

**ELV HOMEOWNERS ASSOCIATION
FALL ANNUAL MEETING
WEDNESDAY, OCTOBER 23, 2013
TROY UNION ELEMENTARY SCHOOL CAFETERIA
7:00 P.M.**

MINUTES

Call to Order – The meeting was called to order at 7:05pm.

Welcome to New Residents – Two new residents were introduced and welcomed to the community.

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

Introduction of the Tellers – Two residents will serve as tellers this evening, Scott Wenzel and Alex Turley.

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 64 homes represented; therefore, we have a quorum.

Awards Presentation

- 2013 Fishing Contest – There were 15 winners of this year's fishing contest whose names were announced in the October ELV Newsletter. Chairman Derrek Zdeb prepared awards for each and had them available for pick-up during and after the meeting.
- 2013 ELV Volunteer of the Year – Membership Chair Andrea Allemon announced President Doug Haxer as the 2013 ELV Volunteer of the Year

Approval of the 2012 Fall Annual Meeting Minutes – President Haxer called for a motion to accept the minutes as presented. **Resident Nancy Wenzel moved to accept the 2012 Fall Annual Meeting Minutes, Resident Ray Donnelly seconded and the assembly unanimously approved.**

President's Remarks – President Haxer thanked the following residents for their assistance as follows: Megan Marx for stepping up to serve as Treasurer for this past year and working so hard; Joe Lowry for accepting the challenge of Security Chairman; Bruce Gleba, who posted the signed for tonight's meeting and will store them until they are needed again; Social Committee Chairs Pam Kondziola and Irene Walter for handling the Adult Holiday Party; Yvonne Misuraca and Jody Sway-Tin, who provided tonight's refreshments; Jim Charnawskas for providing the extra microphones; Sue Beach for auditing the Treasurer's books this year, Ray Donnelly for handling the boundary and survey issues, and Ken Grand for coordinating the GooseBusters.

It has been an interesting year. We had a problem with obtaining our permit for treating the lakes and did not receive it until June 8. In the meantime, our lakes became very bad. The State agreed to meet with us, and we also met over two hours with the director of the DEQ. The

resolution was good for us. We will now be able to treat Emerald and Pebble with blue dye just as we do for our smaller lakes but not Walker because it flows into the Renshaw drain. The Board decided on the following course of action: Walker will get a special treatment in the central portion to treat Illinois Curly Pond Weed, which spreads dramatically. It is hoped that the blue dye treatments in five of our six lakes will cut down on the volume of the herbicides, which will save money. Thanks to Tom Kuhn for all he did to get us where we are now.

- It was amazing how neighbors stepped up to help one another during the recent storm, and a special thank you goes to Dana at Allstate tree, who spent ten days in the Village cleaning up the CDSs and entrances without charge. Thank you, Allstate Tree!
- This summer, a Restrictions vote was taken. It was publicized beginning in June. The first count was done in August with 157 votes in. A total of 287 YES votes were needed to pass. A seminar was held in September and published it in the newsletter. As of October 17, with 356 votes cast we have 351 yes votes, 51 no votes, and 4 abstentions or no signatures. There were many volunteers, Board members and residents who went out and gathered 199 more votes by knocking on doors. With that said we anticipate on presenting the *Fine Structure and Enforcement Procedures* for approval later this evening.
- We are in the third year of the five-year Special Projects plan. This year we completed Sandshores and Sandy Point CDSs. Thanks to Kay Pomeroy for completing three in one year. In 2014 we will do Walker and Little Creek CDS leaving Pebble Point and clean-up on Emerald Lake CDS. We hope to be below budget. Thanks Kay.
- As fall arrived, we asked LakePro to provide a Google map of Phragmites and Cattail patches on all our lakes. Last year we treated six Phragmites patches using AquaNeat to treat them all. Two weeks later they were turning brown, and next week those patches will be cut down. This will not solve the problem. All we can do is fight it. Resident Dan Kreza has done this for us to save money as LakePro was very expensive.
 - QUESTION: Does the DEQ recommend removing cattails?
 - ANSWER: Yes, as they are not good for the lakes.
 - QUESTION: Are we servicing the drain?
 - ANSWER: No. There is a Troy Drain Maintenance Office who would handle that. He can be called on all matters concerning clogging of the drain. Residents are encouraged to contact the City regarding fallen trees from the recent storm.

