

Michigan Hill Owners Association Board of Directors Meeting  
December 10, 2011 - 10:04 a.m.  
Jefferson Community Center

I. Quorum

Sallie Baker, Jerry Clinton, Carol Smusz and Fred Depenbrock (per telephone) were present for the board meeting. There being a majority of board members present, a quorum was established.

Association members present were: Ken Baker, Bob Berg, Tom Clinton, Jerry & Marilyn Dean, Ralph & Barb Dierdorff, Terry Hull, Steve Johnson, Larry McClymonds, Terry & Judy O'Neill, and Herb & Sandy Sanford.

II. Approval of Minutes

Sallie Baker, Vice-President, called the meeting to order. Minutes from the August 28th Board Meeting had been approved by the Board and posted on our website previously.

III. Open Forum

An open forum was conducted. Concerns were heard and discussion followed.

Dennis Sherman, was not present but his concerns were presented: (1) Have lot owners who were out of compliance prior to the new board, been contacted? (2) Need to review ACC files and make sure letters of violation have been sent out. (3) Concerning the road contract, he thinks plowing to 3 inches is too costly.

Ken Baker: Concerning elections, he thinks we need a secret ballot that does not contain our lot number. He wanted clarification on how board members are elected and how vacant positions are filled.

Larry McClymonds thanked the board members for their efforts. His concerns are:

(1) ACC Committee decisions are ultimately the responsibility of the board and therefore the board should be more pro-active about overseeing the actions of the ACC Committee. (EX: a building 10X12 does not require a building permit but the building that was erected was actually 10X16 and should have had a building permit). He suggested that the ACC application include a statement that approval by the committee is contingent upon securing a building permit from the county. (2) Larry wanted to discuss where dues are to be mailed. (3) Questions concerning snow plowing: Who determines when to plow? Procedure for performance and feedback, Will a plowing log be kept? Is the plowing company properly insured? Is there a backup plan for equipment breakdown and heavy snow? (4) How does the committee plan to meet the requirements to conform to CCIOA? (5) Larry suggested board members work on communication skills to show more empathy and be less authoritarian. Larry also feels ACC committee members need to be more knowledgeable of county regulations so that they can guide potential homeowners in their efforts to build.

Next, Steve Johnson listed these as his concerns: (1) Is there insurance for the snow plow operators and are copies available to the association members? (2) Are contracts with subcontractors posted on the website or made available to the membership? (3) What is the criteria for snowplowing and what is the backup plan? (4) Is the grader going to be used for snowplowing and should the wing be put on? (5) Will the North entrance remain open and what is the justification for that?

Ralph Dierdorff stated that he believes ACC has the authority to make decisions concerning building and the board's position should be a stamp of approval basically.

Herb Sanford had questions about Loretta Hubert's resignation letter to some association members. His concerns were: Checks issued without invoices, issuing blank checks and whether a co-signature was needed.

Sallie and Jerry addressed this and clarified the boards position.

Sallie stated that it is not board procedure to issue checks without invoices; blank checks have never been used; three board members are presently on the checking account signature card and a check does not require a co-signature.

In discussing the closing of the North entrance, Terry Hull suggested that the board consider clearing out the ditch on the North side of the road and putting in a culvert.

Steve Johnson presented Jerry a May bill from Lux Excavators and had two fuel filters for whomever will be doing grader maintenance.

Ralph asked when the burn pit is to be burned. Jerry said the fire chief has been contacted and he will burn when there is snow on the ground and they have time.

#### IV. Officers Reports

Fred Deppenbrock, per his telephone call, reported the pond was taken care of in the fall; Division of Water Services has been reported to and we are working on easement issues and hope to have them resolved in the near future.

Sallie Baker reported Mark Matulik is heading up the committee to rewrite the by-laws to comply with CCIOA. The committee is seeking legal counsel with Hindman Sanchez. Hindman Sanchez have indicated the covenants should not be changed and the Articles of Incorporation should remain as they are written. A proposal will be discussed as a motion for having Hindman Sanchez customize required policies using our by-laws as a basis in New Business.

Jerry Clinton and her committee worked diligently to rewrite the snow removal contract. Copies of the contract were available.

September 30, 2011 Jerry received a 60-day written notice from Mark Price ending his contract. She then met with her committee to rewrite the snow removal contract. The job was posted in The Flume for approximately 6 weeks and bids were received. She presented information on the bid that was approved by the board. There was much discussion and many questions concerning this contract. The contract will be in place for five (5) months – December 1, 2011 – April 30, 2012. Terry O'Neill said the contract does not have provisions for liability and workers comp insurance. Jerry has spoken with Jetta Inc and they will provide proof of liability insurance. Larry thanked Jerry and her committee for their hard work in securing this contract.

Patrick Strong has done a thorough analysis and review of MHOA Income and Expenses for 2010 and 2011. Our current balances are: Checking - \$38,119.44; Savings - \$853.07 and 1st CD - \$6522.23.

There is a 2nd CD but Patrick does not have access to the account at this time. We will have this information at the next Board meeting. The 2012 Proposed Budget will be presented in New Business.

Carol Smusz stated this was her first board meeting and had no report.

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#### V. Old Business

Motion 5 concerning enforcement of the removal of trailers and campers was next on the agenda. Jerry moved we pass Motion 5 [See minutes of August 28th, 2011 meeting]. Carol seconded the motion.

##### Discussion

followed: Terry O'Neill thought the practice of enforcement should be separate from the by-laws; Terry Hull said originally members bought lots so that they could bring their trailers and campers up to enjoy Michigan Hill and remove the trailers and campers at the end of the season. He thinks we should return to the original by-law concerning this matter. Jerry Dean questioned waste removal with trailers and campers that are left for months at a time. With so much controversy concerning this issue, the Board defeated the motion.

## VI. New Business

Sallie presented the 2012 Proposed Budget and handed out copies.

Carol moved we accept this budget, Jerry seconded the motion.

Discussion followed: A voice vote was taken by the board and the motion passed unanimously.

Sallie moved that we accept the proposal from Hindman Sanchez for a \$900 package to develop the Required Policies to bring MHOA into compliance with CCIOA. Jerry seconded the motion. Discussion followed. A voice vote was taken by the board members and the motion passed.

Sallie moved that we recognize Loretta Hubert at our annual meeting for her years of service to the association, Fred seconded the motion.

There was no discussion. A voice vote was taken by the board members and motion passed.

With no future business to come before the board, Jerry moved we adjourn the meeting, Sallie seconded it and the meeting was adjourned

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Respectfully Submitted,  
Carol Smusz  
MHOA Secretary