



RHODO MOUNTAIN ESTATES HOMEOWNERS ASSOCIATION

Annual Regular Homeowners Association Meeting

8/29/2009

Board of Directors: Anthony Price, George Erath (absent), Colette Hennessey

In Attendance: Anthony & Karin Price (Lots 27, 29 & 30), Colette Hennessey (Lot 10), Eric Bischoff (Lot 28), Tom Gilbert & Jeanne Maier (Lots 17 & 23), Jan & Ulla Jurrissen (Lots 303, 304, 305, 307, 308, 309 & 310), Brenda DeBellis (Lot 20), Jim, Bill & Byrne Erb (Lot 19), Jason & Maggie Capper (Lot 13), Tom and Johanne Sikorski (Lot 43), John & Arlene Portello (Lots 31-34), Lewis Puskaritz (Lot 9), Les & Sherrie Woodard (Lots 41 & 42)

Meeting Minutes

Meeting was called to Order at 11:00 AM

- Quorum was present for the meeting. A Sign-In sheet was circulated.
- Mr. Price thanked the Erb's for hosting the meeting, and also the picnic to follow.
- Mr. Price pointed out that he made copies and laid out various HOA-related documentation, Owner's Packages, etc, on the back table that any owner may be missing from their files. Please help yourselves.
- Move to dispense with reading of the notes from the last meeting. Motion was granted.
- Copies of the Treasurer's Report were passed out for owner's review. There was a motion to approve the Treasurer's Report. Motion was granted.
- Greg Malaska (the HOA's legal counsel) spoke about what's been going on with the Declarations. The Board had requested several amendments to the original document filed in the fall of 2007. All but one was agreed to by the developer (Mr. Jurrissen) and his attorney. Ultimately, the amendments will need a 2/3 majority approval from the owners to approve any changes to the recorded Declarations; this is ongoing.

- Mr. Malaska also spoke about the initial legal investment, and going forward, that these legal fees will be greatly reduced. The issues stemming from the transition from the developer (RMRG) to the HOA were many and relatively complex; mostly complete at this time.
- There was an open discussion about winter road maintenance, especially with regard to Tupelo Rd. Mr. Price and Patrick Walsh (the HOA's current winter Roads contractor/plower) have discussed and developed a plan for snow/ice removal this winter. Mr. Walsh will automatically come out when there is 3 or more inches of snow, and similarly, watching the weather for icing concerns. Mr. Walsh will also be available as needed based on conditions. Ms. Hennessy has agreed to monitor the plowing and make additional calls as warranted.
 - o The discussion continued about past/future winter maintenance; keeping the hill cleared, dangers posed, heating oil/gas deliveries.
 - o Mr. Capper (Lot 13) commented that the other homeowners should not have to pay for the road to be cleared because some homeowners' heating companies won't come up the hill. Mr. Capper stated that those homeowners need to work with their heating supplier to schedule delivery on a day when the weather isn't causing a problem on Tupelo Rd. or pay for the plowing out of their own pockets.
 - Mr. Price brought up that Pat Walsh also supplies heating fuel and homeowners may want to contact Mr. Walsh to see what his costs would be. While Mr. Price was not endorsing Mr. Walsh, or any specific company, it is clear that Mr. Walsh knows Tupelo Rd. and, since he's doing the plowing, will be intimately familiar with the conditions and when it would be a good time to deliver.
 - o Mr. Capper also said that Mr. Walsh is a contractor and out to make money. If given free-will to make the decision on when to come out, he could come out more often than necessary and run up our bill.
 - Again, Ms. Hennessy will continue to monitor the situation to make sure plowing stays under control and contact Mr. Price if she feels there is a problem.
 - Mr. Malaska brought up that this is a budget issue. The HOA can certainly chose to raise the dues and have Mr. Walsh come out at every flake or, alternatively, try to manage it with less plowing; it is a cost-to-benefit decision.
- Lewis Puskaritz (Lot 9) approached the board about any assessments he can anticipate regarding his lot (under construction, arbitrating with his previous builder). He needs the information to present at arbitration with his previous builder.
 - o It has been decided that if the existing foundation can be salvaged and used with his new builder there will be no additional RME fees to Mr. Puskaritz. Mr. Price and Mr. Puskaritz discussed further, Mr. Puskaritz acknowledges even if the HOA waives the fees for the grandfathered plans, he and his new builder must abide by the requirements set forth in the current ACC rules and regulations.

