

Annual Meeting Minutes
for July 17, 2021
Villages of Oscoda HOA

This meeting was held remotely by Zoom webinar due to Covid-19 pandemic Restrictions

Roll Call: A formal Roll Call was called out by each Board member in attendance.

Present: Beverly Knickerbocker (President), Sherry Proulx (Vice-President), JoAn Nink (Treasurer), Chad Adams (Secretary), Tim Morand, Trustee, Tammy Velten (Property Manager), Jennifer Wilson (Asst. Property Manager).

Absent: None

Quorum Statement:

Secretary, Chad Adams, began by stating that for us to begin the *2021 Annual Meeting of Members*, a quorum must be present. Chad explained that a "quorum" is the number of members entitled to vote, represented either in person here today, by proxy or by ballots received prior to this meeting, for business to be legally transacted. He then read ***Bylaw Article 1, Section (g), Definition of Quorum*** to Co-owners in attendance. This year, there were **650 ballots** mailed or emailed to qualified members. The total number needed to meet the 25% quorum requirement to hold today's meeting is **163**. The number of returned ballots received prior to the meeting today is **341**. The number of Proxies received prior to the meeting today is **6**. The number of member-units represented in attendance today is **9**. The total reached for the quorum count is **356**.

Call Meeting to Order:

President, Beverly Knickerbocker, declared that a quorum had been reached and called the meeting to order at 10:12 a.m. via Zoom webinar. She reminded all present to hold all comments and questions until the end of the meeting, during the *General Discussion* period, and that questions and comments will be limited to 3 per person.

Beverly gave instructions to Co-owners attending the Annual Meeting via Zoom on how to vote during the Zoom meeting. Co-owners were also informed to turn off TVs and phones that are not being used to attend this meeting, and to hold all questions and comments until the *General Discussion* portion of the meeting. During the *General Discussion*, Co-owners will be allowed 3 minutes to ask their questions or make a comment. Beverly also reminded attendees that this meeting is for Association business only. Beverly also asked for the Co-owners patients as we are all new to holding remote meetings.

Approval of the Minutes from the 2020 Meeting of Co-owners:

Beverly stated that we would now proceed with the reading of the unapproved minutes from the *2020 Annual Meeting of Co-owners* which were included in the meeting packet and was also made available on our website. A hard copy was also available for pickup at the office. Chad (Secretary) informed members in attendance that if they would like to skip the reading of these minutes, she would need someone to raise their hand to indicate they make the motion to waive the reading of these minutes. Chad asked that a hand be raised to indicate support for the motion. Dave Sherman (9610B Missouri) made a motion to waive the reading of the *2020 Annual Meeting Minutes*. Daniel Hansen (9415A 6th St.) 2nd the motion. Attendees were instructed to vote for or against the motion to waive the reading of the previous year's minutes by answering *Poll Question #1*. The results of Poll Question #1 were announced that the vote in favor of waiving the reading of the *2020 Annual Meeting Minutes* is unanimous - **Motion Passed**.

Chad informed members in attendance that if they would like to approve the minutes as written, he would need someone to raise their hand to indicate they make the motion to approve the *2020 Annual Meeting Minutes* as written. Chad asked that a hand be raised to indicate support for the motion. David Sherman (9610B Missouri) made a motion to accept the *2020 Annual Meeting Minutes* as written. Daniel Hansen (9415A 6th St.) 2nd the motion. Attendees were instructed to vote for or against the motion to approve the previous year's Annual Meeting minutes by answering *Poll Question #2*. The results of Poll Question #2

were announced that the vote in favor of approving the *2020 Annual Meeting Minutes* as written, is unanimous - **Motion Passed.**

President's Report:

Current Housing Status – Beverly reported the total number of units within the Association is 758, with the number of units as *Primary Homes* at 390 or 51.5% (an increase of 2.7% from the previous year); *Secondary Homes* are at 368 or 48.5% (a decrease of 3.9% from the previous year) and 2 units in foreclosure (the same number as the previous year). Of those units that are Secondary homes, 204 or 26.9% are rental units (an increase of 0.1% from the previous year), and 25 or 3.3% are Non-owner occupied units (a decrease of 0.7% from the previous year). The Association did not foreclose on any units and therefore, the Association did not sell any units. Beverly also reported that there were 56 units registered as *For Sale* with the office (an increase of 45 units), and that the total number of homes sold from July 1, 2020, until present was 56 (a decrease of 1 unit from the previous year), with 1 sale currently pending.

