

**CLWII Homeowners Association
Agenda/Meeting Minutes, March 5, 2013**

Directors in Attendance: K. Brown, L. Lee, K. Payne, M. Ritchie, E. Ruegg

H/O in attendance: 20; Guests: 2

Meeting held at Manchester Police facility, 200 Highlands Blvd, 2nd Floor

Meeting called to order at 7:05 p.m. and adjourned at 8:25 p.m.

1. Proof of notice of meeting or waiver of notice
2. Reading of minutes of the preceding meeting (March 2012), approved as written
3. Reports of Officers: Introduction of Directors/Trustees included Eric Ruegg, President; Mike Ritchie, Treasurer; Lynn Lee, Secretary; Keith Brown, 1st Vice President; Ken Payne, 2nd Vice President.

Residents Who Make a Difference

Renee Fronabarger, Easter egg Hunt

Todd & Monica Brown Family, BBQ fundraiser for National Night Out

Eleanor Lyons, Ice Cream Treats for National Night Out

Joel Kray, Karen Dunne, Kathy Rayfield, Eric Nestel, Mary Dippold, Architectural Control Committee

Carol Weber- Newsletter

Lynn Lee- Clubhouse Rental

Keith Brown-Website, website updates, email, & Corporate presentation.

Accomplishments

Common Ground

The area east of Huntington View on the north side of Big Bend was cleaned up. Residents backing to that area had been throwing miscellaneous items and yard waste over the fence.

Pool

CLWII contracted for construction of 2 new lifeguard stands and the moved "Z" pool stand location for lifeguard comfort & patron safety.

St. Louis County issued no violations at our pools for the entire 2012 swim season.

Clubhouse

A front porch awning with the street number was installed at the Clubhouse. The street address of the Clubhouse is now displayed for the first time.

The Great Room remodel and the purchase of furniture were completed.

The parking lot was resurfaced.

Financial

Mike Ritchie presented the following:

- Objectives

- Provide Fiscal Planning & Controls
- Match Total Expense = Total Income
 - Minimize or Eliminate Taxes
- Manage Money Effectively
 - Interest earned
 - Operating Income
 - Operating Expenses
 - Project Expenses
- Operating Income
 - -Assessments
 - -Clubhouse Rental
 - -Newsletter Ads
- Non-Operating Income
 - -Interest From Bank Accounts
 - -Dividends From CDs & Money Market
- Operating Expenses
 - -Expenses mandatory for the maintenance and operation of pool, clubhouse, common grounds, and administration of the subdivision
- Project Expenses
 - -Expenses not mandatory for maintenance and operation of CLW II facilities
- Manage Income
 - Total Income = Operating Income + Interest/Dividends
 - Operating Income is primarily affected by changes in the Assessment of Homes
- Manage Expenses
 - Total Expense = Operating Expense + Project Expense

Account Balances

Account Type	Balance 12/31/11	Balance 12/31/12
Checking	\$ 46,916	\$ 48,687
Money Market	<u>\$139,611</u>	<u>\$139,904</u>
Total	\$186,527	\$188,591

Total Income-Expense Summary

	2012 Budget	2012 Actual	2013 Budget
Total Operating Income	\$136,640	\$140,300	\$138,325
Interest Income	<u>\$ 400</u>	<u>\$ 311</u>	<u>\$ 300</u>
Total Income	\$137,040	\$140,611	\$138,625
Total Expenses	\$134,315	\$138,546	\$135,395

Plan for 2013

Establish Tennis Court Repair Account

- Seed the account with \$15,000 to \$20,000 from current checking account
- Add approximately \$2,485 to the account from approved \$5.00 increase in 2013 assessment per household
- At the end of 2013, add any additional money of Income minus Expense to the account

Establish a Tennis Court Committee to determine the cost to repair the courts

Manage Expenses to Meet Income

4. Report of Committees

ACC Introductions

- Architectural Control Committee
Mary Dippold
Karen Dunne
Joel Kray (Chairperson)
Eric Nestel
Kathy Rayfield

Joel Kray, chairperson of Architectural Control Committee (ACC), gave a verbal summary of all facts noted as follows. He also thanked trustees for their work and acknowledged thanks for ACC diligence.

Summary of 2012

Total of 55 Applications Received

Total of 69 Projects Approved

Breakdown of Approvals

- 9 Siding Projects: 2 T1-11, 2 Cement/fiber, 5 LP Smart Side
- 40 Color Requests: 33 Approved, 7 Not Approved (Most of the unapproved color submittals were approved after receiving an approved color sample.)
- 7 Doors: painting
- 12 Decks: 8 replaced, 1 tear down, 3 repaired
- 10 DWG - 6 doors, 4 windows, 1 gutter
- 6 Special Projects: 5 approved, 1 not approved (shutters, porch roof, retaining wall, room addition, an aluminum underside of deck, replace windows, 2 doors replaced)

Letters Written to Homeowners from ACC

A cedar terrace home & trim were painted disallowed colors without ACC approval. The homeowner was given 12 months to comply.

Letters were sent to homeowners with fences along Big Bend offering a competitive "bulk rate" cost to have their fences painted at one time & in one color. There was not enough participation so the project was ended with no further action.

In the past, the ACC approved paint colors based on small paint samples which the finished project did not match even though the same paint color was used. Beginning in 2011, the ACC changes its requirements so paint samples must be submitted on a one foot square of the same material as on the

home or to be used on the home. Indentures require wood tones of tan, brown, cedar, or shades of gray, not another color with a little gray mixed in. (There is about a 60/40 split between brown/tan and gray. The subdivision is furnishing the one foot square siding materials on request.

