

TALL TIMBERS HOMEOWNERS ASSOCIATION 2014 ANNUAL MEETING MINUTES
AMERICAN LEGION MEETING ROOM
NORTH BRANCH MN 55056
April 26, 2015

I. ESTABLISHMENT OF A QUORUM:

A roll call sheet was utilized (see **Appendix A**) with each Lot Owner in attendance in person asked to sign in next to their name and address. Those Lot Owners holding proxies for other TTHA members not in attendance were asked to sign in for the person whose proxy they held. Of the 48 homes within TTHA, 35 Lot Owner's and/or proxies were present (29 Lot owner's and/or proxies are required for a quorum). For this meeting a motion will pass with 18 votes. Andy introduced the board. Andy explained that the previous meeting did not achieve a quorum and that is why the meeting is occurring today. Andy went over Roberts rules of order per the power point presentation

II. CALL TO ORDER:

The annual meeting of the homeowner's association was held on April 26, 2015 at the American Legion in North Branch, MN. TTHA President, Andy Peek, called the meeting to order at 6:12 pm. TTHA Board members Larry Erickson, James Skroch, Ardy Bernier, Mike Selbitschka and Cory Bombard were all in attendance. The annual meeting was conducted following the Robert's rules of order and Lot Owner's were reminded only one vote per Lot will be counted. The use of an audio recorder to record the meeting minutes to assist in the generation and accuracy of the minutes was approved by general consent.

III. APPROVAL OF THE 2014 ANNUAL MEETING AGENDA:

The annual meeting agenda was approved by general consent.

IV. APPROVAL OF THE JANUARY 26, 2013 ANNUAL MEETING MINUTES:

The January 26, 2013 annual meeting minutes were approved by general consent.

V. APPROVAL OF THE OPERATING GUIDELINES FOR THE MEETING:

A review of Robert's Rules of Order was conducted before the meeting was called to order. The meeting was conducted under the TTHA By-laws and the Robert's rules of order. The operating guidelines were approved by general consent.

VI. WELCOME REMARKS:

Andy Peek welcomed all Lot Owners to the 2014 annual meeting.

VII. ELECTION TTHA BOARD MEMBERS:

Andy Peek explained why the board is looking for new members. The Board is seeking individuals for a 3 year term. Andy explained that if no association members join the board that a management company might need to be considered. Due to the lack of volunteers Mike Selbitchka suggested to move election of members after project reports to give the association time to think about it.

VIII. TREASURER'S REPORT: (See Appendix B)

Ardy Bernier presented. She discussed the year's budgeted expenses vs. actual expenses. All annual dues were collected with no late fees or interest accessed. Final year-end account totals were given. There were no questions from the association regarding the information presented.

IX. FINANCIAL REVIEW COMMITTEE REPORT

Ardy Bernier presented. The financial review was conducted and was approved. Financial review committee members this past year were Trudy Lundeen and Nancy Murden. The committee had no recommendations for change to the financial operating process.

X. COMMITTEE REPORTS:

A. ARCHITECTURAL CONTROL:

Andy Peek presented one deck build and one shed built

B. LANDSCAPE:

Cory Bombard presented. The landscape committee with again be looking for volunteers to help with mowing, trimming, and watering of the front entrance area. There were 7 members that signed up for the landscape committee. Cory will follow up by email with all who signed up.

C. SEPTIC:

Andy Peek presented.

- a. Drain field inspections were performed and all passed. Next drain field inspections to be held in three years.

Tom Davis moved to have the septic committee create and monitor a schedule of volunteers who are responsible to clear each drain fields. The motion was seconded. Discussion. Vote taken. **Motion passed 25 ayes 10 naves.**

Dennis Faith moved to preapprove \$1000 budget from the general septic fund for the board to spend if needed to pay for clearing drain fields. The motion was seconded. Discussion: no discussion. Vote taken. **Motion passed 18 ayes 17 naves**

Vince Schoon motioned to return \$2500 from the legal fund to the septic fund. This money was transferred during a previous TTHA annual meeting. Vince believes that the septic fund is a greater priority than the legal fund. The motion was seconded. Discussion: Andy informed the association that there is not currently \$2500 in the legal fund. Vince asked what the balance on the legal fund is. **Vince amended his motion to transfer the entire legal fund balance to the general septic fund.** The motion was seconded. Discussion: Vote taken. **Motion defeated 2 ayes 33 naves.**

- b. Lift station pumping was performed. During pumping it was discovered that a broken wire that needed to be fixed. The repairs were paid for out of the lift station fund.

