

Minutes of Legendary Hills Homeowners' Association
March 27, 2003
Liberty Christian Church, Martinsville IN

Steve Leonard called the meeting to order at 7:15 p.m.

Steve thanked the members of the Steering Committee: David Ellis, Gary Jensen, Larry Patrick, Ken Seger, Tim Spears, and David Sutherlin. He reported that the committee met 5 times to determine whether or not Mike Wolff could stop managing and paying for the needs of the HOA, to research the financial status of the HOA, and to make recommendations to the membership of the HOA. Attorney Rod Bray advised the committee that Mr. Wolff has no obligation to the HOA, and formulated Mr. Wolff's resignation letter. He has also begun to advise the committee on dealing with the documents related to the HOA: the By-laws, the Articles of Incorporation and the Declaration of Covenants.

Steve reported that Mr. Wolff has agreed to continue paying the HOA bills, with limitations, until fees are billed and collected by new leadership of the HOA. The Steering Committee secured a P.O. Box for mailing of homeowner fees. The new officers will open a bank account.

Steve opened the floor for nominations of Board of Directors members, with three to be elected. David Sutherlin took over the meeting and conducted the nominations and election. Nominated were: Brenda Ellis, Larry Patrick, Steve Leonard and David Sutherlin. Ken Seger moved, and Hermann Nann seconded, for nominations to be closed. Motion carried. Election was made by secret ballot, and ballots were counted by Tim Spears. Elected were: Brenda Ellis, Larry Patrick and Steve Leonard.

The Board adjourned to its own meeting to elect officers from among its members. Officers are: Steve Leonard, President; Larry Patrick, Vice President; and Brenda Ellis, Secretary/Treasurer.

Ken Seger presented the Steering Committee's findings regarding expenditures for the HOA for the last three years, as well as a proposed budget for 2003 (documents attached). Various questions and concerns were posed during Ken's report:

- 1) The possibility of a special assessment. Amounts of \$85 and \$100 were suggested. Any special assessment would be voluntary, since the current documents do not speak to the topic.
- 2) The necessity of a 90% vote to amend the Covenants.
- 3) The fact that the homeowner fee is part of the Covenants document.
- 4) What priority should be given to various needs in terms of maintenance.
- 5) What is the best way to assure enough money for resurfacing and routine maintenance of the roads.
- 6) The possibility of surveying the residents to help determine priorities.
- 7) The possibility of moving the billing ahead so that we are not billing in arrears, as Mike Wolff has done. There seemed to be a consensus that this should be done, since the HOA currently has only bills, but no funds.
- 8) How to change the dues, since it is obvious that \$15 per month per homeowner will not suffice to pay expenses incurred so far in 2003. The Covenants must be amended to allow for an increase, requiring the signatures of 90% of the members (one vote per lot owner).
- 9) The liability for members' properties, developer's property, and common areas.
- 10) The status of Rod Collier and his property, which is being purchased from Mike Wolff on contract and is not located within Legendary Hills.

Steve will contact the attorney to get the best wording for the proposed covenant changes: 1) to increase the fees; 2) to allow for special assessments; and 3) to change the percentage and method of votes required to amend the covenants. Changes may be mailed, carried house-to-house, or mailed with later follow-up in person. Any general meeting requires a 2-week written notice. It was suggested that proxy forms be included with the ballots. Steve reminded everyone that the signatures of 90% of the lot owners are required for any amendment to pass, according to the current Covenants.

Steve requested that people sign up for committees and sent around sign-up sheets. The committees, at this time, are: Architectural, Finance, Governance (documents), and Maintenance. (Lists of those who volunteered at the meeting are attached.)

Steve also announced a community workday for Saturday, April 12, and sent around sign-up sheets for various areas needing attention.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,
Susan Leonard
Secretary pro-tem