

Birchwood Lakes Community Association, Inc.
Regular Board Meeting Minutes
February 12, 2013
Conference Room

Present: Clare Bennett, President, Joanne McInerney, Vice President, Marcella Livingston, Treasurer, Linda White, Secretary, Carl Fredrickson, Thomas McConnon, Carolyn Martin, Leonard Glamann, Directors

Absent: Charles Ritson, Director and Carl Fredrickson, Director

Also Present: Bonnie Siple, Community Manager

President Bennett opened the meeting at 7:00pm with the Pledge of Allegiance

APPROVAL OF THE MINUTES FROM PRIOR MEETING

- January 12, 2013 Regular Board Meeting

Motion to approve the January 12, 2013 Regular Board Meeting Minutes made by Director Livingston, seconded by Director Martin. All Directors voted in favor. Motion Passed.

- January 22, 2013 Action Without A Meeting to cover Shortfall, this Action Without A Meeting is to approve the transfer of \$5000 from Acct. #80420 (Reserves) Upper Birchwood Lakes Dam to Acct #80410 (Reserves) Upper Birchwood Lakes Dam Permit. Director McInerney unavailable, Director Glamann no
- January 22, 2013 Action Without A Meeting To cover Shortfall, this Action Without A Meeting is to approve the transfer of \$5000 from Acct. #6220-001 Admin./Health Benefits to Acct #7340-001 Admin/Collection Fees. Directors McInerney unavailable, Director Glamann no

Motion to approve the (2) January 22, 2013 AWAM Minutes made by Director Livingston, seconded by Director Glamann. All Directors voted in favor. Motion Passed.

- January 26, 2013 Special Meeting Voting Results

Motion to approve the January 26, 2013 Special Meeting Voting Result Board Meeting Minutes made by Director Livingston, seconded by Director Glamann. All Directors voted in favor. Motion Passed.

- January 28, 2013 Board Review Panel Minutes

Motion to approve the January 28, 2013 Board Review Panel Minutes made by Director Livingston, seconded by Director Martin. All Directors voted in favor. Motion Passed.

- January 30, 2013 Action Without A Meeting

This Action Without A Meeting is to transfer \$5000. from Acct. #6110-001 Admin./Payroll to Acct. #7380-005 Roads/Outside Services to pay Sequoia for tree removal due to storm and to transfer \$1000. from Acct. #7850-002 Maint./Equipment Purchase to Acct. #7380-005 Roads/Outside Services for tree removal due to storm. Director Glamann unavailable. All Other Directors Voted in Favor.

Motion to approve the January 30, 2013 AWAM Minutes made by Director, seconded by Director. All Directors contacted. Director Glamann unavailable. All Other Directors voted in favor. Motion Passed.

- February 1, 2013 Action Without A Meeting – transfer 1G from account on snow removal

Motion to approve the February 1, 2013 AWAM and January 30 2013 AWAM Minutes made by Director Martin, seconded by Director Livingston. Director Glamann voted no. All other Directors Voted in favor. Motion Passed.

TREASURER'S REPORT

Treasurer submitted treasurer's report.

- Write-offs:

Lot 51, Block 67, Section 10 (foreclosure) for \$1,173.68

Lot 9, Block 86, Section 11 (foreclosure) for \$10.39

Lot 10 Block 86, Section 11 (foreclosure) for \$ 269.13

Total write-offs: \$1,453.20

Motion to approve total write-offs of \$1,453.20 made by Director Livingston, Seconded by Director White. All Directors voted in Favor. Motion Passed.

- Collections:

7 Constable Services ordered. Civil Court Hearings scheduled: Feb. 11th (4); Feb. 22nd (5) and March 11th (1); Judgments Received (11), Judgments Certified (3), Judgments recorded by lien (4).

- Financial Responsibility for Dam

50G required for bonding for the dam (can be in the form of a LOC/Bond). As to line of credit, banks are reluctant to do that since it has to be renewed yearly. Spoke about another option. We have a CD for first dam but we get the interest. We can borrow 50G, put it in a CD and assign it to the DEP, and we would be paying off this on a monthly basis, which we can budget for, and we will then get interest also. If we have a larger time window, we won't need to borrow the monies now. This is a gathering fact finding process at this time.

MANAGER'S REPORT

Original Manager's Report attached to minutes of Board.

Manager's Report and Public Safety Monthly Report given by Community Manager Siple.

