

**MINUTES  
EMPIRE HILLS CONDOMINIUM ASSOCIATION  
MEETING OF MEMBERS  
SEPTEMBER 29, 2001**

The meeting was called to order by Chris G. McCrumb, President, at 11:10 a.m. on September 29, 2001 at the Empire Village Fire Hall.

Members present were:

|                                   |             |
|-----------------------------------|-------------|
| Joe and Trina Ball                | Unit #36    |
| Wayne and Mary Ellen Koser        | Unit #40    |
| John and Christin Schrei          | Unit #49    |
| Karen Baja                        | Unit #48    |
| Dave and Carolyn Wollenhaupt      | Unit #13    |
| Erma and Robert Whittaker         | Unit #35    |
| Jeffrey Hall                      | Unit #22/24 |
| Karen Molloy                      | Unit #25    |
| Carlotta Meehan (w/friend Eileen) | Unit #53    |
| Chris McCrumb                     | Unit #37    |

The total number of Unit Owners represented at the meeting, including 29 Units owned by McKeough Land Company, Inc., was 40 out of 54 total Units. Therefore, a quorum was present.

Each member went around and briefly described their plans for their Unit(s).

An agenda was distributed and there were no additions or changes to the agenda.

**Under Old Business:**

Chris reviewed the change that was approved to the Association Bylaws at last year's meeting. It was decided that the Board of Directors should be comprised of a President, Treasurer and Secretary.

Chris also reviewed the change that was approved to the Condominium Bylaws, which increased the Advisory Committee from three (3) to five (5) members.

The additional 26 Units to Empire Hills were reviewed. This includes the Roen farmhouse on Unit #80. These Units have not been recorded yet, but will be sometime in the coming year. They are subject to the same rules and regulations as the original 54 Units with some exceptions to Unit #80. Nine Units have been sold so far this year, but none of those are in the new section.

The farmhouse was discussed at length because of concerns regarding its possible use. It is zoned PUD-B which would allow a commercial type activity. A bed and breakfast operation would be a possibility, if it were approved by the Village. The general consensus was that that would be a reasonable use, so long as there were restrictions in place that would govern its operation and protect the interests of all of the Owners in

Empire Hills. It was felt that the use should be limited and that any proposal should be approved by the Board of Directors with input from the Advisory Committee prior to the presentation of plans to the Village. Chris encouraged members to express concerns and/or ideas regarding the future use of Unit #80.

Chris explained that the restrictions for Empire Hills rule the day because they are more restrictive than those enforced by the Village of Empire.

The Board will send a copy of the restrictions pertaining to Unit #80 to the Advisory Committee for comment and review prior to recording them. This would allow for a non-developer perspective and voice.

A question came up about the beautiful old trees on Unit #80. Chris explained that they were all tagged and identified, but the new Owner would have the discretion to remove them. It was felt overwhelmingly that they should not have the ability to do that unless it is a health, safety or general welfare issue.

The Quercus Alba, New Neighborhood proposal was discussed. Chris expressed general support for the project concept, but has concerns about the restrictions and lack thereof. Originally, they had only five restrictions, but have recently put together a much more comprehensive list. It was felt that the Advisory Committee should go to future meetings to discuss the concerns of Owners in Empire Hills. Chris has been attending the meetings as much as possible and has expressed several concerns, such as restrictions and duplexes. Copies of the plan are available for review at the Village Office (231) 326-5466.

A question came up about the commercial tool and die company just west of Empire Hills. That property is also zoned PUD and the future use is currently unknown. It was felt that would be a nice acquisition for Empire Hills so there would be control of its future use.

The cement slab near the Front Street/Bennett Street entrance is going to be repaired and could be used as a basketball court, tennis court, skating rink, etc. The shower house may also be fixed up on the outside to blend in better with the natural surroundings. The old barn may serve a purpose some day as the Association sees fit.

The possibility of Village water was discussed. There is a small chance that Village water might be extended throughout the Units in the Village limits (Units 43-80). If this were the case, there would be a special assessment on those Units to offset the cost. However, this assessment would be substantially lower than the cost to install individual wells. It was pointed out that McKeough Land Company, Inc. inquired about getting Village water to all of the Units, but was told by the Village that they would not go outside of the Village limits.

A project entrance will be installed next year somewhere by the new entrance onto M-22. It will be similar to the existing project entrance at Front/Bennett Streets. The Empire Village Fire Department has requested that street signs be installed. This would be helpful to them in emergency situations. These signs will be similar in nature and color to the project entrance.

The website (empirehills.com) is up and running, but needs additional work, especially with respect to the "Members Only" section. Hope to improve in the coming year. Land's End gift certificates in the amount of \$100.00 will be sent out to all Owners to be used to purchase "Empire Hills" logo wear as a way for MLC to say thank you for your purchase.

### **Under New Business**

The current Board of Directors consists of all developer representatives with Chris serving as President, Mike McKeough serving as Treasurer, and Pat Regan serving as Secretary. Chris explained that since MLC still owns the majority of the Units, the Board should remain unchanged for at least another year. Jeffrey Hall suggested that MLC relinquish one position. Robert Whittaker suggested the Board remain with MLC because it has been his experience that it is better during the early stages of the development. Chris pointed out that the Advisory Committee would be more active in the coming year and would serve to represent the interests of the non-developer Owners. After some discussion, Karen Baja nominated herself and Chris nominated himself, Mike and Pat. It was voted upon and unanimously approved to re-elect the existing Board of Directors consisting of Chris, Mike and Pat.

E-mail was discussed as an important way for Members, Committees and Boards to communicate. Chris will compile an e-mail list in the coming weeks and distribute to all Owners.

The Architectural Review Committee (ARC) was discussed, and Trina Ball expressed a strong interest in serving on this committee. Chris said he thought it would be a good idea and would take it to the Board for discussion. The Board will appoint the new ARC in the next week.

Jeffrey Hall suggested that there are a couple of trees on Unit #23 that are currently untagged trees. He feels that they should be tagged because they are very nice trees and the possible removal of those trees by future Owner's of other Units would leave that hillside bare. Chris said they would take another look at it, but believes that was done intentionally due to the fact that they may very well block a great view of South Manitou Island from Units such as #7, 8 and 9.

Chris gave the Treasurer's Report on behalf of Mike McKeough. The 2001 expenses were discussed. Frequency of snow removal was discussed. Chris explained that it is important to keep the roads clear because of the existing homes. In addition, there is a good amount of traffic from possible buyers. Safety is the concern so they were kept clear last year and will continue to remain clear and open in the future. Two budgets for 2002 were proposed with the same expenses, but with two different annual dues amounts, one at \$500.00 per year, which is what the current dues are, and one at \$300.00 per year. After some discussion, a motion was made and seconded to accept the 2002 budget based on annual dues of \$300.00 per year beginning January 1, 2002. Chris pointed out that the working capital contribution that all new Owners pay at closing would remain at \$250.00. Chris also pointed out that even though the new 26 Units are not of record yet and won't pay dues until they are, EHCA funds would not be used to maintain that portion of the road – that will be the responsibility of MLC.

Carlotta Meehan expressed some concern about the future homes built on Units 75 and 76. She believes that the 28' height limit on those Units would obstruct views from her Unit #53. Chris said it would be looked at and taken into consideration.

Next year's meeting date was discussed. The general consensus was that mid October would be best for most.

The meeting was adjourned at 1:10 pm.