Lawn Maintenance – Beverly reported that G&H Lawn Care & Landscaping is still the contracted company that is maintaining the grounds in the Villages of Oscoda and are contracted through 2021. If you have any compliments or concerns about the lawn care, please notify the office. The office will contact the crew supervisor and the issue is dealt with as soon as possible. During the dry periods, the crew will conduct spot mowing to prevent lawns from becoming over-stressed by the heavy mowers when the grass isn't growing due to the lack of rain. The lawn crew completed the spring clean-up a little earlier this year due to warmer spring temperatures and weather conditions that were more cooperative than what we normally experience. However, finding experienced employees to mow and weed whip has been a challenge for them this year. The State-mandated covid restrictions of the previous year has left G&H, like many companies, struggling to find good employees. G&H is trying their hardest to meet those challenges to make sure that The Villages of Oscoda property is maintained to the highest standards. If you have any issues with the lawn service, contact the office so that the staff can address your issue as quickly as possible.

Secretary's Report:

Board of Director's Election – We have 2 Board members whose term expires this year. Those Board members are Beverly Knickerbocker and Tim Morand who was appointed to the Board to fill a seat after the resignation of Christian Gualdoni. There were 2 Candidate Profiles received for these positions. The 2 Board candidates are Beverly Knickerbocker running for re-election and Tim Morand. Both positions are 2 year terms. On behalf of the Association, the Board would like to thank each candidate for their willingness to donate their time to help make a real difference in their community by serving on the Board of Directors.

Amended and Restated Master Deed & Bylaws – Chad explained for this year's vote on the amendment ballot, the "Rental Caps" and the corresponding "Hardship Clause" have been removed. The issue regarding rental caps will be voted on at a different time. The most important issue is that our current documents are nearly 20 years old. The Michigan Condo Act (MCA) has had several major amendments to the law that need to be included and adopted in our governing documents. We are still required to follow the current version of the MCA. We need to have those amended changes specified in our own Bylaws, so that all the members know what is required by State law. Even mortgage companies are expressing more concerns that this Association has NEVER updated its governing documents in accordance with the amendments made to the MCA. If it does not pass this year, we will have no choice but to vote on it again every year until our documents are updated to comply with the current version of the law. This is costing the Association \$5-6k each year we must print and mail a voting packet on the proposed amendments. Most of the Bylaws was left unchanged by the amendments to the State Condo Act (that would be the restated part of the title). Some things were added that are missing in our current Bylaws because they didn't exist when our Bylaws were written, such as drones, and electric vehicles, for examples. Also, all references to the "Developer" and "Developer's Rights" have been removed making the Bylaws much easier to read and brings the focus back on to homeowner rights. On Tuesday, July 20,

2021, at 10:00 am, both ballots will be counted at the clubhouse. There is a sign-up sheet to volunteer to participate in the ballot counts. We will need at least 6 volunteers for the counting process.

Treasurers Report:

Financial Review Report For 2020 - JoAn reported that total *Revenues* for the year were \$566,014, and the total amount of *Expenses* came to \$568,326 resulting in *Revenues* for the year ending 12/31/20 came to (\$2,312) less than the *Expenses* for the year. The *Excess Revenues* is in parentheses (), which indicates the amount spent by the end of 2020 was over what we had budgeted for the year. A reminder that the clean-up costs from the tornado that had caused excessive tree damage in a couple of the Common Area parks last year came to \$16,000. That expense was mostly covered by "Excess Revenues" from years past that had been rolled over to the following year's budget. A copy of the "*Statement Of Revenues & Expenses*" as of 12/31/2020 is included in the meeting packet. JoAn informed attendees that current laws allow Associations to "roll-over" any *Excess Revenues*, if there is any at the end of the fiscal year, to the following year's budget if the Co-owners agree to do this in a vote at the Annual Meeting of Co-owners. A motion was made by George Moran (8122A Colorado St.) to roll-over any excess revenues, if any for the year ending 12/31/2021. Dave Bence (9407B 6th St.) 2nd the motion. Attendees were instructed to vote for or against the motion to roll-over any Excess Revenues, if any, for the year ending 12/31/2021, by answering *Poll Question #3*. The results of *Poll Question #1* were announced that the vote in favor of waiving the reading of the *2020 Annual Meeting Minutes* is unanimous - ***Motion Passed.***

JoAn reported the current balance in the Association's Reserve Fund (Capital Repair & Replacement Fund): \$104,773. State law requires that Associations maintain a minimum balance in their *Capital Reserve Account* that is equal to 10% of the operating budget, which for us this year, is \$58,421. If the balance falls below that minimum requirement of 10%, it is required that the balance in the *Reserve Fund* be restored to the minimum 10% of the *Operating Budget* prior to the end of the fiscal year. Any additional funds, over and above the 10% minimum requirement, is what the Association has available to cover any unexpected (or planned) *Capital Expense*. For us, that additional amount is \$46,352 as of December 31, 2020. JoAn informed attendees that the total amount of additional funds that is available for "*Capital Expenses*" is a prime indicator of the Association's "financial health" and is a major factor that is considered by finance companies when processing & approving mortgage applications. A *Capital Reserve Fund* is required by the State of Michigan to set aside funds to cover major *Capital Expenses* that are not covered in the *Operating Budget*. Currently, the *Capital Expenses* that the Association is responsible for are sidewalk repairs, sewer lines that run from the exterior of the buildings out to the main collection line, maintenance of all the Common Area Parks, and any major repairs for Association-owned buildings, such as the Clubhouse, the 2 buildings at Central Park and the 2 buildings in the RV Lot.

