

# Cherry Hill Village Homeowners Association

## Board of Directors Meeting

Monday, May 15, 2017; 6:00 p.m.

Canton Human Services Building, 50430 School House Rd., 2<sup>nd</sup> Floor Conference Room

### MEETING MINUTES

#### 1. **Call to Order and Roll Call**

President Barb Babut called the meeting to order at 6:00 p.m.

Present: Directors Ms. Barb Babut, Mr. Leland Ropp, Ms. Bridgette Cramton, Mr. Chris Bowlby, Mr. Rick Miller, Mr. Mike Sielaff, Mr. Stanley Szczotka and Ms. Monica Wolfson

Absent: Mr. Michael Kyle

Present for management: Jeff McDuff, Site Manager, and Dan Herriman, President, Herriman & Associates, Inc., Management Agent

Directors acknowledged the resignations of Mr. Craig Crady and Mr. Jack Ventimiglia. President Babut thanked Mr. Crady and Mr. Ventimiglia for their service to the community.

#### 2. **Approval of Agenda**

It was moved by Director Wolfson and seconded by Director Cramton to approve the agenda as published. The motion was unanimously approved.

#### 3. **Co-Owner Comments**

CHV I Owner Anton Botosan advocated using the vacant lot on Filmore (at the bend north of Hancock) as open space (rather than selling it for home sites). He cited current parking congestion. He said that currently it has some grass and is now green whereas a few years ago it had 4' tall weeds. Mr. Botosan said that neighborhood kids play soccer on the lot almost every day.

CHV II Owner Benjamin Edmondson advocated that the board ask the neighbors who live near the lot how to use the lot. He said the lot exhibits dog feces and dried grass. Dr. Edmondson said there has been no vision (relative to the current and future needs of the CHV II community).

Treasurer Ropp responded that the current vision is to achieve financial stability for CHV II so that CHV II can be in a position to accumulate funds to pay for new roofs when they are needed.

CHV II Owner Shannon Van Deren asserted that the allocation of CHV costs is disproportionate between CHV I and CHV II owners.

Directors Wolfson and Cramton responded that CHV costs are apportioned equally amongst CHV I and CHV II units.

Ms. Van Deren cited patios (over garages), including her own, that are in disrepair. She said that, under former management, hers was repaired improperly. She added that she and another CHV II owner have driveways that are pitched toward the garages. Ms. Van Deren asked "what is the board doing to ensure that errors, like my balcony, do not occur again?" Treasurer Ropp responded that, under current management, the maintenance, repair and replacement contracts include clear specifications and are competitively bid. He added that bidders are pre-qualified by Herriman & Associates, Inc. and that work is monitored by Herriman's Site Manager Jeff McDuff.

Mr. Tom Goebel, who said he was representing his son who owns a CHV II unit, advocated that CHV II obtain an appraisal on the Filmore Street lot, for each of two uses – Site Condo homes and attached condo units.

4. **Approval of Minutes of Preceding Meeting(s)** (April 17, 2017)

It was moved by Director Ropp and seconded by Director Babut to approve the minutes with two corrections to item 8.1 as follows (italics text was added; underlined text was deleted):

Responsibility for CHV Common Elements Between Streets and CHV I Site Condo "Lots"

Deleted: There is a consensus *Added: There was discussion* amongst directors to propose to the CHV I membership an amendment to the governing documents to make the now common elements between the streets and the CHV I Site Condo "lots" the responsibility of each Site Condo owner, thereby reflecting the current practice.

*Added: Director Bowlby asked that legal counsel be consulted as to whether or not, if responsibility for CHV Common Elements (between streets and CHV I Site Condo "lots") is transferred from CHV to the individual owners, the common elements to be transferred can be transferred if such common elements are currently in need of repair (or if CHV would first have to make any needed repairs).*

The motion was unanimously approved.

5. **CHV I and CHV II - Review of Preceding Month Financial Report**

5.1 Management

5.2 Treasurer

Treasurer Ropp distributed, in advance of the meeting, a report for both CHV I and CHV II as of April 30, 2017 that summarized assets, liabilities and fund equities and certain expense account year-to-date actuals and budgeted amounts. He labeled such accounts as deferrable and/or variable. Both CHV I and CHV II are operating, year-to-date, close to budget.

Treasurer Ropp reported that he reviewed the adjustments that were made, in April, to the accounts for the CHV I asset account for the loan receivable from CHV II and the CHV II liability account for the loan payable to CHV I and the accounts for receivables by CHV I of cost-sharing charges owed to CHV I by CHV II and the accounts for payables by CHV II of cost-sharing charges owed by CHV II to CHV I and is satisfied that the adjustments have resulted in proper month-end balances.

There was discussion about CHV II buyers having an opportunity to pay off their proportionate share of CHV II debt.

