

**SANCTUARY COMMUNITY ASSOCIATION, INC.**  
**ANNUAL MEETING MINUTES**  
**JUNE 25, 2009**

- I. Meeting called to order 7 PM, 6/25/09-** Kirtland Library meeting room.
- a. Meeting notice, agenda and financial materials mailed to all owners of record by Continental Mgt. in accordance with the Association's Covenants.
  - b. Proxies received or presented at the meeting totaled 42/124 units, which represents 33.87% signifying that a required quorum of 30% or more has been established.
  - c. Board members present were introduced by Greg Viviani, President; Bob Weinberg and Cash Mischka. Joseph Stanza and Jason Wuliger were not present. Cash Mischka will take minutes for this meeting.
  - d. Jeanne Laveglia of Continental Management was present to help facilitate the meeting.
- II. Minutes of preceding 2008 annual meeting.**
- a. Motion to waive the reading and approve minutes as submitted to owners made by Randy Carver, 8805 Pheasant Run Lane. Seconded by Bruce Gravens, 8517 Cardinal Drive.
    - i. Approved by voice vote and show of hands.
- III. Officers Report**
- a. Viviani reviewed that SCA is a not-for-profit corporation (yet taxable), formed and set forth in the Covenants and Restrictions attached to all lots. It is responsible for enforcing rules adopted, including architectural guidelines and maintaining the common properties on behalf of the landowners. The majority of the work and costs of the association relate to landscape management, and septic system inspections. The covenants have not been changed since their inception. Any landowner has the right to enforce the regulations of the associations on their own, with others, or through the Association. Regulations are recorded with Lake County as well as in summary form booklet sent to new landowners and available on our website at <http://www.sanctuarycommunityassoc.com> (password: sca035)
  - b. Most properties are now developed. There remain a few undeveloped lots owned by individuals.
  - c. Board members are volunteers elected by the Association members and meet to

work on Association business. They may and typically have hired professionals including an architect, attorney, real estate management company, landscapers to review matters and recommend actions to the Board.

- d. Key hired parties have been Continental Management, Kaman & Cusimano Attorneys, Master-Greenscapes Inc., Marut & Sons- Septic Inspection, Lasko Irrigation.
- e. The Association maintains liability insurance of \$2M through State Farm which covers common property matters as well as the Directors and Officers.
- f. Association matters in the past year have run smoothly. The significant issues on the table currently include collection matters on dues, legal complications relating to properties in default with lenders and controversy concerning the posting and use of signs, particularly “for sale” and related.
- g. Common properties have been maintained and we have been satisfied with the work of the related contractors.
- h. The association is a not-for-profit organization. It must file a tax return and \$109.00 in tax returns were paid in 2008.

#### **IV. Financial Report**

- a. Balance sheet, income/expense statement, cash disbursements, A/P, Prepays, Aged Balances, checkbook details for period ending 5/31/09 were presented. It was noted that all funding comes from homeowner dues. An increase of the homeowners association dues to \$550.00 was approved by the Board in 2008.
- b. Annual budget is roughly \$60,000.00, funded by dues of \$550.00 per member. A \$50.00 increase from the previous \$500.00 yearly dues was approved in 2008 and current dues are \$550.00. A \$36,000.00 reserve currently exists and some of the reserve could be used for improvements such as irrigation on cul-de-sacs and maintenance of entranceways. Specifically mentioned was the possibility of irrigation installation in other areas of the development, particularly the cul-de-sac on Eagles Nest.
- c. There were no specific questions addressed by the homeowners regarding finances and no pending lawsuits or major unbudgeted costs contracted as of this meeting.
- d. Currently in a two year contract with Master Landscaping. Landscaping expenses vary based on need for mulching throughout the development. Currently mulching is done every other year at \$8,000.00 expense. It is anticipated that mulching will occur in 2010.

## **V. Elections of Members of Board of Trustees**

- a. About 15 people formed the group attending outside the Board members. Nominations were requested. It was noted that the terms of Cash Mischka, Jason Wuliger and Joe Stanza were expiring. It was requested that anyone having intent on serving on the Board other than the current officers submit a nomination. No nominations were presented. Motion by Sue Lin Ma to close nominations and to have Mischka, Wuliger and Stanza serve another term, seconded by Randy Carver. A unanimous vote confirmation for Mischka, Wuliger and Stanza by show of hands and voice vote.

