

ENCHANTED FOREST PROPERTY OWNERS ASSOCIATION

**BOARD OF DIRECTORS MEETING
GUTHRIE LAKES CLUBHOUSE**

JUNE 5, 2010

9:00 a.m.

MINUTES

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

- I. Recorded meeting notice
- II. Call to order
- III. Agenda Additions
 - A. Letter from property owner Scott Kase regarding interest in fencing around tennis courts
 - B. Information provided by property owner Keith Proulx regarding EFPOA internet and owner's current service with Cherry Capital Communications (CCC)
 - C. Property Manager Interview: candidate Michael Foley

Motion to accept June 5, 2010 Agenda as written by Deb Noble, second by Tom Goodell

Motion carried 9-0

- IV. April 10, 2010 Regular Minutes approval
 - A. Amendments:
 - 1. Agenda Item X(L): Amend Property Manager vacation time used to-date
 - 2. Agenda Item X(O): Amend summer help agenda item to reflect that Property Manager never offered staff member summer hours

Motion to accept April 10, 2010 Regular Meeting Minutes as amended by Sarah Madonna, second by Carlee Allen

Motion carried 9-0

Motion to accept April 10, 2010 Regular Meeting Closed Session Minutes as written by Laura Hodder, second by Carlee Allen

Motion carried 9-0

- V. Interview for Property Manager candidate Mike Foley
 - A. Doug Schneider invited candidate to sit at Board table
 - B. Sarah Madonna: Can we ask questions about the process?
 - C. Doug Schneider: Yes. I want to explain the process we went through
 - 1. What we had in discussion at last Board meeting
 - a. Ad in paper requesting resumes from community, opened up for anybody who wanted to apply for the job
 - 2. Received, reviewed 33 resumes for position
 - D. Deb Noble: Carlee and I reviewed the resumes and narrowed it down to a pile of five-six potential candidates
 - 1. These resumes were then scanned to Doug Schneider for his review
 - 2. Resumes for all of the Guthrie Lakes candidates were scanned to Doug as well
 - 3. Doug further reduced the selection to three candidates; committee agreed to proceed with phone interviews of these candidates
 - a. This process culminated in bringing Mr. Foley to the meeting today to be interviewed by the Board.

- E. Audience (Mr. Schmidt): Doug, are you saying all qualified candidates interviewed?
 1. Doug Schneider: Did not interview all candidates
 - a. Used phone interviews to narrow selection to this candidate
 2. Don Schmidt: I live here, I'm qualified, I never even got a phone call
 3. Doug Schneider: Sir, this is not open to public comment at this time
 - a. Don Schmidt: Well It should be; this is what we're all here for. I pay my dues. I want to speak my mind.
 4. Doug Schneider: I understand. During public comment you may comment about that. This is not open to public comment
 5. Sarah Madonna: Is the Board going to be allowed to comment on the process?
 6. Doug Schneider: Yes. If you feel at this time the process was done unfairly, we'll discontinue
 - a. I apologize to you Mr. Foley; you're dismissed at this time
 7. Sarah Madonna: sir, I would say to you this has nothing to do with you
 - a. I am sure you're a qualified candidate
 - b. My issue lies right here at this table
 8. Deb Noble: thank you for coming
 9. Jason Hoffman: there are a lot of qualified people who didn't even get a phone call
 10. Sarah Madonna: Was the committee in complete agreement on the process you followed?
 - a. Doug Schneider : we were not all in agreement at all times
 11. Laura Hodder: I have not had the email stating who the applicants were, or who was involved
 - a. We have no idea what is going on
 - b. No clue who the applicants were, where they were from
 12. Doug Schneider: the Board empowered us to find a person
 13. Karen Yale: I understood that we'd get a committee together, maybe with some community members; I thought the Board wanted Dan involved
 - a. (Audience indicates approval)
 14. Laura Hodder: Thank you. Yes. Exactly
 15. Sarah Madonna: Is it not past practice that the community has been involved?
 16. Nancy Gregg/Laura Hodder: Yes. The community has always been involved
 17. Doug Schneider: At this point, I'll leave it up to the board how to proceed
 18. Laura Hodder: we have 33 applicants
 - a. We need to form a committee of board & community members
 - b. There are several people out here who can make the time. We can get it together.
- VI. Managers Report – Dan Yale
 - A. Ordering paddleboat seat, new pool hose at clubhouse
 - B. People in place to run clubhouse if replacement not found in time
- VII. Employee Relations – no updates
- VIII. Budget and Finance – no updates; treasurer's report to follow later on agenda
- IX. Military
 - A. Received email w/ info on movements planned for June-July
 - B. Posted on EFPOA website calendar
- X. Security – no updates
- XI. Buildings & Grounds
 - A. Warsko update
 1. Have not talked to him
 2. Committee needs to make verbal contact to see what status is
 3. Doug Schneider: if not going to replace the trees, determine what trees will cost and can place a lien for violation of not replacing trees
- XII. Communications