President Bennett reminded board members to review list of minutes from various committees, and submit those missing to the office.

COMMITTEE REPORTS

- Committee Meetings

Roads and Maintenance Committee – Director Glamann reviewed report. Discussion on going to bid with Butternut/Basswood work designed by Cornerstone discussed. Permits were received. It was decided Board should have a liaison from the lake with Cornerstone during construction. The Board appointed Louis Freeman as said liaison who is to keep in touch with our Community Manager. Director Glamann will meet with the newly appointed Road Master at the township, and talk to him about opening Butternut on Doolan during construction for contractors/trucking. Notification should also be given to the emergency services about this possible construction entrance. The area will be secured at night. It was recommended it would be a good idea to put a cow gate in this area making it secure and allow easier access by staff.

Motion to approve going to bid on work designs prepared by Cornerstone for Butternut/Basswood made by Director Glamann, Seconded by Director Martin. All Directors Voted in Favor. Motion Passed.

The next drainage project for review will be East Lake View which is on our drainage project plan. The committee will look at this in future.

Rules and Regulations – cancelled due to snow – will be rescheduled.

By-Laws - cancelled due to snow – will be rescheduled.

Recreation – booked clubhouse August 17th for annual dinner dance. There will not be an Easter Party unless someone takes charge of organizing it.

Community Safety – some discussion on using internet technology this approach appears to be costly for the community, but the committee will continue to investigate.

Capital Projects: waiting for pool construction, and then will start a meeting.

Community Relations – Deadline for articles for early Spring edition is February 28th. Clean up date. Brian sent us types of laundry detergent best for our wells in the community. It was decided to add this info in the newsletter.

President reminded members that we are required to hold 4 official committee meetings a year, but you must have 4 a year, meaning notifying office, taking minutes and filing the minutes, and must be done by Annual Meeting.

PAYMENT OF BILLS

- Budget Transfers

To approve transfer of \$291.00 from account 6110-003 Rec/Payroll to account #7240-003 Rec/Telephone;

To approve transfer of \$200 from account #7491-001 Admin/Misc to account #7490-001 Admin/Misc/Notary(real estate transfers);

To approve transfer of \$350 from account #6210-003 Rec/Payroll tax to account #7560-001 Admin/Deedbacks;

To approve transfer of \$400 from account 6500-004 Sec/contract to account \$7060-004 R&M Gates/Security

Motion to approve transfers made by Director Livingston, seconded by Director Martin. All Directors Voted in Favor. Motion Passed.

OTHER UNFINISHED BUSINESS

- Birchwood Lakes Upper Dam Application Survey – President Bennett summarized issues as to prior denial. We need surveys done (40 or more) as part of this project. There are two proposals submitted dated 1/24/13 and 1/25/13 under review. Gary Flood’s proposal allows for more work, while Adio allows for less properties, less field and office work.

Motion made by Director Livingston and seconded by Director McInerney to award Gary Flood for 5G. Director Glamann voted No since he is not familiar with this surveyor’s work. All other Directors Voted in Favor. Motion Passed.

- Office Renovation Proposals

Community Manager Siple received two proposals, waiting on two others. Diamond Homes and Ridner Construction, and at this time it appears Diamond Home confirmed foundation work will have French drains. President Bennett reviewed relocation of office to the clubhouse location. Looking at temporary walls but no quote received at this time. This move is still open subject to additional research. The staff doesn’t want to move, and like where they are. The office can be salvageable. We have budgeted monies to complete the outside and the proposals are close to what we budgeted.

- Conference Room Flooring

Community Manager Siplely reviewed her findings on repair of concrete, and how much cement paint would be needed. Costs discussed.

Motion made by Director Livingston to approve repair of concrete flooring and painting of floor not to exceed \$200, seconded by Director Glamann. All Directors Voted in favor. Motion Passed.

- Office Copier Proposals

Community Manager Siplely is investigating costs, and this has to be a reserve item vote. Leasing is cheaper than purchasing. Reconditioning units are less. After 3 years, you own Xerox. Most reconditioning units run around \$6,000. Brand new is about 10G. Tabled for more research before a reserve vote.

- Salt Update

President Bennett updated indicating little activity since last meeting other than Moyer will be back in next few weeks to complete wells. Soil samples are being reviewed for transport. We have a trucking company already to do this service. There is a meeting 2/13/13 with Brian Oram and attorney to discuss claims process. Received input on 72 hr. testing. It was somewhat successful per Brian Oram and we will receive his report on this in future.

