets as there is one individual with a dog who allows it to run free every evening. ANSWER: The Restrictions say a dog must be leashed. It is also a City ordinance. ELV has been advised that the City of Troy must hear incidents of this kind so they can act. If this is an aggressive dog, the resident should contact the City who will call Animal Welfare.

QUESTION: Another resident asked, "What about cats?" ANSWER: The restrictions say "any animal must be leashed if outside." As a point of information on animals, our new Restrictions will state that there will only be three dogs or any combination of animals allowed to be harbored at any one residence at one time.

REQUEST: At the end of the year, the Board hopes to have the 2013 Directory available. Please call Andrea Allemon especially if home phone numbers have been changed over to cell phones.

QUESTION: Last week there was a very large truck carrying tree trunks and other heavy items through the Village. Is this safe for our streets? ANSWER: It would be wise to get the name of the company and report it to the Board.

COMMENT: A resident offered his thanks for the boat disposal program.

COMMENT: President Haxer extended a special thank you to the Refreshments Committee for providing the tasty goodies and beverages during the meeting.

Adjourn – There being no further business, the meeting was adjourned at 8:41 p.m. **Paul Clark moved to adjourn the meeting. Bruce Gleba seconded and the assembly approved.**

Karen L. Charnawskas
ELV Recording Secretary

APPROVED October 23, 2013

Attachment #1 – 2013 Proposed Budget (Hard Copy)