

Pheasant View Homeowners' Association



Len Liuzzi - President
Dee Heinze - Vice-president
Mark Waldbauer - Secretary
Mark Wein - Treasurer
David Nagy - Roadway Manager
Kim Saker - Grounds & Landscape Manager

Post Office Box 871463 - Canton Michigan 48187
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REGULAR MEETING MINUTES

Tuesday, December 4, 2007

LOCATION: Canton Township Administration Building, lower level meeting room "E."

BOARD MEMBERS PRESENT: Heinze, Liuzzi, Nagy, Saker, Waldbauer, Wein (at 7:26).

BOARD MEMBERS ABSENT: None.

GUESTS ALSO PRESENT: Theresa Lewiston (at 8:33), Jay Pesant, Paul Porter, Susan Porter, Jason Schulist.

CALL TO ORDER: The President called the meeting to order at 7:09 PM.

APPROVAL OF THE AGENDA: MOTION: to approve the meeting agenda as presented. - David Nagy, motion supported; Ayes all present, the motion carried.

APPROVAL OF THE MINUTES: MOTION: to approve the minutes of the regular Board meeting minutes from Tuesday, November 6, 2007 as presented. - David Nagy, motion supported; AYES all present; the motion carried.

The minutes of the subdivision annual meeting were reviewed. It was recommended that they be considered as "PROPOSED" minutes for clarity in posting them on the subdivision website. The following corrections were made:

CALL TO ORDER, page 1 change to read: *"The Vice-President called the meeting to order at 7:04 PM."*

TREASURER'S REPORT, page 2, sentence number 3 changed to read: *"For 2007, 159 of the 162 homes in the subdivision have paid their annual assessment. Regarding the unpaid, one homeowner has arranged a payment plan while the process of placing liens is ongoing against the remaining two."*

VICE-PRESIDENT'S REPORT, page 2, ¶ 2, a second sentence to be added: *"Additionally, she commented that the potential of foreclosures within the sub might present new compliance problems when 'unsightly conditions' become an issue. One such property was brought to my attention this past summer."*

Commentary included that the minutes for the members of the Board contain all details concerning items before the board. The Communication Coordinator may modify the minutes to delete the names and other specific information of homeowners and others, as deemed appropriate by the Chair of the Subdivision Communication Committee upon posting the meeting minutes on the subdivision website.

MOTION: to approve the proposed minutes of the November 15, 2007 Subdivision Annual Meeting for posting them on the subdivision website, further to be officially approved at the next annual meeting of the membership as corrected. - Mark Waldbauer, motion supported; AYES all present; the motion carried.

ANNOUNCEMENTS: None.

CITIZEN / HOMEOWNER NON AGENDA COMMENTS: None.

OFFICERS' REPORTS

PRESIDENT'S REPORT: Liuzzi offered a sincere welcome to the newly elected members to the subdivision Board of Directors. There was no official report.

VICE-PRESIDENT'S REPORT: No report.

SECRETARY'S REPORT: The Secretary asked that the Board set the meeting calendar for 2008. We need room reservations very soon, including the subdivision annual meeting date. A consensus determined that Tuesday's are best for all. The Board should consider the second Tuesday of each month due to the holidays associated with the months of January, July, and September, and to keep the meeting dates consistent. A short discussion followed. The Secretary will file with the township to acquire available meeting room space. The annual meeting date for 2008 will be Tuesday, November 18, 2008 if a room is available.

MOTION: to accept the Secretary's Report. - Diane Heinze, motion supported; AYES all present; the motion carried.

TREASURER'S REPORT: The Treasurer commented on the activities for the month.

EXPENSES FOR THIS MONTH:

\$75.24	DTE Energy
\$12,513.75	Pheasant Run Roadway Maintenance Association - Quarterly payment
\$176.47	MARK WALDBAUER - Annual meeting expenses
\$4902.00	INDEPENDENT LAWN SERVICE - snow removal contract; single payment for the season

DUES AND FINES STILL OUTSTANDING:

	<u>Lot</u>	<u>Address</u>	<u>Homeowner</u>
\$567.50	19	45996 Windridge Lane	Steven & Teresa Williams
\$297.50	24	1816 Crowndale Lane	Patrick & Karen Kennedy
\$1240.00	25	1844 Crowndale Lane	Ramel Howard
\$113.50	80	1987 Crowndale Lane	James & Mary Brown

The payment to PRRMA¹ is \$12,513.75 and we have three (3) more payments to complete this year's annual assessment to PRRMA. This will most likely take most of our financial resources for the next year. Additional commentary was offered regarding the change of the fiscal for PRRMA. Liens will be discussed in the Roadway Manager's Report. The audit of the books is pending. The only additional major expense is our payment for insurance.

