

Strawberry Hill Estates Homeowners Association 2010 Annual Meeting Minutes ✓

Subject: Annual Meeting
Date: Thursday, June 24, 2010
Time: 7:30-9:00
Location: Hamburg Township Library

Agenda:

- The meeting was called to order and a Roll Call of the Membership was conducted by the President. Attached is the roll-call sign in.
- The Minutes of the 2009 meeting were not presented by the then-Secretary. The Vice President of the Association agreed to take on the Secretary role from this point forward until a new vote of the membership of board members.
- The Treasurer's Report was presented and is attached.
- Review completed business
 - Payment of legal fees: An in-depth discussion was had on the mechanism to pay for the legal fees due for the lawsuit regarding the lake lots. The resolution was that the Board recommends that all the members pay an equal share of the remainder of the legal fees, with the exception of the homes exempted from payment in the lawsuit settlement. The amount due would be approximately \$187 per household. The Treasurer will communicate with the law firm about this plan and regularly render payments as residents pay their share. He will report to the membership by August 1st about the status of the payment and regularly thereafter until the bill is paid.
 - Road improvement project: Road re-paving work was active in the Spring and had a successful early completion in July 2010.
- New Business:
 - It was discussed that a sub-committee should be formed to review and harmonize/update bylaws and building and use rules. The membership required that it be pro-bono work only.
 - There was some feedback to the Access Committee as follows:
 - It was suggested that we should investigate the option of putting in more slip space for pontoon boats since we now have two more lots. Some concern was voiced, however about highlighting expansion there with the township or DEQ.
 - It was suggested that perhaps if a person didn't get a slip one year, that they automatically get one the following year without being in the lottery assuming they are in good standing.
 - It was suggested that we apply for a permit for a seawall for the pontoon area since it will need repair soon.
- Election of Directors: Mary McLaughlin, Craig Mestach and Dave Walmroth were re-elected. It was agreed that the President would communicate to the membership which role each individual would have. Subsequent to the meeting, it was decided that Dave would remain President, Mary would remain VP and Secretary, and Craig would remain Treasurer.
- Close: There was a motion and second to close the meeting.

Strawberry Hill Estates Homeowners Association Annual Meeting Announcement

Your attendance at the annual meeting is appreciated. One-third of the Members in good standing are required for a voting quorum.

Subject: Annual Meeting
Date: Thursday, June 24, 2010
Time: 7:30PM-9:00PM
Location: Hamburg Township Library

Agenda:

- Roll Call of the Membership
- Minutes of 2009 Meeting (Secretary)
- Treasurer's Report
- Review completed business (All):
 - Payment of legal fees.
 - Road improvement project.
- New Business:
 - Form committee to review and harmonize/update bylaws and building and use permits.
 - Review/discuss use of additional lots gained through lawsuit and possibility of expanding/modifying pontoon slip lottery (marina permit?).
 - Other topics as raised by the membership.
- Election of Directors:
 - Please contact Brad McMartin at 734-718-1200 or bemick8@yahoo.com if you would like to nominate someone in advance for a Director position. The process is outlined in the bylaws which are available on the website; www.strawberryhillestates.org. Note: *Advance nomination is required by the bylaws and it must be received 15 days prior to the meeting.* Please call Brad if you have questions.
 - Current Directors and respective Board Officer positions:
 - Treasurer – Craig Mestach
 - Secretary – Brad McMartin
 - Vice President – Mary McLaughlin
 - President – David Walmroth
- Close

Reminder: As voted on by the membership in last year's all-member vote, the 2010 annual dues of the Strawberry Hill Estates Homeowners Association are \$75.00, due as usual June 1. If you have not done so already, please make checks payable to Strawberry Hill Estates Homeowners Association and mail in to the below address. If you have any questions about your dues contact Craig Mestach at 734-417-9224.

Strawberry Hill Estates Homeowners Association
P. O. Box 833
Hamburg, MI 48139-0833

Special Funding Notice relating to the Completion of the Community Lawsuit

Neighbors and fellow Association Members:

As the community lawsuit was settled last year, we must complete the process of paying our portion of the legal fees. The total amount of the outstanding invoice for our association is \$8,953.28 (representing one-half of the total split between the two associations).

This amount, divided by the number of households in our association less the three exempt households as indicated in the settlement, leaves us each with the need to contribute \$182.72 per household (\$8,953.28 divided by 49 households).

Our association board has reviewed the matter and agreed to move forward with payment of the invoices. Accordingly, pursuant to the Building and Use Restrictions, paragraph 17, the Board has levied an assessment on our membership in the amount of \$187.72 per household, and with the exception of the three households (Landis, Gauthier, Howard), as per the terms of the Consent Judgment entered by the Court in that lawsuit.

Please Note: While we attempted to investigate alternatives, the need for a special assessment was unavoidable, and it is believed the benefits we received are well worth the legal fees (please see www.strawberryhillestates.org for a high level description of the outcome including the additional lots we obtained). It should also be noted that neither the board's vote, nor a vote by our membership would affect our responsibility to pay the invoice. It is an obligation we incurred as a group when the decision was taken to pursue a lawsuit approximately four years ago.

