

## Turnagain View Estates Homeowners Association Meeting November 19, 2011

President Alex Slivka called the meeting was called to order at 1:30PM and noted a total of 81 homeowners were represented in person and by proxy. With 165 homes in the association, this exceeds the 17 needed, thus a quorum was present.

Written notice of the meeting had been delivered via US Mail and was received 2 weeks prior to the meeting, satisfying the notice requirement under the by-laws.

As the current Secretary, Judy Friar was excused, Cheryl Myers, Treasurer was named Secretary Pro Tem for the meeting.

Board members were introduced.

Several bylaws questions arose: Levitt Hoover called for a bylaws clarification and questioned the timing of the annual meeting and approval of the budget. Kathi Gallagher questioned whether the proxies needed to be signed by both homeowners. Dee Dee Daniels questioned how the homeowners association would know a home might belong to a trust and questioned how the proxy would read in said case.

Elizabeth Parks recommended these questions be moved to New Business so the meeting could proceed.

Elaine Pollock moved to approve as drafted the Minutes of the Annual Meeting held June 3, 2011, and Brent Williams 2<sup>nd</sup>. Discussion followed regarding the number of proxies that were present and Levrette Hoover questioned the validity of the annual meeting. The question was called and the motion to approve the minutes of the annual meeting passed 61 to 11.

President Alex gave an update on the building of a stadium at South High and explained that the original Site Plan Review in 2000 by ASD clearly stated the fields at South High would be practice fields without lights yet the Urban Design Commission (UDC) and Department of Planning have gone on to approve a stadium saying this would cause, "No impact on the neighborhood." The homeowners discussed this issue at length at the Annual Meeting and felt strongly that there would be significant noise, light and parking issues that would dramatically impact the neighborhood. Discussion was strengthened by the fact that 110 neighbors signed a petition in opposition to the stadium. Due to this overwhelming opposition to the stadium, the homeowners unanimously voted to authorize the expenditure of up to \$30,000.00 in attorney fees to fight the stadium. Alex furthered stated that probable ethics violations had been made by Lori Schanche and Sharon Ferguson (both employed by the Planning Department) and on the grounds that they put their

own personal wish for a football stadium ahead of their duties to the neighborhood to follow the Hillside District Plan and affirm their prior findings in 2000.

Alex explained there have been numerous talks recently with ASD, the Urban Design Commission, and the local community councils regarding the fact that the ASD had represented to the Planning and Zoning commission and the Assembly during the original Site Plan review in 2000 that the South High School Site was NOT suitable for a football stadium. Discussion ensued regarding the impact on the neighborhood and the fact that ASD would rent the stadium commercially. The Football Boosters Club represents that the stadium would be used for 4 games per year however Joan Eastlack stated from an UDC hearing that the intent was the commercial rental of the facility.

President Alex next addressed the woefully inadequate buffer replacement following the 2005 work on the South High drainage failure, as mandated by the site plan. The minimum stated requirement is 75% obscenity in winter and that is not being met. At least 3 homeowners were flooded the 1<sup>st</sup> year after the school opened, and a catch basin for floodwater is now present on the west side of the South High property. In the process 50' trees were removed and replaced with 1' trees. Alex has worked extensively with ASD on this issue, only in 2011 have they finally taken steps to replant the buffer.

Alex also noted South High PA system was in violation of the municipality noise ordinance for several years (pages could be clearly heard inside homes over 500 feet from the property line), and ASD was unresponsive to our verbal and written complaints. At our March 2011 homeowners meeting the South High Principal, Kersten Johnson indicated that we should file a complaint if we believe we were correct. We did file such a complaint with The Department of Health and Human Services, and the violations ceased the very next day.

Elaine Pollock made a motion to affirm all prior actions by the Board, its officers, and their designees, and recognize that the Board acted in good faith following the intent of the Articles of Incorporation. Joan Eastlack 2<sup>nd</sup>. Discussion ensued regarding when the annual homeowners meetings take place and the validity of said meeting if it is not held in January as the Bylaws state. Several homeowners said they did not know about the meeting, some felt the meeting was not posted properly and others wished they were made aware of the importance of the issues that were to be discussed so they could attend and several homeowners wanted to know who opposed the stadium. Roger Mechon stated 110 signatures were on the petition and it was public record, having been filed with the UDC. A number of homeowners thanked President Alex for his volunteer service and Jeff Head stated he was the first TVEHA Board President and stated he had an attorney help write the bylaws. He stated he felt the Board acted in the spirit of the intent of the original bylaws as written. President Alex stated the Board would address and clarify any bylaws changes that make sense. Thirty-one homeowners and 30 proxies voted in favor of

the amendment (61 total) and 18 homeowners were opposed. The motion to affirm all prior actions was approved.

New Business:

President Alex reviewed the business of the November 17, 2011 Board Meeting. See attached draft minutes.

Roger Mechon moved to amend the 2011 proposed budget to include \$1,000.00 for snow removal on the bike path between Mainsail and Eastwind at a cost of \$75.00 per occurrence. Kathi Gallagher 2<sup>nd</sup> and the motion passed unanimously.

Roger Mechon was recognized and thanked for years of voluntarily plowing the bike path to the school.

Alex Slivka was recognized and thanked for his years of volunteer service as president of TVEHA.

Anne Jones moved to adjourn at 3:05 PM and Bill Marr 2<sup>nd</sup>. Approved Unanimously.

Respectfully Submitted,

Cheryl Myers  
Treasurer, Secretary Pro Tem