Treasurer's Report and 2014 Budget Presentation

- Discussed the budget and passed out a copy to the residents (**Attachment #1**). We are ahead by \$11,509 with most expenses accounted for. We anticipate normal expenses for the last five weeks going forward, which should keep us under budget. We had two areas that were not planned for such as Sandshores beach ramp last year and in 2011 the pump went, so it was necessary to pull it from one place to another without damaging the other things we need to do. By the end of the year we should still be under budget.
 - QUESTION: What is included in administrative expenses?
 - ANSWER: Newsletter, copying, filing of the Restrictions, etc.
 - QUESTION: How do we get security so cheap?
 - ANSWER: We contract hard and project how many runs we do in a particular year and give emphasis in certain parts of the year. We try to

get everything on a three-year contract. FYI, there are extra runs being made tonight.

- Kathleen is working on obtaining advertising for the newsletter, and our Reserve Account gains a small amount of interest for us.
- Will be putting the maintenance contract out for bid. All contracts will be put on a three-year basis, and we will continue to build our Reserve Account.

Vote on the 2014 Budget – President Haxer called for a motion to accept the 2014 Budget. **Resident Ray Donnelly moved to approve the budget. It was seconded by Resident Roger Kaniarz and the assembly approved.**

Vote on the 2014 Annual Dues – President Haxer called for a motion to approve the 2013 dues. **Resident Ray Donnelly moved to keep the annual dues at \$200.00. It was seconded by Resident Tom Gueth and the assembly approved.**

Election of the Nominating Committee – President Haxer asked for volunteers to serve on the 2014 Nomination Committee. Resident Henry Allemon, who was unable to attend this evening, has volunteered to chair this committee. No additional volunteers came forward during the meeting; therefore President Haxer called for a vote to accept Henry as the chairman of the 2014 Nomination Committee. **Resident Mike Farrug so moved. Resident Carol Hood seconded and the assembly approved.**

Election of the Board of Directors – The 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, Joe Lowry; 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 state “*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.

Resident Frank Gerstenecker moved to accept the slate of officers as presented; seconded by Resident Juanita Pez and the assembly unanimously approved.

Social Activities Report

- Adult Holiday Party/Pam Kondziola and Irene Walter
 - Corresponding Secretary Kathleen Donovan reported that the ELV Adult Holiday Party will be held on Tuesday, December 17, at Troy Lanes on the corner of John R and Square Lake. There will be hors d’oeuvres, pizza, checking wings, salad pop, and desserts. If you would like to volunteer your help, contact Irene Walter. Tickets cost \$10 and flyers are available on the hand-out table.

Open Discussion and Vote on the Proposed Fine Structure

- Distributed copies of the *Fine Structure and Enforcement Procedures (Attachments #2)* and *Fine Procedure for Violations of Subdivision Laws (Attachment #3)* for discussion.

Voting will take place only on the Fine Structure tonight as the Procedures merely explain how that Fine Structure will be carried out. President Haxer introduced Vice President John Martin and Restrictions Chairman Jay Reynolds to lead the discussion and go through the rationale.

