

**Sunrise Lake Property Owners Association
Board Meeting Minutes
January 18, 2016**

Meeting opens with the Pledge of Allegiance

Role Call:

Chip Dingman

Heather Koferl

Jack Ritter

John Jamieson

Mike DePeri

Amy Panetta

Michelle Alvarez: Absent

Chip Dingman: Chip opens the meeting. Appletree Management is taking over the management of the sewer and well systems. Appletree is very experienced. They will charge a little more than we did for the management of the sections but the annual fee to homeowners will not be increased right now. Resolution passed at November Board meeting to turn over by March 1st. Resolution passed at last board meeting being amended to April 1st due to timing of logistics.

A reminder to all residents that the Budget Meeting is 4/2/16 at 10:00 am at St. Vincent's.

During a snow event, if you have issues with plowing, residents should leave a message at the office. Messages are checked every 30-45 minutes during a weather event.

Due to an abduction attempt, SLPOA is pricing out surveillance cameras at entrances to capture license plates of vehicles exiting the community. Cameras are expensive and due to location of cameras they are left open to damage.

\$34,405 spent on anti-skid material. Half of what was spent last season. Shed is still half loaded.

Financial Report is included in agenda due to resident request.

Heather Koferl: Gives financial reports with balances.

Chip Dingman: Christine and Brittany have been successful in collecting back dues on promissory notes. Chip notes, 26 additional complaints filed in court due to back dues. Two residents have paid in full including court fees.

Heather Koferl: One more payment is due to Precision for plowing this season.

Amy Panetta: Newsletter committee will be starting soon. Date for meetings will be set, one meeting per month. Announcement will be made.

Mike DePeri: Rules and Regulations committee meeting monthly. January meeting cancelled. Meetings are the second Tuesday of the month.

John Jamieson: Last two lake meetings cancelled due to holidays. Meeting will be 4th Tuesday of January. The Lake Committee is considering looking into doing a fish inventory for this year.

New Business:

Chip Dingman: Approve Aquatic proposal. It is the same price as last four years. Aquatic offers an optional fish survey for \$1,800 per water body. Board will check to see if money is in the budget to do the surveys.

Chip Dingman: Motion to accept Aquatic proposal for treatment of algae. Weed treatment is optional.

Mike DePeri: Makes a motion

John Jamieson: Seconds the motion

Vote: All in favor

Chip Dingman: Approve minutes from November 9, 2015 meeting. Attached is the resolution passed at last Board meeting to hand over management of both sections. It was amended to change date to April 1st vs original date of March 1st.

Mike DePeri: Makes a motion

John Jamieson: Seconds the motion

Vote: All in favor

Chip Dingman: Reads current bylaw and asks for a vote to change Bylaw definition of limited common element, removing last sentence.

(t) "Limited Common Elements" – a part of the Common Elements allocated pursuant to the plat for the exclusive use of one or more (but fewer than all) of the Units. Such Limited Common Elements shall include, but not be limited to, sewer and water facilities and services.

John Kleymeyer: Explains reason for the change in the Bylaw.

Mike DePeri: Makes a motion

John Jamieson: Seconds the motion

Jack Ritter: Residents who are on common wells and sewers should be the residents to vote, not the Board. Jack believes that there are still many questions to be answered and Appletree should incorporate into contract. Asks why residents who are not on the common well should be allowed to vote.

John Klemeyer: Bylaws are not accurate. In order for something to be a common element it needs to be owned by entire community. Well and Sewer Associations are limited common elements only for groups who own them, not the entire community. Bylaw change would take place even if well and sewer associations were not turned over to Appletree.

John Klemeyer: SLPOA is only involved because SLPOA took over management of well and sewer associations:

Vote: All in Favor

Mike DePeri: Reads both version of untidy property rule. Two versions: Resident version and Legal version. Full rule will be legal basis to any action.

Residents shall keep their property in a presentable fashion, i.e., with reasonable efforts to maintain neatness. Examples of infringements of this rule include any item lying about in disrepair, unregistered vehicles, overgrown weeds/grass: refuse/discarded items lying about in full view, excessive clutter, etc.

First offense: The SLPOA will issue a warning to the person(s) in offense.

Property owners have 30 days to rectify the problem(s) noted in the warning.

Subsequent to the expiration of the 30 day period, should the problem not be resolved to the satisfaction of the "Board", a daily fine of \$25 shall be applied until the property is made presentable.

a. First offense subject to a warning – Will have thirty (30) days to rectify the issue. After thirty (30) days fine of \$25.00 per day will be assessed.