D. VAC:

Jim Skroch presented. No formal complaints were filed in 2014. So far in 2015 there were some informal concerns about speeding in the neighborhood.

E. WEBSITE:

Jim Skroch presented. Added septic tab in documents section: Pumping records and drain field inspection reports added. Jim explained how to log into the website and what kind of info is on the website. Jim explained the website is very old and has limited capabilities. Lawrence S. recommended to upload a document stating how to clear the drain field.

XI. PROJECT REPORTS:

Jim S presented

A. VOLUNTEER PROJECTS

- a. North Branch food drive – Jim presented food drive results
- b. National Night Out – Jim explained that Julie used to coordinate the national night out. There is currently no volunteer for national night out. Jim asked for volunteers interested in helping to contact the TTHA board.

XII. UNFINISHED BUSINESS:

Andy Peek presented.

A. 2013 ANNUAL MEETING REQUEST TO VERIFY SEPTIC LINE RESPONSIBILITIES

Andy displayed the covenants on the projector as follows:

Currently reads:

Each Lot Owner is responsible for maintenance and all related expense of the Owner's respective individual septic collection tank, the drain line connecting the septic collection tank to the owner's home and the drain line from the owner's septic collection tank to the common area drain line.

Proposed revision:

Each lot owner is responsible for maintenance and all related expense of the lot owner's respective individual septic collection tank, the drain line connecting the septic collection tank to the lot owner's home and the drain line from the lot owner's septic collection tank to the lot owner's property line.

Andy displayed the minutes from the 2013 minutes on the projector.

Tom Davis moved to accept the proposed revision to the covenant as proposed by the 2013 Board of Directors. The motion was seconded. Discussion. A vote was taken. Motion defeated.

*In addition to the proposed revision by the 2013 Board of Directors, Stan Formogey moved to revise the Covenant Article VII, Section 5 to incorporate changes regarding responsibility of septic lines that cross through other Lot Owners property, with the new proposed revision to be presented at the 2014 annual meeting. Motion was seconded. Discussion. Motion passed by majority vote. **The Board will be tasked to work on this and consult with legal council if needed and present their findings at the 2014 annual meeting.***

Andy noted that annual dues were increased to have a round number. Andy explained that this was within the board's authority as it was less than a 6% increase. Andy displayed the covenants that pertain to annual assessment.

ANNUAL ASSESSMENT. Lot Owners on the shared lift stations will pay an additional \$50.00 per year to be used for necessary repairs to the shared lift stations. From and after February 1, 2004, the maximum annual assessment may be increased each year by the Board of Directors at the rate of six percent (6%) or the percentage increase during the previous twelve (12) month period in the Consumer Price Index published for the Minneapolis/St. Paul Metropolitan Area by the U. S. Department of Commerce or such other index as may be published in the future by the Federal Government as replacement for the

CPI provided, however, that such maximum annual assessment may be increased above the amount of any such increase by an affirmative vote of two-thirds (2/3) of quorum of the Lots represented by one (1) Owner, voting in person or by proxy at an annual meeting.

Andy explained TTHA board needed to determine what we own and what we are responsible for as an association. The TTHA board 2014 contacted the City of North Branch to determine what is recorded as Association property. Andy displayed the 4 maps from the city which depicted exactly what land the association owns.

Andy explained the TTHA board's conclusions. TTHA currently does not own the lift stations or the private septic lines that lead to the lift stations. TTHA currently does not own or is responsible for any private septic lines leading up to the drain fields shown above. TTHA 2014 Board is not proposing a change to the existing covenants

Andy explained the TTHA Board was directed to seek legal opinion by the association if needed. An excerpt from the 2013 annual meeting minutes was displayed "*The Board will be tasked to work on this and consult with legal council if needed and present their findings at the 2014 annual meeting.*"

Boyce Law Offices LLC was consulted and provided a letter of legal opinion that confirms the TTHA conclusions. Andy explained the Letter is on the TTHA website.