MOTION: to accept the Treasurer's Report. - David Nagy, motion supported; AYES all present; the motion carried.

¹ Acronym for Pheasant Run Roadway Maintenance Association.

DIRECTOR and COMMITTEE REPORTS

ROADWAY MANAGER'S REPORT: The roadway repairs are complete for this season. Four (4) trees were removed from Crowndale and Windridge Boulevards to facilitate MDOT² compliance regarding the traffic control signs in our subdivision. The PRRMA litigation is ongoing. We are hoping for a summary disposition soon.

Nagy is looking for the declaration pages for our subdivision insurance. It is the intention of PRRMA to not overlap or allow gaps in the coverage for PRRMA and PVHA³. The insurance agent for PRRMA is Mr. Denis Buda. He would like to review our insurance coverage to make a determination regarding potential overlap or gap of insurance protection.

The hiring of John Oldem, attorney at law, has not been pursued as initiating a contract from an individual leaving the Board of Directors seems inappropriate. The next Board should do this. There was some discussion regarding the hiring of legal counsel being the responsibility of the Roadway Manager and why the Treasurer would not be taking this action.

A short discussion followed regarding the new proration of funding from the four entities supporting PRRMA. This is an ongoing issue within PRRMA and they have not dropped the topic, but the reality is that with the change of the fiscal year and the ongoing litigation, this discussion has not been on the top of the agenda recently. Commentary followed regarding PRRMA's ability to collect reserve monies at all. If PRRMA does not have the authority to collect and secure funding for future road maintenance, then negotiations will proceed on how to best move forward to protect the property under its jurisdiction.

Considering the current or revised reserve study, either way, it is under funded. If the reserves are inadequate, most likely a SAD⁴ will be drawn to fund the necessary repairs. More discussion followed. Regardless, it is important that we maintain the rapport we currently have with PRRMA and continue with reform. The next meeting for PRRMA is Wednesday, December 12, 2007 at 6:00 PM. The Vice-President requested that a short summary of PRRMA be presented to the PVHA Board maybe in January. Nagy will attend the December meeting and others if necessary.

The repair of the Windridge Boulevard entry monument is complete at \$2000. This was at no cost to PVHA or PRRMA as personal vehicle insurance covered the expense. We await the removal of the double *stop signs* in our subdivision. The paperwork regarding the ownership of all signs in PVHA is missing with PRRMA. Discussion next followed regarding the signs around CTAC⁵ and Library not matching or complying with the signs within PRRMA.

MOTION: to accept the Roadway Manager's Report. - Diane Heinze, motion supported; AYES all present; the motion carried.

SUBDIVISION GROUNDS AND LANDSCAPING MANAGER'S REPORT: SNOW REMOVAL CONTRACT - Independent Lawn Service has been hired. It was mentioned that only the streets south of the

² Acronym for Michigan Department of Transportation.

³ Acronym for Pheasant View Homeowners' Association.

⁴ Acronym for Special Assessment District.

⁵ Acronym for Canton Township Administration Complex.

nineteenth (19) fairway were scraped following the recent precipitation. Saker will contact Independent to make sure they understand the totality of the streets and sidewalks in our subdivision. We have paid for a complete season no matter how often they plow or apply salt. Tree vouchers will not be available until January 2008. A copy of the contract with Independent Lawn Service LLC. was given to the Secretary for the permanent file; a copy will be made available to any Board member desiring a copy.

(NOTE: See NEW BUSINESS below in these minutes for additional commentary regarding the subdivision grounds, entryway, and birm development.)

MOTION: to accept the Subdivision Grounds and Landscaping Manager's Report. - Diane Heinze, motion supported; AYES all present; the motion carried.

ARCHITECTURAL REVIEW COMMITTEE: The committee chairperson has authorized the commencement of three (3) exterior trim projects in good faith believing that the support from the subdivision developer was sufficient, based on the outcome from the last meeting of the Board. This authorization may have been precipitous after reviewing the minutes of the November meeting. The question remains on "Board Approval." At the moment these projects have only been approved by the Chair of the Architectural Review Committee. One project is 75% complete with the other two (2) projects having had materials ordered for their project. Pictures were distributed among the members of the Board. The scope of the project(s) and the acceptance and limitations thereto are attached to these minutes as appendix "A".

MOTION: to remove from the table for the purpose of discussion and disposition, the motion made November 6, 2007 to table discussion regarding the use of the PVC⁶, as to allow for input from the subdivision developer, a commercial builder, and to allow for more research into the product,. - Mark Waldbauer, motion supported; AYES all present; the motion carried.

