

Merrymount Property Owners Annual Meeting  
June 5, 2010

Larry Uhl, MPOA Chairman called the meeting to order at 1pm in the Fellowship Hall of Jerusalem UMC. In attendance: Barbara Muzi (#5), Judy & Jay Stephens (#3), Nan & Keith Wampler (#73), Margie & Mike Skidmore (#18), Harvey & Lois Powers (#67), Arthur Buckner (#2), Bob Sorensen (#28), Paulette & Jim Sabo (#1), Bob & Carol Jamison (#9), Bill Powell (#62, 63, & 64), Doug & Linda Sobey (#74), John & Barbara Bergland (#84), Rae & Bill Iles (#92), Janet & George Epps (#29), Marge Timko & Helen Wesolowski (#126), Rick & Maggie Shupe (#120), Wilma Poole (#123), Todd & Norma Schultz (#4), Don Holliday (#70), Al & Peggy Muir (#49), Ray Merritt (#24), Ken Nagle (#53), Michael & Deborah Ortiz (#59), Myra & Scott Murray (#21), Larry Uhl (#32). Proxies were received from: Muzi (#5), Poole (#43), Irby (#60, 66, 90, & 129), Johnson (#206), Byrd (#55 & 56), Fisher (#17, 97 & 127), McHenry (#26 & 27), Mitro (31), Taylor (#23), Wissing (#25), Gulley (#81, 93, 94 & 121), Hale (#65), Handy (#38 & 16), Heycock (#37), McCall (#39), Martindale Farms (#211, 212, & 213), Munana (#19), Parshall (#45), Powell (#62, 63, 64), Freeland (#40), Young (#99), Matto (#98), Hunt (#124).

Michelle Mulligan, attorney recently hired to represent MPOA gave a presentation on enforcement of architectural guidelines as indicated in covenants and by-laws. She indicated guidelines may be flushed out as the development grows. The issue of enforcement is a "stair step process" involving notification of violation and providing an opportunity to be heard. The association has the authority under state statute to assess fine or penalty. (Handout attached)

Minutes of the 2009 MPOA Annual Meeting were read and approved.

Harvey Powers, Treasurer handed out the 2009-2010 MPOA budget with general ledger attached to show expenditures up to 6/4/2010. Income of \$32,865, with \$342.27 left to pay bills in June 2010. Net worth indicates \$45, 127.80 in savings and \$79,577.90 in Smith Barney account. As of 6/4/2010 MPOA has total net worth of \$141, 636.54. Harvey then handed out the 2010-2011 budget to be voted on later in the meeting.

Jay Stephens outlined the three options for **Merrymount roads**: (1st) Asphalt all roads at a cost of \$200,000; (2<sup>nd</sup>) All roads in Merrymount to receive two layers of tar & gravel at a cost of \$78, 000; or (3<sup>rd</sup>) Seal cracked areas with one layer of tar & gravel, with hot liquid tar to be applied to portions of Hawtree, Botetourt and Bell Arbor at a cost of \$7,200. Motion made & second to take monies from road fund and select option 3. Majority approved with one opposed.

**Landscaping & grass cutting**: Motion made and second to leave the grass cutting contract the same with one complete cutting each month and twice monthly cutting of the front entrance. Majority vote approved the motion. Motion made and second to cut and weed the trailer lot twice a year. Motion passed with unanimous vote.

**In house audit** of MPOA financial records indicated everything was in order, with several recommendations, including once a year in house audit to be done at no cost to MPOA.

Jay Stephens reported on the **hydrilla** contract status with fifty three lots participating in the spraying. It is not anticipated that government entities will finance any spraying this year, except for an area called "The Flats" of Smith Creek. Some lot owners are experiencing a problem with lymbya, another noxious weed which has had questionable results with spraying.

Ray Merritt reviewed the Architectural Review Committee (ARC) proposal and will take feedback on fences and neighbor's approval of projects back to the committee for additional work.

**The proposals of the By-Laws Committee** chaired by Burt Parker were discussed and a separate vote was taken on each issue.

Motion made and second : "The annual meeting of the membership shall be held on the Saturday prior to Memorial Day observed holiday, or on a date that the Board determines , with at least a 30-day notice to MPOA membership, at a time set by the Board of Directors for the purpose of electing directors and for the transaction of such other business as may come before the meeting." (Unanimous approval)

Motion made and second: "With each notice of the Annual Meeting, the Board shall include an absentee ballot for members not able to attend the meeting. The absentee ballot shall cover election of board members and must be received by the Board Secretary one week before the meeting. Proxies will still be allowed to vote on issues at the annual meeting. This does not require notification in either direction be done by the United States Postal Service (USPS) – can be done by e-mail." (Passed by majority vote)

Motion made and second: "All dogs shall be under leash control when not on their owner's property." (Passed by majority vote). As a matter of courtesy Harvey Powers asked the board to phase in leash control over a period of 30-60 days in order for lot owners to be put on notice and not start immediate fines.

Motion made and second: "Commercial vehicles, boats, recreation vehicles, campers or trailers shall not be stored on an owner's lot if they are visible from the street, except for short periods of a few days for loading and unloading." (Defeated by majority vote)

**Annual Assessment:** Motion made and second to give the Board a "vote of confidence" to increase the annual dues from \$260 to \$300 effective with the January notice to all lot owners to cover the March 1, 2011 to February 29, 2012 period. (Passed by majority vote)

2010-2011 Budget: Motion to accept the budget as amended to include additional money for the trailer lot and lights, reduction in grass cutting and remainder of new money going to the road maintenance fund with the understanding that some of it may be earmarked for improvements on the trailer lot. (Passed by majority vote)

Nan Wampler reported the election of Board Member results: James Handy and Jay Stephens were elected with a majority of the votes.

Meeting adjourned at 3:20pm.

