



Tall Timbers

Homeowners Association Annual Meeting
Sunday, December 07, 2008
North Branch Public Library
North Branch, Minnesota

I. ROLL CALL & ESTABLISH QUORUM:

A sign in sheet was located at the meeting room's entrance. Each home owner was asked to sign next to their address on the sign in sheet. There were 21 signatures along with 11 proxies (all with voting privileges) establishing a quorum. Tall Timbers has 48 homes 60% of the home owners are required to establish a quorum. The 2008 TTHA Annual meeting established a 66% attendance.

II. CALL TO ORDER:

The Annual Meeting of the Tall Timbers Homeowners Association was called to order at 6:15 PM on Sunday December 07, 2008 at the North Branch Public Library by Dave Randall TTHA President. Also present were Board members, Lori Berglin, Ken Grieger and Randy Berglin.

III. WELCOME REMARKS & REMINDERS:

In Dave's opening comments he thanked everyone for attending the 2008 TTHA annual meeting. He thanked the 2008 Board members, as well as everyone for supporting, encouraging and providing the constructive criticism as he went through the learning process in his first year as TTHA President.

A special thanks to all those who planted flowers and maintained the monument area this past year. Thanks to Karen Johnson for her continued hard work on the Septic Committee. And thank you to Vince Schoon for his willingness to drive and improve the website project.

New members were welcomed to Tall Timbers. The Peek family, the Woods family and the Bergqvist family all moved in to Tall Timber in 2008.

Thank you to everyone in our successful effort to get the speed limit lowered to 25 MPH. Over 80% of TTHA members signed the petition for a lower speed limit. The petition was a key element in convincing the city to grant the lower speed limit.

Dave reminded the members that in 2003 it was established that all TTHA meetings would be run under the Robert's Rules of Order, briefly highlighting that process. Dave also noted that for the first time we were using the digital recorder to record the meeting for accuracy in documenting the minutes of the meeting.

IV. ELECTION OF THREE (3) TTHA BOARD MEMBERS:

Warren Fulton and Mats Bergqvist volunteered for the 3 year positions. Mark Hughes motioned to accept Warren Fulton and Mats Bergqvist to fill the two 3 year terms on the TTHA Board. Motion was seconded by Tom Davis. Motion passed unanimously.

No additional volunteers or nominations came forward; the filling of the one 2 year term was tabled and will be addressed at a later date.

V. APPROVAL of DECEMBER 02, 2007 TTHA ANNUAL MEETING MINUTES:

Prior to the business of approving the 2007 Annual Meeting Minutes, A call was made for any additions to the meeting Agenda Mary Jane Allen motioned to accept 2008 Annual Meeting Agenda, that motion was seconded by Aaron Seim. The motion to approve the Agenda was amended by a motion put forth by Shari Erickson to include a discussion regarding mowing of the TTHA Common areas. That discussion will take place under item XI. Other Business from Association. The amended motion was seconded by Vince Schoon; the amendment to the Agenda was approved unanimously. The revised Agenda to include the amendment was approved unanimously.

Tom Davis motioned to accept the 2007 TTHA Annual Meeting Minutes as presented. Motion was seconded by Mark Hughes. Discussion followed. Motion passed unanimously.

VI. TREASURER'S REPORT:

Lori Berglin presented the 2008 Treasurer's report. She reviewed year to date figures, comparing 2008 actual to 2008 budgeted expenditures, as well as 2008 actual to 2007, highlighting the electric utility increases as well as septic drain field inspection. She also reviewed the current fund balances.

Dave Randall motioned to have 3 non-board members of the TTHA volunteer to perform a review of the TTHA books prior to the January 2009 TTHA BOD Meeting, and at the January 2009 meeting report their findings. Vince Schoon seconded the motion. Mary Jane Allen, Tom Davis and Shari Erickson volunteered to perform the review. Floor opened for discussion. Motion passed unanimously.

Dave Randall motioned to accept the 2008 Treasures Report as presented, Tom Davis seconded the motion. Motion passed unanimously.

VII. COMMITTEE UPDATES AND REPORTS:

A. SEPTIC COMMITTEE:

In Richard Zunker's absence, Dave Randall reported to the TTHA that on September 10, 2008 the required 3 year inspection of the drain fields was performed. Ken Grieger and Dave Randall were present during the drain field inspection and the inspector noted that all drain fields were in excellent condition. It was noted that several trees should be removed from the drain fields to prevent the tree root system from causing damage. Richard, Ken and Dave have removed the highlighted trees. The 2 shared lift stations also had their annual pumping and cleaning and both passed inspection and are in proper operating condition.

