

**MINUTES
EMPIRE HILLS CONDOMINIUM ASSOCIATION
ANNUAL MEETING
OCTOBER 22, 2005**

At 10:40 A.M. the meeting was called to order by President John Schrei at the Empire Township Hall located on Front Street in Empire, Michigan.

Members present or accounted for were:

John and Christin Schrei (lots 49 & 69)
Bernie and Carlotta Meehan (lots 53 & 76)
Joe and Trina Ball
Dave and Carolyn Wollenhaupt
Richard and Kimiko Williams
Sallyanne Morris and Jim Foltz
Jeanine Dean
Marcy DeLaere
Mike and Michele Rhoades
Mary Ann McCall
Rob and Annette Peterson
Mary and Mike Spatafore (lots 55 & 56)
Terry and Nadine Byrne
Wayne and Mary Ellen Koser
Leslie Fowler
Ed and Sue Gatt (lots 30 & 57)
Karen Molloy
David Halperin
Carol Schifman
Robert L. Grooters
Jeff Hall (lots 22, 23 & 24)

Owners Submitting Proxy Votes for 2005 EHCA Annual Meeting

Joseph Chirico
Pieter Schous
Barry and Denise Bennett
Barbara and Donald De Foe (lots 65 & 67)
Tracy White and Grant Wilhelm
Kathleen Nicolaou and Travis Richards
Christine Madaski
Marge and Jim Chesney
Michael Gerardi
Karen Schaffer
Mia Gao and Marilyn Tsao
Scott and Sallie Krepps
Jim and Ann Dykstra

Raymond Melinder
David Gray (lots 41& 18)
Sherry and Pete Hodgman
Andrew and Karen Truax (16& 47)
Dennis and Carla Logan
Frank and Roberta Sciannella
Jeff and Paula Peterson
Jeff and Patricia Penner
Tom Bradley
Jeffrey and Lisa Lee
Nancy and Michael Shaughnessy
Robert S Grooters (31 & 35)

A quorum of lot owners were present and the meeting officially proceeded with the entries contained on the Agenda.

Prior to any condo issues, Mr. Jeff Hall stated that any law suits initiated by him will be directed at the individual members of the present board and not to the association. Mr. Hall feels that the present board is illegal. Mr. J. Schrei stated that there is a letter on file testifying to the legitimacy of the board. This letter was drafted by the attorney retained by the board and it can be researched by anyone interested. A motion by Rob Peterson and seconded by Jim Foltz stating that any co-owners questions or concerns regarding legal issues must be in writing and be submitted to the board prior to any legal actions against any parties involved in the association. All present except one were in favor of this motion. Motion was passed.

OLD BUSINESS:

The Empire Hills web site is an excellent reference tool for any information you need about our association. David Halperin should be commended on the fine job that he has contributed to this endeavor. REMEMBER: www.empirehillsmi.com

Maintenance and repair of the irrigation system, the removal of the barn and bath house, and the grounds and landscaping of the sub division were the responsibility of Trina Ball. She also should be commended for the numerous hours of research and supervision that she contributed to our association.

Dave Wollenhaupt submitted the annual financial report and the projected expenses for the coming year. Dave's clear and concise accounting gives us focus for present and future expenditures at Empire Hills. Dave added that the annual dues will remain at \$300. for 2006.

The architectural requirements for Empire Hills were reviewed. The arc committee and the board are requesting that **EHCA** hire an architect or building professional to review new home construction. The fee should vary from \$50 to \$250. Committee members are untrained volunteers and expert advice is occasionally needed to insure that by laws are being followed. Compliance to the by laws in regard to the building of new homes insures that uniformity and architectural integrity will be maintained in our association.

A few owners are not paying dues. The board has decided to allow our lawyer to handle this issue at no expense to the association

UNDER NEW BUSINESS:

Several motions were proposed at the meeting and a few were withdrawn after discussion of various issues.