- A. Web site updates have been made to
 - 1. Calendar
 - 2. Current Lyrics posted
 - 3. Current minutes & treasurers reports posted
 - 4. Board Roster
 - 5. Election materials sent
 - XIII. Activities
 - A. Neighborhood yard sale on June 12th
 - B. Last day of school party on June 8th
 - C. 3rd of July BBQ
 - 1. Legend Park preparation
 - 2. Mow first, move grill, picnic tables over
 - 3. Buy 200 burgers; 50-60 hotdogs; buns
 - 4. Tables need to be returned to Section One park (Hidden Isle) for Monday party
 - XIV. Treasurers Rpt
 - A. Current report distributed
 - B. Collected \$160K dues, including some mulit-year past due
 - C. 64 lots still owe approximately \$30,000
 - D. Internet billing
 - 1. Can we break out internet income based on equipment versus service payments
 - E. Missing legal folder
 - 1. Have spreadsheet but no folder
 - 2. Carlee has been attempting to breakout what legal expenses were spent on
 - a. Folder w/ all bills from attorney has not been located at clubhouse
 - 3. Trying to see where the money was spent so we can apply it to the areas it was spent: Schilling, internet, easement, etc.
 - XV. Elections
 - A. Only two nomination resumes received
 - B. Mr. Rothe disagrees; states his resume was sent as well
 - C. Board will contact two candidates to resubmit resumes
 - D. Secure election box needs to be taken to Post Office
 - E. Will send postcard out
 - 1. Resumes must be received by 15th
 - 2. Completed ballots postmarked/received by June 30
 - F. Community chairs will be Stacy Smith and Mary Ellen Gleeson
 - XVI. Lot 34
 - A. Discussion regarding pending sale of lot 34
 - B. Original title search appeared clear, but had not been recorded
 - 1. Getting title release from Oakland County to be recorded in Otsego County
 - C. Doug Schneider reads prepared Resolution giving president authority to sell property
- Motion to accept a resolution authorizing EFPOA Board President to sell Lot 34 property on behalf of The Association by Karen Yale, second by Laura Hodder.
 Motion Carried 9-0.
- D. Why didn't attorney find this before? Why are we paying for this?
 - 1. Attorney assures association property is clear, it just never got recorded
 - 2. Waiting for Oakland County to update title
 - E. Property Owner Keith Proulx disagrees that attorney did a good job
 - 1. costs will reduce from the amount of the profit we make on the sale
- XVII. Attorney correspondence received, included in packet
 - A. Byram Harrelson Haas (BHH) letter and fee schedule
 - B. BHH wants signed contract for services
 - 1. Identifies a fee structure for normal legal services

2. Board requests language addition
 - a. Add D. Either party has the right to cease agreement with 30 day notice
3. Officers included will be President, VP and Treasurer

Motion to accept Byram Harrelson Haas fee schedule with language correction as noted by Laura Hodder, second by Sarah Madonna.

Motion Carried 9-0.

XVIII. Liens and foreclosures

- A. Treasurer Carlee Allen contacted attorney (BHH) for legal opinion on foreclosure process
- B. BHH: we have right to foreclose, pursue title searches, post ads, etc.
- C. BHH advising that Association waits until process reaches point where attorney fees are approx 1/3 of amount owned, e.g. \$3,000 before it is worth it to pursue
- D. BHH recommending that EFPOA does not move forward on any foreclosures at this time
- E. Alternatives
 1. File in small claims; little likelihood of receiving payment
 2. Send to collections agency
- F. Suggestion to amend current liens filed
- G. BHH not recommending moving forward with liens
 1. Can still file liens, put article in paper
- H. Is there a board member(s) willing to oversee this process?
- I. Doug will ask BHH for copy of procedures

XIX. Internet

- A. Keith Proulx presented information on various internet provider options for Guthrie Lakes residents
- B. Requesting that Board sit down one more time w/ Cherry Capital Connection
- C. CCC is willing to set up here, provide grandfathered service to existing EFPOA customers
 1. Portion of returns will go back to clubhouse
 2. Can be applied toward paying off the previous internet expenses
 3. Pay off AT&T month T-1 charges, etc.