Therefore, please join your board members and neighbors in contributing your share of the legal fees. Your payment of \$187.72 for the legal fees should be made out to 'Strawberry Hill Estates Homeowners Association' and mailed to:

**Strawberry Hill Estates Homeowners Association
P. O. Box 833
Hamburg, MI 48139-0833**

Please remit your contribution by July 1, 2010 as our sister HOA, Strawberry Point Bluffs has already paid their share and we would like to close the matter.

Regards,

Your Strawberry Hills Estates Board

David Walmroth, Mary McLaughlin, Brad McMartin, Craig Mestach

10630 Indianola Rd.
Whitmore Lake, MI 48189
810-299-2222
memc@ieee.org

June 22, 2010

To: Strawberry Hill Estates Homeowners Association
P. O. Box 833
Hamburg, MI 48139-0833

Dear Neighbors,

This letter is a formal statement for the Annual Meeting minutes with regard to the special assessment that was sent to the Association from our Board President, Dave Walmroth. That assessment is to pay for attorney fees resulting from the lawsuit filed about the sale of lakefront lots and use of our Park.

First, I will say we have a deficit in our account due to the lawsuit legal fees, and that we do indeed need to pay our bills. However, it is critical that we follow the rules to do so.

Secondly, I want to say for the record that I do not support the board levying an assessment to pay the bill because I believe the Board has no authority to do so, and it would be a bad precedent to allow the bill to be paid in this manner. I communicated this several times verbally and in writing to the board members, and offered alternative methods by which to pay the bill. I did not give my approval to sign my name to the letter that was mailed, and I specifically requested that my name *not* be included if Dave wanted to attempt to have the Board levy an assessment.

The letter from the Board President states that the Board had authority to levy the assessment due to Paragraph 17 of the Building and Use Restrictions. What I was told he was referring to is the paragraph that reads in part:

The association...will be empowered to carry on the affairs of the Strawberry Hill Estates in general and such acts as are proper. It will be empowered to levy dues and assessments to cover the cost of any work done and also operating expenses.

Note that the rules say that the "*Association*" has these rights, not the Board alone. Further, the second document governing our behavior is the Bylaws, and they state in Article VII that,

...the dues and assessment provisions of these Bylaws shall not be altered, amended or changed so as to increase the assessment of a member without the affirmative vote of two-thirds of the votes of the members.

Thus, the documents indeed say that the Association and the Board can conduct the general business of the Association, but the Bylaws are very specific in terms of how assessments are to be levied. While one might be able to construe some other interpretation, I believe the intent is very, very clear, and that assessments can be levied only by a two-thirds vote of the membership. We followed these rules last year when we called the special meeting and vote on increasing the annual dues.

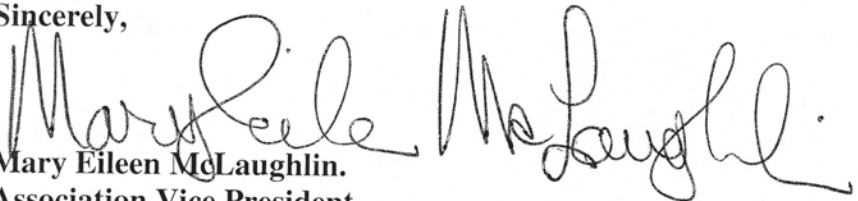
It is critical that we follow those rules to pay our current bill and to cover the deficit in our account. It is also critical that we not set a precedent that the Board can simply levy an assessment when only one or two of the members choose to do so.

There are two alternatives to resolve this situation:

1. Simply inform the neighbors of the deficit and ask for their share of the payment of \$182 within sixty days. If we do not receive the full amount by that date, then the Treasurer and Jim Roach, to whom the fee is due, can follow-up with individuals and/or we can then call a special meeting and vote as we did last year for the dues increase.
2. Take a vote of the membership at this time, and with the approval of two-thirds, then the assessment is approved.

Lastly, I take my role on the board seriously as well as the documents that guide our behavior. I do hope my position is received in this light.

Sincerely,

A handwritten signature in cursive script that reads "Mary Eileen McLaughlin". The signature is written in black ink and is positioned above the typed name and title.

Mary Eileen McLaughlin.
Association Vice President

Treasurer's Report for
Strawberry Hill Estates Homeowners Association

April 10, 2009 – June 23, 2010

Beginning Balance:		\$1,423.43
	Deposits:	\$6,622.20
	Debits:	\$4,325.54
Ending Balance:		\$3,720.09

