

ELV HOMEOWNERS ASSOCIATION ANNUAL MEETING
THURSDAY, OCTOBER 20, 2011
TROY UNION ELEMENTARY SCHOOL CAFETERIA
7:00 P.M.

MINUTES

Call to Order – President Haxer called the meeting to order at 7:00 p.m.

Welcome to New Residents - Twenty-one new families have moved into Emerald Lakes Village (ELV) so far this year.

Awards Presentations – Lakes Chairman Tom Kuhn announced the following winners:

- Ken Grand who won the Carp Competition for catching 47 Carp; 45 from Crystal and 2 from Emerald.
- The longest fish were caught by:
 - First Place – Bill Sullivan, who caught a 23” Carp on Walker
 - Second Place – Ken Grand, who caught a 21 1/2" Bass from Crystal
 - Third Place – Lindsey Boots, who caught a 21" Bass from Walker
- Outgoing Board Members, Vice President Bill Clancey and Restrictions Chairman Bruce Berton were thanked for their service.
- ELV Volunteer of the Year, Recording Secretary Karen Charnawskas, was recognized.

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 27.5, which constitutes a quorum. **There were 67 homes represented; therefore we do have a quorum.**

Approval of the 2010 Fall Annual Meeting Minutes – The minutes of the 2010 Fall Annual Meeting were presented and discussed. President Haxer called for a motion to accept the minutes as presented. **Resident Frank Kotcher made the motion; Pam Messano seconded and the assembly approved.**

Introduction of the Tellers – The following Tellers will serve at tonight’s meeting: Frank Gerstenecker, Jim Zoellner, Frank Kotcher and Henry Allemon.

Introduction of Current ELVHA Board of Directors – Current officers are: President Doug Haxer, Vice President Bill Clancey, Treasurer Jerry Elsenheimer, Recording Secretary Karen Charnawskas and Corresponding Secretary Kathleen Donovan. The current Committee Chairs are: Lakes Chairman Tom Kuhn, Maintenance Chairman Joe Power, Restrictions Chairman Bruce Berton, Security Chairman Allan Boots, Membership Chairman Andrea Allemon and Special Projects Chairman Sue Patterson.

President’s Remarks and Q&A’s – President Haxer reviewed the forecasted year-end budget and outlined the work that was done on the cul-de-sacs and entrances thanking those who assisted. It was noted that ELV did have major problems with weed control on the lakes and the Board has upgraded controls with LakePro at no additional charge. Also, a contract is now in place with maintenance for next year. There were no questions from the assembly.

Discussion and Vote on Proposed Bylaws Amendments – Discussion was held on the three Amendments. **Paul Clark called for a vote on Amendments #1, #2, and #3; Paul Messano seconded. The Tellers reported the count as follows:**

Number of Absentee Ballots	17
Number of In-person Ballots	48
Number of Ballots declared invalid (subtract)	1
TOTAL number of valid Ballots cast	64

<u>Amendment #1</u>	In-person	Absentee	Total
Yes	14	12	26
No	32	4	36
Total # of Votes Cast	46	16	62

Since a majority vote (50% + 1) is required (33 votes), the Amendment was DEFEATED

<u>Amendment #2</u>	In-person	Absentee	Total
Yes	45	15	61
No	2	2	4
Total # of Votes Cast	47	17	64

Since a majority vote (50% + 1) is required (33 votes), the Amendment was **CARRIED**

<u>Amendment #3</u>	In-person	Absentee	Total
Yes	41	10	51
No	6	7	13
Total # of Votes Cast	47	17	64

Since a majority vote (50% + 1) is required (33 votes), the Amendment was **CARRIED**

Treasurer's Report and 2012 Budget Presentation – Treasurer, Jerry Elsenheimer distributed the budget reports and explained them briefly. **Paul Clark moved to accept the Treasurer's Report as presented. Bill Luther seconded and the assembly approved.**

Vote on the Annual Dues – **Ken Courtney moved keep the annual dues at \$200.00. It was seconded by Laurie Heyniger. The Tellers reported the count as follows:**