XX. Public Comment

XXI. Stacy Smith (Lots 75, 76)

- A. Has profanity been taken off the boat house yet? Yes.
- B. Inquiry about what Association plans to do in appreciation for Dan Yale

XXII. Carl Jobcar (166)

- A. Boat launch condition at Legend needs to be addressed
 1. Have been here 21 years, never any repairs made to this ramp
 2. Now would be good time to fix w/ water being low
- B. Had estimate 6-7years ago.
 1. Need permits, concrete slabs, fill cracks between slabs w/ stones
 2. Approx \$7,000 for these repairs approx 2" wider than now
- C. In the short term, Board will arrange for load(s) of small rock in ramp to improve condition
 1. Will have Property Manager look at quotes for formal repair

XXIII. Al Gamachia (Lot 285)

- A. Election business: who is entitled to pick up mail?
 1. Treasurer picks up regular mail 2X a week per duties as outlined in bylaws
 2. For elections, committee to take a lock box to Post Master
 3. Election co-chairs and one board member pick up on designated day

- XXIV. Don Hart (Lot 426)
- A. Does not have CCC
 - B. Did test w/ Dan a year ago, low signal
 - C. Didn't go ahead due to concerns w/ liability, how service would be supported
 - D. Keith went w/ CCC for those reasons
- XXV. Mary Ellen Gleeson (Lot 459)
- A. Have you talked about propane costs?
 - B. Board: contract would be run by association members. Believe that Jerry Lambert called; was original person to look into this agreement.
 - C. Negotiation on private propane tanks is not board issue.
- XXVI. Randy Rothe (Lot 522)
- A. Board has always allowed GL Propane Cmt to put message in Lyric
 - B. Too many for sale signs at Tucek's property
 - C. Who is watching attorney fees? I can see that Carlee is.
 - D. Are financial records kept here?
 1. Carlee Allen: last updated 5/15/10 by account
 2. Housed on clubhouse computer in property manager's office
 - E. Delinquency list on clubhouse bulletin board no longer lists names, liens or foreclosures
 1. Doug Schneider: Board had discussion to post list with lot number and amount owed. Employees behind counter have complete list of names, other info. Removing names from public list to prevent unnecessary attention to people's personal business.
 2. Regarding liens & foreclosures: liens still being placed. Sent proposed list of 12 to attorney; their feedback was, based on amount each person owes, not worth it to pursue at this time. Too expensive for Association.
 3. Randy Rothe: Board has discussed not using legal for entire process, too costly
 4. Doug Schneider: Board will take on procedure themselves in the future and work away one at a time
 - F. Lyric mentioned Lot 34 had \$10,000 legal fees.
 1. \$10K actually includes legal, past dues, property taxes
 2. Should say FEES
 - G. Is the Schilling matter is closed?
 1. Doug Schneider: Vacation rental issue is closed.
 2. Randy Rothe: What is the lien for the legal fees. Will that be pursued?
 3. Doug Schneider: Yes. That is being pursued at this time through legal counsel.
- XXVII. Greg Stauffer (Lot 589)
- A. Received phone call last night that Association had hired manager not living in the neighborhood.
 - B. We've had problem with than in the past.
 - C. Benefit to the entire neighborhood to have someone who lives here.
 - D. Board: would you like to be on this committee? Yes.
- XXVIII. Nancy Gregg (Lot 360)
- A. Concern w/ Dan leaving: Dan stores a tremendous amount of equipment at his house.
 - B. He'll be gone and we'll need access to our equipment. I don't know what is his and what is ours, and where it will be stored.
 - C. He shouldn't be liable to store our equipment.
 - D. Dan Yale: it will go to the barn.

- E. Nancy Gregg: the barn is in such bad shape, what will we do to secure our equipment?

XXIX. Bill Brownell (Lot 157)

- A. Add to comment about property manager being a full time resident.
- B. If there is an emergency, person should get here in 5 minutes, not 45.

XXX. Satellite TV for clubhouse

- A. Keep on new business for next agenda

XXXI. Improvements:

- A. Chairs and tables at pool have some knicks and cracks; move the worn materials to Legend?

XXXII. Sealed bids for lots for sale

- A. Received two bids for lot 522
- B. \$1,250 bid from Doug Schneider
- C. \$586 bid from Brent Hill
- D. \$508 bid from Troy Young

Motion to approve the highest bid for Lot 522, submitted by Doug Schneider in the amount of \$1,250 by Laura Hodder, second by Tom Goodell
Motion carried 9-0.

XXXIII. Capital improvements

Motion to have Top Notch/Greg Stauffer dump two trucks of filler rock into the Legend Park and Hidden Isle boat ramps for approximately \$300 as a short term solution, the Board will ask the Property Manager to seek estimates to repair the existing ramps, a warning sign will be posted, and necessary permits will be obtained from the DNRE by Laura Hodder, second by Nancy Gregg.
Motion carried 9-0.

XXXIV. Property Manager Committee

- A. Greg Stauffer, Mary Ellen Gleeson, Shelane Zion, Laura Hodder, Karen Yale
- B. Will meet at 2:00p.m. on Sunday 6/6/10

XXXV. New Business:

- A. Deb Noble states intent to resign from the Board
- B. Creates four positions on board

XXXVI. Motion to adjourn

Motion to adjourn the June 5, 2010 Regular Board meeting at 12:05 p.m. by Tom Goodell, second by Laura Hodder.
Motion Carried: 9-0

Respectfully submitted,



Sarah Madonna, Secretary