

# BLUE HERON RESORT CONDOMINIUM ASSOCIATION

## AUGUST 26, 2006 ANNUAL MEETING MINUTES

### Attendees:

Jim Williams-President; Mike Susalla-Vice President; Marty Stroiman-Treasurer; Jose Cayao-Chairman Arch. Board; Ragnar Avery-Secretary.

### Members in Attendance:

Mary Jo Susalla; Bob & Kathy Buda; Jack Aston; Bob Francis; John & Colleen Van Ocker; Gary & JoAnne Daniels & proxies

The meeting was called to order at 2:00pm by President, Jim Williams, with a quorum of 40 lots represented.

### President's Report:

1. **Lake Maintenance:** The Eurasian Milfoil problem with Price Lake and North Lake 28 were discussed at length. Due to permitting issues and financial issues the lake treatment was delayed. Total cost of the treatment was \$14,000 with a balance of \$1,000 still owed to Ruskin once delinquent members pay their dues. The treatment has had an affect but should have been done in the spring.
2. **Lake Level:** Due to a number of lots being arrears in annual dues, there has not been enough money to run the pump to maintain the level of North Lake 28 or Price Lake. Bob Francis voiced an opinion that the lake level should have been a priority over the treatment of weeds. Bob offered to help the board with studying lake management practices for the association. Jim Williams advised that it costs the association about \$80+ per day, a bit over \$750 a week to run the pumps for the lakes. Currently Price Lake and North Lake 28 are more that 12 inches low. South Lake 28 has been maintaining its lake level all summer.
3. **Signage:** Bob Francis reported to the board that the amendment to the Master Deed added by Randy Mann to limit signage was not enforceable. A thanks was given to Mike Susalla for building and installing the new posting board at South Park. The board would ask that all property for sale postings occur at this site.
4. **Association Dues:** Several members reported that Grandville Management has not been billing them for their annual dues. It was also reported that the 20 lots in the adjoining association "Back Lot" have not been billed for 2005 or 2006. Jim Williams reported that 75% of the "Back Lot" owner's \$250 annual dues come to Blue Heron Association for road maintenance. Currently the association is \$8000 in arrears of dues from member and about \$6000 in arrears from the "Back Lot" owners. As of the meeting there was less than \$1000 in the association account. It will be critical to aggressively collect dues to maintain roads during the winter.
  - a. Bob Francis offered that the association could save money by turning the road maintenance over to Kalkaska County. But, it was reported that snow cleanup my no occur for 3-4 days due to the association road not being a main road or a road for a bus route.

- b. Ragnar Avery reported the following Public Acts concerning road maintenance.
  - i. Public Act 188 of 1954: Township Public Improvement; The Township can assess money for major road repairs if 51% of the owners of the private road agree that major road improvements are needed. This assessment would be put on the property taxes of each user of an easement on the private road.
  - ii. Public Act 139 of 1972: Addresses Accountability of Specific Maintenance covered in the Michigan State Road Maintenance Manual. The Township can assess moneys from the users of an easement of a private road to maintain the road. This act can be implemented if 51% of the private road users agree that this maintenance should occur.
  - iii. Bowen vs. Buck & Fur Hunt Club: A judge ruled that everyone that uses an easement has to take part in the maintenance.
  
