

THURSDAY, SEPTEMBER 21, 2023

Rosemary Villas Homeowners' Association

President, Brian Hart Vice President, Valerie Kapusta, Secretary-Treasurer, Dick Kline
Board Member, ~~Sharon Melton~~ Board Member, Barry Schiff

ANNUAL MEETING MINUTES

CALL TO ORDER

President Hart called the Annual Meeting of the Rosemary Villas Homeowners Association to order at 4:00 p.m., on Thursday, September 21, 2023, at the Center Township branch of the St. Joseph County Library. Mr. Hart introduced Board members Valerie Kapusta, Vice president, Dick Kline, Secretary-Treasurer, Polly Miller, Member and Barry Schiff, Member.

Secretary, Dick Kline informed the President that 27 people were in attendance (18 voting members) and with the 25 proxies that were returned, a quorum was established. All members and proxies were current with their dues.

President Hart then introduced the New Homeowners to RVHA:

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| • Betsy Alvarez/David Cavadini | 6119 Old English Court |
| • Mark and Joanna Burns | 6219 Tamerlane Court |
| • Don and Polly Schwing | 6218 Sudbury Court |
| • Patricia Marvel | 6163 Darby Court |
| • David and Julie Smith | 6134 Darby Court |

APPROVAL OF MINUTES

Minutes of the September 22, 2022, Annual Meeting were reviewed, and David Melton moved that the minutes be accepted as presented. Pat Miller seconded the motion. The motion carried.

FINANCIAL REPORT

Treasurer Dick Kline presented a financial report showing the account balance as of 9/21/23 to be \$43,280.74. Dick projected that receipts for October would be approximately \$5,330 and that expenses for October were projected to be near \$13,088.61.

Treasurer Kline projected the Account Balance at the end of the Fiscal Year (10/31/23) will be approximately \$35,522.13. Kline stated that while the balance may appear healthy, it is important to keep in mind that painting of Old English next year will be an addition to the budget, as well as the increase of the new 2-year contract with Three Son's LLC. Dick informed the members that he will send out a copy of the budget sheet after the end of the Fiscal Year (10/31/23).

ELECTION OF BOARD OF DIRECTORS

President Hart informed the members that four (4) Board seats were open this year. Brian Hart indicated that he would stand for re-election. Earlier in the year, Polly Miller had been asked by the Board to fill the unexpired term of Sharon Melton (10/31/24) and must now be elected by the full membership. Terry Rensberger volunteered to have his name placed on

the ballot to fill the unexpired term of Barry Schiff (10/31/24), and Shawn Snell agreed to be on the ballot as a possible board member.

President Hart then called for nominations from the floor. There were no nominations from the floor and Dick Kline moved the nominations be closed and that the four members be elected by acclamation. Barry Schiff seconded the motion and the motion carried.

REPORT OF THE PRESIDENT

- **HOA FEE INCREASE:** President Hart explained that while the Board was reluctant to raise the HOA fees beginning with the New Fiscal Year (11-1-23), the Board thought it was necessary due to the increase in the new 2-year contract with Three Son's LLC, and the addition of painting in the 2024 Fiscal Budget.

Mr. Hart explained that the Board tried to do its due diligence by recording neighboring associations that provided similar services to those of Rosemary Villas. Once that information was gathered, the Board sent out four Requests for Proposals for snow removal and lawn care. From those four, the Board received two proposals for lawn care only. One vendor did not respond, and the 4th vendor was already at capacity for next year. After careful review, the Board determined Three Son's bid for a 2-year contract was the best and most responsive. It was also pointed out that Three Son's crew know our property and continuing with them would eliminate "breaking in" another vendor.

- **PAINTING:** The President announced painting of the trim on Old English Court will be completed during the summer of 2024. Brian stated that Ramirez has been used in the past and most owners were satisfied that they did a good job. The Board will be contacting them to see if they are interested in presenting a quote for the work.

Brian also explained that the association pays for one coat for painting the trim in the original color, **ash beige**, **sandy beige**, and **white**. He informed the members that one coat is sufficient when painting over current color. If the owner chooses to use another original color to paint over the current color and two coats are required, the owner will be responsible for paying for the second coat.

Mr. Hart informed the members that the Association paints a street every other year. After Old English a year will be skipped and then in 2026, Lansdown and Darby Court will be painted.

- **SNOW PLOWING:** President Hart reported that he felt snow plowing this past winter went fairly well. He explained that the association gets plowed when accumulation is at 2 inches. He also said that we begin calling at 1.5 inches, to get the vendor prepared and on notice. Often the snow melts on part of the streets and then freezes. This presents a difficult situation, and the Board strives to work with this as best they can. The Board attempts to stay ahead of the situation and tries to be conscientious with snow plowing.

A resident asks why the city doesn't plow the streets. The Board acknowledges that the city is responsible for plowing our streets. The difficulty is that the city often does not show up to plow in a timely manner. It is difficult for the big plows to turn in the cul de sac, so a pick-up truck is often used. It was also pointed out that since the city

does not plow the drives, the drives are often plowed shut after the city plows the streets. By using our own vendor to plow, we can get the drives cleared and the streets open in a timely manner.

- **POND WEEDS:** President Hart explained that during the summer dry spell the water level of the pond was low. During this time grasses and weeds began growing at the pond's edge. Then the rains raised the water level of the pond, and the weeds became unsightly. The Board contracted with Aquatic weed to treat those non-aquatic weeds and it appears they are dying off. With autumn nearing, it is hoped the situation will be improved.

ITEMS FROM THE MEMBERSHIP

- **TRASH RECYCLE BINS:** A resident raised the issue of placement of trash and recycle bins when not in use, and some discussion ensued regarding this issue. The Board indicated this is an item it has been working on. Dealing with a new contract, etc., this item was put on the "back burner." The Board is aware it is going to be difficult to develop language that can fulfill the needs of the total community as it relates to this issue.

It was also stated that open waste ~~pins~~ will draw unwanted varmints such as raccoons. The resident pointed out that perhaps some type of rule/language with parameters could be created.

In the meantime, it was pointed out that it would be much appreciated ~~it~~ residents were considerate of their neighbors when storing their trash and recycle bins.

- **ATTORNEY FEES:** A resident raised a question as to when the Board collects attorney fees. It was explained that while the Board does have a line item in the budget, the Board does not keep an attorney on retainer. Rather, the Board has an attorney of record and when the need arises, the attorney is engaged for the specific item with which the Board is dealing. A recent situation called for the Board to seek advice from the attorney, and no litigation for enforcement arose from that situation. According to the Rosemary Villas Covenants, litigation would need to occur, and judgement rendered before the Board would be entitled to collect attorney fees.

It was pointed out that the Board has developed a written procedure to notify and owner when it appears a violation of the covenants has occurred. This is a two-step process and once exhausted, the Board may seek legal assistance.

- **THANKS:** An owner thanked the Board for doing a good job for the community. Barry and Dick thanked the members for the privilege of serving the community for the past number of years.

ADJOURNMENT

- At 4:40 p.m., Dave Melton moved to adjourn the meeting. Brian Hart seconded the motion.

Respectfully Submitted,
Dick Kline, Secretary