

# ENCHANTED FOREST PROPERTY OWNERS ASSOCIATION

## BOARD OF DIRECTORS MEETING GUTHRIE LAKES CLUBHOUSE JANUARY 9, 2010 9:00 a.m.

### MINUTES

Attending: Tom Goodell, Jason Hoffman, Karen Yale, Carlee Allen, Laura Hodder, Doug Schneider, Deb Noble, Sarah Madonna, Nancy Gregg

I. Motion to approve November 14, 2009 Regular Meeting minutes as presented.

Motion to approve November 14, 2009 Minutes by Deb Noble, second by Nancy Gregg  
Motion Carried 9-0

II. Motion to approve November closed minutes

Motion to approve November 14, 2009 Closed Minutes by Laura Hodder, second by Deb Noble  
Motion Carried 9-0

III. No public comment re agenda addition

IV. President's report

A. Board received email from Cherry Capital Internet, will discuss further in agenda

V. Treasurer's report

A. Purchased Quickbooks; working w/ accountant to verify numbers, create one set of books between clubhouse, treasurer and accountant

1. Working on dues invoices

a. Supplied copy to Board for review, suggestions, changes

b. Carlee to work with Budget Committee member Karen Yale, Property Manager Dan Yale to make sure everyone is trained, on same page

c. Dues invoices will be ready to go out in next week

B. Profit/Loss and Cash Flow statements distributed, reviewed

1. For 2009, \$177,000 in revenue, \$166,000 in expenses

2. Association also took \$25,000 line of credit loan in both 2008 and 2009

a. Overspent in 2008 and 2009

b. Needed cash flow to cover expenses at end of year

c. LOC loan is at 5% interest; pay off when dues begin to come in

3. LOC is through Northwestern; Independent Bank LOC closed and Karen Yale's name was removed

C. Treasurer recommended proposed 2010 budget; distributed for review

1. We have close estimation of what was spent last year, used these figures to determine this year's budget

a. Will have balanced budget assuming stay close to budgeted amounts

2. Used assumption that 610 lots pay dues
  - a. Need to review actual # of lots that pay
    - i. Bradford Scott does not pay, have approx 20 lots
3. Will review dues received to date at April 3, 2010 meeting
  - a. Determine at that time if Board is in position to adopt revised budget
  - b. Payroll taxes may be in budget twice; Treasurer checking with accountant to confirm, adjust as necessary
  - c. Questions on tracking cash – where is this tracked? Activities line item.

Motion to adopt 2010 EFPOA budget as preliminary with option to adjust in April as needed by Deb Noble, second by Tom Goodell

Motion Carried 9-0

- D. Eight lots going up for lien sale; approx \$12,000 in back taxes owed on lots
  1. No money in budget to pay back taxes
    - a. Less than \$500 owed on six of these lots

#### VI. Manager's Report

- A. Dishwasher in and fixed, running well
- B. After November meeting, called propane company to hold off on filling due to cash short flow
  1. Propane company filled recently but bill won't be due for a couple of months
  2. Propane should hold us next couple months
- C. Board: Is there an update on manager's internet class?
  1. One company no longer offering
  2. Another company \$200/month, covering a different area each week
    - a. Would take approx 4 weeks @ one class/week to complete class
    - b. Contracted computer helper Brad would be able to participate as well
    - c. Manager has not enrolled as yet

#### VII. Employee Relations

- A. Doug Schneider and Deb Noble met with Property Manager, finalized contract for next two years

#### VIII. Budget and Finance

- A. Nothing different from treasurers report
- B. Over budget last two years, really need to hold tight this year

#### IX. Military

- A. Quiet, no complaints

#### X. Security

- A. No issues, quiet

#### XI. Rules and Regs

- A. Nothing to report

#### XII. Buildings and Grounds

- A. Received letter from Mark Morrell regarding use of temporary structure on his lot last summer
- B. Follow-up on Mr. Warsko's tree cutting?

1. Association had given until November 1<sup>st</sup> to replant trees
2. Mr. Warsko and Board had mutually agreed that he would complete plan to replant trees
  - a. Has planted some; no evidence how many or if complete number he agreed upon
3. What follow-up do we need?
  - a. Do we call and request remaining trees or has he met his obligation as is?
4. Biggest issue is enforcing Association's deeded restrictions
  - a. Can't treat any one person differently than anyone else
5. Should be handled by Rules and Regulations committee
  - a. Jason Hoffman and Dan Yale will visit home and give report back on inventory of trees, send letter based on results
  - b. Based on outcome, will determine if there need to be more trees planted

XIII. Communications Committee

- A. Working on January Lyric
  1. Would like various offices, committees to provide input so newsletter provides updates from all areas of board
  2. Would like to have can drive to support miscellaneous ctivities on Memorial Weekend; include note in Lyric
  3. Add note about lots for sale
  4. Include information about accepting sealed bids for Lot 34 by February 1<sup>st</sup>
- B. Discuss adding Survey Monkey link on website for possible future use in getting resident input on deeded restrictions, other board info requests
  1. Secretary will look into what this would require, how to implement
- C. Need to send letter to Mr. Japowicz offering opportunity to collect personal belongings from his former property
- D. Japowicz to contact Dan Yale et al to make arrangements

