

Longmeadow Homeowners Association  
Middletown, DE 19709  
30 Jan 2014

SUBJECT: Draft Longmeadow Homeowners Association Board of Directors (LHABOD) Meeting Minutes.

1. PURPOSE: The LHABOD meeting was held on 30 Jan 2014, 7:00PM at 100 Willow Grove Mill Dr. See Agenda attached (Encl 1).
2. ATTENDEES: Ken Egerton, Scott Swiren, Dave Swiss, Jerry Kissel and Nikki Foraker.
3. TREASURER'S REPORT:
  - a. Balances (January 2014):

i. Checking	=	\$ 5,116.90
ii. Savings	=	\$15,021.32
iii. Total	=	\$20,138.22
  - b. Receipts (January 2014):

i. Checking	=	\$30.00
ii. Savings	=	\$10.84
iii. Monthly Total	=	\$40.84
iv. YTD Savings	=	\$21.32
v. YTD Checking	=	\$601.74
vi. Total YTD	=	\$623.06
vii. YTD Taxable	=	\$40.84
  - c. Expenses for January
    - i. \$0
  - d. Checks outstanding \$0
  - e. Remaining A/R total \$ 4452.50

Narrative Justification: Year to date receipts include \$571.74 transfer and close out of management company funds, and \$30 payment from A/R. Current balance is the total of all funds and represents the beginning balance of this board.

4. DISCUSSION:
  - a. OLD BUSINESS:
    - (1) ***Issues raised by Jerry's email***. Discussed right of election of previous board and their actions taken. Resolved to correct the process and modify it IAW current governing documents. Jerry will

call the county to get a read on whether the actual amendments were filed and attempt to withdraw them.

**(2) Legal Documents:**

- a. The Documents. The list of documents considered to be the legal documents of Longmeadow HOA were discussed and agreed upon. Jerry was tasked to upload all documents to our website open to the public. Dave was tasked to email signed copy of deed restrictions to the board.
- b. The following list although not fully discussed at the meeting is what Dave believes to be a complete list of legal documents with dates of creation.

ITEM	DOCUMENT	DATED
1	Index	
2	NCC Homeowners Association Manual	
3	NCC Maintenance Declaration Manual	
4	DE Law, Chapter 81	Online
5A	Subdivision Plan	11/24/1997
5B	Landscape and Recreation Plan	12/10/1997
6	Certificate of Incorporation.	4/15/1999
7	Declaration of Restrictions	3/6/2001
8	By-Laws	3/6/2001
9A	By-Laws Amendment #1, Maintenance Declaration	5/12/2003
9B	By-Laws Amendment #2, Section 14-Dues	2/7/2013
9C	By-Laws Amendment #3, Section 8-Quorum	9/30/2013
10	Tax ID Document	5/24/1999
11	Draft Standard Operating Procedure (SOP)	12/15/13
12	Election Results	10/30/13
13	Change of Registered Agent Form	TBD
14	Certificate of Renewal	2/28/2012
15	Proposed Delinquency Policy	TBD
16	YARD STANDARDS	NCC/Town
17	TOP TEN	NCC/Town
16	MINUTES	
17	Budget (Current Year)	

- c. It was agreed to change the title of the charter to a Standard Operating Procedure, delete the signature page, and remove all the legal jargon. This document will serve as a guide for future boards to either adopt, modify or ignore as they see fit.
- d. Discussion and a vote on the amendments was conducted. Amendment 1, Maintenance Declaration, is believed to have been misinterpreted by the presiding board at the time. The maintenance declaration is a definition of maintenance responsibilities for the community and the funding mechanism in

place to make it all possible. This information is included in the Certificate of Incorporation and By-Laws and overlooked since it wasn't specifically called a "Maintenance Declaration". The letter from the town of Middletown specifically identifies maintenance responsibilities and will serve as our maintenance declaration going forward.

- e. Amendment #2, Dues. The difference is recovery of legal expenses. Dave thought this was included in the existing documents or Delaware Law and not really required. The others thought it was a good idea. Dave will research and provide evidence for the next meeting.
- f. Regarding amendments 2 & 3 agreement was reached not to post them on the web site and to table further discussion until we achieve the full 120 votes from the community certifying us as a BOD elected by the majority of the homeowners.

**(3) Election Results.**

- a. Since amendment #3 is considered invalid, we are actually representatives of the community and not a duly elected board. We will attempt to obtain the required 120 votes to make the election official. The previous board only had twenty some votes and again were not duly elected.
- b. Since changes to the by-laws were not made by a duly elected board they cannot be considered official. Furthermore, no mention of these changes were announced to the community as required by the existing by-laws.

**(4) Insurance Coverage:** Scott is continuing to work obtaining insurance coverage. All agreed to move forward with both liability for the community and liability for the board with a limit of \$1600 budget for both policies. The previous board only had liability for the community in place.

**(5) Budget:** Scott was tasked to provide a baseline budget and we should have a final budget by Feb-Mar timeframe. Dave provided a version of a budget to consider. The conclusion was that whatever budget we come up with will be applicable to the following year. Since there appears to be enough funds available for this year, everyone agreed we could get by without imposing any fees for the 2014 Budget Year.

**(6) Homeowner List:** The website is considered a good tool to gather emails for the community. Dave suggested using email to send notices to the community in order to reduce costs and association fees. As stated in last month's minutes come Spring we can always walk the neighborhood to fill the gaps in our database. The goal is to have a complete list of email addresses for every resident or at least 90% complete. Jerry reported an increase in activity for website signups. We are gaining emails through it.

**(7) Common Areas and Maintenance Responsibilities:**

- a. Dave met with Mr. Morris Deputy, the town manager, and obtained a letter on official letterhead delineating maintenance responsibilities for the town and the Longmeadow residents.
- b. Walkway. This topic was neglected in the meeting, however, Dave emailed Mr. Deputy asking the question if there was a requirement to complete this project in accordance with the developer's Landscape and Recreation Plan, if there is any bond money available to complete the project, or if there are any consequences to leaving it as is.
- c. Scott provided a copy of the deed transferring ownership of open common area property to the town.

(8) **Contracts.** Ken did an excellent job is writing up the scope of maintenance effort. All agreed we could use this to go out for Request for Proposals (RFP) to all the contractors recommended by the community. The proposals will include two parts. Part 1 (one) will be for maintaining the active common areas identified on the drawing. Part 2 (two) will include suggestions and costs for replenishing the circle (formerly Gazebo area). It was suggested to keep this as a performance spec based on desired use, e.g., beautification or a place for the community to gather as in a relaxing, park like setting.

(9) **Delinquent Accounts/Accounts Receivable (A/R).** All remaining delinquent accounts are placed on hold until we resolve the issue of election.

(10) **Speed Signs.** Jerry will look into cost of posting solar powered speed signs to slow traffic down on our streets.

(11) **Playground.** Nikki and Jerry mentioned that the town refurbished the playsets. Ken commented that the bicycle rack needs repair.

5. ACTION ITEMS: See Encl 2.

6. ADJOURNMENT: Meeting adjourned at 10 PM. Our next meeting is scheduled for Feb 15, 2014.

Prepared By:  
David Swiss  
Secretary, LHABOD

2 Encl

1. Agenda.
2. Action Item List and Status Spreadsheet.