

Reserve at the Fairways Condominium Association

Annual Association Meeting Minutes

November 16, 2022

NOTE: Two sets of governing documents will be referred to in these minutes. For brevity and clarity, they will be addressed as follows:

- Original Condo Declaration:
 - Ref: “Declaration of Condominium Property for The Reserve at the Fairways Condominium” (dated 4/18/05)
- Amended & Restated Condo Declaration:
 - Ref: “Amended and Restated Declaration of Condominium Property for The Reserve at the Fairways Condominium” (dated 10/28/21)

CALL TO ORDER: 6:30 PM (by John Moore)

ROLL CALL:

- Board Members: John Moore, Nancy Behr, Joe Fiori Walt Hoy, & Phil Piertzak
- Non-Board In-Person Attendees: See Owners Attendance List
- Proxies Submitted: Steve Faltys

INTRODUCTIONS:

- Head Table: John Moore (Chairman), Marvin Pflaumer, Jenny Threm, and Walt Hoy
- Guests:
 - Andrew Meinert - Kaman & Cusimano (Association’s legal counsel)
 - Mike Rotramel - Community Manager (Apple Property Management)

Chairmanship of meeting turned over to Andrew Meinert

NOTICE OF MEETING: In compliance with the Section 1.07 of the “Amended & Restated Condo By-Laws” and Section 26.13(a)(i) of the “Amended & Restated Declaration,” notice (dated 10/23/22) was mailed to owners within required timeframe.

QUORUM: Confirmed

- **Note:** Prior to 28 Oct 2021, a quorum required the presence, in person or by proxy, of a majority of unit owners, a challenging threshold to achieve each year. With the recording of the Amended and Restated By-Laws of Condominium Property for The Reserve at the Fairways Condominium, Section 1.1 redefined a quorum as the unit owners in good standing who are present, in person or by proxy, for any Association meeting. This all but eliminated the possibility of not being able to conduct crucial business at Annual Association Meetings; most notably, the election of Board members.

APPROVAL OF 2020 ANNUAL ASSOCIATION MEETING MINUTES:

- Motion made by John Moore to waive the reading of and approve the minutes as distributed
- Motion was seconded and carried unanimously with no dissenting votes by owners
- Copies are available on the website or upon request from the Secretary.

REPORTS FROM OFFICERS:

- **PRESIDENT:**
 - CenterPoint Energy Notice: Each year, the question comes up as to whether owners are responsible for gas lines. All lines (gas, water, sewer, & electric) have split responsibility. Unit owners are responsible for each line type when it is servicing only their unit. Once a line joins with another line(s), it becomes the responsibility of the Association or the utility company.
 - Leaf-Blowing: Weather interrupted the leaf-blowing effort and will be resumed as soon as weather permits.
 - Storm Drain Damage: Simms damaged a storm drain (on Salon Cir near the pond) and has reported it will be fixed within the next 10 days.
 - Lack of Progress on Identified Projects: We need to ensure that longstanding projects with no apparent progress move forward. Most notable is the community painting project. While the Assoc contributed to a slow start in the Spring, enough quotes have yet to be collected to enable the Assoc to make a decision on a vendor to complete the work. Additional projects that need quotes collected are the collapsing are the cement collars on the 13 storm drain catch basins throughout the community as well as the sealcoating of streets and driveways.
 - Master Association: Still not dissolved and remains a work in progress.
 - Community Website: Website has been updated by Joe Fiori and it looks great. Governing Documents are already there; minutes and forms will be added.
 - Special Meeting: A special Board meeting was held to discuss pool repairs. The Board decided unanimously to postpone repairs until the new pool management company has had an opportunity to evaluate the leak and approaches to better identify its source.
 - Annual Meeting: K&C will be chairing this year's annual meeting. Mike from APM discussed logistics and other general matters pertaining to the meeting.
- **MAINTENANCE DIRECTOR:**
 - Nothing to report
- **VICE PRESIDENT:**
 - Nothing to report.

- TREASURER:
 - Account balances (As of 10/31/22):
 - Operations:
 - Alliance Bank: \$ 12,492.76
 - PNC Checking: \$ 6,942.12
 - Reserves:
 - Alliance Bank: \$ 49,299.64
 - PNC Checking: \$181,906.85
 - HLSB CD (60-month): \$ 65,282.12
 - Total of All Accounts: \$315,923.49
- SECRETARY:
 - Nothing to report.

COMMITTEE REPORTS

- CLUBHOUSE:
 - TV Donation: Joe Fiori offered up a TV to replace the aging TV in the media room
 - Directing Underspent 2022 Budgeted Funds to Clubhouse Projects:
 - We are expecting that all 2022 budgeted funds will not be spent in 2022
 - Suggestions were made to earmark a portion of these unspent funds for potential clubhouse projects in 2023 and beyond
 - John explained that such an approach was not permissible under IRS rules governing condo associations
 - Monthly owner assessments are exempt from taxation as long as they are spent on expenses in the tax year they were collected
 - Unspent assessments must be transferred to Reserves or be treated and taxed as income
 - The Board has responsibility to strictly adhere to laws (federal, state, or city) and the Association's governing documents and NO authority to ignore or circumvent them
 - Regarding the Association's governing documents, the Board can:
 - Petition the owners to amend the Declarations & By-Laws
 - Make reasonable rules to clarify and amplify laws as well as the Declarations & By-Laws
- LANDSCAPING:
 - New Adjacent Community Development:
 - Maintenance of mound erected along property line separating new community and ours is the new community's responsibility
 - Land donations by Simms Development to our community:
 - Northern half of westernmost portion of Salon Cir + 8' north of northern curb

- The current plan is to create parallel parking spots where the “driveways to nowhere” currently exist
 - Straightening (squaring off) of an angling property line that previously cut through the front lawn of 6950 Salon Cir
 - Simms had to tear up the existing asphalt on Monte Carlo Way (MCW) to the west of Lyon St in order to access utilities (Association’s property)
 - The current plan is:
 - Place 2-3 parking spots in the 20’ closest to intersection
 - Remove pavement and curb from the remainder of this portion of MCW and plant grass seed
- ARCHITECTURE: APM will become the primary point-of-contact for the process. The new process will require:
 - Owners to submit Architectural Project Request Forms (APRF) to APM
 - APM to perform all required due diligence
 - APM to provide a written recommendation
 - The Architecture Review Committee (ARC) to approve/disapprove all requests

ADDITIONAL TOPICS DISCUSSED:

- Water Bill:
 - Recent water bills were analyzed to determine the amount of water added to offset the loss of water due to the pool leak
 - Several bills stated that a water leak existed
 - Believed to be caused by a leak in the sprinkler system
 - Concern was expressed because APM didn’t notice it
- Sprinkler System De-Winterization: Concern was expressed that preparation for watering season may have opportunities for savings we aren’t taking advantage of
- Apple Property Management Performance: An owner expressed the opinion that APM has failed to perform up to the level expected and contractually-obligated to. The Board will take this under consideration during the upcoming contract renewal period.

MOTION TO END MEETING:

- Motion to adjourn the meeting was made by John, seconded by Joe, and carried unanimously. Meeting was adjourned at 7:50 PM.

The next Board meeting is **TBD**.