

Agenda of Oakwood Meadows Homeowners Association

Meeting date: April 16th, 2015

Call to order: An Annual meeting of the **Oakwood Meadows Homeowners Association** was held in South Lyon, MI on April 16th, 2015. The meeting convened at 7:10, President Jim Smalley presiding, and Larry Wildt, Secretary.

Board Members in attendance:

Curt Hutchinson (excused)

Laura Leshok

Roy Meadows

Jim Smalley

Leisa Thompson

Larry Wildt

Katie Wind (excused)

Members in attendance:

Donna Smalley

Pam Wallace

Wendy Turner

John Long

Keith Miner

Ron Cech

Bruce Pedersen

Keith & Rose

Augie Tahtinen

Approval of minutes:

Minutes from March 18th, 2015 were corrected and approved.

Treasurer report:

- Current bank account balances as of April 1, 2015
 - Checking \$2,570.54
 - Savings \$16,513.61

 - 2014 Assessment Income \$17,325.00
 - Donations \$364.00
 - Expenses \$15,235.35

President's Message

Timeline – What happened this year?

New board elected	February 3, 2014
Meet and Greet	March 6, 2014
Rebuilt website	Updated monthly
General membership	April 15th, 2014 open meeting
Spring cleanup	May 10, 2014
Block party	May 31, 2014
General membership meeting (bylaws)	August 12, 2014
Bylaw vote October 22, 2014	Passed
General membership meeting	December 11, 2014
Survey on restrictions sent to Sub 1	February 2015
Annual meeting materials mailed	March 20
Annual Meeting	April 16, 2015

Announcements:

- Election results
 - The proposed dues of \$175 were passed
 - Elected to 2 year terms
 - Jim Smalley
 - Laura Leshok
 - Roy Meadows
 - Larry Wildt
 - Elected to a 1 year term
 - Brian Canadi
 - John Long
 - Leisa Thompson
 - Mark Zemko

- Comments from members
- Jim Smalley was given an “A” for his annual message
- A member of sub 2 wants a cement driveway, and there was a general discussion about why we have that restriction
- A member of sub 2 was wondering if sub 2 restrictions will be the same as sub 1.
- Board response - Just a little bit of background, Oakwood Meadows has 100 members and is broken into 2 sections that have different restrictions. Sub 1 is made up of lots 1 – 36 and Sub 2 is made up of lots 37-100 and they have 2 close but different set of restrictions. A survey will be done with sub 2 for their input on what changes they might want to make to their restrictions
- A member comment that Ponderosa is fine it is just bad for a month in spring where it is rough but that keeps speed down, and feels that the sub behind us should contribute funds.

Adjournment: The meeting was adjourned at 8:10.

Larry Wildt

Date of approval: May 3, 2015

Oakwood Meadows Homeowners Association

Addendums

Member Inquiries

To protect the anonymity of members of our community the names have not been included.

1) Larry,

A new homeowner, has moved into xxxx. This was xxxx home previously. Would you please have a board member make sure that he has a copy of the subdivision documents & gently inform him that trailers are not allowed to be parked on lots in the sub. He has had an enclosed trailer sitting in his driveway since Saturday, March 14th. Thanks.

Response

We have contacted the new member on March 22 and provided information the website which includes the bylaws, restrictions and contact information.

2) Larry who is on the street committee so we know who to call?

Response

Laura Leshok and Roy Meadows are handling the road concerns and options; to reach them please use the "contact us" form on the OakwoodMeadows.org site

- 3) Larry,
Why is there NOT a complete listing of all monies spent in the budget sheet for 2014 that was mailed out with the ballot? You do not show any money spent on attorney fees or funds spent by the board on social activities. And why is the board being remiss in budgeting funds for any legal matters? It is a responsibility of the board to be able to act upon any matters that may require legal counsel.

Also, what happened to the requirement in the By-laws that there are to be two candidates for each board seat that is to be filled? It's interesting to see how this board has changed things around from what they were pushing for from the previous board.

