



FINAL MINUTES
JONATHAN KNOLLS COMMUNITY
ASSOCIATION
ANNUAL HOMEOWNERS MEETING
DATE: DECEMBER 2, 2004 (THURSDAY)
TIME: 7:00 PM
LOCATION: WARREN NEWPORT PUBLIC LIBRARY

JKBOD Attendees

Name	Position
BJ Lambke	President
Bruce Church	Vice President
Sandy Church	ARC Secretary
L Mark DeAngelis	Director at Large
Vanessa Kaiser	Secretary
Brian Paquette	Treasurer
Homeowners	Full JK Homeowners list of attendees is kept in the records of the JKBOD Secretary

Agenda

Meeting Chair: BJ Lambke, President	
Subject	Facilitator
Welcome & Introductions	BJ Lambke
Treasurers Report <ul style="list-style-type: none"> • 2005 Proposed Budget 	Brian Paquette
ARC Report <ul style="list-style-type: none"> • Building Requirements • Current Building Status 	Bruce Church
Landscape, Maintenance & Mosquito Control	Bruce Church
Secretary's Report <ul style="list-style-type: none"> • Newsletter • Welcoming Committee • 2005 Community Activities 	Vanessa Kaiser
Additional Business	BJ Lambke
Meeting Schedules <ul style="list-style-type: none"> • 2005 Annual Meeting Sept 7, 2005 7:00 PM (First Wednesday) 	Vanessa Kaiser
Jonathan Knolls Nominations & Election of Officers	TBD
Voting in Covenants, Conditions & Restrictions <ul style="list-style-type: none"> • Procedures for Citing Violations 	L Mark DeAngelis
Adjournment	BJ Lambke

Welcome & Introductions – Call to Order

BJ Lambke called the annual meeting to order at 7:10 PM. Current JKBOD members were introduced.

Treasurers Report

B Paquette presented the budget report for Jan 1, 2004 to Nov 30, 2004. The financial books have been managed by the JKBOD for less than two years. Prior management was by Fox Development and limited records are available and prior reserve funds were non-existent. There is currently a reserve of funds being held and these monies are not currently assigned to cover specific expenses. The 2005 budget proposes that additional funds be added to the existing reserve to initiate the establishment of a savings for future use. Under the Non-For Profit Regulations, JK can place a portion of finances aside to cover the fiscal responsibilities, including capital improvements.

During 2005, capital improvements discussed would be the repainting of two entrance signs. Additional items discussed for future capital improvement were: curbing, sidewalks, speed bumps, upgraded street & stop signs. Some of these items are quite sizeable in cost, but can be considered for future JKBOD and homeowner discussion and approval.

Proposed expenses for 2005 were reviewed. There were no changes proposed to the current \$400 per lot annual fee. Any changes to the budget presented to the JK Homeowners will be submitted for review and comments 10 days prior to JKBOD approval.

ARC Report

Build Status

Current build status:

- 40 lots currently developed
- 3 lots currently under construction
- 10 lots yet to be developed; three lots of which are currently for sale by owner

The ARC is under discussion and correspondence with a number of lot owners for additional information or deficiencies on landscaping. The By-Laws, Rules & Regulations will provide further support for the timely management of building and landscaping progress as well as improvements. When the new documents are voted on and accepted by the BOD, all prior existing landscaping plans and correspondence will be grandfathered in under the current JK Covenants, Conditions & Restrictions.

The original design requirements were established by Jack Pease and filed with the Wadsworth Village under the original plans for the JK Development. The design restrictions have evolved over time and will continue to as new materials and methods become available. The ARC will continue to provide approval and input to submitted architectural and landscaping plans. Existing physical structures (mailbox, signage, etc.) and features (berms, ponds, etc.) is managed by the JKBOD. Jack Pease and his management are no longer involved in the JK Development, however it is not known if the Bond has been received or not. The Village of Wadsworth manages the maintenance of the community park and ball fields.

There is no proposed change to the current landscaping maintenance company. This group provides maintenance to the common areas of both entrances as well as mows the grass frontage of all undeveloped lots. During 2005, it is anticipated that perennials at both entrances would be updated as needed to continue to establish inviting and attractive community entrances.

Mosquito Abatement

Clark Mosquito Control provides the JK Development with mosquito treatments. These treatments are 10 applications and treatment is applied from late spring through Labor Day at the company's discretion by the use of a All Terrain Vehicle (ATV) with sprayer attachment. A product called 'Anvil' is sprayed into the environment to support the control of adult mosquitoes. Anvil is low in toxicity and environmental impact and the Material Safety Data Sheet can be obtained from either Clark or directly from the JKBOD Secretary. Prior community discussions included the purchase of electronic mosquito abatement traps and if the mosquito population justifies the expense, this may be a future capital investment for consideration.

