

COUNTRY LAKES HOME OWNERS ASSOCIATION

MEETING ON AMENDMENTS TO THE DECLARATION AND BYLAWS BY THE BOARD OF TRUSTEES

DATE: December 1, 2020

BUDGET MEETING of December 1, 2020 Country Lakes HOA Board was called to order at 6:28 PM (Tuesday) via video conferencing. A note is in order to explain for future reference that due to the healthcare pandemic of Covid-19 both federal and state government authorities and healthcare experts encouraged that “social distancing” be instituted. This is a continuance of compliance to the government order and meeting via video conferencing.

BOARD MEMBERS:

Shawn Smith - Participated  
Bob Beres – Participated  
Art DePompei - Participated  
Bill Hanigan – Participated  
Vince D’Angelo– Participated

OTHER REQUESTED ATTENDEES:

Anthony Embrogno – Participated

Board President Shawn Smith called the meeting to Order at 6:28 PM. Two topics were to be addressed. It was determined that the Board would initially finalize our 2021 Budget; then proceed to discuss the Kaman & Cusimano (legal firm) draft for the purpose of amending the Declarations and Bylaws of Country Lakes at Fox Meadow Homeowners’ Association.

Treasurer Art DePompei had posted an update to the initial November 24<sup>th</sup> budget meeting documents. The update incorporated those budgetary changes, additions and deletions discussed at the November 24<sup>th</sup> meeting. The Treasurer stated that he had moved forward on transferring-\$680 from the Reserve Funds to our Checking Account for 2020 needs and will transfer \$24,455 from Reserve Funds to our Checking Account in early January 2021 for 2021 needs/usage, as the November 24<sup>th</sup> motion required.

The Treasurer further stated that the updated budget did include the ten (\$10.00) per month increase in homeowner dues. The increase will cover increases costs in service charges, as well as a new service to eradicate a problem with spiders around home foundations, and a new fountain pump.

The Reserve Fund transfer was discussed. Art explained how the transfer of funds from Reserve to Checking will still maintain our “fully funding” status; and further stated that the new Reserve Study which is planned for the first quarter of 2021 will provide updated guidance on the fund.

In that the Board was in consensus in regards to the basic tenants of the 2021 budget from our earlier meeting of November 24<sup>th</sup>, and the updated Treasurer’s report confirmed Board Members’ understanding of the 2021 Budget; the matter was moved to a vote.

Motion to approve the 2021 Budget as presented by the Treasurer and outlined in his Updated report.

Moved By: Vince D’Angelo

Seconded By: Bob Beres

Vote: Unanimous

The Board directed its attention to the amendments to the Declaration and Bylaws. President Shawn Smith provided an outline on the restrictions that could be made to both the Homeowners' Cover Letter and Amendments without having to resubmit the documents for Kaman & Cusimano further review and update. The Board had received copies of the Kaman & Cusimano Amendment language and cover letter in advance.

A question arose regarding the length of time for the voting. The President stated that the voting would continue indefinitely until fifty percent plus one of the homeowners in good standing voted either in favor of or against the amendments.

On Amendment A, as stated in the Consent Ballot it was legally necessary to provide language of that "...establishes a required or preferred method of payment of assessments ...." It was not the intent of the Board as stated by the President to force homeowners in only the one method of payment and would be following the preferred approach. There would be however a cost of fee for those homeowners who chose a non-preferred method of payment. This language is also found in the language to amend the Declaration of Covenants.

Discussion ensued on quorums and voting matters as to how the process of properly recording and managing the records/documents in a virtual meeting would be handled. The need to move forward with the Homeowner Association's ability to conduct business without a meeting as well as the ability to conduct a virtual meeting was clearly demonstrated by way of the pandemic and the social distancing required.

Clarifications were made on specific points of language within the documents without further action required. The Board then addressed the process of submitting the documents to homeowners and the gathering of the votes. It was determined that the President would utilize Staples to print, collate and stuff the envelopes. This would also include providing them address labels, as well as return labels to our Country Lakes PO Box. The returned envelopes would then be turned over to the Secretary to record and tally the votes and upon reaching the vote of fifty percent plus one either in favor or against the Amendments, the Homeowners would be so notified.

Motion to Approve the language with two grammatical corrections, referencing the Board of Trustees as opposed to the Board of Directors as in the Cover Letter and elsewhere; the deletion of "to" in the second to last paragraph of the cover letter; and the insertion of the word "be" in the fifth paragraph of the cover letter ("the Board will decide if votes will (insert: be) submitted...").

Moved to Approve: Art DePompei

Seconded By: Vince D'Angelo

Vote: Unanimous

On a separate matter Bob Beres requested that the Board approve the reimbursement to Bruce Buller for the required insurance imposed by the Board to cover for personal injury. The matter had been previously discussed and researched and the annual amount was \$300.

Motion to approve the reimbursement of \$300 for the required insurance: Bob Beres

Seconded By: Art DePompei

Vote: Unanimous

ADJOURNMENT at 7:56 PM of the formal meeting:

MOTION WAS MADE by Bill Hanigan

Motion was carried

*Minutes were prepared by William Hanigan, Secretary on December 4th.*

*Approved at the Board Meeting of December 15, 2020.*