

DRAFT

(The minutes of this meeting will be considered for approval at the next annual meeting of Englewood Isles Improvement Association, Inc. – Unit #3

Englewood Isles Improvement Association – Unit 3
Annual Meeting
Saturday, January 20 2007
Email address: englewoodisles3@hotmail.com

President Stacy Schell called the meeting to order at 10AM at the Elsie Quirk Library, Englewood. Board members present were: Laurel Freund, Jim Martin, Robyn Nydam, Denise Schaub, Bill Schell, Stacy Schell, Allen Short, Rob Stevenson and Chuck Zajac. Laurel confirmed a quorum of 42 homeowners present at the meeting.

President's Report:

1 – Stacy thanked the Board for its efforts on behalf of Unit 3 throughout the year. In addition, she thanked John and Dona Fyke for maintaining our website on which we can locate pertinent information regarding our Unit, including Board/Annual Meeting Minutes, our governing documents, photos, Architectural Committee form, etc. She also extended thanks to all homeowners who volunteered their time and efforts throughout the year within our Unit as well as on the Parkway.

2 – Stacy appointed Allen Short to be the Sergeant-At-Arms for this meeting.

Election of 2007 Board of Directors members:

1 – Stacy began by reading a Motion submitted by Rob Stevenson in which he invoked Unit 3's By-Law V, Article (b), which states number, tenure and qualifications of Board members. In part the Article reads as follows: "There shall be a minimum of 7 Directors. Additional Directors can be elected should the general membership warrant." Rob's Motion is to follow this Article plus to add the 8th and 9th high vote getters as Alternates, bringing the total number of Board members for 2007 to 9. The Motion was seconded by Chuck. Since there was no discussion, Stacy called for a vote, which was as follows: 17 for, 19 against. A request was made by a homeowner to finalize the count of Proxies at that time for inclusion in the vote. With the Proxies there were 24 for, 28 against. The Motion failed.

2 – Denise Schaub then read the following Motion: "I move that the election of the 2007 board of directors shall be conducted by a signed ballot cast by each owner present and by signed proxies registered by owners who are not present. By ballot or proxy, owners will vote for the ten (10) announced candidates on the proxy or ballot and for any additional candidates whose names are submitted in nomination from the floor as write-ins on the ballot or proxy. The ten (10) candidates who receive the most votes shall be elected as the 2007 board of directors." John Heisey (337 Oakwood Circle) Seconded. Stacy called for any discussion.

- A comment was made concerning fairness of the Motion to those homeowners who have already submitted their Proxies. Those homeowners would not be given the opportunity to adjust their votes to accommodate any change to the number originally stated on the ballot.
- Mr. Heisey distributed copies of the Motion to members present to ensure that the Motion was clear before a vote would be taken on it.

- A discussion followed regarding the wording on the Proxies, specifically "General" Powers" versus "Limited Powers".
- In response to the comment stated above (#1), Mr. Heisey reminded the group that by voting via Proxy, a voter unfortunately does relinquish the right to be made part of changes to the ballot that may occur at the meeting at which the vote is to take place. Mr. Heisey believed that the Motion on the floor was valid and that no challenge to the Motion was appropriate.

3 – Stacy called for a vote to decide whether or not a vote should be taken on Denise's Motion. Fred Dickinson (32 Waterford Drive) so moved, Linda Dicianni (341 Oakwood Circle) Seconded. A vote was taken; the Ayes won.

4 – Stacy re-read the Motion submitted by Denise and called for a vote. The Ayes won.

5 – Stacy asked that any write-in candidates for the Board be made known. None were brought forth and Fred Dickinson made a Motion to close nominations, Nelson Hildebeitel (326 Oakwood Circle) Seconded. Stacy called for a vote; the Ayes won.

6 – John Heisey made a Motion to elect the slate of 10 candidates on the ballot by acclamation; Fred Dickinson Seconded. A vote was taken; the Ayes won.

Secretary's Report:

Stacy asked for a Motion to accept the 2006 Annual Meeting Minutes. Harry Addison (26 Waterford Drive) made the Motion, Chuck Seconded. Following a brief discussion, the Minutes were accepted unanimously.

