

MEETING MINUTES OF THE COUNCIL OF HOMEOWNERS ASSOCIATIONS

Tuesday, March 19, 2019

The meeting was called to order by President Mark Lifter at 7:05 PM.

President's Report: Attendees were welcomed and urged to volunteer for the COHA Board. The officers were introduced: President Mark Lifter, First Vice President Gail Haynes, Treasurer Ken Kendall, Secretary Jennifer Janson, Past President and Second Vice President Ed Hirsch, Trustee Bill Dolezal, Trustee Julie Finn, and Trustee Jack Cooper.

Secretary's Report: The minutes of the previous meeting were read and approved.

Treasurer's Report: We started off the year with \$776.26 and added \$560 from dues. After expenses, the checking account has \$1200.64. There is \$7645.28 in the Dreyfus fund bringing our total assets to \$8845.92. Nineteen homeowners associations have paid their 2019 memberships so far this year. The address for mailing in memberships is posted on our web site.

COHA Initiatives: We're trying to update all member contact information. Julie Finn and Gail Haynes are in charge of contacting members to update the list of associations' officers and their contact information. We are sharing these updates to the City of Farmington Hills as well. We're collecting copies of each association's by-laws and will maintain an online library. All members are asked to mail or e-mail their association's by-laws to COHA. Our website is out of date and we're looking to update the site and need a volunteer with IT background to assist. We will also be looking at the COHA by-laws to see if we need to make any changes or improvements.

Election of Officers: Mark Lifter was re-elected President, Gail Haynes was re-elected First Vice President, Ed Hirsch was re-elected Second Vice President, Ken Kendall was re-elected Treasurer, Jennifer Janson was re-elected Secretary, Julie Finn, Bill Dolezal, and Jack Cooper were re-elected as trustees. All were nominated by Ed Matyseiwitz and seconded by Kathie Brown and were unanimously elected.

Guest Speakers: Carol Posby, Farmington Hills Beautification Commission: Carol handed out information about the 7th annual Litter Walk Clean-up held on Saturday, April 27th, sponsored by the commission. Bags, gloves, and t-shirts will be provided for groups who help with the clean-up to make our roads cleaner and more attractive. The Beautification Awards are given out at the end of the year to neighborhoods and businesses. Your neighborhood should nominate itself so the Commission has the chance to visit and recommend your association for an award (a round sign placed in front of the neighborhood or business).

Steve Guerra of Makower, Abbate, Guerra, Wegner, Vollmer PLLC: They specialize in homeowners association law and represent approximately 1500 homeowners associations, community associations and developers.

- The Non-Profit Corporation Act (revised in 2015) governs our non-profit homeowners associations.
- The Act allows for the inspection of an associations books and records with proper purpose. The request must be in writing and must specify which records the member wants to inspect.

- Your meeting notices must be sent out via mail or personal delivery or e-mail delivery (with proper authorization). Watch out when sending out board meeting notices via e-mail if you have old by-laws that don't mention electronic delivery specifically. Be sure to get a written authorization from each member to allow for electronic delivery of board meeting notices.
- If your board makes a decision without holding a meeting by using an e-mail voting system, this voting method is not valid if it's not specified in the association's by-laws unless it's a unanimous vote within a short time period. It's best to amend your documents to allow for voting without a meeting and specify a time period for the vote.
- The Non-Profit Corporation Act specifies that you must have an annual meeting within 30 days of the anniversary date of previous year's meeting; not longer than 15 months after the anniversary date.
- If your by-laws are old and require, for instance, a 75% approval for a change to the documents, first get the people in the neighborhood who have strong opinions involved. Hold an informational meeting and then knock on doors to have members sign proxy votes. The voting must happen within 90 days of the proposed change and board must meet in-person to count the votes.
- If your documents do not specify that the board can levy fines, you can't. You can only place liens on homeowners' property if you HOA's documents say you can.
- Be sure to add language to your documents that homeowners have the right to a hearing.
- It costs money to go to court so be sure your documents state that violators may be charged enforcement costs (like court costs, attorney fees, fees to remove offensive things from violator's yard, etc.).
- HOAs must carry B&O insurance, liability insurance, and workers' comp insurance (to cover volunteers).
- Your by-laws should be a recorded document and should include the HOA's assessment or dues right, the enforcement stuff like the right to fine, the right to collect, and restrictions. If it's not a recorded document, it won't be enforceable.
- Steve is the President of the Community Associations Institute in Michigan and suggests COHA become a member. They're an advocacy group which is trying to get a state statute to help make it easier for associations to amend their old documents. Visit www.caionline.org for some really good information.

New Business: If you have a complaint about deer in your yard (or on the roads), please contact Bryan Farmer, Deputy Director Farmington Hills Special Services (248-473-1805 or bfarmer@fhgov.com) to log your story in the data base. This will help the City make a decision about controlling the deer population through contraceptives or other methods.

If you have a small dog or cat, this is hawk migration season. Keep them on a leash and close to you whenever they're outside.

Next meeting: Thursday, May 16, 2019 at the DPW on Halsted Road.

Adjournment at 8:53 PM

Submitted by Secretary Jennifer Janson