

**PHEASANT RUN ROAD MAINTENANCE ASSOCIATION, INC.**  
**BOARD OF DIRECTORS**  
**MEETING SUMMARY**  
**March 9, 2009**  
**5:30 p.m.**

A regular meeting of the Pheasant Run Road Maintenance Association, Inc. Board of Directors was held at the Administration Building, Leisure Services Conference Room on Monday, March 9, 2009.

**Members Present:** Ann Conklin, Canton Township, Tom Casari, Canton Township, Mark Waldbauer, Pheasant View, Craig Stephens, Fairways, Laura Gitre, Fairway Pines

**Members Absent:** None

**Others:** Tim Kljun, Roadway Manager, Deborah Dooley, Canton Township, Paul Porter, Pheasant View, Val Krimmer, Fairways

I. Ann Conklin called the meeting to order at 5:41 p.m.

**a. Approval of Meeting Minutes:**

- i. January 26, 2009  
Motion by Stephens, supported by Gitre to approve the minutes for January 26, 2009. Motion carried unanimously.
- ii. February 9, 2009  
Motion by Gitre, supported by Stephens to approve the minutes for February 9, 2009 as amended. Motion carried unanimously.

**III. Financial Activity Review:**

- A. Tim Kljun presented the financial reports as of February, 2009, consisting of:
- Balance Sheet
  - Reserve Account (Asset) Activity
  - State of Income and Expense Aged Receivable
  - Aged Payables
  - Narrative for February 2009
  - Updated Maintenance and Repair Detail (accumulative totals)

Mr. Kljun stated there are several CD's that are maturing and we are rolling them over. There are two (2) CD's this month and another one due on March 14, 2009. Mr. Kljun stated PRRMA has significant cash available.

Mr. Waldbauer inquired if the Flagstar CD is an investment for 6 months and we renew for 6 months. Mr. Kljun stated it is considered a graduate CD. This CD is for two (2) years and a different rate for each 6 month time period. Mr. Kljun stated PRRMA can remove at the end of a time period with no penalty. Mr. Kljun stated the

interest rate starts at 2.24% and 6 months later it goes to 2.75% and 6 months later it goes to 3.24% and 6 months later it goes to 3.75% interest.

Ms. Gitre inquired when PRRMA will start charging Fairway Pines interest. Ms. Conklin indicated it will be soon. Ms. Conklin stated that will need to be entered into the Manual of Procedures and thinks it is 90 days if any subdivision or Canton is in arrears. Mr. Kljun stated the interest charges are covered in the By-laws. Ms. Conklin stated Fairway Pines second and third quarters has still not been paid.

Ms. Conklin stated she heard back from the auditors and the changing of the fiscal year is not as difficult as first thought. There will be some fees involved. Ms. Conklin stated this will allow the budgeting process to be in line with the timing of our expenses and we will only need to keep one set of books. The changing of the year end will cause PRRMA to lose comparative data from previous years. The cost could be up to \$300 and we cannot change the year end for 48 months. There will be an additional cost for doing the tax returns for the short year. Ms. Conklin inquired if we can do an audit for January 1, 2008 till August. Ms. Conklin stated according to the document from the auditors it is still set for doing an audit for a full calendar year for 2008. Mr. Kljun stated the auditor was told to bring it on schedule till July, 2008. Mr. Kljun will confirm with the auditor.

Mr. Waldbauer inquired if there is a mechanism to amend the By-laws for PRRMA. Ms. Conklin stated that is Policy #2. Mr. Kljun stated the first issue is Policy #2 which we will discuss this evening and once Policy #2 is amended, then the By-laws will have to be amended. Mr. Kljun stated the By-laws specifically speak about time-frames. Ms. Conklin stated we might want to amend the Manual of Procedures then amend the By-laws. Ms. Conklin stated to amend the By-laws it takes a vote of the Board. Ms. Conklin stated she recalls it is four (4) votes.

Mr. Porter stated Pheasant Views budget year is January to January and their by-laws require that. Ms. Conklin stated PRRMA should have a pretty good idea with the chart and the Spaulding DeDecker model of what the budget will be.