- 5. **South Park Office**: It was reported that the South Park Office property taxes of \$36/year was not segregated from the developers other property taxes. Marty Stroiman was going to follow-up with the Kalkaska County Assessor, Sally Ackerly. [We got a separate bill for both parks that totaled about \$36.00 or about \$18.00 each park. I sent it to Granville when I received it last year].
- 6. **2007 Operating Budget**: Marty Stroiman did not have a detailed expense summary of 2006 expenses to review with the members prior to approval of the 2007 Budget. It was agreed that Grandville Management was not providing enough detailed information to the association to properly manage the budget. Jim Williams was meeting with Grandville Management's, Tim Webb, to address this and other issues on August 31<sup>st</sup>.
  - a. Marty Stroiman reported that the amendment to the master deed covering the easement granted to the 20 "Back Lots" was not legal and was an issue. Marty agreed to follow-up on this issue with his lawyer.
  - b. Marty Stroiman committed to provide cancelled check copies of all his expenses reimbursed in 2005.
  - c. Marty Stroiman committed to obtain a detailed expense summary from Grandville Management and update the proposed 2007 Operating Budget for vote by the member. Due September 26, 2006.
  - d. Ragnar Avery committed to provide the association with the past BHC Board meeting minutes submitted to Grandville Management for review to the membership. See attached:
  - e. Address of members: It was noted that Van Ocker's address was in error the Rochester, MI 48306 should be replaced by Grand Rapids, MI 49525
- 7. **Voting**: Board members Ragnar Avery (Lot #43), Jose Cayao (Lots # 4,12,13,18), and Marty Stroiman (developer) were submitted for election. Jim Williams, President, made a call for additional nominations. None were offered.
  - a. Kathy Buda made a motion and JoAnne Daniels seconded the motion that the vote occur and that it be updated for a **two year term**. The vote was carried with 40 votes "Aye" and 0 votes "No".

- b.
- 8. **New Business:**
  - a. Lake Maintenance Sub-committee proposal: Jose Cayao made a proposal for a sub-committee to be formed to assist the board. Bob Francis was the only member offering to assist the board. No committee was formed.
  - b. Signage (Article VII, Section 5): The Master Deed was amended by developer, Randy Mann, to have the Article VII, Section 5 read “including standard For Sale signs”. Bob Francis reported that his lawyer reviewed this amendment and said it was “unenforceable”. Jim Williams took note and agreed to have this reviewed in accordance with Article IX, sections 1 & 2. Jim will report to the association in 30 Days, September 26, 2006.
  - c. Fines (Article XII):
    - i. Section 1 (d) of clearly states that association members can be fined for violation of the provisions of the Condominium Documents. The Board of Directors has the right to establish these fines.
      - 1. The Board of Directors did pass a motion to assess a 10% penalty for late payment of dues along with a 1.5% per month interest rate after a 90 Day Payment Period. This will be enforced with the January 2007 annual dues billing.
      - 2. The current fine schedule in Article XII Section 1(d) will be reviewed by the board to align with the associations needs and communicated to the association in the next 60 Days.
        - a. NOTE: Article XII Section 1(d) does allow the Board to assess fines to violating members with the following schedule:
          - i. First violation: No fine
          - ii. Second violation: \$25
          - iii. Third violation: \$50
          - iv. Subsequent violation: \$100
        - b. Alden Meadows’ fine schedule will be reviewed for incorporation into the BHRC association fine schedule.
    - d. Insurance of Builders: Discussion occurred about having builders attached Blue Heron Resort Condominium to the builders insurance policy.
      - i. Bob Francis reported that other associations assess a \$250 fee to the builder for construction vehicle easement to association property. These fees are collected at closing.
    - e. Annual Meeting Timing: Annual meeting will now be set for the first Saturday following Labor Day.

Meeting adjourned: 4:15pm

Submitted by:

Ragnar Avery, Blue Heron Resort Condominium Association Secretary

# BLUE HERON RESORT CONDOMINIUM ASSOCIATION

## AUGUST 26, 2006 BOARD OF DIRECTORS MEETING

Attendees: Jim Williams-President; Mike Susalla-Vice President; Marty Stroiman-Treasurer; Jose Cayao-Arch. Board Chairman; Ragnar Avery-Secretary

Meeting called to order by Jim Williams at 12:30pm on August 26, 2006.