Committee Reports:

RV Lot: Chad Adams (Secretary) reported that the RV Lot has a total of 221 RV lots with 146 lots reserved (or 66%). There are 75 lots (or 34%) still available to reserve if anyone needs to store an RV or ORV. The cost is still \$1.50 per foot, per year. The RV Lot is "self-funding" which means that the annual RV Lot fee goes towards the RV Lot expenses such as electrical cost for the flood lights, any repairs needed out there and any maintenance or improvements costs. In addition to the RV Lots that are available, we also have 16 slips in the canoe/kayak building, of which there are currently 7 slips available. There is usually a waiting list for a slip in the canoe building so if you need one, contact the office while they are still available. The cost for a canoe/kayak slip is \$10.00 per year. Canoes/kayaks can also be stored on an outdoor RV lot. Chad reminded attendees to please make sure your item is only on your lot and not partially on the neighboring lot. Some lots are angled, and some are straight. We have a map in the office showing which lots are which if you need some guidance. There are a few lots still available in most sizes, although the larger RV Lots tend to go quickly. Chad also asked to please remember it is the Co-owner's responsibility to make sure that your lot is maintained like it is part of your own yard. Our lawn company will mow the lots that have not been reserved, but they do not mow or weed whip rented lots or around the item(s) stored on it. Keeping the grass mowed down will help prevent fires from happening as well as preventing mice and other critters from getting inside your item(s) and chewing up the wiring or furniture cushions.

We are no longer providing a mower in the RV Lot. Due to abuse and mis-use, we are unable to keep it operational from one week to the next. Homeowners will need to provide their own mower or weed whip to maintain their lots.

ACC Report: Sherry Proulx (Vice-President), gave a report on the ACC Committee activities over the past year. Sherry stated that over the past year, the ACC Committee has received 193 applications from homeowners wanting to make improvements on their property. That is a increase of 42 ACC Applications over the previous year. Of those applications that were received, 186 received approval and 7 applications were not approved due to non-compliance with the *Bylaw* and/or the *ACC Design & Development Guidelines* or because the location of the purposed improvement would interfere with underground sewer or water lines. The ACC Committee updated the Application form in 2019 which now includes a list of supporting documents to include with the *ACC Application Request Form* such as a *Site Map*, a picture or drawing of the change and a copy of the Township or County permit, if applicable.

The ACC Committee would like to remind everyone that **any** changes to the exterior of the unit, must have an *ACC Request Form* submitted for approval **before** you start your project. The ACC Committee has received a few applications **after** the change was already made. This could result in the co-owner having to go through additional expense to un-do the change if it is determined that a problem could occur (for example, the underground pipeline could be blocked or damaged from tree roots or if the change is prohibited in the *Bylaws* and/or the *ACC Design & Development Guidelines*. Both forms are available in the office and on our website. It is also important to remember that any changes to the structure of a multi-unit building will need the signature of the adjoining co-owner(s) to avoid a delay in the approval of the application. A good example of that would be in the case of roof replacements, painting of a building or shed, etc. The ACC meets twice a month during the summer months (May through October). The meetings are held on the 2nd & 4th Thursdays of the month at 10:00 am in the Conference Room. The Committee meets only once a month on the 2nd Thursday of the month during the winter months (November through April). To submit an application for the ACC to review and approve, the request must be received by the **Friday before** the scheduled ACC meeting so that it can be placed on the *Agenda* for the upcoming meeting. These meetings are open for any member to attend and observe.