The Forest Department utilizes the service of Clark to support the control of adult mosquitoes. Additional treatment for consideration would be larval treatment through the treatments of ponds and stagnant water. This was supported by the JK Homeowners and this expense will be investigated and considered for incorporation into the 2005 budget. In general the JK Homeowners are satisfied with the mosquito control, and suggestions for improvement were for the spray to be applied either on a different evening (rather than Friday), or later in the evening on Friday to allow Homeowners to use their outside patios without the spray shortening their time enjoying the outdoors. An additional suggestion for the JKBOD was to provide spray information to the Homeowners on the chemical product applied and to invite Homeowners to suggest new options for consideration.

Pond Maintenance

The ponds are the responsibility of the JK community to maintain. The ponds are naturally landscaped with cat tails and it was suggested that options for cat tail control be evaluated for the existing ponds. It was noted that restrictions have been established through the Wetland Conservation, Army Corps of Engineers and Storm Water Management; if a Homeowner is in need of ideas or solutions for cat tail maintenance, the proper options should be identified through these sources. The application of select chemicals and herbicides can be toxic to not only the cat tails but to the existing non-invasive more desirable natural vegetation.

Additional ARC Discussion

The entrance off of Kelly Road is flanked by Lot 1 and it was requested that the ARC ask the homeowner to remove the unsightly debris that has been piled and partially burned on the lot. The ARC will include this in their future activities.

Snow removal is provided by the Village of Wadsworth. Contact information was provided in the October 2004 Community Newsletter.

Adding lighting at the mailboxes was supported by the Homeowners. The existing lighting outlets were never connected to an electrical source by Jack Pease. The ARC has asked for an electrician to provide a quotation to complete the connection and this may be included in the 2005 budget; solar lighting could be alternately considered.

Secretary's Report

- The Oct 2004 Newsletter was sent to the JK Homeowners and was noted by the Homeowners to provide useful information. Newsletters in 2005 are also anticipated and any ideas or articles can be submitted to the JKBOD Secretary.
- Community activities in JK were discussed including the monthly Card Parties, Holiday Walk, the establish Book Club and the summer Friday Happy Hours.
- A JK Welcoming Committee will be started to extend a welcome to new homeowners and neighbors in JK. One item that the Committee will generate is a homeowners list that can provide information on children hobbies, babysitting, etc.
- Joe & Elaine Marigliano will be hosting a New Years Eve party and Elaine extended an invitation at the meeting to all JK Homeowners. Elaine will also post an invitation at the mailboxes.
- The internet domain of jkca.org has been reserved and the domain remains without content. Input from residents is being requested by L.Mark DeAngelis.
- DB3 Broadband service has been upgraded in the area and information can be obtained directly from the company at 847-247-1500. DB3 Broadband service has been upgraded in the area and information can be obtained directly from the company at 847-247-1500.
- Neighbors brought up concern of the speed limit through the neighborhood given the many blind curves. Without curbing and sidewalks, many children utilize the street for riding bikes, scooters and roller blading. The posted limit is 25 MPH and concerns for monitoring can be brought up to the Winthrop Harbor Police Department. Ideas such as "Children at Play" signs, gating the community, and the option of speed bumps were discussed. As an option, assembling a committee may support solutions and the JKBOD will consider this.
- The next annual JKCA Homeowners meeting is planned for Wednesday, September 7, 2005. After the new JK Board members are established in their positions and a schedule for 2005 meetings is established, these scheduled meetings and their locations will be posted by the community mailbox area. JK Homeowners are able to attend these meetings and encouraged to bring agenda items to the JK BOD.

Nomination and Voting of JKBOD

All positions on the JKBOD are up for renewal and nominated homeowners were the following:

- Mike Jesse
- L. Mark DeAngelis
- Brian Paquette
- Brian Guthrie
- Joseph Marigliano

Gail Jones noted that she is interested in supporting the JKBOD as the ARC as the Secretary. This position will be filled through nomination by the new JKBOD members.

There was a motion on the floor to close the nominations.

There were no objections.

There was a motion to accept the five (5) candidates nominated as the BOD members.

There were no objections.

The next JKBOD meeting will be held on December 21, 2005. This meeting will be to transition BOD positions to the incumbents and will be to vote on the budget for 2005. A meeting notification will be posted at the mailbox.

Covenants, Conditions & Restrictions (CC&R)

LMark DeAngelis opened the discussion stating that in order for the new CC&R document to be in effect, the JK Homeowners will need to vote to accept the document by two-thirds of an affirmative vote. Other documents such as the Rules & Restrictions and By-Laws are voted upon and implemented by the JK Board members. In addition to the vote by the homeowners, the document will require a legal review to ensure they are written in compliance with community law. After legal review, the document would be sent to the Wadsworth Village for review and approval. If there were significant changes, the homeowners of JK would be notified.

Also noted during the last year, JK has experienced significant issue with the selection of the legal firm that represents the JK Community. Currently, JK is on its third legal firm in the past 12 months. The current firm is experienced in Homeowners & Community Association Law and it is believed they are competent to review the JK governing documents and support the needs of the JK Community in a timely manner. Additionally, JK has a current liability insurance policy and, after a delay due to the prior JK law firm, the Non-For-Profit incorporation is in progress.