I would appreciate prompt answers.

Response

The 2014 spending and the 2015 proposed budget was also mailed along with the ballot and shows all spending by category for 2014 which, of course, includes the legal fees. There was no spending for social activities; the spending for the annual picnic and open meetings are listed along with the amounts spent on each. The same document shows that \$4,500 is proposed for the budget of legal funds in 2015. In fact, all of the expenses and the bank balances are published monthly on the OakwoodMeadows.org website.

The Bylaws with changes have been voted on and approved by the association. Included in the approved changes is the process for nomination. I refer you to the bylaw section of the web site and encourage you to read section 5.03 which explains the new nomination process. We no longer vote for a candidate for a position, we vote for members of the Board. The elected Board selects who will reside in which position. Thus the need for two candidates for a specific position has been removed. We are following the process as stated in this section.

Response Back

I did not receive the sheet regarding the budget in my mailing.

Response

I mailed a copy yesterday from the South Lyon post office

- 4) Hi Larry

I found this article on line. It's recommended as an example to get vendors to donate a free grass cut or restaurants to give a gift certificate in lieu of association money. Cash money is best used for the HOA maintenance, repairs etc. Also the winner may have to pay taxes.

Some condominium and homeowner associations have the ability under their governing documents to reduce the required percentage for a quorum at adjourned meetings, often from 50% to 25%, but even then some of those associations cannot get 25% of the owners to vote.

Many board members and managers have told me that they believe this is a problem with community associations in general. The fact is that this is not just a problem for community associations; it is a problem for federal, state and local governments. This is an interesting idea. Over the years, several of our firm's association clients have asked us whether they could offer incentives to get their owners to vote. These associations were proposing that each owner that voted would get some cash or perhaps a discount on their next assessment.

We have generally advised our clients that we did not think that this would be an appropriate use of the association's money. Most associations' governing documents specify that the monies received from assessments must be utilized for the maintenance, repair and other expenses of the association. We have been hard-pressed to find any authority to utilize association funds to "pay" owners to vote or for a lottery prize.

And, as the article I referenced above indicates, "depending on the source of City funds, the idea could require a ballot measure." If the City would have a difficult time justifying the use of taxpayer money for a lottery prize to get its citizens to vote, an association would probably fare no better.

The article also states that "Federal law prohibits people from accepting payment in exchange for voting." While that law would not necessarily apply to community associations, the article does point out that "California law prohibits people from using money or gifts to ensure that voters cast ballots for any particular person or measure. Money also cannot be used to keep people from voting in a particular election..."

Offering a prize (via lottery or some other random selection method) to cast a vote would not be the same as offering money to vote for a particular board member. These laws do, nonetheless, show that paying people to vote is not really sanctioned by the law. But perhaps offering a prize may not be the same as paying people to vote.

Homeowner apathy is a problem. Perhaps a lottery or prize is not a bad idea. Instead of utilizing association funds, perhaps members of the board or management can solicit prizes from the association's vendors or others. For example, perhaps the association's landscape vendor will offer to trim a homeowner's trees as a prize. Or maybe the painting contractor that is painting the exterior of the association will offer to paint one or more rooms in a unit as a prize. And before you send me comments, I am not suggesting that the landscaper or painting contractor be selected on the nature of the prize they offer or even whether they would offer a prize. I would not even ask them until after they have been working at the association. Alternatively, the association could ask local restaurants if they want to offer a prize in exchange for the association sending out a notice to all of the owners regarding the prize offered by that restaurant. These are just some suggestions as to the type of prizes that could be obtained without having to utilize association funds.

As the article concludes, "studies have shown [that] if you get people to the voting booths and they're being incentivized to be there . . . over time they will vote for someone."

Response

Thank you for this article, I have passed it along to the board.

Response Back

Thanks Larry it's not a big deal I know I just thought you might like to be aware thank you