It was moved by Director Ropp and seconded by Director Wolfson that CHV II buyers may pay off their proportionate share of debt within thirty days of closing. The motion was unanimously approved.

6. **CHV I and CVH II Committee Reports**, if any

6.1 Architectural Design and Review Committee ("ADRC")

Director Babut submitted a report of the fifteen Architectural Design and Review applications submitted to date in 2017.

A discussion arose about additional issues for consideration in the course of developing Proposed Revised Condominium Bylaws as follows:

- Number of ADRC members
- Board vacancies – board "may" versus "shall" appoint successors
- Portable Basketball hoops – allow or disallow
- Revise the restriction on temporary structures to allow a dollhouse, a pergola, etc.

7. **CHV I and CHV II - Management Report**

Mr. Herriman summarized the monthly report to the board. Mr. McDuff highlighted several items from his recent weekly reports to the board.

A discussion arose about park rental fees.

It was moved by Director Sielaff and seconded by Director Ropp to eliminate the park rental fee for CHV residents only. (Other rental provisions shall remain unchanged.) The motion was unanimously approved.

It was moved by Director Ropp and seconded by Director Wolfson to accept the tree installation proposal from Crimboli Nursery for thirteen 2" caliper deciduous trees and that, should it be necessary to use an alternate nursery, Margolis Nursery is to be used. There were seven "yes" votes and one "no" vote. The motion was approved. A "no" vote was cast by Director Bowlby who asked that his "no" vote and rationale be recorded in the minutes. Director Bowlby explained that he voted "no" because 1) 2" caliper is less than required, and 2) all trees that should be replaced in the community ought to be replaced (not just the current 13 approved replacements).

It was moved by Director Ropp and seconded by Director Babut to accept the lowest bid for specified concrete replacements in CHV common areas, but not to exceed \$4,700. The motion was unanimously approved.

There was discussion about removing and replacing the fence and about only removing the fence.

It was moved by Director Szczotka and seconded by Director Miller to the park playground fence. There were four "yes" votes and four "no" votes. The motion failed.

Management will cause the fence to be removed and will secure bids to replace it.

8. **CHV I and CHV II - Unfinished Business**

8.1 Taft Road Lots 212 and 213 Drainage Issues (tabled)

9. **CHV I and CHV II - New Business**

9.1 Address Inquiry of CHV I Owner About the Type of Basketball Hoop Required or Permitted to be Placed Upon One's Unit (Lot) – Portable or Stationary?

This item was identified as a possible proposed change to Bylaws Restrictions.

9.2 Address Inquiry of Sales Rep of Prospective Purchaser of CHV I Unit about "Large Military Style Vehicle" that will not fit in garage; intent is to park it on driveway – Compliant or Not?

Directors voiced no objection to said vehicle.

9.3 Proceed to Prepare to Effectuate the Sale of the Filmore Street Vacant Land

9.3.1 Authorize Lawsuit to Quiet Title (in order to ensure a title company will insure the sale)

It was moved by Director Ropp and seconded by Director Wolfson to authorize the Association's law firm to quiet title as suggested by the law firm. The motion was unanimously approved.

9.3.2 Authorize Legal Counsel to Draft the Proposed Amendment to Create New Site Condominium Units on the Filmore Street Vacant Land, for Submission to CHV II Voters

This item was tabled.

- 9.4 Board Governance – Decide Upon Change in Structure, if any, relative to Board Governance
  - 9.4.1 Changes the Board is Empowered to Undertake  
This item was tabled.
  - 9.4.2 Changes that Require Submission to CHV Voters  
This item was tabled.
- 9.5 Proposal to Amend the Governing Documents
  - 9.5.1 Propose to Amend Only Relative to the Responsibility for CHV Common Elements Between Streets and CHV I Site Condo “Lots”
  - 9.5.2 Propose Comprehensive Amendments Impacting Both CHV I and CHV II, including Issues Set Forth Above in Items 9.3.2 and 9.5.1

The above items should not have been placed upon the agenda. At the April 2017 Board of Directors meeting, it was moved by Director Sielaff and seconded by Director Wolfson to have legal counsel draft comprehensive proposed amendments to the governing documents for not more than \$10,000 (including any necessary engineering work). The motion was unanimously approved.

10. **Directors’ Remarks**

A director expressed concern about dandelions alongside the common path and two tree stumps on Roosevelt in front of attached condos.

11. **Next Meeting**

The next Board meeting shall be Monday, June 19, 2017 (third Monday) at 6:00 p.m. at Canton Human Services Building.

12. **Executive Session** (non-directors to be excused)

There was no Executive Session.

13. **Adjournment**

There being no further business, President Babut adjourned the meeting at 8:32 p.m.