Pulled out 3 pumps (two wells are StayRite), who will examine pumps for failure. Community Manager Siplely (Nancy Stran) was advised to call a representative in this area. Called representative on this, but did get tech support in this area. Procedures are not to send it back to company, and this is procedure to follow. Contacted a rep and will come on site and indicated fees will not exceed \$250. They are the dealer in this area for StayRite. Want assurances that their representative is expert. Community Manager authorized to proceed with representative coming here.

Attorney has advised that Director Glamann does not have to abstain on salt issues.

- 739 Entrance

Chairman asked that we have a 739 entrance committee. Purpose would be to identify a means to satisfy DOT's need restricting access at this gate. Asked for volunteers, but received none. Director McConnon will head it up. Director White will assist. Director Ritson and Fredrickson will be asked to assist.

NEW BUSINESS

- Special Meeting Vote Results

Right after this vote, we have a hearing to announce votes. Always an issue with quorums, and there were few people, and meeting took five minutes. Eliminate meeting itself, not in By Laws as required meeting, and know other communities don't do this, using newsletter, bulletin board, emails, etc.

Motion by Director McInerney seconded by Director Martin to eliminate this special meeting for voting results. All Directors Voted in Favor. Motion passed.

- Middle Lake Project-Fees & Application form

Did a dredging study done by hired Hanover Engineering. Now at point to get permits and do we want to do permit application. DinoFix may be a better way to proceed. Do we need a permit. Discussed with EcoSolutions. DinoFix is a maintenance project. Fees are \$900 (if a grant is available). We have to apply for the permit by 2/16/13. After this, the fees go up. Only amount left in reserve is \$298.76.

Motion by LG to not proceed with the application process for Middle lake, seconded by Director McInerney

- Payment Plan Request-097-016-1300

Director Livingston reviewed balance due as to homeowner and request for payment of \$100/month. Resident indicated he has a lawsuit pending and hopes to be successful at which point the homeowner will win and will repay past due amounts.

Motion made to request a \$500 lump sum with \$100 a month made by Director Livingston, Seconded by Director White. Director Glamann felt we should have a percentage up front as the lump sum. All other Directors Voted in Favor. Motion Passed.

Workshop meeting on this and salt discussed. President Bennett will look to schedule this type of meeting in next few months.

- Payment Plan Request-006-017-01

Director Livingston reviewed indicating this person asked for payment plans twice and never complied with payments approved. Total is over 6G due. We indicated in the past that we would do judgment. Since none of prior payment plans were complied with. Asked for \$90 a month but in view of non-payment, board did not feel this request should be entertained.

Motion made to proceed with a lump sum of \$1,000 plus \$200, and Board will file complaint made by Director Livingston, Seconded by Director McInerney. Director Glamann voted no. All Other Directors Voted in Favor. Motion Passed.

- Verizon Proposal

Community Manager asked for approval of office which will save \$70/month going to bundle, and will have internet.

Motion made by Director Livingston, seconded by Lenny Glamann to approve the Verizon Proposal. All Directors Voted in Favor. Motion Passed.

COMMUNICATIONS, WRITTEN & ORAL

None

MISCELLANEOUS

- 094-034-1200 Correspondence (3)

Moved to Executive Session in a Motion Made by Director Livingston, seconded by Director McInerney. Director Glamann abstained due to possible conflict of action. All Directors Voted in Favor. Motion Passed.

- 101-016-1400 Correspondence

Mr. Taslik reviewed past discussions about separate dues on vacant adjacent lots. Renting of properties: some of the issues in charging extra \$500 for tenants isn't fair. This fee is used to cover administrative fee of rental. Mr. Tasklik felt the Board should look closely at their due structure feeling it is unfair in this particular case since he was charged full year assessment plus prior in just a few months. Lengthy discussions and explanation took place on his calculations and procedures. Total amount owed is \$1781.82. Mr. Tasklik requested to compile a memo with what he feels is in conflict with full details for review.

- Wilkens Associates Correspondence – informative and Community Manager requested to get the free market study indicated.

Motion to adjourn Regular Meeting at 9:30pm made by Director Livingston , seconded by Director McInerney. All Directors Voted in Favor. Motion Passed.

Respectfully submitted,

Linda White,
Secretary