- If the existing foundation needs to be pulled out and new one constructed then the new builder will need to obtain a new RME ACC permit and pay the associated fees (the current HOA building permit fee is \$500).
- Ms. Hennessy has decided not to continue as the HOA Board's Secretary/Treasurer, ending her term with this meeting. Mr. Price thanked Ms. Hennessy for her work and service to the HOA. Brenda DeBellis (Lot 20) has submitted her name for consideration for the position. Ballots were handed out and returned. There were 19 votes for Ms. DeBellis and 4 write-in votes for Jim Erb (Lot 19). Brenda DeBellis was elected the new Secretary/Treasurer. [Post meeting, Ms. DeBellis met with Ms. Hennessy who turned over the HOA documents, files, etc. and reviewed some of the material.]
- Mr. Price discussed that the sides of Tupelo Rd. have become overgrown during this and past summers and is not being maintained. Mr. Price and Mr. Portello maintain the edge of Trillium Rd., and Mr. Erath and neighbors maintain the edge of RM Drive / Unionville Rd. Mr. Price proposed that Tupelo Rd. be cut approximately three times a growing season by the HOA, at an approximate cost of \$100 per service. There were no objections.
- Signs: Mr. Price proposed that Speed Limit, HOA Identification and Spring Thaw/Road Weight Limitation signs be established at both the Tupelo and Unionville Rd entrances to RME. Mr. Price passed out sheets with information about the verbiage, size and estimated costs. There was some discussion about how these will be installed. Also, Ms. Maier brought up that she thought the Spring Thaw sign was too wordy and some of the text too small which would make it difficult to read. Ms. Maier said this is part of what she does in her job and she would take a look at the sign and try to come up with ideas. The BOD will take a look at the proposed signs and evaluate. There no objections to the signs.
- Budget:
 - Maintenance and Improvements of Tupelo Rd. – 3 options: Pave, tar & stone, leave as is. Most don't want paving at this time (costs, aesthetics, and upkeep) and would like to investigate other options. Mr. Price explained that he tried contacting contractors for tar & stone but the job is too small and most won't even consider it. Larry Kresge, the HOA's current Roads contractor, said he's finding it more and more difficult to find shale (to shale/lime the road). Mr. Capper thought he would be able to get shale. The discussion progressed about pros and cons for each option. The existing tar & stone held up pretty well but would require maintenance every few years and would need to find someone who would be willing to do the job. This would also require an initial investment that would require either raising the annual dues or a special assessment. It was decided to continue further discussion on the options at the next meeting, and to maintain conditions under the current budget.
 - Current Dues are \$250. The BOD could possibly reduce to the dues \$210 since legal costs should be less significant but that doesn't leave cushion for unforeseen expenses. The BOD could increase to \$310 to begin adding to a capital account for road upgrades.

Lastly, the BOD could leave the dues at \$250 which gives the HOA cushion. A Motion to keep the assessment at \$250 was made and seconded. The BOD is in agreement on the motion. The per lot assessment for fiscal year 2009-2010 will remain at \$250.

- Mr. Capper brought up the swale turnouts on Tupelo Rd. and suggested an addendum to the declarations or ACC rules and regulations that new home builders are required to include storm water remediation in their plans. Mr. Price said he would ask the ACC Committee to consider.
- Mr. Sikorski (Lot 43) asked about delinquencies. It was reported by Mr. Price that there are currently only 2 owners of the current 28 owners who are not paid up. Mr. Price reported that the collection work is ongoing.
- Assessment notices will be going out in the next few weeks. Assessments will be due 10/31/09. Please contact Ms. DeBellis if you would like arrange a payment schedule.
- Mr. Jurrissen has filed a new plan with the township for the 246+ acre parcel that he still owns between the two sections of RME. This plan has the acreage divided into 10 smaller lots, some of which will gain access directly from the part of Unionville Rd that is not RME. The other will require access from RME roads. Mr. Price explained that the BOD would like an amendment to the declarations that specifies that owners of those lots will be required to be brought into the association and pay association dues. Mr. Jurrissen's attorney and RME's counsel are working on an agreement on the issue.
- Mr. Price reminded the owners that the association recently launched a website, giving the owners, realtors, and visitors to the area information on the community and HOA-related documentation for review and transactions; please take a look.

The meeting adjourned at approximately 12:30 PM.