Andy explained we contacted Boyce as recommended by the association.

Andy noted that the letter from Boyce in on the ttha website. Andy displayed the letter on the project for the association to read. All 4 pages were displayed for everyone to read. The slides were not advanced until all members had a chance to completely read and review.

After the complete review Andy restated that the board is not proposing revisions to current covenants.

General discussion in response to septic presentation:

Jim H asked why the board is not proposing any changes.

Dean Sullivan asked for clarification of the existing covenants.

Dean stated the association should be responsible for all drain fields.

Andy explained that the most recent covenant change was on feb1 2004.

Karen Johnson explained that the change in 2004 language did not represent the spirit of the change.

Karen expressed that the lift station fund should be just for pumping the lift stations

Tom Davis expressed that the spirit of the covenants is that once the line leaves you property it

is association responsibility.

Tom expressed his opinion that the lawyer's interoperation is incorrect and that we need to restate the covenants to be what the spirit of what they should be

Tom asked the Board to inforce per the spirit of the covenants rather than what the text of the covenants states.

Andy asked the Jim Skroch to take control of the meeting so Andy could respond to his concerns outside the capacity of TTHA Board President.

Andy commented that when he moved to TTHA he read the covenants and made a choice to buy based on the language of the covenants and not his interoperation of the spirt of the covenants.

Karen commented about Stan's motion in the 2013 meeting.

Concern about who pays for repairs in someone's lines if they are on someone else's property.

Jim S explained that the board is only trying to interpret the text. The association has the power to change the covenants should they choose.

Dennis Faith commented that he was happy with the board's objective interpretation of the covenants.

Tom Davis motioned that the homeowner is only responsible for the lines on their property, once the line leaves their property it is the association's responsibility.

The motion was **not** seconded.

Andy brought up the text from the motion in 2013 annual meeting.

Jim Skroch and Tom Davis talked about the concern of negligence.

Andy reported on some of the specifics about the lift station pumps. Approximately \$2-8K to replace the pumps. Andy expressed that individual home owners are responsible for their own pumps and the homeowners on lift stations should be responsible for the lift stations.

Scott Johnson believes the lift stations should be responsibility of the association.

Tom Davis amends his motion to be the same as the motion from the 2013 meeting.

Each lot owner is responsible for maintenance and all related expense of the lot owner's respective individual septic collection tank, the drain line connecting the septic collection tank to the lot owner's home and the drain line from the lot owner's septic collection tank to the lot owner's property line.

Dennis Faith seconded.

Discussion:

Tom Davis amends his motion to pass covenant change from the 2013 meeting and board to get legal wording refined.

Andy asked where the money will come for to provide legal opinion.

Vote taken: 22 ayes, 13 naves. Motion passes.

Scott Johnson motions that the repairs and maintenance for the two lift stations be covered by general septic fund.

Motion **not** seconded.

Dennis Faith asked to view the legal opinion once again.

Scott Johnson withdraws his motion.

Rob Sanvik motions that lift station fund, which is funded by \$50 from homeowners on the lift stations, go to pumping and inspection. Repairs to be covered by the general septic fund.

Scott Johnson seconded

Discussion:

Andy stated that if this motion is approved the septic fund will not be sufficient to cover all the expenses.

Barry M stated that the dues could be increased 6% per year to cover the costs.

Tom D stated that previous boards have made projections that there would be enough money. If there would be major repairs then the association would need to be assessed for the needed amount. He stated that this could increase the property values.

Jim S calls to question. Vote taken. 24 ayes 11 naves. Motion passes

Vince asked the board to clarify where the property lines are. Vince has the letter from the board that states a home owner's property lines goes to the curb. Jim Skroch stated that the property shall be determined by the pins that are on the easement.

Tom Davis volunteered to be on the board

Jim S nominates Tom D

Motion seconded by several and passes by general consent

XIII. NEW BUSINESS:

A. PROPOSED BUDGET FOR 2015

Andy looking for proposal to approve the 2015 budget

Dennis F moved to approve the TTHA 2015 budget. Motion seconded. No

Discussion, motion passes by general consent

B. APPROVAL OF 2015 TTHA ANNUAL DUES

Andy stated that annual dues were increased to \$180.00 for accounting purposes

All homeowners are current on association dues.

