

DRUM POINT VILLAGE WEST HOMEOWNERS ASSOCIATION
Minutes of the Fiscal 2004 Annual Meeting of the Homeowners
April 2, 2004

In addition to the homeowners in attendance, the following is noted:

- Board Members Present: Robert Martin (President), Gene-Ann Pesano (Vice-President), Phyllis Ventrello (Secretary), Herb Armstrong (Trustee), Paula Groppe (Trustee)
- Officer Present: Ed Kocher (Treasurer)
- Covenant Members Present: Gladys Pfeiffer

***First Order of Business - Call To Order**

Bob Martin called the meeting of the Board of Trustees to order at 7:30 pm. Bob asked everyone to please turn off their cell phones so they do not interrupt the meeting. He noted that any input from attendees be held until the new business portion of the meeting and that the conversations be limited to 3 minutes per person.

***Second Order of Business - Roll Call**

Gene-Ann announced the names of those who attended the meeting.

***Third Order of Business - Approval of the minutes from April 4, 2003**

David Newmeister made a motion to accept the minutes of April 4, 2003. Fred Weintraub seconded. All in favor. Motion carried.

***Fourth Order of Business - Pooper Scooper Volunteer Needed**

A volunteer is needed to bring the cans out on Tuesday and bring them back in on Wednesday and put a fresh liner in.

***Fifth Order of Business - White Swan Way Tree Update**

Gene-Ann updated the community on the township's drainage problem. She met with Jack Nydem who stated that he may have a crew available during the second or third week of April. Extensions will be put on the drains from the units, buried into the ground, and have them drain out to the street. The trees needed to be removed first. If the drainage work is not completed by the end of April, then the trees will not be able to be replaced until the fall. New rock beds, mulch and borders will be put in. Holes will be filled in with arborvitaes. There are not enough funds available to do the extensive landscaping that was proposed. No final decision has been made on the variety of tree that will be planted to replace the Bradford pears that were removed.

***Sixth Order of Business - (taken out of regular order) Social Security Numbers**

Ed Kocher made a motion that the Board destroy social security numbers that they currently have and to stop collecting them from new homeowners. When the Mignatti issue is settled, it may be necessary to collect social security numbers from any resident who receives return capital for the pool. This would be required for the IRS. Paula Groppe seconded the motion. All in favor. Motion carried.

***Seventh Order of Business - Report of Covenants Committee**

Gladys had nothing new to report.

***Eighth Order of Business - Proxy Statement**

Ed Kocher stated that all homeowners should have received the Proxy Statement with six proposals. He asked if everyone had reviewed the proposals and whether there were any questions regarding them. Bob Martin reported that there was another nomination form that came in late for Terry Bastone of 63 White Swan Way. He asked if Terry would accept the nomination. She stated no, therefore this was a moot point. He then asked for any other nominations from the floor. Bob asked for volunteers to be judges. Dave and Isabel volunteered. Ed asked if there were any objections to these residents acting as judges. There were none. Ed asked if there were any other outstanding proxies that were not turned in yet. He also asked if any residents needed a ballot to vote this evening.

Ed Kocher stated that the total number of eligible units to vote is 87. For Proposal #3 (well drilling) it would require 50% of eligible units, or 44 units to vote in favor. For all other proposals, since they are either amendments to the master deed or the bylaws, they require two-thirds approval or a minimum of 58 units to vote in favor.

The results for the board are as follows:

Paula Groppe	56 votes
Gene-Ann Pesano	65 votes
Phyllis Ventrello	50 votes

The three board members will be reelected to two-year terms to expire on March 31, 2006.

Proposal #1 - *Expand the Definition of Snow Removal*

64 votes in favor / 7 votes against

Proposal #2 - *Immunity from Bodily Injury Claims*

59 votes in favor / 11 votes against

Proposal #3 - *Drilling a Well for the Sprinkler System*

67 votes in favor / 4 votes against

Proposal #4 - *Procedure prior to Voting for Trustees*

67 votes in favor / 3 votes against

Proposal #5 - *Notification to Homeowners of Board Approved "Exceptions"*

67 votes in favor / 3 votes against

Proposal #6 - *Archiving of Social Security Numbers*

12 votes in favor / 56 votes against

Since there were not enough votes for any of the proposals to pass, Ed made a motion to adjourn the voting until the next regular board meeting on May 12. In the meantime, he asked that the board members solicit proxies from any eligible homeowners who have not yet voted. Gladys Pfeiffer seconds the motion. All in favor. Motion passed. Bob Martin asked if the judges would

be available for the meeting on May 12 to count the votes. They stated that they would. The above numbers have been adjusted to include ballots and proxies received on April 2, 2004 and May 12, 2004.

***Ninth Order of Business - Old Business**

There was no old business to be discussed.

***Tenth Order of Business - New Business**

There was a discussion regarding water damage to units from leaking roofs. Bob Martin explained that the association's insurance does not cover the inside of the units. He further explained that the roofs were put on by a contractor that Miller hired and Miller did not get a warrantee, therefore the association has no recourse on the outside other than repairing the damage. Any interior damage must be handled by the homeowner's own insurance.

Ed explained the following specifics about the association's insurance: the sheetrock is owned by the resident, therefore if there is any damage then it must be handled by the resident's insurance. He also explained that he spoke to insurance agencies who stated that there is no reason that an insurance company would deny that claim due to ice damage. It is a natural occurrence that is covered. More discussion ensued regarding insurance policies, suing the association, responsibilities of the residents, and proving gross negligence.

Fred Weintraub proposed that the association contact the unit owners and make a list of those people that have found it necessary to have work done in their crawl spaces to repair damage done by moisture from this ongoing problem. A list of their expenditures should be made and a letter sent to the township to find out from them by what reason these residents will not be reimbursed their monies. He feels that the township should be approached as to the reason why they won't pay these people back.

The issue of parking was discussed and complaints were made regarding residents parking on the street and not utilizing their driveways. The board suggested that residents talk to their neighbors and ask them to be more considerate. Title 39 was discussed. This Title would give the township the right to come in and enforce traffic rules in the community. Residents were reminded that they are permitted to park on Drum Point Road.

***Eleventh Order of Business - Budget**

Ed stated that he distributed his budget proposal to everyone. His proposal had changed from what he had originally sent out in the beginning of March when proxy statements were mailed. Ed originally was anticipating asking the board to raise the monthly maintenance fees by \$7.00 a month. He is now proposing an increase of \$5.00 per month.

Ed explained that the association currently has an \$18,000 fund balance and the target fund balance is \$15,000 so there is currently a \$3,000 surplus. He is taking the surplus and applying it to next year.

Budge Item Increases:

Ed stated that the item that has dramatically changed on the budget proposal is snow removal. In

four of the last five years the community has spent more money on snow removal than what was budgeted for. Instead of budgeting for (three) 4 inch snowfalls, Ed is proposing budgeting for (four) 4 inch snowfalls.

The Landscape budget item is also increasing. This is due to the contractor's hourly labor rate increasing \$10 per hour due to an increase in his insurance and inflation.

Critter and Pest Control is also increasing due to the Centracon System needing to be installed. This budget will be increased \$7,000 over the next four years.

Gene-Ann made a motion to accept the proposed budget from the treasurer with the \$5.00 increase in the maintenance fee. Bob seconded it. All in favor. Motion carried.

The meeting was adjourned until May 12, without objection.

On May 12, 2004, the meeting was continued for the purpose of counting additional proxies. David Neumeister was in attendance to act as the judge for the additional proxies. After submitting his count to the Board of Trustees, the Secretary certified the vote totals (as recorded above).