The purpose and impetus behind revising the CC&R document was to establish a set of covenants that was current and met our current needs in the JK Community as the prior covenants largely met the needs of the original builder. Below are the issues brought up for discussion and are in the order of general discussion and subsequent CC&R section.

Review of CC&R

- *General question:* How are disputes initiated and brought to resolution? Through forms provided in the Rules & Regulation document, there is an established process for reporting issues and violations to the JK Board and/or ARC.
- *General question:* Is the directional mooring issue on Lots 12, 13, 14, 15 & 16 the homeowner's responsibility or is this an issue that can be managed as a JK capital expenditure? Directional mooring is required Lots 12, 13, 14, 15 & 16 due to drainage issues caused by a natural spring. The ARC has sent an initial letter to the homeowners stating that this would be the responsibility of the homeowners to identify a contractor and ultimately manage the landscape drainage. The required work would entail placing a drainage pipe across the cul de sac to the body of water that is on the North side of the cul de sac. The cost to establish such a drainage solution would be \$20-40k and the homeowners state that this is a drainage issue that should have been managed by Jack Pease in the original establishment of roadways and drainage. It was suggested that the homeowners of these lots bring the issue and possible solutions to the JK Board members during the next scheduled board meetings.

- *Clause III, Definitions:* Resource protection plan is not defined. Provide definition or omit if not used in body of the document.
- *Clause IV, General Restrictions, Section 1, Land Use & Building Type:* The statement “Owners much complete landscaping pursuant to an approved Landscaping Plan within nine months of receiving a Certificate of Occupancy” was moved and accepted to change the wording to avoid the limitation of the timeframe to nine months but to allow the timeframe to be subject to the ARC’s discretion.
- *Clause IV, General Restrictions, Section 6, Driveways:* A question regarding circle driveways and the provision of these in the building plan of a property. The ARC will continue to have governance over the placement of driveways and will allow circle driveways at their discretion.
- *Clause IV, General Restrictions, Section 9, Sanitary Disposal for Lots, Water Wells, Sub-section Septic Systems:* Mention of the JK Well & Septic System Location Plan is an unknown document to the JK Homeowners. This document is the presumed master septic plan for the development which would have been originally filed by Jack Pease, the original builder, with the Wadsworth Village. Ultimately, the Health Department would approve all final placement of the septic systems. This was not a change from the prior CC&Rs. It was suggested the mention of this plan be stricken from the document.
- *Clause IV, General Restrictions, Section 10, Prohibitions and Use Restrictions, Sub-section E:* This clause establishes that “no temporary buildings, Quonset huts, trailers, tents, vehicles, boats, recreational vehicles or shacks shall be constructed, erected or parked upon a lot unless enclosed in the garage or otherwise permitted by the Board”. The statement, as written, restricts vehicles (passenger cars) from being parked in the driveway. Is this the intention of this clause? This is not the intention of this clause, but this is a clause that provides restriction from the parking of cars requiring maintenance in the driveways and paved areas of a lot. This clause is not significantly different from the clause that was established in the current CC&Rs. Additionally, this clause restricts the parking of trailers (snowmobile, camping, etc.) and it was established that this clause should establish time restrictions to allow for seasonal, weekend loading and unloading, use of recreational trailers. Suggestions were requested: Limit to 3-4 days in a row, limit to 6 total days per month, limit to 10 days in a 3 or 6 month period. There was no resolution brought to this section.
- *Clause IV, General Restrictions, Section 10, Prohibitions and Use Restrictions, Sub-section G:* This clause establishes that “the ARC shall at its sole discretion determine what constitutes a professional sign and may enter upon any Lot to remove a sign it determines does not comply with this provision.” There was a motion and an acceptance to change the clause to incorporate that the ARC would send the homeowners a letter, notifying them that the sign does not comply, and the homeowners would have one (1) week to remove the sign. After this time, then the ARC would have the ability to enter upon the lot and remove the non-compliant sign.
- *Clause IV, General Restrictions, Section 10, Prohibitions and Use Restrictions, Sub-section L:* This clause established that “All recreational equipment, material and location, shall be added to the Landscape Plan ... “ There is no definition for ‘recreational equipment’ and a definition should be established rather than leaving this open to interpretation.
- *Clause IV, General Restrictions, Section 10, Prohibitions and Use Restrictions, Sub-section M:* This clause establishes that “no gainful occupation or profession, or other non-residential use, shall be conducted.” This statement, as written, restricts the home from being used as a home-office. Is this the intention of this clause? The clause is established to restrict home-businesses that can be a nuisance to neighbors by bringing significant vehicular traffic to the home; the intent is not to restrict home-offices.

The above points conclude the discussion as the facility was closing. It was moved and seconded that there would be a follow-up meeting for the JK Homeowners to continue with the review the CC&R document and bring resolution to open issues. It was agreed that this follow-up meeting would be planned for the month of December or January and information would be posted in the community mailbox area.

The meeting was adjourned by BJ Lambke at 8:55 PM.