ACC Plans For 2013

Continue to remind homeowners that any trim around windows and doors cannot be painted white or black. Horizontal and corner trim must be the same color as the home.

Architectural Control Committee is in need of volunteers. Homes are getting older and in need of more upkeep. There are more home repair and improvement projects to review every year. Help preserve our neighborhood.

Reminder to ALL Residents of Countrylane Woods II

- A Review for Architectural Control Should be Completed for Any Exterior Home Repair or Improvement Project except planting trees and shrubs, roofs and concrete driveway and sidewalk work.
- This quick and painless process is in place to prevent a homeowner from making mistakes that may end up costing them time and money.
- Please ask for permission in advance.
- Do not ask for forgiveness after the fact
- Projects done in violation of the subdivision indentures will need to be redone at the homeowner's expense.
- Traditional homes do not need paint color approval from the ACC.

5. Election of Directors

Keith Brown elected as trustee and corporate director/1st Vice President– Term expires 11/2015

Eric Ruegg elected as trustee and corporate director/President-Term expires 1/2016

Mike Ritchie elected as trustee and corporate director/Treasurer– Term expires 1/2016

Ken Payne elected as trustee and corporate director/2nd Vice President-Term expires 1/2016

Lynn Lee, current trustee with title change to corporate director/Secretary– Term expires 4/2014

5. Unfinished Business

- Establish Tennis Court Repair Account. We will need help and guidance.
- Establish a Tennis Court Committee to determine the cost to repair the courts-Volunteers Requested
- Install audio systems at clubhouse for rental use and for pool patrons to include a microphone in the pool area for use in inclement weather. We are required to close the pool for 30 minutes after thunder and lightning.
- Simple repair work at clubhouse

Channel B Restoration

- The City of Manchester appropriated \$300,000 appropriated for an engineering study. The North section will be first with the South section to follow. Updates will be provided.

City of Manchester Alderpersons

Manchester Alderpersons Mike Clement and Marilyn Ottenad were introduced to provide an update of city-related projects. After introduction, Mike and Marilyn advised that the political climate in

Manchester is very amicable now. Mike and Marilyn feel we are fortunate to have the Highlands. The tax dollars are keeping the City solvent. Council meetings are the first and third Mondays of each month.

Channel B restoration work is slated to begin this year. South section work will follow but timing is not yet known. Total expenses for this complete project are roughly \$2 to \$3 million dollars with funds coming from the 2002 Proposition which funds parks and storm water projects. Some homeowners have lost 10 to 15 feet of property. The project should be completed this year. Only one resident opposes the work which will be done primarily on common grounds and obtained easements. Chadwick will be next on the list after Channel B.

The City is out for bid on the trash contract for next year and beyond. There have been no complaints with the current provider, Allied Waste. It was pointed out that we will probably be required to use bins similar to our current recycling bins due to automation of trash pickup. **Q:** Is the City required to select the low bidder? **A:** No, but the reasoning must be sound and the deviation not too great.

The Manchester Arts Council is planning several events:

- There will be a photography show May 17th, 18th and 19th at the Manchester United Methodist Church. Entries will be judged.
- A community band is being formed which will provide 3 concerts of band music in Schroeder Park. The concerts will augment the usual summer musical presentations.

New Businesses in Manchester:

- Marshall's Bistro (located in the Office Depot center)
- Gist Books (located in Lafayette Center)
- Randall's Wine and Spirits (located in the Highlands)
- Scotties' Produce (located in the old Meramec Bank Building)

Manchester will be spending around \$500,000 on street improvements in 2013.

Ed Blattner is leaving the City to be head of public works in Arnold.

Lawsuit Update

- **2005: Issues brought to Trustees' attention as corrected:**
 - Common ground (851 CSD) now deeded properly
 - Designated March as annual Corporate Meeting
 - Legal advice shows Amendments 2 & 3 proper
- **2006: Lawsuit filed by 4 residents and later joined by 12 others against the Trustees and Directors of CLW II**
- **2006-2010: Suit heard in St. Louis County Circuit Court.**
 - Judge ordered vote on which bylaws to use. 72% voted to keep the existing bylaws and not those proposed by Mr. Osthus.
 - Court ruled that ad hoc elections to remove trustees/directors were invalid.
 - During this time Mr. Osthus filed two small claims suits regarding assessments, both were denied.

- An appeal of the first Circuit Court decision with Eastern District Court of Appeals. Case heard 12/12 and dismissed.
 - Mr. Osthus then filed to have the entire Appeals Court panel hear the case. This appeal was dismissed as well.
- **Thanks to everyone for their support and patience in this ordeal. We hope that most everyone feels a sense of encouragement and relief that we can now move forward. With this behind us we hope you will consider volunteering in some way, a project, a function or as a Trustee.**

▪ **Lawsuit Costs to Date**

Direct costs to CLW II	\$18,127.66
Travelers Insurance	<u>\$78,952.11</u>
TOTAL	\$82,477.32

6. Homeowner Comments & Adjourn:

Q. Who is responsible for trees between the sidewalk and the street?

A. The homeowner.

The subdivision will take down dead trees on the common ground that are in danger of hitting a house. The trees are left in the common ground. A dead tree is the owner's responsibility for damages.

Meeting adjourned 8:25 p.m.

Attendees

Shelley Parsons
 Jerry Bennett
 Joel Kray
 Pete and Marie Buckert
 Rich and Cheri Inman
 Rick and Judy Phelps
 Sue Urban
 David Stephens
 John Himpel
 Jim Hamer

Trustees
 Alderpersons