

EMPIRE HILLS CONDOMINIUM ASSOCIATION
Annual Meeting Minutes - October 27, 2007

Board Members Present: President – Bernard Meehan; Vice President – Trina Ball; Treasurer – David Wollenhaupt; Secretary – position vacated (Joe Ball volunteered to take notes.); Legal Council and acting parliamentarian – Ward Kuhn

Association Members Present: Joe Ball, Carlotta Meehan, Carolyn Wollenhaupt, Roberta Hanson and Frank Sciannella, Barry Bennett, Darlene Sheehan, Jeff Peterson, Bob Grooters, Richard and Kimiko Williams, Tom and Bonnie McKeiman, Jeanine Dean (for Mark Sutherland). Sixteen lots were represented.

Proxies: Lots 1, 2, 4, 8, 14, 16, 21, 25, 26, 27, 28, 31, 32, 35, 39, 41, 42, 45, 46, 47, 48, 49, 50, 51, 54, 55, 56, 59, 60, 64, 65, 67, 69, 71, 72, 75, 78, and 80. The lot 8 proxy could not be used, because Association dues for this lot are not current.

ROLL CALL AND INTRODUCTION: Attendees and proxies represented a quorum. Mr. Wollenhaupt explained the importance of submitting proxies well prior to the meeting.

CALL TO ORDER: By Mr. Meehan. Mr. Kuhn requested adding "Approval of 2006 Minutes" to agenda. **Motion-***Mrs. Meehan; support-Roberta Hanson to adopt the Agenda as modified. All ayes.* **Motion-***Mr. Ball; support-Mr. McKeiman to approve 2006 Minutes. All Ayes.*

TREASURER'S REPORT: The Treasurer's report and all financial records are prepared on a calendar year basis to coincide with the filing of the Federal tax return. Therefore the Treasurer's report presented at this meeting represents nine plus months of 2007 activity. The 2006 Federal tax return was filed on a timely basis. The annual review of financial records by an outside independent source was completed as required in the bylaws. EH financial status is on solid ground with reserves of \$99,411.19. However, eventually, a complete resurfacing of the Empire Hills (EH) road will be needed. In 2007 dollars, this would cost \$100,000.00. Some patching of the road will be done next year. There also could be future costs for our irrigation system, pump house, and tree maintenance. There will be legal fees for collecting unpaid Association dues on lots in foreclosure and a bankruptcy, along with any legal advice rendered to the Association by the Association's counsel. Unpaid dues totaling \$5,050 were reviewed unit by unit, which included five units in foreclosure and a bankruptcy (See Treasurer's Report.). This Board previously voted to recommend that dues remain the same. The Board will diligently attempt to collect unpaid accounts. **Motion-***Mr. Williams; support-Mr. Sciannella to approve the 2007 Report. All ayes.*

Mr. Grooters and Mrs. Meehan asked about a "plan" to collect dues. This board previously voted to first send a delinquent letter and to later place a lien. If there is still no action, the board will pursue all legal remedies. If EH (rather than a bank) forecloses, \$1200.-\$2000 would be the cost for legal services through the courthouse steps. These costs would eventually be recoverable, but EH (rather than a bank) would own the property, so if there was no redemption by the original owner, EH would likely have to make mortgage payments. **Motion-***Mr. Williams; support Mr. Sciannella to approve the 2007 Treasurer's Report and dues assessment. All ayes.*

COMMITTEES REPORTS: Mrs. Ball spoke for the Open Space and Native Plant Committee (OSNPC) with assistance from Mrs. Wollenhaupt, referencing the "2007 In Review" document (See attached.). This Board recently voted to recommend that the 2008 board disband the OSNPC due to a lack of fresh volunteers, and because relationships with an array of professionals has already been established to maintain the entry beds, well, pump and irrigation system, and to fulfill mowing and road requirements. Template bidding forms have been created for annual use by future boards.

During the discussion of the OSPNC report, Mr. Kuhn answered many tree and mowing questions. Also during the discussion, it was suggested that non-complying lots could be mowed by the Association and the bill could be added to what the owner owes the Association. Mr. Grooters and Mr. Peterson agreed that the issue is not grass, and that it is more cost effective to for co-owners to remove new or invasive trees annually by hand or by mower. Mr. Kuhn suggested that unit owners should be notified that they are in non-compliance; and, if they do not remove potentially view-blocking or invasive trees, the Board is obligated to do it for them. **Motion**-Mr. Ball; support-Mr. McKeirnan that the 2008 board send bylaw infraction letters and pro-actively recruit both volunteers and professionals to remove those potentially view-blocking trees that were not present after McKeough's clear cut. All ayes. It was also suggested that the Spotted Knapweed species be pulled out by its root, with the best time being after a rain.

Mrs. Meehan spoke for the Architectural Review Committee (ARC). One home was started in 2007. To avoid delays, lot owners should review building guidelines very early in the process of building. If needed, owners can request CD copies of the Association bylaws from the ARC.

NOMINATIONS AND ELECTIONS: Volunteers must have access to email and dues must be current, except where bankruptcy stipulations prohibit a co-owner from paying prior periods. Mr. Kuhn explained that the Association's bylaws stipulate we must have four board members. Mr. Bennett, Mrs. Sheehan, Mr. Wollenhaupt and Mr. Meehan volunteered. Mr. Sciannella volunteered to take over the Treasurer position on the Board after moving into his EH home. Mr. Wollenhaupt agreed to remain on the Board as Treasurer until Mr. Sciannella is available. Mr. Bennett promised that he will soon have email access. **Motion**-Frank Sciannella; support-Jeff Peterson to close nominations and vote. All ayes.

The 2008 Architectural Review Committee: Mrs. Bennett, Mrs. McKeirnan and Mrs. Hanson.

NEW BUSINESS: Mrs. Ball has produced CDs of bylaws in pdf, and is offering them to anyone who would like to have a copy. The contents of the CDs can be emailed as well. The board has no way of knowing whether co-owners who didn't purchase their land from the developer have received copies of bylaws from the previous unit owner.

Mrs. Meehan expressed a desire to enhance the open space below her home with groupings of trees. Mr. Grooters commended Mr. Peterson for his expertise on native grasses and wild flowers and suggested we consult with him. Mr. Peterson advised that approximately \$150.00 for seed would be adequate but labor would be the issue. **Motion**- Mr. Williams; support-Mrs. Sheehan to direct the 2008 Board to investigate the possibility of using native grasses wildflowers to enhance common areas, utilizing a mix of volunteers and professionals. Three naves. Motion passed.

COMMENTS: Mrs. Meehan asked for a location for concrete trucks to dump their excess. Mr. Grooters stated that whatever is done please do not consider establishing a dumping area in Empire Hills, as The New Neighborhood™ has done. Mrs. Ball reminded that on- site dumping is illegal in some situations and that one solution may be to report the company to officials. Preferably, talk to concrete companies before construction begins and come to an agreement.. Mr. Kuhn suggested that the ARC handle this matter by requiring a better understanding of the issue as a part of the approval process.

Mrs. Sheehan requested information regarding fences intended to retain snow, and statements made in a letter sent by the 2007 Board. If a snow fence is earth tone in color, of natural wood material, and utilized approximately after Thanksgiving through March, there would probably be no complaints. Permission should be obtained before placing fencing on a neighbor's unit.

ADJOURNMENT: **Motion**-Mrs. Meehan; support-Mrs. Hanson to adjourn. All ayes.

12/11/07