BOARD ACTION

Motion: (David Halperin): The ARC can spend approximately \$100 in review fees for a professional review. . . when deemed necessary The motion was modified that EHCA pays for professional review of plans when arc committee asks board to retain a builder/professional to review plans. Prior to expenditure, board has to approve an architectural review committee request. Seconded by Sally Ann Morris. In attendance. all were in favor.

MARKETING OF PROPERTY

President Schrei stated that current by laws do not allow **FOR SALE SIGNS** on vacant lots in Empire Hills. Any home that is for sale can display a For Sale sign. In order to change the ban on For Sale Signs, 1/3 of the lot owners need to submit a request to the board so that it can be voted on by the entire association. Jeff Hall stated that the intent of this law was to protect the developers when they were marketing our property. Many owners did not like the look of realtor signs on properties because they project an image problem with property location and convey unfounded environmental issues. John Schrei who is a realtor stated that there is more to marketing a parcel of land than placing a sign it.

MOTION: (Ed Gatt) seconded (Carol Schifman) allow standard lot sale signs. 27 votes are needed to bring it to the board as a proposal for consideration. The size of signs as well as input from Laura Sieloff contributed to the discussion of this hotly debated subject. Among the many comments and view points offered by Jeff Hall, he objected to his speaking time being cut short. Bob Grooters stated that all opinions need to be heard. Discussion of this matter ensued and it was decided that the 3 minute time limit would be observed as recommended in Roberts Rules.

MOTION: (Jeff Hall) Choose to ignore the by laws pertaining to For Sales Signs. Discussion: Since all of the by laws are not being enforced, Mr. Hall said a precedent is being set (e.g.. not enforcing the mowing of individual lots) and that we should not enforce the For Sale Sign if we don't strictly enforce all by laws. Trina Ball, representing the Open Space Committee, responded to Mr. Hall's comment saying that the mowing by law was being enforced. John Schrei reminded all present that a lawyer was already consulted on this issue and the board's responsibility is to adhere to the present by laws. It was noted that Mr. Hall had earlier stated that he wants strict adherence to all by laws and wanted it on record that he was considering civil action against board individuals in this regard. Ed Gatt expressed concern about being selective to by law enforcement and, knowing that it may take time to change the by laws, it is best to present any issue properly; using legal measures is the only way to proceed. Mr. Hall's motion 9 in favor and 21 against. Mr. Gatt's motion: 25 in favor and(?)against.

27 votes are required to present the **FOR SALE SIGN** motion to the entire association. However, the board by a unanimous vote will allow a vote on this issue. The time, effort, and ideas generated on this motion as well as the number of votes on it lead us to believe that we should take this issue to all EHCA lot owners. **THE BALLOT WILL BE MAILED IN EARLY JANUARY.**

BOARD ACTION

Motion (David Halperin) seconded (Bob Grooters) Clear and repair the drains adjacent to the roads in our association. The proposal was unanimously passed

2006 BOARD AND COMMITTEE NOMINATIONS:

Native Plants and Open Space: Leslie Fowler, J. Peterson, and Trina Ball

Architectural: David Halperin, Carolyn Wollenhaupt and Carlotta Meehan

Board Nominations: David Halperin, Jim Foltz, Bernie Meehan, and Dave Wollenhaupt

Note: Mr. Hall nominated himself for two positions but it was disallowed due to the association stipulation that a member has to be current in his dues in order to be considered for a committee or board position.

The annual meeting adjourned at 12:50 P.M. Afterwards Bob Grooters reported that vandals had ringed trees on his property which could result in the death of those affected trees. We should all be vigilant and report any incidences of this nature. Mr. Grooters has filed a police report with the sheriff's office.

IN CONCLUSION

This has been a tough transition year for our new community. Many have voiced their opinions and they have been duly noted. However, Ed Gatt and Carol Schifman have stated it best when saying let's quit talking about lawyer issues and work together to make this a friendly and responsive community where all can enjoy the area and reap the benefits from purchasing land in Empire Hills. Rob Peterson had a great line but I forgot to write it down, but, essentially, it conveyed the idea of neighborhood and involvement. Let's try to get on that track in 2006. Special thanks to Joe Ball and John Schrei for their years of service on the board.