### AGENDA:

1. Marty Stroiman reported on the update of the BHRC website.
2. Marty Stroiman reported that his lawyer's review of the after the sale to Blue Heron LLC by Mimi for the easement to the "Back Lot" owners was not legal
3. Marty Stroiman reported that the "Back Lot" owners had not been billed their annual dues of \$250/year for either 2005 or 2006. It was noted that 75% of the annual dues are assigned to go to the Blue Heron Resort Condominium Association for maintenance of roads.
4. Marty Stroiman committed to work with his lawyer to address the easement amendment.
5. Marty Stroiman agreed to publish the updated Architectural Guidelines developed by the Architectural Committee.
  - a. Ragnar Avery proposed an update to the wording Article VI, Section 6 which was passed by the Board unanimously. The following statement was added to Section 6: "Except with the approval of the Committee,"
6. Marty Stroiman proposed that Article IV be updated to clearly state that building contractors need to name the Blue Heron Resort Condominium Association as "additional insured" for a minimum of \$1 Million dollars.
7. Marty Stroiman motioned and Ragnar Avery seconded the Board of Directors update of the Article XII for fines to be assessed to member in arrears on annual dues payment. **Starting with January 2007**
  - a. **Association members will be billed in January for dues and have a 90 Day period to pay their dues. After 90 Days, the member defaulting on paying their annual dues will be assessed a 10% penalty and then 1.5% per month until their dues are made current.**
8. Meeting was adjourned at 1:50pm by Jim Williams-President

Submitted by:

Ragnar Avery  
Blue Heron Resort Association Secretary  
September 4, 2006

FOR THE RECORD:

Note: item 5, common area is north park next to lot 1.

-----Original Message-----

From: Tim G. Webb <gmc-tim@charterinternet.com>

To: Ragnar Avery <rag Avery58@yahoo.com>; Brandy <gmc-brandy@charterinternet.com>; Jose Cayao <jcayao@comcast.net>; Marty Stroiman <mrrefi@buildersbanc.com>; Mike Susalla <msusalla@acegroup.cc>; Jim Williams <jcwill586@aol.com>

Sent: Sat, 22 Apr 2006 09:25:30 -0400

Subject: Re: Minutes from Board Meeting 18APR06

Thank you

Have a GREAT day,

Tim G. Webb

President

Granville Management Inc.

Email: gmc-tim@charterinternet.com

Voice: 231-933-6330 Fax 231-946-6660

CONFIDENTIALITY NOTE: This message may contain information that is privileged or confidential. As such, if you are not the intended recipient, please delete this message without retaining, distributing or copying all or any portion of its contents and notify us immediately of your receipt by return message to the sender or by calling our office at 231-933-6330. Thank you in advance for your assistance.

----- Original Message -----

**From:** Ragnar Avery

**To:** Brandy ; Jose Cayao ; Marty Stroiman ; Mike Susalla ; Tim G. Webb ; Jim Williams

**Sent:** Friday, April 21, 2006 3:40 PM

**Subject:** Minutes from Board Meeting 18APR06

Here are the minutes and Actions I captured during our meeting of the Blue Heron Condominium Association Board on April 18th 2006.

Attendees:

Mike Sussalla

Jim Williams

Marty Strohman

Ragnar Avery

Tim Webb

AGENDA ITEMS:

#1: Backlot Collection:

- a) Marty/Tim to get a list of the names & addresses of the owners of the back lots
- b) Marty to develop an agreement detailing the following:
  - Legal Road Agreement
  - Rights & Responsibilities
  - Clean & road repair yearly fees (estimated at \$300/year)
  - Clear communication of NO ACCESS to Blue Heron Condo Assoc

#2: Blue Heron Association Fees:

- a) Marty committed to have his 2005/2006 fees up to date shortly
- b) lot #41 is owed by Builder's Fund Group and should be billed as such

#3: Explanation of Expenses:

- a) Tim will provide the Blue Heron Condo Association a yearly printout of the detailed summary of General Ledger entries

#4: Collection of Arrears:

It was noted that Arrears amounted to \$34,000

Motion was passed to have the following action taken:

- a) for 2005 Arrears: have a Notification of arrears sent to each owner by certified mail. If no response, delinquent members would have a lean put on their property. If lean does not generate payment, owner taken to small claims court.
- b) for 2006 Arrears: Notice of delinquency will be sent which will include a 10% late fee with 30 Days notice.
- c) for 2007 fees: Billing to occur by January 15th, payment is due by February 28th. If late, 10% per annum late fee will be assessed.