Vince Schoon informed the association about the issues he has had with his drain line freezing under the street. Vince proposes putting heat tape in the line under the street. Vince said that the heat tape used on hearthside lane has been working.

Vince Schoon moves that heat tape be installed in his drain line from his property line to the manhole in the street

Tom D seconded.

Discussion:

Tom D commented that the previous heat tape used in other repairs has been working

Vote taken. Motion passes by general consent.

Andy asked members about having the annual meeting in April every year

The were no objections to the proposal

Dennis F motioned to have the board determine cost of maintenance and/or replacement of drain fields over the next 15 years.

Motioned seconded

Discussion:

Stan said we need to determine the life expectancy of the system as of today.

Scott J asked what the insurance covers in TTHA

Rob S gave a brief description on the insurance coverage in TTHA. Rob stated that some of the failures could be covered by insurance if there was a qualifying event. The board will talk to Rob about specifics of our coverage.

Call to question: Vote taken. Motion passes general consent

Stan motions to have board determine how the association can better utilize the common property

Motion seconded

Discussion:

Tom D stated that the association should suggest solutions to the board.

Vote taken. Motion passes by general consent

XIV. ADJOURNMENT:

Rob S moved for the adjournment of the annual meeting. Motion seconded. The meeting of the TTHA homeowners was adjourned by general consent at 9:01pm.

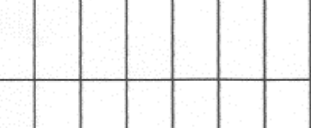
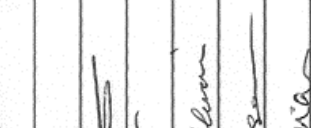


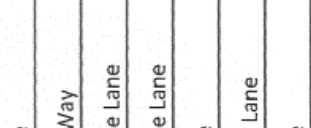
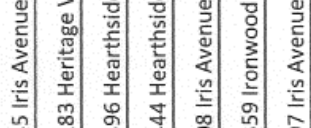
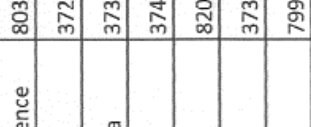
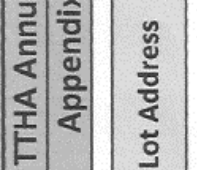
Appendix A:
ROLL CALL

2014 TTHA Annual Meeting Roll Call - April 26, 2015			
Appendix A to the meeting minutes			
Association Members	Lot Address	Present in Person Please sign your name	Present by Proxy Proxy holder please sign your name
Beckman, Matthew & Shelley	37428 Hallmark Drive	<i>M. Beckman</i>	
Berg, Terrance & Suzanne	37387 Hallmark Drive		
Bernier, James & Ardeth	37468 Hearthside Lane	<i>James Bernier</i>	
Blanchard, Deborah	37323 Ironwood Lane		
Bombard, Cory & Amanda	37445 Hearthside Lane	<i>Cory Bombard</i>	
Brown, Matthew	37328 Ironwood Lane		
Burque, Karen	37378 Hearthside Lane		
Davis, Thomas & Julie	8144 Iris Avenue	<i>Tom Davis</i>	
Dick, Rodney & Sara	37387 Ironwood Lane		<i>Cory Dick</i>
Erickson, Larry & Sharon	7963 Iris Avenue	<i>Larry & Sharon Erickson</i>	
Faith, Dennis & Johnson, Jill	37417 Hallmark Drive	<i>Jill Johnson</i>	
Formogey, Olga & Stanley	37298 Heritage Way	<i>Stanley Formogey</i>	
Fulton, Warren & Linda	7894 Iris Avenue	<i>WARREN & LINDA FULTON</i>	
Hals, Ronald & Elaine	7929 Iris Avenue	<i>Ron & Elaine Hals</i>	
Hanson, Elizabeth	37281 Ivy Trail		
Hillestad, Jerome & Nancy	7978 Iris Avenue	<i>Nancy Hillestad</i>	
Hoard, James & Kara	37331 Ivy Trail	<i>James Hoard</i>	
Hopp, Joseph & Traci	37298 Ivy Trail	<i>Joe Hopp</i>	
Ingram, Scott	8100 Iris Avenue	<i>Scott Ingram</i>	<i>Scott Ingram</i>