- Restrictions Chairman Jay Reynolds began the session explaining that the Board has received many calls as to why it cannot bring some homes into compliance, and it is hoped that this structure will help. He then fielded the following questions:
 - QUESTION: How long in between offences?
 - ANSWER: We will give 14 days to come into compliance or they have 10 days to appeal why they shouldn't comply. Basically every 14 days.
 - QUESTION: Would that be on the same offence?
 - ANSWER: Yes.
 - QUESTION: How did the boat issue come up?
 - ANSWER: There are certain households that have watercraft in the yard that haven't been used for an extended period of time. It was noted that this was also brought up at the Restrictions Forum.
 - QUESTION: What about the people on the lake who use them all the time?
 - ANSWER: If they are in use regularly and are not a nuisance, there probably won't be any complaints. We do not go around and patrol.
 - QUESTION: A resident expressed displeasure at having a ballot without a "No" vote, and some residents were very upset that there is a limit of four boats. It may have made more sense if we had said "unused" boats being stored.
 - ANSWER: Jay said the spirit of the circumstance was to get rid of the unused boats that are just sitting there. He will be the middle man to resolve issues should they come up.
 - QUESTION: Is there a due process?
 - ANSWER: Yes, you have the ability to plead your case within ten days.
 - QUESTION: Regarding the overnight anchorage or leaving a volleyball net in the water; isn't a sport's net totally different from a water raft?
 - ANSWER: If no one calls to complain about it, nothing happens.
 - QUESTION: Why don't we supply a storage area for these?
 - ANSWER: We don't have the property for that and would need to purchase property for that use, which would be an additional expense.
 - QUESTION: What about failure to maintain property?
 - ANSWER: Our Village has many senior residents, and we would look for people to assist those residents before we fine them.
 - COMMENT: Note that once we record the actual Restrictions, the reference to the Fine Structure will change.
 - QUESTION: What do we do for the neighbors who continually call about the same things?
 - ANSWER: Our President receives most of the phone calls. The three main items are campers, fireworks and barking dogs or dogs not on leashes. For dogs, call the City. For campers and fireworks, we have a standard. It has to be a written complaint and it has to be a legitimate complaint. We want a friendly and harmonious neighborhood and that is the purpose of these policies.

- QUESTION: Someone complained that she didn't want to cut down her pine trees because she planted them when she moved in 30 years ago.
 - ANSWER: The solution would be to trim the tree from the ground up. However, someone who was a registered farmer said one should not trim pine trees from the ground up. Another person said people need to read the Restrictions before they move in. This is not a new Restriction. A lot of these restrictions are in response to do what the residents have asked us to do. This structure is merely to enforce.
 - President Haxer's input – The other dynamic that is happening in the Village is that we have more and more renters, who do not have the same sense of community that we as owners have. We need to have something in place that will get their attention.
- QUESTION: A resident expressed her big problem concerning fireworks. She is petrified that the house is going to catch on fire as she could hear the ash trickle on the roof and awning. She also has spots on her awning from them.
 - ANSWER: We are sympathetic, but the State law has turned on us.
- QUESTION: Was there not a meeting or two this past summer where this was discussed?
 - ANSWER: Yes
- QUESTION: Someone was upset to not have a "Yes" and a "No" box as it makes no sense.
 - ANSWER: There was information in five newsletters explaining if a resident did not want to vote "Yes," they could write a comment explaining why. Because voting had already started, adding a "No" vote would negate any votes that were already turned in so a comment line was added instead.
- QUESTION: Can we vote on the Fine Structure?
 - ANSWER: Yes.
- Restrictions Chairman Reynolds concluded by saying that this is a closed document and we are reflecting the community thought. Discipline is training on efficiency, and this is your opportunity to maintain discipline throughout the community.
- Vice President John Martin explained that residents should realize that this process only kicks in once Jay has been notified. He then discussed the due process as outlined in the *Fine Procedure for Violations of Subdivision Laws (Attachment #3)*.
- President Haxer called for a motion to accept the Fine Structure and the Fine Procedure as presented. **Resident Wendy Gueth so moved. Resident Juanita Pez seconded and the assembly approved with 44 in agreement and 12 opposed.**

Questions from the Floor

- COMMENT: A resident who lived here for 30 years said this year was the first time she went to FunDay and she loved it!
- QUESTION: If a resident is involved in two separate violations, how does that work?
 - ANSWER: Each violation stands on its own and will be handled separately.
- COMMENT: A former Board member said it was very difficult to find a way to enforce complaints. She is pleased to see a Fine Structure because it is reasonable and shows common sense; and next year, if we don't like it, we can change it.

Closing Remarks

- President Haxer thanked everyone for attending and supporting our Village.

Adjourn – There being no further business, President Haxer called for a motion to adjourn the meeting at 9:15 p.m. **Resident Scott Wetzel so moved. Resident Yvonne Misuraca seconded and the assembly approved.**

Karen L. Charnawskas
ELV Recording Secretary

APPROVED as presented on October 20, 2014

Attachment #1 – 2014 Proposed Budget (Hard Copy)

Attachment #2 – ELV Fine Structure and Enforcement Procedure (Hard Copy)

Attachment #3 – ELV Fine Procedure for Violations of Subdivision Laws (Hard Copy)