XIV. Letter from Mark Morrell RE temp garage on property to cover boat

- A. Also spoke at November Board meeting
  1. Board appreciate his concern, way in which he is communicating w/ Board
  2. Rules & Regs prohibit temporary sections in this section of EFPOA
  3. Board will write response to Mr. Morrell
- B. Mr. Novak sent letter to Dan, Dan frwd to secy; included in packet

XV. Activities

- A. Christmas Eve approx 65 in attendance
- B. New Years eve approx 95 in attendance
  1. Send thank you letters to people who arranged to get pig, cooking/pick-up with Dowkers
- C. Need to schedule activities committee needs meeting to discuss/fine tune:
  1. Ground Hog
  2. Valentines Day
  3. March 17th
  4. Easter
  5. May Memorial Day
  6. Annual Meeting w/ cookout
  7. Labor Day
- D. Need some fundraiser ideas
  1. Car wash
  2. Can drive
  3. Neighborhood yard sale

- XVI. Bree update
  - A. Board doesn't have authority to authorize Peggy to attend association events
  - B. Doug and Bob discussed letter revision in November that would allow Peggy to attend clubhouse, association events
    - 1.No resolution at this time
    - 2.Bob Bree will need to bring in letter for formal board action in order to finally resolve issue
    - 3.At this time no letter has been brought; Peggy cannot come to events
      - a. Will include revised letter as Doug Schneider presented to Bob Bree in October
      - b. Reiterate that any future infraction, as with any resident, would come to the board; letter provides closure for previous incident, not intended to perpetuate punishment into the future
  
- XVII. Deeded restrictions committee
  - A. Has been prior effort to compile three sections of deeded restrictions into one document and update language
  - B. Doug Schneider will bring prior updates/drafts to date to April meeting for further review
  
- XVIII. Internet
  - A. Sporadic connectivity issues continue
    - 1.Secretary received email from Cherry Capital Connection wanting to discuss internet connectivity issues, possibility of renewed relationship
  - B. Believe that majority of owners want access; inability to get signals consistently throughout association
  - C. Association has spent \$10,000 over two years
    - 1.20 subscribers barely covers costs
    - 2.Is covering costs all we care about, or do we want to benefit more of the association
  - D. Original minutes said "at no cost association"
    - 1.Have incurred expenses; what breakeven are we looking for?
    - 2.Board did agree to make initial investment to get up and running
    - 3.Now need to decide if this is good enough or do we need to look at other options
  - E. There could be/should be solution where everyone could get service if they want it
  - F. What are additional costs?
    - 1.We don't know
  - G. Are we willing to invest more, will everyone be able to get it?
    - 1.What is the solution?
    - 2.How much higher can we go?
    - 3.Need more tower(s) in other areas of the association
      - a. Home owners could put higher tower on their houses, still not guaranteed; wind concerns
  - H. How many can T1 feed w/ reasonable speed?
    - 1.Takes approx 20 people to pay for one T1
    - 2.How many people do we need before we can add a 2<sup>nd</sup> T1?
    - 3.Doug Schneider asks property manager for feedback/input
      - a. Working like we planned; if we want to provide additional access, will need to update, expand equipment
      - b. How much add'l \$\$ are we talking about? Unknown at this time.
      - c. Need research on who/how many want

- d. If there are more who want it, what needs to happen to make it happen and at what cost to Association?
    - 4. How do we provide internet to OUR community
    - 5. Are we breaking even?
    - 6. Consensus:
      - a. Investigate other options regarding improving signal strength
      - b. Improving signal strength to people who just can't get it
    - 7. If CCC could put repeater, additional tower on GL equipment, think entire association could get signal
    - 8. Can Dan research additional locations for placement of equipment to pull in sufficient signal
      - a. Research to see if outside provider can provide what we need to make this work?
      - b. Want internet available to community without obligating Association to anything further
      - c. Dan and Carlee to further review options: Dan internal, Carlee external
- XIX. Liens/Foreclosures
  - A. Lot 34 needs to be put up for sale
    - 1. Assessed value \$31,900, worth approx \$64,000
    - 2. Establish minimum bid of \$30K
    - 3. Accept sealed bids for two week period (2/1 – 2/15)
    - 4. Open bids at special Board meeting on 2/20 @ 9:00 a.m.
      - a. closing w/in 30 days of that date
      - b. Property being sold AS IS
      - c. Association takes no responsibility
    - 5. Leave open for one day for public viewing on Saturday or Sunday
      - a. Put it in Lyric
      - b. Post on board
      - c. Internet site
      - d. Email blast list
  - B. 282 Knight going up for tax sale
    - 1. Already have 283; should association have both?
    - 2. \$453.95 owed on back taxes pd by 1/31
    - 3. If we pay taxes, won't go into tax sale and we can foreclose
    - 4. Keeps the lot for future association use
  - C. Lot 130, 155, 549
    - 1. Lots for sale
    - 2. Put in Lyric
    - 3. Accept sealed bids same dates as Lot 34
      - a. Minimum \$1,500 each or necessary funds to cover past legal or tax fees (information to come from Dan)
      - b. Accept highest sealed bid on these lots at Feb 20<sup>th</sup> board meeting.
    - 4. Sale of 637 to Long needs to be registered w/ township
      - a. Quit claim deed?
      - b. Start billing Long for dues
  - D. Start proceedings on three properties owing over \$1200?
    - 1. 647, 129, 282 (assoc to keep)
  - E. Start proceedings on properties owing \$1,000