**2014 TTHA Annual Meeting Roll Call - April 26, 2015
Appendix A to the meeting minutes**

Association Members	Lot Address	Present in Person		Present by Proxy
		Please sign your name		
Hero, Stephen & Donna	7932 Iris Avenue	<i>Stephen & Donna Hero</i>		<i>Stephen Hero</i>
Jarosiewicz, Richard	37469 Hearthsides Lane	<i>Richard Jarosiewicz</i>		
Johnson, Scott & Karen	37450 Hallmark Drive	<i>Scott Johnson</i>		
Johnson, Timothy & Karla	37284 Heritage Way	<i>Tim Johnson</i>		
Lindstrom, Jason & Kris	37346 Ironwood Lane	<i>Jason Lindstrom</i>		
Lorge, Paul & Karie	37339 Ironwood Lane			
Lundeen, Robert & Trudy	8038 Iris Avenue			
Matz, Michael & Jillian	8227 Iris Avenue			
Mock, John & Debra	37456 Hallmark Drive			
Mossbarger, Barry & Linda	37317 Ironwood Lane	<i>Linda Mossbarger</i>		
Murden, Donald	37282 Ivy Trail	<i>Donald R. Murden</i>		
Nelson, Eugene & Ann	37421 Hearthsides Lane			
Peek, Andrew & Sara	37295 Ivy Trail	<i>Andrew Peek</i>		
Randall, David & Amy	37386 Ironwood Lane			<i>Tom Davi</i>
Randall, Stephan & Carol	37422 Hearthsides Lane			<i>Stephan Randall</i>
Sanvik, Robert & Gina	37295 Heritage Way	<i>Robert Sanvik</i>		
Schoon, Vince & Nancy	37324 Heritage Way	<i>Vince Schoon</i>		
Schoon, Vince & Nancy	37447 Hallmark Drive	<i>Vince Schoon</i>		
<i>Jim Sutherland</i>	<i>37336 Ivy</i>			<i>Jim Sutherland</i>

2014 TTHA Annual Meeting Roll Call - April 26, 2015
Appendix A to the meeting minutes

Association Members	Lot Address	Present in Person	Present by Proxy
		Please sign your name	Proxy holder please sign your name
Schroepfer, Reelika & Lawrence	8035 Iris Avenue		
Seim, Aaron & Lynne	37283 Heritage Way		
Selbitschka, Michael & Carla	37396 Hearthiside Lane		
Skroch, James & Angela	37444 Hearthiside Lane		
Sullivan, Dean & Charlene	8208 Iris Avenue		
Thorsen, Cory & Joleene	37359 Ironwood Lane		
Weisinger, Garry & Anne	7997 Iris Avenue		
Wentland, James & Linda	8066 Iris Avenue		
Wermerskirchen, Julie	37336 Ivy Trail		
Woods, Steven	37315 Heritage Way		
Zunker, Richard & Christine	8182 Iris Avenue		

Appendix B:
TREASURE'S REPORT
 2014 Budget v.s. Actual Expenses and 2015 Proposed Budget


Budget Category	2014 Budget	2014 Actual	Difference	2015 Proposed
Income:				
Association Dues	8575.2	8575.2		8640
Shared Lift station fees	400	400		400
Late fees and over payment	0	22.4		
Interest	0	29.83		
Total Income	8975.2	9027.4	52.23	9040
Expenses:				
Attorney Fees	300	0	300	300
Document Recording Fee	92	0	92	92
Electric Utilities	1400	1199.3		1400
Landscaping	400	56.4	343.6	400
Meeting Room	50	50		50
Misc. Expenses	200	144.31	55.69	200
Office Supplies	100	48	52	100
Post Office Box Fees	58	74	-16	78
Postage	100	51.45		100
Printing	100			100
property Insurance	600	552	48	600
Septic Maint. (General)	400	350	50	400
Website Annual Fees	300	270	30	300
To Shared Lift Station Fund	400	400		400
To General Septic Fund	4475.2	4702.3	227.06	4520
Total Expense	8975.2	7897.8	1182.35	9040
Lift Station maint. Expenses		1157.1		

Respectively submitted:

 5/10/15

Cory Bombard
TTHA Secretary

Approved by:



Andy Peck
TTHA President