

Estates At Dove Run Annual Homeowners Meeting
Minutes for October 28, 2010 7:00pm

Board of Directors & Committee Chairs:

- > Present: Richard Green, Scott Gagnon
- > Absent: Vered Verandak
- > Committee Chairs: Bill Wolff, Dave Fisher

Agenda:

- Opening Remarks (Rich Green):

Rich introduced the board, committee chairs and speakers.

A request was made to review the Treasurer's Report during the meeting.

Rich reviewed the recent complaints brought to the board regarding the condition of the trees along Dove Run Blvd, as well as the maintenance of the strip of grass between the road and the sidewalk. Middletown had previously communicated that they would maintain the trees along Dove Run Blvd, but have not yet done so or committed to a timeline in the future. Rich presented an option for the HOA to assume the responsibility for maintaining these items.

- Neighborhood Watch (Dave Fisher):

Dave summarized the current Neighborhood Watch program as an "eyes and ears" program in partnership with the Middletown Police. The committee is currently comprised of 5 members that meet on a regular basis, including meetings with Middletown police.

Always looking for volunteers. Please contact Dave via the website if you'd like to participate.

Dave reviewed a number of items the Neighborhood Watch committee has covered, including partnering with Middletown Police on enforcement of overnight parking by tractor trailers behind the SuperG, the installation of two new stop signs on Dove Run Blvd and the use of speed trailers in the neighborhood.

Dave also reviewed the recent vehicle break-ins in Middletown, including Dove Run, as well as a number of preventative measures homeowners should take, including locking your vehicles and using your driveway and garage for parking, when possible.

Middletown police remind homeowners that they should keep a lookout on Friday, 10/29 (aka: "Mischief Night"). Middletown curfew is 10pm for anyone 21 and under.

Homeowners are encouraged to call the non-emergency number for the Middletown Police (302-376-9950) if they observe suspicious behavior.

Next meeting is November 9th at 7:00pm at the Middletown Police Station (next to the new WaWa)

- ARC Committee Report (Bill Wolff):

- Bill reviewed the mission of the ARC, as well as the current efforts by the ARC to identify potential changes to the deed restrictions based on feedback from homeowners

- The proposed changes to the deed restrictions include (summarized):

- Vegetable Gardens - propose allowing gardens in the rear yard only, no larger than 11'x12' (or 121 ft²)
- Solar Panels - allowed affixed (flush-mounted) to the rear roof only, but not free-standing
- Basketball Goals - must abide by Middletown ordinance (single pole per

- household, none permanently installed between the sidewalk and street, etc)
 - Signs - allow for political signs no larger than 2'x3', removed within 7 days of election
 - Other changes that were considered:
 - Above Ground Pools - research online and with real estate agents found that above ground pools had a negative effect on property values (no other deed restricted neighborhood in Middletown allow above ground pools)
 - Trampolines - additional homeowners insurance is required to cover the liability, which the HOA will not be able to ensure. The HOA can be found liable if the proper insure is not secured by the homeowner.
 - The homeowners requested that a full list of proposed changes be sent for homeowners to vote on. The board and the ARC will review appropriate next steps to solicit additional proposals prior to sending the ballot.
 - The final list of proposed changes will be sent to the registered homeowners via US Mail. Homeowners will be able to elect to approve or reject each individual line item on the ballot. An affirmative vote from 2/3 of all homeowners is required for each line item to be passed. At least 30% of all homeowners must respond to the ballot for a quorum.
- Treasurer's Report (Rich Green):
 - A copy of the Treasurer's report was distributed to attendees and reviewed by Rich. The most recent report is available on the Dove Run HOA website, and upon request.
 - The highest expense categories are for landscaping and attorney's fees. Landscaping fees are incurred for the maintenance of the neighborhood entrance from Brick Mill Rd. Attorney fees are incurred in the course of enforcing payment of annual assessments and in filing changes to the deed restrictions.
 - Rich reviewed the change in board process for enforcing payment of annual assessments from extensive use of the attorney to filing in JP Court by the board, and limited use of the attorney for Superior Court filings.
- Elections (Rich Green):
 - Rich asked for anyone interested in participating in the board.
 - Valerie Jones-Rabb stated she would like to be a member of the board. She was nominated and seconded
 - Rich Green was nominated and seconded
 - Vered Verandak was nominated and seconded
 - Scott Gagnon was nominated and seconded
 - Mike Mueller was nominated and seconded
 - Mike also stated that he did not believe these elections were valid
 - Additional questions were raised regarding the validity of the elections given the number of attendees. The bylaws were read aloud to the group and a discussion regarding the interpretation of a quorum occurred. A vote among the attendees resulted in the decision that those present represented a valid vote for board members. Each nominee was voted on separately. All candidates except Mr. Mueller received a majority of votes of those present. The new board will be comprised of Rich Green, Vered Verandak, Valerie Jones-Rabb and Scott Gagnon.
 - The board may pursue an official opinion on the validity of the vote from the HOA attorney or other means, and if the vote is determined to be invalid, a ballot will be sent via US Mail.
- Open Discussion (All):