The Secretary distributed copies of a transcript from the meeting tape regarding a portion of the PVHA Regular meeting of the Board of Directors November 6, 2007; motion to table the use of PVC trim. This transcript is hereby attached to these minutes as appendix "B".

Discussion followed limited to and including the following items and topics:

- All action taken by a Board is done so with the use of a MOTION. The Board made and passed the motion to table discussion regarding the use of the PVC displayed tonight to allow for input from the subdivision developer, a commercial builder, and to allow for more research into the product.
- This is not the normal process for the PVHA Board.
- The Board now needs to accept the actions taken with a new motion.
- What is the Board being asked to accept?
- What are the parameters and precedents this Board is now setting forth?
- Can the Board now deny another member of the PVHA association wishing to use this product and the same installer?
- Regarding the value of his input, Richard Lewiston no longer has any authority in the actions this Board might take.
- What was the spirit and the intent of the subdivision covenants and restrictions when they were drafted?
- Upon completion of the installation of this product, the Board could determine that its use is not acceptable, and therefore deny any additional requests by a homeowner in PVHA.
- Is there exposure to the architectural review committee chairperson as things currently stand?

⁶ Acronym for Premium laminated Vinyl Coated Aluminum, by the Crane Corporation in Columbus Ohio, and installed by New Beginnings Restorations, Inc.

- Is it necessary to include Richard Lewiston in the supporting documents regarding approval of this product when it is the responsibility of the PVHA Board of Directors to act?
- Should we not consult the source of the PVHA building specifications?
- Should not the email messages between Board members appear in print?

MOTION: to approve of the letters comprising the attachment now contained herein as appendix "A" and to accept the use of the Crane PVC product as mentioned therein, further to approve Tim Self of *New Beginnings Restorations Inc.* as the sole installer limited to: 1409 Crowndale Lane, 1297 Crowndale Lane, 1352 Crowndale Lane **exclusively!** - Kim Saker, motion supported; AYES all present; the motion carried.

The Vice-President requested the Board to make an Architectural Review regarding a homeowner wishing to re-roof their home. They intend to use a product named "*Thunder-Guard.*" This is a high-end product, non prorated, lifetime shingle. The color is named "*Weathered Wood.*" The Vice-President has approved its use. Discussion followed regarding an in-ground pool and what types of projects needs to be brought before the Architectural Review Committee.

MOTION: to accept the Architectural Review Committee Report. - Kim Saker, motion supported; five (5) AYES, one (1) NAY; the motion carried.

SUBDIVISION COMMUNICATION COORDINATOR'S REPORT: No official report. The Secretary reported in the absence of the subdivision communication coordinator who would be present here tonight but for the exception of her mandatory attendance at a school function. It is the request of the subdivision communication coordinator that with our permission, individual pictures could be placed on the subdivision website. The pictures would precede the page for each officer or director. Additionally, the subdivision website only has value if it is maintained and updated. It's up to each member of the Board to make submissions frequently. For the new members to the Board it might be the same biography information already placed in print in the last newsletter. It was also noted that a synopsis of the annual meeting be posted. The approved PRRMA financial information is posted on our website as well.

NEW BUSINESS: The Vice-President introduced Theresa Lewiston to the members of the Board. Terri wished to learn what the Board's direction might be regarding her employment in 2008. She recommends trimming the bottom of the pine trees in the center of each boulevard. The lower two (2) to three (3) feet would be cut. This would enhance the appearance of the entry behind the monuments. Bark or mulch should also be placed under the trimmed trees. It was mentioned that the ongoing maintenance of the trees is the responsibility of PVHA where the replacement of same is the responsibility of PRRMA.

There are dead shrubs around the edge which we should replace, or we might continue to transplant existing shrubs into the bare spots. We should trim and treat the crab-apple trees with a fungicide as they are losing leaves in July. Terri will obtain a quote for spraying and present it to the Board. Next year topsoil and mulch will be added especially in the cul-de-sacs. All of the shrubs need to be trimmed this year. The lower curb tree limbs should be trimmed as to allow clearance for pedestrian traffic on the entry boulevard sidewalks. Lewiston noticed that trees are missing or have been removed in our boulevard entries.

The flowers planted in front of the entry monuments do not have enough water. We need to investigate adding additional sprinkler heads as to allow for proper watering of these flowers or increase the time the irrigation system runs for that zone. The zone in question does water the entire center strip of the boulevard. Commentary continued regarding shrubs and planting beds in the Windridge entry. The Board needs to see prices. We are losing some of our planting as a resident has been seen transplanting them to his residence. (*NOTE: The commentary regarding the description of the homeowner has been withheld.*)

The Vice-President will contact the homeowners in our subdivision who have expressed interest in assisting with some of these projects. The Board needs to see a proposal and then set priorities and make a plan. Terri was excused from the meeting.