Dave Randall motioned to have TTHA Covenants **ARTICLE 3 Sec. 3, last sentence** changed from its current form;

"The Association shall provide the City of North Branch an annual certification by a licensed septic inspector that such system is operating properly."

Proposed change to read as;

"The Association shall have the shared lift stations pumped and inspected annually. Every three years the Association shall also provide the City of North Branch a certification by a licensed septic inspector that the drain fields and shared lift station systems are operating properly."

Vince Schoon seconded the motion. Discussion followed.

Vince Schoon motioned to amend the motion on the floor, only to accept the ARTICLE 3 Sec. 3 Covenant change if the letter/document sent to TTHA by the City of North Branch can be produced, confirming that the City of North Branch did indeed state that a drain field shared system inspection only be performed every three years. Tom Davis seconded. Discussion followed. The motion passed unanimously.

Original motion with approved amendment passed unanimously.

Dave Randall Motioned to have TTHA Covenants **ARTICLE VII: SEC. 5 PARAGRAPH 2:** changed from its current form:

- (3) *"Each lot Owner's septic tank shall be pumped a minimum of once every three years. The Board will contract with 2 separate septic contractors who will supply pumping data to both the Board and the City of North Branch. If a selected contractor is not used by a Lot owner it will be the responsibility of the lot Owner to submit a report to the Board stating the Owner's septic tank has been pumped with in the designated time period and describing the overall condition of the tank."*

Proposed change to read as:

- (3) *"Each lot Owner's septic tank shall be pumped a minimum of once every three years. It will be the responsibility of the Lot Owner to submit a copy*

of *the report they receive from the septic contractor to the Board stating the Owner's septic tank has been pumped within the designated time frame and describing the overall condition of the tank."*

Vince Schoon seconded the motion: Discussion followed. Motion carried 31 ayes, 1 nay

B. VALUE ASSURANCE COMMITTEE:

Randy Berglin presented on VAC; highlighting the processes of addressing non-compliance issues. The floor was opened to questions/concerns regarding VAC.

Tom Davis motioned for the Board to research the subject of operating a business out of a residence. Reviewing the original TTHA covenants filed with the county through our current Covenants. That research and information will then be reported to the TTHA. Vince Schoon seconded the motion. Discussion followed. Motion passed unanimously.

Mike Matz motioned to remove ARTICLE VII: SEC. 9 GARBAGE, REFUSE, DEBRIS, and RECYCLE CONTAINERS from the TTHA Covenants. Motion was seconded. Discussion followed. 2 Ayes, 30 Nays, Motion does not pass.

Randy Berglin motioned to have TTHA Covenants **ARTICLE VIII: GENERAL PROVISIONS SECTION 1**; changed from its current form:

"ENFORCEMENT. An enforcement, Consequences and Variance Committee shall exist consisting of (3) Lot Owners who are not Board Members and (1) Board Member. The Association shall elect these members at each Annual Association Meeting. At the initial election the term of the first position will be for a period of a one (1) year term, the second position for a two (2) year term and the third position for a three (3) year term. Upon the expiration of the initial term, each position shall be elected for a term of three (3) years. The Board Member term shall be one (1) year and shall be elected at the Annual Meeting of the Association. The Committee shall have the responsibility to coordinate all efforts of Enforcement, Consequences, Variances as established at the November 16, 2003 Annual Meeting. The Committee shall be advisory to the Board. It shall investigate violations of these covenants, review complaints, act as a mediator of disputes and recommend a course of action to the Board to resolve matters under its consideration. See the Handbook, Item # for established processes and procedures."

Proposed change to read as:

"ENFORCEMENT. One (1) member of the TTHA Board of Directors shall volunteer or be appointed to maintain Tall Timbers Value Assurance (TTVA). The designated Board member shall have the responsibility to coordinate all efforts of enforcement, consequences, and variance as established at the November 16, 2004 Annual Meeting. The Board member shall act as an advisory to the Tall Timbers Board of Directors. They shall

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investigate violations of these Covenants and By-laws, review complaints, recommend a course of action to resolve matters under consideration to full Board. The Board then has the options set forth in the Value Assurance handbook to resolve the issues presented. See Value Assurance Handbook, approved by the Tall Timbers Home Owners Association in June of 2004 for established processes and procedures.”

Tom Davis Seconded the motion. Discussion followed. Motion passed unanimously.

C. ACC COMMITTEE:

Ken Grieger provided an update from the ACC. 2 projects were presented in the past year, projects were completed. Ken encouraged TTHA members that may be considering a project in the future to get those plans to the TTHA ACC first for review, as TTHA may have requirements different and more specific from that of City codes and requirements.