- A homeowner inquired regarding maintenance of the grass area and trees behind homes along Brick Mill Rd. A suggestion was made to look at best practices from other neighborhoods to ensure that funds spent on landscaping are used efficiently and effectively to maintain at.
 - Rich reviewed the current effort by the board to include maintenance of these areas in the future. The board is working with our current landscaping vendor to obtain an estimate for this work.
 - A question was raised regarding the maintenance of trees along Brick Mill Rd, which have been hit multiple times by passing drivers.
 - Rich stated that the maintenance of these trees is the responsibility of Middletown.
- A neighbor proposed the creation of an audit committee to confirm the actions of the board, including expenditures. A primary concern is the expenditure of funds for legal fees.
 - The homeowner volunteered to chair the audit committee.
 - Rich reviewed the primary case that generated a high amount of legal fees in 2010 (no details of the specific homeowner were provided).
 - Another homeowner raised concerns regarding the pursuit of homeowners, incurring extensive fees.
 - A homeowner suggested that a no-cost, effective approach to recouping fees is to track owed fees and contacting realty companies once the home is for sale to recoup the fees.
- A question was raised regarding the amount of expenditure on landscaping.
 - A question was submitted by Scott Gagnon as to whether posting the invoices would help address some of the concerns. (The attendees responded in the affirmative)
 - The homeowners suggested that there were many improvements that could be made in how the money was expended (ie: use of weed preventatives, use of rubber mulch for single application)
 - A homeowner commended the attention to landscaping details and suggested expansion of these efforts.
- A homeowner suggested that folks that have input in to the actions of the board and committees should join one of the committees to help improve the performance.
- A homeowner raised a question regarding a paver driveway installed before the association was formed. The concern voiced was both regarding pursuit of herself for a violation as well as allowing others to add this feature to their home.
 - Scott clarified that any violations in place prior to the HOA formation have been considered "grandfathered".
 - The board and ARC will consider additional clarification of this issue in conjunction with the efforts around proposed deed restriction changes.
- A question was raised regarding pursuit of homeowners that do not maintain the trees in front of their home.
 - Scott stated that the ARC and board are working on a solution to pursuing these issues through the court of chancery.
- A question was raised as to how to address vehicles parked on the street for multiple consecutive nights that block access to a home. The specific example was with regard to the snow storms this past winter.
- A number of side conversations and conversations with the board were not captured here due to interaction with the secretary. Any homeowners identifying gaps in these notes should notify the board and amendments will be added.

- Officer Brenner:
 - Officer Brenner reviewed a number of items including Halloween and mischief night, the relative crime rate in Dove Run as compared to other Middletown neighborhoods (we received very good feedback) and a number of other topics. Detailed minutes were not taken during this time. Those interested in additional details should contact the Neighborhood Watch Committee for a copy of the handouts provided.

The meeting was adjourned around 9:00pm.

NOTE: A list of attendees is available with the Corporate Secretary upon request.