#5: Spring Cleanup:

- a) Action: Tim will contact John Boyd for bids on Spring Cleanup, Lawn mowing, and Fall Cleanup

- Mow every other week as needed: common area and 20ft area of roads
- common area to include: office, Lot#1,

#6: Lake Treatment:

- a) Motion approved to pursue Rustic Lake & Pond for contracting of treatment of lakes 28 and Price.

Action: Tim Webb is to send a \$400 check to Rustic Lake & Pond for DEQ permits

#7: Name Change of Lakes:

a) Marty found the U.S. Geo Application for name change of lakes. Jim Williams will ask Margret(?) to pursue the process of Lake Name Changes.

#8: Shell LPG Contract:

Action: Tim Webb will pursue getting the contract from Shell.

complete 20APR06

#9: Architectural Changes to Article VI of the Bylaws:

Action: Jim Williams to reconcile the proposed changes with the current Bylaws clearly showing the current and proposed changes. This will be emailed to the Board and then put up for vote once the Board approves.

#10: Article VII: Section 5: Signage

Action: Jim Williams to propose updated verbage.

Action: Tim Webb to quote the Association for the current Board at Portside Condo

Action: Tim Webb to send a letter to Shoman's concerning signage at Lot#59

Action: Marty to send letter to Jack Aston concerning signage at Lot# 50

#11: Lighting of BHCA Entrances:

Action: Tim Webb to bid lighting of of entrance and adding lighting at South Entrance

#12: Fire Hydrants:

Action: Jim Williams to contact Garfield Fire Department for written letter of recommendations concerning the use of the pump house to provide refill capabilities to the Fire Departments tank truck

#13: Common Area Park Signage:

Motion approved to have signage in place at the north and south parks stating:  
"Private Property- Residents Only"

Thanks

Ragnar Avery

Blue Heron Condominium Association Secretary

# **Blue Heron Resort Site Condominium**

## **Board of Directors Meeting Minutes**

August 16, 2005

Attendees: Marty Stoiman, Jim Williams, Mike Susalla, Jose Cayao, Ragnar Avery

- Nominated and Elected
  - Jim Williams – President (2 year term)
  - Mike Susalla - Vice President (2 year term)
  - Ragnar Avery – Secretary (1 year term)
  - Marty Stroiman- Treasurer (1 year term)
  - Jose Cayao- Director & Member at Large (1 year term)
- Recommendations of Changes to Condominium Association ByLaws
  - Director terms will be staggered with 2 Directors elected for 2 year term followed by 3 directors elected for a 2 year term the following year.
  - The quorum be changed from 51% to 25% to assure the Association can achieve a quorum for better management of association issues.
  - Change the minimum home size to be increased from 1250 ft<sup>2</sup> to 1500 ft<sup>2</sup>
  - Signage requirements will be updated to have the following:
    - Central listing Lots and Homes For Sale with linkage to a Website [www.blueheronresort.com](http://www.blueheronresort.com)
    - Contract Signage will be limited to specific signss
- Architectural Committee
  - Jose Cayao has been appointed the chairman of the Architectural Committee
  - The remaining Board of Directors will also serve on the Architectural Committee
  - Lee Posley, Lot #40, has volunteered to serve on the Architectural Committee
  - Lot #59 needs to be notified to remove their “For Sale” sign
  - Lot #33 needs to submit their building plans prior to starting construction. It has been observed that Lot #33 has started excavation of their lot.
- Followup Action from the Committee Meeting:
  - Granville Management Inc. is advised to invoice each of the Association Memebers (34 Lots Sold) for their balance of the \$450 per year dues for 2005
  - Granville Management will notify Lot #59 to remove their “For Sale” Sign
  - Marty Stroiman to setup 800# teleconference number for next Board Meeting.
  - Jim Williams will setup the schedule for Board Meetings 2005/2006
  - Board to setup Picnic/Family Day for the Next Association meeting in 2006