

MIDDLETON ESTATES COMMUNITY ASSOCIATION

Carlisle, PA 17013

Annual Association Meeting

Date: Monday March 1, 2016

Time: 7:00 p.m.

Location: Stuart Community Center

Board members in attendance: Tracy Sharp, Judy Hershey, Denise Adams, Kathy Kauffman, Janna Books, Cindy Pagano (Accountant), Andrew Shaw, Esq.

Board Member Absent: Katie Landis (available via cell phone – due to birth of child)

Tracy called the meeting to order at 7:16 PM

- Tracy Sharp welcomed everyone and introduced the board members and discussed the election.
- Review of the minutes of the 2015 meeting. Made sure everyone had a chance to review last year's minutes.
 - Tracy Sharp moved to approve. Seconded by Barbara Kell. All in favor.
- General Review – (Tracy Sharp)
 - Front entrance wall repaired and repointed
 - New flag at entrance to community. Old flag retired by resident Paul McMillin
 - New "No Trespassing" signs ordered and installed for entrance to park as well as additional "Scoop your poop" signs.
 - Continuing with sidewalk repair project
 - New North Middleton Township police watch program
- Financial Report
 - Tracy introduced Cindy (Pagano) Carothers (CPA). Cindy passed out Compilation Report and gave 1 official copy to the Board to keep. All others must be handed back. Cindy explained that accounting for the association is done on a cash basis and footnotes how statements are presented. Report is for year prior since our fiscal year doesn't end until March 31, 2016. Explained that we use the Basic Accounting Report which is a clean report.
 - There were no questions regarding the Compilation Report.
 - Tracy reviewed proposed budget for 2016-17. Updated copies were available with current figures.
 - There were no additional questions regarding the budget.
 - Janna Books made a motion to approve the proposed 2016-17 budget. Jason Landis seconded. All in favor.

- Past dues \$5,565.33 owed as of March 1, 2015. Explained several large accounts and steps being taken to address those accounts. Past due fees includes fees incurred when filing at the District Justice as well as late fees.
- Cindy confirmed the tax return for the association was completed.
- **Nominating Committee Report – Janna Books, Chair**
 - Janna addressed voting issue. The Board felt it was important to correct the last name that was incorrect on the Ballot. There are 3 positions open – The Nominating Committee nominated Tracy Sharp, Denise Adams and Stephanie Bragg.
 - Attorney Shaw explained that we are not required (according to our By-Laws) to mail ballots to members. An election could be held at a meeting and only those in attendance would be voting. It has been our preference to mail ballots to maximize participation. Since we elect to do that, we must send out notice of the election separately from the ballot to ensure anyone wanting to nominate themselves outside of being nominating by the Committee, can have a chance to put themselves on the ballot. Anyone nominating themselves must provide the Board written notice with at least 13 signatures of homeowners supporting them. They have 7 days prior to the ballot being mailed to submit this to the Board. We will use this process going forward with all elections.
 - New notices will be mailed to ensure compliance. Election will take place at the open session of the April 12th Board meeting.
 - Janna announced that Judy Hershey will be the Nominating Committee Chairperson for the upcoming year with Maureen Clay and Terry Vetter serving on the committee.
- **Open floor**
 - Resident John Nickey asked what the association covers in regard to outside maintenance. Tracy explained that all outside maintenance including personal sidewalks are the responsibility of the homeowner. Lawn care and snow removal are covered by the association.
 - Homeowner Maureen Clay inquired about the water main break at the front entrance last winter. North Middleton Authority and North Middleton Township officials handled those repairs.
 - Homeowner Maureen Clay inquired about the sale of the pipeline. Questioned how and why the Board settled for only \$9,000. Attorney Shaw explained how he researched other values from other Cumberland County Sales of similar properties, specifically in North Middleton Township, and calculated the offer price based on the type of land and size of the Easement.
 - Attorney Shaw confirmed that no vote is needed to use capital funds. The Board can vote to make those decisions.
 - Several concerns were submitted in writing to Attorney Shaw from resident Marty Line. Since the association is billed for all work done by the Attorney it was discussed that Shaw should not spend time on Middleton Estates work unless it is brought forth by a member of the Board. Should a resident have a concern, it should be addressed first to the Board. Should the Board not be able to answer it, then it should be sent to the Attorney for review. The Association will be billed for a phone call by Gwen Howell and for review of letter from Marty Line. All of which

were concerns that the Board could have answered. This is basically spending Association funds without approval. Concerns raised by resident Marty Line were:

- Ms. Line questioned the Board on Initiation Fees collected as showing \$600 on the budget sheet. She feels it should be \$800 as 84 Partridge Circle was sold twice in one year. Tracy explained to those in attendance that 84 Partridge was sold at Sherriff Sale on March 4th 2015 - - - then resold by the bank on May 13, 2015. We cannot collect an initiation fee when a property is sold at Sherriff Sale. Attorney Shaw confirmed this. The initiation fee was collected along with the allowable portion of the past due fees when the property was sold on May 13th. \$600 is the correct amount collected in initiation fees.
 - Ms. Line questioned the election procedure which has already been addressed.
 - Ms. Line stated that "somewhere in the by-laws it states that newsletters are to be published quarterly". This statement is not accurate. Nowhere in the By-Laws does it state that we must publish a newsletter, let alone quarterly.
 - Ms. Line questioned the past dues. Tracy informed those in attendance that the Board does file with the DJ and the Prothonotary's office. We do try to work out arrangements first before taking legal action. The Prothonotary's office does not report to the credit agencies however, if property owner tries to get a loan it would show up there as a lien through underwriting. Most times, people in that state will not be in a position to get a loan. A lien is junior to any mortgage so the costs associated with this in most cases would be a loss. Unless a property goes into foreclosure - - no dues are "lost". A property cannot convey until the dues are brought current.
 - Ms. Line raised concerns about an air conditioner in unit 94, property maintenance as well as trash cans being left out.
- Tracy made a motion to adjourn the meeting. Maureen seconded it. Meeting adjourned at 8:24 PM.

Submitted by Denise Adams 03/1/2016