Ken Grieger motioned to have TTHA Covenants **ARTICLE V: SEC. 2** changed from its current form:

<i>including; gazebo first submit for review writing. In the improvements within been submitted to</i>	<i>“Before commencing construction of any permanent improvement but not limited to the principle structure, deck, accessory building, or playhouse on or to any of the described lots, the Owner shall a site plan and plans and specifications for building construction by the ACC. The ACC’s approval or disapproval shall be in event the ACC’s fails to approve or disapprove any fifteen (15) days after plans and specifications have approval will be deemed denied.”</i>
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Proposed change to read as:

“Before commencing construction of any permanent improvement including; but not limited to the principle structure, deck, accessory building, gazebo or playhouse on or to any of the described lots, the Owner shall first submit a site plan and plans and specifications for building construction for review by the ACC. The ACC will respond in writing within fifteen (15) days with an approval or explanation of reason(s) for disapproval, as well as any applicable remedies.”

Ardy Bernier Seconded the motion. Discussion, Motion passed unanimously.

D. WEBSITE COMMITTEE:

Vince Schoon presented TTHA with an update of our website. He also provided those in attendance with a handout of screen shots of the website and walked us through the process of navigating and highlighted the functionality of the site.

VIII. 2009 PROPOSED BUDGET:

Lori Berglin presented 2009 proposed TTHA budget. She went through an explanation of the budget and the dollar amount attached to each line item. The 2009 proposed budget did not increase from the 2008 budget.

Mark Hughes motioned to accept the TTHA 2009 annual budget as presented. Ken Grieger seconded the motion. Discussion followed. Motion passed unanimously.

IX. 2009 PROPOSED DUES:

Tom Davis motioned to keep the TTHA Lot owners dues at the \$150.00 per year per Lot Owner, with the 8 Lot Owners on the shared lift stations paying an additional \$50.00 per year in Association dues. Ken Grieger seconded the motion. Discussion. Motioned passed unanimously.

X. COVENANT & BYLAWS REVIEW AND UPDATE:

Dave Randall motioned to have TTHA Covenants **ARTICLE VII: SEC. 4:** changed from its current form:

“No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot except a dog or a cat, or other household pet maybe kept provided it is not kept, bred, or maintained for any commercial purposes.”

Proposed change to read as:

“No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot except dogs, cats, or other household pets maybe kept provided they are not kept, bred, or maintained for any commercial purposes.”

MaryJane Allen Seconded the motion. Discussion followed. Motion passes, 31 Ayes, 1 nay.

Dave Randall motioned to have TTHA Covenants **ARTICLE VII: SEC 6:** changed from its current form:

“Riding of licensed snowmobiles, ATV’s, three wheelers, four wheelers and dirt bikes from driveway to designated trail is permitted on main roads in the Plat of Tall Timbers at a reasonable speed. Driving of such vehicles, licensed or unlicensed, on Association common property or on property within the Plat of Tall Timbers, other than to access off plat streets or trails, is not permitted.”

Proposed change to read as:

“Operating any motor vehicle on Association property is prohibited except for the purpose of maintenance work authorized by the TTHA Board of Directors.”

Ken Grieger Seconded the motion. Discussion followed.

Vince Schoon motioned to amend the motion to add the word ‘Common’ to the proposed Covenant change. The amended change would then read:

“Operating any motor vehicle on Association common property is prohibited except for the purpose of maintenance work authorized by the TTHA Board of Directors.”

Ken Grieger seconded the motion to amend. Discussion followed. Amended Motion passes unanimously.

Vote on ARTICLE VII: SEC. 6 Covenant change with the approved amendment passed unanimously.

Ken Grieger motioned; To have the TTHA BOD research and if possible develop an addition to the TTHA Covenants stating that it is mandatory that all homes within Tall Timbers are owner occupied and report back to the Association for further action. Mike Matz seconded the motion. Discussion followed. Motion passes 31 Ayes, 1 Nay.

XI. OTHER BUSINESS FROM ASSOCIATION:

Shari Erickson motioned: To establish a committee of volunteers to perform and be responsible for the mowing of TTHA common property, in lieu of contracting the mowing as it is now currently being done. Randy Berglin Seconded the motion. Discussion followed.

Ken Grieger called for the question; Mark Hughes seconded the call for the question. Vote to call for the question passed unanimously.

Vote on motion does not pass, 8 Ayes, 16 nays.

Vince Schoon motioned: For the TTHA BOD to research how best for the Association to handle weed control on TTHA common property beginning in 2009. Mike Matz seconded the motion. Discussion followed. Motion passes, 31 ayes, 1 nay.

XII. ADJOURNMENT:

Dave motioned for meeting adjournment, motion seconded, motion passes unanimously. Meeting adjourned at 8:55PM.

Respectfully submitted by;

Randy Berglin
Secretary, TTHA

Approved by;

Dave Randall;
President, TTHA