ORDERS OF THE DAY: ELECTION OF OFFICERS AND DIRECTORS

As the PVHA By-Laws do not specifically ensure the election process, it was decided by consensus that the election of new officers and directors will be by a secret written ballot per office, taken from only the six new members to the Board. Nominations will be received. The nominee must either accept or deny the nomination. Individuals may nominate themselves. If multiple persons might be running for the same office, a short statement will be in order, followed by the vote. Newly elected officers and directors will take office on January 1, 2008. The order of elections will follow the order of officers as presented in the subdivision By-Laws. Preceding each nomination, the Secretary will read the prescribed duties as stated in the subdivision By-Laws.

Nominations for PRESIDENT were taken from the assembled. Paul Porter nominated Dee Heinze; the nomination was accepted. Dee Heinze nominated Mark Waldbauer; the nomination was accepted. Nominations were closed. After short statements from Heinze and Waldbauer the ballots were counted with Dee Heinze being elected.

Nominations for VICE-PRESIDENT were taken from the assembled. Kim Saker nominated Mark Waldbauer; the nomination was declined. Dee Heinze nominated Jason Schulist; the nomination was accepted. Paul Porter nominated Jay Pesant; the nomination was declined. Nominations were closed. Jason Schulist was elected by default.

Nominations for SECRETARY were taken from the assembled. Dee Heinze nominated Jay Pesant; the nomination was accepted. Nominations were closed. Jay Pesant was elected by default.

Nominations for TREASURER were taken from the assembled. Paul Porter nominated Mark Waldbauer; the nomination was declined. Paul Porter nominated Kim Saker; the nomination was declined. Mark Waldbauer nominated Paul Porter; the nomination was not declined. Nominations were closed. The election of the Treasurer was set aside until the Roadway Manager and Landscape Manager were elected. Paul Porter was elected by default.

Nominations for ROADWAY MANAGER were taken from the assembled. Self nominations were received from Mark Waldbauer and Paul Porter. Nominations were closed. After short statements from Porter and Waldbauer the ballots were counted resulting in a tie vote. A short discussion followed regarding the amount of time devoted in fulfilling the duties of this office. Commentary then followed regarding parliamentary procedure which states that the presiding officer (the Chair or President) does not vote except to break a tie. Therefore, the inverse should prevail in this instance. It was the consensus of all present that to break a tie created with the newly elected President voting, should therefore be broken by revoking the President's vote. A second ballot was cast with Mark Waldbauer being elected.

Nominations for SUBDIVISION GROUNDS and LANDSCAPE MANAGER were taken from the assembled. Self nominations were received from Kim Saker and Paul Porter. Nominations were closed. After short statements from Saker and Porter the ballots were counted with Kim Saker being elected.

ELECTION RECAPITULATION: All Board officers' and Directors' term of office is effective January 1, 2008 through December 31, 2008, a one year term.

Diane Heinze	- PRESIDENT
Jason Schulist	- VICE-PRESIDENT
Paul Porter	- TREASURER
Jay Pesant	- SECRETARY

Mark Waldbauer - DIRECTOR - SUBDIVISION ROADWAY MANAGER
Kim Saker - DIRECTOR - SUBDIVISION GROUNDS & LANDSCAPE MANAGER

OLD BUSINESS: None.

ACTION ITEM REVIEW:

1. Saker to contact Independent Lawn Service to get answers to snow removal questions.
2. Liuzzi, Wein, Heinze, and Porter need to set a time and date to go to the bank to amend the subdivision banking account signing authorization forms.
3. Liuzzi to forward his postoffice box key to Heinze.
4. Liuzzi and Wein to set date for subdivision audit of the books.
5. Waldbauer to set meeting with Nagy for document transfer.
6. Saker to obtain tree vouchers when available from the township.
7. Saker to obtain potential expiration information regarding workers' compensation for Independent Lawn Service.
8. Waldbauer to complete the December meeting minutes.
9. Waldbauer to arrange for 2008 meeting rooms and dates with the township.
10. Waldbauer to update Board Member Information list.

NEXT MEETING DATE:

Tuesday, January 8, 2008; Canton Township Administration Complex lower level meeting room "E" - 7:00 PM.

ADJOURNMENT: MOTION: to adjourn. - Dee Heinze, motion supported; AYES all present; the motion carried.

The meeting adjourned at 9:16 PM.

These minutes were taken directly from a tape recording of the meeting and are respectfully submitted.

Mark R. Waldbauer

Secretary - Pheasant View Homeowners' Association

Prepared: December 9 - 15, 2007

mrw