Treasurer's Report:

1 – Stacy asked for a Motion to accept the 2005 Treasurer's Report, which had not been accepted at the January 21, 2006 Annual Meeting. Denise made the Motion, Peter Pesa (29 Waterford Drive) Seconded. A vote was taken; the Ayes won.

2 – Stacy asked for a Motion to accept the 2006 Treasurer's Report. Denise made the Motion, Harry Addison Seconded. A vote was taken, the Ayes won.

3 – Stacy asked for a Motion to accept the Proposed 2007 Budget. Denise made the Motion, Harry Addison Seconded. A vote was taken; the Ayes won.

Parkway Committee Report:

1 – Bill reported that revitalization to Islands 6&7 is being discussed.

2 – He noted that much of the success of the Parkway projects depends heavily upon the efforts and ideas of volunteers and he asked that we all consider being part of that in the future.

3 – Rob Stevenson noted that Bill's invaluable contribution to the Committee has been very significant and he expressed a strong wish, on behalf of Unit 3, that Bill continue as a member of that Committee for 2007.

4 – Tom Schaub (319 Oakwood) pointed out that the Parkway Committee is paying for the lighting along the Parkway at the same time that taxes are covering those same expenses and he wondered why two sources of payment should be involved. A discussion followed. It was unanimously decided to relegate responsibility for looking into this situation to the newly elected Board of Directors.

Old Business: (no report)

New Business:

1 – Stacy called for a vote to accept the version of Deed Restrictions recently developed by Attorney Sharon Vander Wulp. Stacy noted that Ms. Vander Wulp has confirmed that, according to the original 1975 Deed Restrictions currently in effect for Unit 3, all that is necessary to adopt the new Deed Restrictions is to have the acceptance of a majority of front feet lot owners in the subdivision and, once received, no further vote is

necessary. Stacy went on to note that with such wording, Unit 3 does not have an equality of voting; however, the newly developed Deed Restrictions reviewed by Attorney Vander Wulp would correct this situation by requiring passage by a 2/3-majority vote, in person or Proxy. Stacy pointed out that the Board was completely honest and up-front throughout its approach to all homeowners regarding the development of the new version of Restrictions and she urged everyone to ask any questions they have beforehand and to use their own judgment when it comes time to vote, now and in the future.

2 – Harry Addison made a Motion to defer any voting on the Deed Restrictions until the newly elected Board has had the opportunity to review the current document and to present their findings to the membership. Nelson Hildebeitel Seconded.

3 – A discussion followed.

4 – Rob Stevenson suggested that we go ahead and vote on the Deed Restrictions as presented in order to provide the protection we need at the present time rather than risk waiting longer. The majority of members present did not accept the suggestion.

5 – Dennis Behrens (343 Oakwood Circle) pointed out that he was a participant in the sending out of a petition, which indicated that, a “majority of the membership made their wishes to take a cautious approach toward adoption of the new Restrictions” known. He urged the Board to honor those wishes, although it must be noted that the 2006 Board was never given the opportunity to see the petition and, therefore, is not familiar with its contents.

6 – Helen Wikoff (329 Oakwood Circle) stated her objection to the fact that the petition referred to by Mr. Behrens was sent to a select number of homeowners and that its being distributed in such a manner caused much dissension within the community since only some homeowners were involved.

7 – Stacy asked for a vote on Mr. Addison’s Motion (#2 above). The Ayes won.

8 – Stacy introduced two new homeowners within Unit 3: Michael Harkins at 15 Waterford Drive and the Gordons, 17 Waterford Drive.

9 – Stacy introduced the newly elected Board Members:

- Harry Addison
- Dennis Behrens
- Linda Dicianni
- Fred Dickenson
- John Heisey
- Nelson Hildebeitel
- Pat Martin
- Robyn Nydam
- Randy Rubner
- Jo-Ann Wieleba

Stacy adjourned the meeting at 10:50AM.

Respectfully Submitted,
Laurel Freund, Secretary