1.209, 229, 651, 344, 471

E. Pay taxes and start foreclosure?

F. Review details for liens, other monies owed

1. Decide how to proceed based on outcome of what is found out

2. If no other liens, pay back taxes and start foreclosure?

3. York and Swartski lots need letter as well, lien, start foreclosures

Motion to review liens, pay back taxes where applicable and start foreclosure proceedings on lots 129, 209, 651 by Tom Goodell, second by Karen Yale.

Motion Carried: 8-1

Motion to review liens, pay back taxes where applicable and start foreclosure proceedings on lots 647, 229, 344, 471, 571, 443 by Deb Noble, second by Laura Hodder.

Motion Carried: 9-0

Motion to review liens, pay back taxes and start foreclosure proceedings on lot 282 by Carlee Allen, second by Nancy Gregg.

Motion Carried: 9-0

## **PUBLIC FORUM:**

Tim Malone – Cherry Capital Connections

- Understand that it is ok to come even though not an association member.
- We had emotional issue a year ago, hope we can get beyond that in hopes of working together.
- CCC has internet connections working at Viking Club, Ram Neck and Military post; goal is to bring service to Guthrie Lakes as well.
- Job would be easier if we could lease Guthrie Lake's tower
- Committed to being service provider in this area
- Open to price-per-month agreements for association members

Roger Prost (Lots 666 & 667)

- Who is Bradford Scott?
  - Original developer
- How many parcels owned?
  - Own approximately 20 lots
- Why are they exempt from paying dues?
  - Law suit in early 1980's to take association control away from Bradford Scott, form EFPOA
  - Legal agreement at that time to exempt Bradford Scott from paying dues in order to take Association control away from Bradford Scott
  - Agreement also entitled Bradford Scott to vote and use amenities

Eleanor Rather (Lot 429)

- New Years Eve party was managed badly
- People come in early to save seats; no one should be allowed to save spots
- Tables were set up poorly with food and eating arrangements in same room

Conclude public forum

XX. Lot 54 Sainz and Lot 582 going up for tax sales

A. 54 – owes past dues and tax sales \$430, will go over \$1000+

B. 582 – past dues and tax sales \$433, will go over \$1000+

C. Empty lots

- XXI. What communications have we had with these property owners who are so far behind?
- A. With 282 across from clubhouse, could we send letter advising property will be going to tax sale, does owner have any interest in just turning property over to association
  - B. Owner could quit claim deed it to us if no liens
  - C. Will cost association back taxes
  - D. If association decides to keep, will have to dedicate and file for tax exempt status
    - 1. Need to do for both 283 and 282
  - E. If owner is not interested in quit claiming to association, will still pursue paying taxes, purchase through tax sale
  - F. Could begin practice of sending this type of letter to all people on this list
    - 1. Giving fair warning property will go to foreclosure
    - 2. Offer option to quit claim property to Association; otherwise, proceed with foreclosure
- XXII. Dues statements
- A. If any changes needed, let Carlee know
  - B. Hope to send invoices out by Monday, January 18
- XXIII. Discussing discount structure for dues
- A. Is reducing amount of discount feasible?
  - B. Potential to offer multi-lot discounts in future as well
    - 1. \$280 lot 1, 2<sup>nd</sup> + lots \$260

Motion to decrease discount on annual dues for the first lot only to \$280 if paid by March 1<sup>st</sup>; second/additional lots will remain at discounted level of \$260 if paid by March 1<sup>st</sup>. Dues paid after March 1<sup>st</sup> or in two installments remain at \$170 per payment, per lot for an annual dues per lot of \$340 by Nancy Gregg, second by Laura Hodder.  
Motion carried: 9-0

- XXIIIX. Schedule Special BOE meeting at 9:00 a.m. on February 20, 2010 to open sealed bids for Lot 34
- A. Post notice on website, at clubhouse, include in Lyric
  - B. Will allow interested parties to submit proxy votes

Motion to accept highest bid at a February 20, 2010 Special Board Meeting with a minimum bid of \$30,000 by Karen Yale, second by Doug Schneider.  
Motion Carried: 9-0

Motion to adjourn January 9, 2010 Regular Board meeting at 12:30 p.m. by Laura Hodder, second by Jason Hoffman.  
Motion Carried: 9-0