Garden Club: Tim Morand (Trustee), stated that the Garden Club has accomplished quite a bit for having only a few volunteer members left on the committee. Tim stated that the Association would like to thank the Garden Club members for their dedication to beautifying our parks and streets and for ALL their hard work over the past years. This year, the Garden Club weeded the existing flowerbeds at the HOA Clubhouse sign and refilled and planted beautiful flower arrangements in the flower boxes next to the Clubhouse doors. Garden Club members were also planning on re-painting those flower boxes when the weather permits. Earlier this year club members put edging down and placed rocks along the flower bed on the side of the Clubhouse. The Garden Club also installed the flags at the community entrances along Perimeter Road at Skeel and at Georgia Dr. Club members trimmed and weeded the flower planter along Bissonnette, and cleaned & weeded the entrance way and sign gardens at Skeel & Perimeter and at Perimeter and Georgia Dr. The members of the Garden Club are doing a fabulous job in adding to and improving the overall look of our community. However, the number of volunteers for the Garden Club has dwindled over the years, and only a handful of volunteer homeowners are left to help beautify the many Common Area parks and gardens which contributes to, and greatly enhances, the curb-appeal within our community. Without our dedicated volunteers, the Association will have to pay a business to weed, plant and otherwise maintain all our community parks and gardens. If **anyone** would like to join an awesome group of homeowners and to share your passion and interest in helping to assure our neighborhood continues to look beautiful, welcoming, and well maintained, please contact the office for more information.

Annual Picnic Report 2021: *Beverly Knickerbocker (President)* announced that our Annual Picnic has been scheduled for Saturday, August 28th from 12:00 noon – 3pm. The association will supply the hamburgers, hot dogs, Brats, table settings and drinks (non-alcoholic). Please bring a side-dish to pass.

In past years, we often came up a little short on the side-dishes, as most homeowners attending brought in a variety of desert dishes. To help avoid a similar situation this year, we are asking that you check with the office and let them know what type of dish you are planning on bringing so that we can make sure there is a more even number of side-dishes and desserts. We will have live music, games, prizes, giveaways and more. If you have any homemade or craft items that you would like to donate for the prize giveaways, please feel free to contact the office and let them know. Prize donations will need to be dropped off by Monday, 8/16. The proceeds from the 50/50 raffle will again go towards the purchase of park benches for Freedom Park. We are still trying to raise enough money to do this. Come and join us and your neighbors for a good time!

General Discussion:

Instruction was given to attendees on how to ask a question or make a comment. Each person has 3 minutes to speak.

D. Hanson 10311 7th St.): Asked if "For Sale" signs are permitted in the lawn or are they still only allowed in the window. He was informed that they are still only permitted in a 1st floor window.

L. Benedict (10245 Tennessee): Stated that she thought that motorized vehicles were not allowed in the Common Area, but she has seen someone driving a motorbike on the footpath. She was informed that motorized vehicles are NOT allowed in the common Area Parks & Footpath. She was instructed to contact the office after the meeting to provide more information for follow-up.

C. Wassman (10605 Bissonette): Stated that she does a lot of walking accompanied by her specifically trained service animal and is concerned about **1.)** the dogs that are allowed to run freely and unattended. Beverly informed her that dogs are not permitted to run loose and to contact the office with the address that the dog is from and the office will follow-up on this matter. **2.)** She also stated that a unit owner near her unit that has a Pitbull which is allowed to run off leash and asked if that is a permitted breed. She was informed that Pitbulls are a restricted breed. However, you will find some Pitbulls here as it is popular for owners with a Pitbull to claim that the dog is an Emotional Support Dog (ESD) or that it is a Terrier breed. Homeowner stated she knows what unit the Pitbull is coming from so she will get with the office. JoAn suggested that getting a picture of the dog is also helpful to go along with the complaint, if possible. **3.)** Homeowner also asked about why the *Randy's Towing* wrecker is allowed to park in the driveway when commercial vehicles are not permitted. It was pointed out that the Roads fallen under the County Road Commission, and they have been try to get the homeowner to not park the flatbed wrecker in the road so they park it in the driveway. Although the wrecker does not comply with our Bylaws under the commercial vehicle provision, the Bylaws are so outdated that the Association can't use the weight limitations as the weight restrictions in the Bylaw would also prohibit many of the larger personal vehicles as well. It is a conflict in our documents which is another example why it is so important to pass the amended Bylaws.

L. Benedict (10245 Tennessee): Homeowner asked why it is a problem to allow a homeowner to park their commercial vehicle in the driveway. Chad responded that he could think of two reasons why that would be a problem. First, most commercial vehicles are very large and would be unsightly for the neighboring unit owners. Secondly, most commercial vehicles have a huge diesel engine and with the homes so closely situated, when the homeowner starts that diesel engine up at 5:00 in the morning, everyone in that area will be waking up at 5:00 a.m.

Beverly announced that the next Annual Meeting of Co-owners will be on Saturday, July 16, 2022, at 10:00 a.m. in Clubhouse if possible. Beverly than asked if we have a motion to adjourn the meeting. Dave Bence (9407B 6th St.) made a motion to adjourn the meeting. Dave Sherman (9610B Missouri) 2nd the motion. All Ayes – ***Motion Passed***

Beverly reminded everyone to turn in their ballots by 12:00 p.m. today if they haven't already done so.

Meeting adjourned at 10:45 a.m.