Every owner or occupier of real property ("Owner" means the registered owner, as the same appears on the records of the Pike County Tax Assessment Office.) shall maintain the said property in a neat and tidy condition in keeping with a reasonable standard of maintenance prevailing in the community. An owner or occupier of any real property must not allow any accumulation of rubbish, discarded materials, garbage, refuse, or vehicles without a current inspection sticker, upon such real property. An owner or occupier of real property used to provide space for a solid waste container must, maintain the container and area adjacent to the container in a condition that is: clean and sanitary, and not noxious or offensive or dangerous to the public health; and ensure frequent enough emptying of the container that its contents do not overflow onto the ground or otherwise cause a nuisance. Every owner or occupier of a parcel of real property shall keep the same cleared of weeds, brush, downed trees or limbs, or other growths, within a reasonable standard of that prevailing in the community. This section shall not apply to natural woodland.

*Where the owner or occupier of any real property fails to remove from such property any accumulation of rubbish, discarded materials, garbage or vehicles without a current inspection sticker or fails to keep the said property cleared of weeds, brush, downed trees or limbs, or other growths, or is otherwise in breach of this Rule the Security Department may cause a notice to be served upon the owner of the real property requiring such owner to remedy the condition within **thirty (30) days**. Any such order shall be sufficiently served upon the owner by sending the same by certified return receipt mail to the address shown on the current year's dues notice list. In the event of default by the owner in remedying the condition within the time limited, as specified in the notice referred to in subsection (1) hereof, the Board may file with the Court for authority to enter upon the real property for the purpose of remedying the condition referred to in the said notice. The costs incurred in carrying out any court procedure and work pursuant to this subsection shall be recoverable by the Association from the owner by action in any Court of competent jurisdiction, or, in the alternative, if the costs and expenses incidental to the work are not paid to the Association by the owner within thirty days after a demand for payment has been sent to the owner, the Treasurer may cause such costs to be added to and form part of the dues payable in respect of that parcel of real property. Costs shall include reasonable attorney's fees.*

Every person who offends against any of the provisions of this Rule, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Rule, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Rule, or who does any act or thing which violates any of the provisions of this Rule, shall be deemed to be guilty of an infraction of this Rule, and shall be liable to the penalties hereby imposed.

a. First offense subject to a warning – Will have thirty (30) days to rectify the issue. After thirty (30) days fine of \$25.00 per day will be assessed.

Discussion occurs around unregistered vehicles. Identity will be determined by license plate. Letters for these residents will be sent certified mail, return receipt and not “registered” as written.

Mike DePeri: Makes a motion

Jack Ritter: Seconds the motion

Vote: All in favor

Floor Open to Residents Questions

George Sullivan: Questions why meeting minutes on the website are not current. The most recent he sees is April 2015. Chip explains there are more up to date minutes currently posted on the website. Would like the Section 5 of the bylaws, co-mingling of funds revised to say that the SLPOA cannot touch the accounts belonging to the well and sewer associations.

John Klemeyer: Monies collected by well and sewer owners is collected by the SLPOA as managers and is collected separately. John suggests we do not change bylaw if turnover is approved. If turnover is not approved then a sentence should be added to clarify.

Chip Dingman: Will have Jim Ott add something into the agreement that the monies collected cannot be comingled.

John Klemeyer: Capital Improvement account cannot be comingled with other accounts according to the Planned Community Act.

Cornell Neitzel: Questions what is in the deeds of residents of Cranberry Ridge? Can they use amenities since they do not pay dues? Chip explains they have the right of way to use our roads.

Chip Dingman: Reads Section 5.7 from the bylaws: *5.7 Accounts. All sums collected by the Board with respect to assessments against the Unit Owners or from any other source may be comingled into a single fund.*

Asks for a motion to remove Section 5.7 from the bylaws, titled Accounts

Mike DePeri: Makes a motion

John Jamieson: Seconds the motion

Vote: All in favor

Wendy Westock: Asked if financials reported include well and sewer accounts. Heather explains reporting does not include those accounts.

Chip Dingman: Explains that all have their own separate accounts.

Cornell Neitzel: Thanks the members of the Christmas Committee for the decorations done for the office. The Board would like to thank Cornel for all his help.

Heather Koferl: The outpouring of help from our community and neighboring communities for the residents who lost their home due to the house fire has been amazing. The residents are very appreciative.

Mike DePeri: Makes a motion to adjourn

Heather Koferl: Seconds the motion

Vote: All in favor

Submitted by Amy Panetta as Acting Secretary