Yes – 48
 No – 1
Total # of Votes Cast – 49
Since a 2/3 vote (67%) is required (45 votes), the Motion was CARRIED

Introduction of New Candidates Including A Short Biography

- President – Doug Haxer was president in 1984 and 1985. He accepted the appointment in July 2012 because he did not want to see the Board without a president.
- Vice President – Dan Ewald has lived in ELV for 30 years and is very familiar with the lakes system. On a side note, he was Sparky Anderson's publicist for 38 years.
- Restrictions Chairman – Jay Reynolds has been an ELV resident for many years and is a recently retired Troy police officer who worked in community relations.
- Assistant Treasurer – This is a newly created, non-voting position on the Board. Bruce Gleba has expressed an interest in serving in this capacity and would be appointed by the Board at the November meeting. Bruce moved into Emerald Lakes Village in 1988.

Election of Directors

- Officers:
 - President – Doug Haxer
 - Vice President – Dan Ewald (new)
 - Treasurer – Jerry Elsenheimer
 - Recording Secretary – Karen Charnawskas
 - Corresponding Secretary – Kathleen Donovan
- Committee Chairs:
 - Lakes – Tom Kuhn
 - Maintenance – Joe Power
 - Restrictions – Jay Reynolds (new)
 - Security – Allan Boots
 - Membership – Andrea Allemon
 - Special Projects – Sue Patterson
- **Frank Kotcher moved to approve the election of the above Directors. Bruce Gleba seconded, the assembly approved.**

Open Discussion on Updating Restrictions to Include Fine Structure

- President Haxer explained that our ability to enforce restrictions is limited to asking, writing letters or conducting a lawsuit, the latter of which seems excessive. We have the ability now to enforce payment by placing a lien on the home. The Board would like to put in place a system of fines for the most common things dealt with such as campers, outbuildings overgrown trees, etc.

- QUESTION: One resident questioned the current litigation and wondered what progress is being made?
 - ANSWER: A spring pretrial court date is in the process of being set.
- QUESTION: Another resident asked “If we fine someone, how would we ever get paid if that person does not comply?” “Is it legal...do we have to do something to our Restrictions to collect money?”
 - ANSWER: Yes, it is legal and should be in our Restrictions; however, further research is needed on a fine structure before anything can be put in place. President Haxer explained that the Board needs to be sure the residents want them to pursue this before going any further.
- **President Haxer called for a vote asking the assembly if the Board should further pursue setting up a fine structure. The assembly raised the GREEN card showing its approval.**

Closing Remarks – President Haxer – President Haxer discussed Sandshores beach and its poor condition. There is now a reserve of \$44,000 to use in correcting problems on all our lakes. One problem is the new growth of Cattails. Every lake has them now. We did a pilot on Sandshores that had three (3) large beds. The Cattails were chopped down and will be treated by LakePro. Residents were requested to cut new growth as soon as it appears.

- QUESTION: Is it possible for ELV to spray the Creek?
 - ANSWER: The Board’s official position is that it must do things that benefit the entire community. The Creek’s waterway belongs to Oakland County and the County needs to realize that this is their problem. ELV’s Special Projects Chairman will champion this project. The Special Projects Chairman has met with the Water Ways Department and was told all they will do is waive the expense to the resident. The only resource they can get through the City is to waive the permit fees, but the residents would have to take on the expense of treating the Creek. The Board will entertain a proposal when and if one is received.
- QUESTION: Are Cottonwoods and Willows restricted?
 - ANSWER: Yes, to new plantings only; not existing.
- QUESTION: A complaint was made regarding the Lyster Lane Entrance saying it has been neglected all year long and looks ugly.
 - ANSWER: This has been put on the Special Projects agenda.
- COMMENT: The ELV Holiday Party was announced and flyers are available. The cost is \$9 per person and the dress is casual.

Adjournment – The meeting adjourned at 8:18 p.m. **Bill Luther moved to adjourn the meeting; Jim Zoellner seconded and the assembly approved.**

Karen L. Charnawskas
ELV Recording Secretary

APPROVED October 9, 2012