## **VI. Old Business**

- a. A discussion was had amongst the homeowners regarding landscaping improvements in 2009. Viviani indicated that he had personally met with Master Greenscapes in May 2009 regarding potential improvements to the common areas. He specifically cited that trustees had approved Master Greenscapes to correct certain minor landscaping deficiencies such as replacing and removing dead trees, installing new flowers in the common flower beds, and repairing damaged areas. No further discussion was had regarding landscaping issues.
- b. Attention then turned to the issue of signage on homeowners properties. Viviani remarked that the real estate auction sign that had been placed on Sanctuary Drive early in the year had been a concern for homeowners. Viviani remarked that due to covenants the homeowner association rules currently restricted any posting of signs on homeowners property and that the trustees and association had adopted regulations regarding political signage and security signs years prior. Viviani informed the members that the trustees had drafted a new rule specifically addressing the home for sale sign issue. In addition, the trustees had adopted a political sign rule stating that no political signs can be posted more than 30 days before an election and must be taken down no later than 1 week after. Regarding home “for sale” signs, discussion was had that the trustees felt it appropriate that standard real estate signs placed in the ground be approximately no more than 40” in height and 25” in width. Such signs could be installed on free standing posts no taller than 6’ tall and 4’ wide with extension arms for hanging the signage. The proposed rule would allow only one sign on a resident’s property indicating that the home was for sale, that the sign could only be on the homeowners property and would have to be placed in front of the home. Further, the sign could not be illuminated. The sign must also state “home for sale”. Viviani requested any thoughts from members in attendance and any suggestions or objections. None were provided by the attendees.
- c. Viviani remarked that there had been several complaints by residents regarding other residents failing to clean up after their dogs on walks around the Sanctuary development. Viviani indicated that he would be willing to send a letter out to the association members but it was unsure what the association could actually do to curb the problem as it was more of a civil courtesy rather than a forcible action.

- d. Next order involved mailbox maintenance. Viviani remarked that the homeowners were responsible for maintaining their mailboxes at the end of their property and that it was a requirement that the mailboxes be maintained and that the residents must adhere to the regulations including painting them white. A question was posed as to whether the association had authority to paint the mailboxes if a resident failed to do so and the response was no.
- e. Viviani also reminded the residents that many of the properties in the development contained environmental easements as part of their deed restrictions and that as part of those environmental easements residents were not to disturb the environment and not to specifically cut down trees and/or vegetation within the environmental easement and that doing so could result in a violation of the environmental easement.
- f. The issue of drainage problems on Cardinal Drive involving Mr. D'Angelo's property were once again addressed. Viviani remarked that Mr. D'Angelo had repeatedly complained of drainage problems resulting from water overflowing a swale on a neighbor's property. Viviani remarked that he had informed Mr. D'Angelo that the association was not in a position to do anything about the swale problem and that Mr. D'Angelo should contact the City of Kirtland requesting assistance in resolving the swale issue. Weinberg remarked that Mr. D'Angelo should contact Kirtland and he questioned why contractors could not work on the right-of-way as Mr. D'Angelo had remarked that Kirtland would not allow contractors to work in the right-of-way. Weinberg was of the opinion that any contractor could obtain a permit to work in the right-of-way. Viviani remarked that the association does have enforcement power regarding the swales in terms of efforts by association members to cover them but the association was not in the business of digging swales and/or maintaining them as that was a homeowner issue.

That concluded all Old Business.

## **VII. New Business**

- a. The wooden cover on the bridge on Sanctuary Drive entering the development was remarked to be infested and attacked by carpenter bees and woodpeckers. Viviani and Weinberg stated that the association does not own the bridge as a common area. The bridge is under the control of the Village of Kirtland Hills and the Village has repaired the bridge in the past. Weinberg remarked that he would ask the Village to address the matter since it was the owner of the bridge. Viviani remarked that he would contact the Village to see if they would repair the bridge at their expense.
- b. Ms. Taich requested and inquired as to the installation of a "children at play" sign in front of her property since she is the new parent of a baby girl. Viviani remarked that the issue is not within the control of the association and Ms. Taich should speak to the City of Kirtland to install such signage.

**VIII. Adjournment 7:37 pm.**

No other new matters were brought to the attention of the association. A motion to adjourn was made by Viviani at 7:37 PM and second by Randy Carver. Unanimous approval was given by those in attendance.

Meeting concluded at 7:37 PM

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Approved

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