Beginning Balance:		\$1,423.43
	Debits: Summer Property Tax:	\$2.46
	Winter Property Tax:	\$8.48
	Certificate of Tax Exempt Status:	\$20.00
	P. O. Box Rental	\$20.00
	Stamps:	\$230.56
	Envelopes:	\$13.76
	Labels:	\$30.73
	Photocopies:	\$43.55
	David Allen: Reimbursement Lake	
	Monitoring Program of Strawberry Lake:	\$192.00
	General Liability Insurance:	\$2,762.00
	Liability Ins. (Directors)	\$982.00
	Returned NSF Account Closed	
	Refund Check from: Michigan Lakes & Streams:	\$20.00
Total Debits:		\$4,325.54
Total Deposits:		\$6,622.20
Ending Balance:		\$3,720.09
Legal Assessment: Collected:		\$1,877.20
General Fund in Account:		\$1,842.89

Treasurer's Report for
Strawberry Hill Estates Homeowners Association

April 10, 2009 – June 23, 2010

Beginning Balance:		\$1,423.43
	Deposits:	\$6,622.20
	Debits:	\$4,325.54
Ending Balance: 6/24		\$3,720.09

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Envelopes:	\$13.76	
Labels:	\$30.73	
Photocopies:	\$43.55	
David Allen: Reimbursement Lake	\$192.00	
Monitoring Program of Strawberry Lake:	\$192.00	<i>does deposit include</i>
General Liability Insurance:	\$2,762.00	
Liability Ins. (Directors)	\$982.00	
Returned NSF Account Closed	\$20.00	
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3222.89

Strawberry Hill Estates Homeowners Association Annual Meeting Board of Directors Ballot

Note: Please select any 3 of the below names for 2010-2011 Board of Directors Membership.

Homeowner Name: _____

Homeowner Address: _____

Selections:

David Walmroth (Incumbent)	 	18
Mary McLaughlin (Incumbent)	 	17
Craig Mestach (Incumbent)	 	17
Scott Landis (Nominee)	 	14
Dixie Lemke (Nominee)	-----	
----- (Provisional if needed)	-----	

**Strawberry Hill Estates Homeowners Association - Residents by Address
Attendance at 2010 Homeowners' Meeting**

Please sign next to your address, thanks!

Grob, David & Patricia Anderson 5072 Lisch

Pat Anderson

Forster, Tom & Sharon 5081 Lisch

Lawrence, Jim & Lori 5084 Lisch

Bristol, Wayne & Claudia 5096 Lisch

Claudia Bristol

Gauthier, Larry & Irene 5099 Lisch

LH

Mestach, Craig 5108 Lisch

Howard, David & Jennifer 5117 Lisch

[Signature]

Walmroth, David & Lori Skone 5120 Lisch

[Signature]

Berryman, Kevin & Valorie 5132 Lisch

Val Berryman

Lorge, Brian 5135 Lisch

Lawrence, Richard & Rosangela 5144 Lisch

[Signature]

Benson, Ken & Linda 5153 Lisch

[Signature]

Roach, James & Valerie 5156 Lisch

LER

Dickerson, Devere 5168 Lisch

McManus, Bill & Lisa 5171 Lisch

[Signature]

Zaharee, William & Sharon 5180 Lisch

Falconberry, Scott & Mary 5224 Lisch

Landis, Brent & Karen 5233 Lisch

Mackey, Jon & Mary 5240 Lisch

McMartin, Bradley & Paula 5256 Lisch

Landis, Scott & Denise 5272 Lisch

~~Lapp, Christopher & Jami 40505 Indianola~~

McLaughlin, Mary Eileen 10630 Indianola

Maura

Cockfield, Linda 10631 Indianola

Murphy, Peter & Robbie 10661 Indianola

Randall, Tony & Kim
Armour, Bill & Carrie
Grove, Bill & Betsy
Drzewiecki, Ed & Linnette
Balousek, David & Sherri
Sackett, Mike & Tami
Bishop, Steph & Kathy
Czabaniuk, Art & Larisa
✓ Lewis, Bill
Russell, Robert & Nadine
✓ Kotrys, Susan
Stevens, Chuck & Shelly
Jenkins, Tom & Marsha
Baker, Tim & Kyle
✓ King, Ed & Susan
Shaffer, Jacqueline
Musa, Pamela
Mardeusz, Robert & Debra

10680 Indianola
10685 Indianola
10710 Indianola
10715 Indianola
10730 Indianola
10755 Indianola
10760 Indianola
10810 Indianola
10811 Indianola
10835 Indianola
10840 Indianola
10949 Indianola
10950 Indianola
10961 Indianola
11030 Indianola
11035 Indianola
11060 Indianola
11065 Indianola

Bill & Betsy Grove

11 - prosy

Sk

Shaffer

Bob Mardeusz

Topp, Brad & Norma
Lemke, John & Dixie
Mills, Donald
Marks, Richard & Donna
Mite, James & Karon
McCreadie, Bill & Gabrielle Cullen
✓ Bassett, Jeremy & Julie
Fillion, Kevin
Larson, Steve & Renie
Buckland, Dave & Debby

10600 Strawberry Hill
10628 Strawberry Hill
10643 Strawberry Hill
10656 Strawberry Hill
10671 Strawberry Hill
10684 Strawberry Hill
10699 Strawberry Hill
10712 Strawberry Hill
10727 Strawberry Hill
10740 Strawberry Hill

BF

Dixie

Donna Marks

JB