### **III. Unfinished Business**

#### **a. Road Repairs**

- i. Punch List from 2008 to be completed in 2009  
Ms. Conklin stated we need to identify the punch list items from 2008 that need to be completed in 2009. Ms. Conklin stated Mr. Kljun has a good list but if anyone has any additional items please refer them to Mr. Kljun. Ms. Conklin stated we do not want them to do the crack sealing. Mr. Porter stated the center line of Southwick is starting to separate more toward the Summit. Mr. Casari stated he is noticing a lot of issues with PRRMA and Cherry Hill Village which was done at the same time by T & M. Mr. Stephens stated the issues from last year and any problems developing over the winter months are the ones Mr. Kljun will need to know about. Ms. Conklin stated we want to get them in as soon as possible to get it fixed.
- ii. Spaulding DeDecker Proposal

Ms. Conklin stated the contract has been signed and they are already out. Ms. Conklin stated Spaulding DeDecker did agree to the 10 year plan. Mr. Casari stated Dietrich Bailey has been bought out by Spaulding DeDecker. Mr. Casari stated Mr. Bailey contacted him and they are putting together the auto-cad drawings. Mr. Bailey will speak to the other engineers and should be in the process at this time. Mr. Casari stated PRRMA will not have to pay the \$4,000 and they may only charge \$200 each for the drawings. Ms. Conklin stated she will invite them to a meeting to discuss what PASER level we want PRRMA roads to be.

**b. Tree Trimming**

Mr. Casari stated Mr. Kljun had emailed him regarding the ordinance height limitation for sidewalk trees. Mr. Casari stated it is probably under property standards. Mr. Casari stated the ordinance officers would be the best person to ask. Mr. Kljun stated he wanted to formalize it in the Manual of Procedures. Ms. Conklin stated Ordinance Officer Kay Langston is the person to contact.

**c. Insurance Updates**

Ms. Conklin stated PRRMA is up to date and Mr. Porter has requested this item to be on the agenda each time.

Ms. Conklin stated PRRMA will be paid from the School District regarding the bus that hit the sign. Ms. Conklin stated she has spoke to the representative from the School District and they are going to issue a check and PRRMA needs to fill out a W9 form.

Mr. Kljun stated there are two (2) open issues. Mr. Kljun stated the Pheasant Views trees that have been damaged by the run away car and have gotten no response. Mr. Kljun stated the light post that was damaged by the run away car in Fairway Pines, also no response. Mr. Kljun stated there is a quote which is expected back to repair the light and the street sign.

Ms. Krimmer stated there is another sign in Fairways and a police report has been filed. Ms. Conklin stated she sent Mr. Kljun the police report number.

Ms. Conklin stated she received a call from Trustee Caccamo that a tree was down in Fairway Pines.

Mr. Kljun inquired if he should follow up or just write it off. Mr. Porter stated the police report stated the driver had AAA Insurance. Mr. Porter stated he called AAA Insurance and they had no record of the owner. Mr. Porter stated the vehicle belonged to the father.

Mr. Waldbauer inquired if pizza delivers are considered private contractors. Ms. Conklin stated yes they are private contractors. Mr. Waldbauer inquired if PRRMA could go back on Cottage Inn. Mr. Porter stated Cottage Inn should have some kind of liability insurance. Ms. Conklin stated we can do one more follow up letter and send to the owner of the vehicle, the driver and

cc Cottage Inn. Mr. Waldbauer stated the damages were \$450.00. Mr. Porter stated the name of the vehicle owner is not on the report.

**d. Amended Policy #2 (percentages)**

Ms. Conklin stated Policy #2 needs to be changed and all Board members need to sign it. Ms. Conklin stated the only amendment was the new percentages. Ms. Gitre stated there are two (2) amendments, the correction that is retroactive and change of the percentages. Ms. Conklin stated at a previous meeting we decided to just start with the new percentages on August 1, 2009.

Ms. Conklin stated everyone will be emailed a copy of the amended Policy #2 and she would like all members to read the Policy and make sure they are comfortable and then sign.

Mr. Casari stated we want to get the exact lineal footage of the roads to correct the percentages. Mr. Casari stated the drawings Bailey is doing will give us a quick analysis of each subdivision and tell us the exact lineal footage of each road. Mr. Casari stated PRRMA should have that information by April.

**e. Sidewalk Responsibility**

Ms. Conklin stated she did contact the attorney; however he did not get back with her on the sidewalk responsibility and how it differs from a municipality.

Mr. Stephens stated he sent out a revised file and picked up all the standards from the Canton Township Ordinance. Ms. Conklin stated we have to find out what PRRMA's responsibility is and if we are responsible for an inspection program. If so, we will need an inspection sheet and more detailed criteria. Ms. Conklin stated we will table until we get the attorneys response. Mr. Stephens stated Mr. Casari emailed him Canton's inspection sheet for us to use.

Mr. Porter inquired what PRRMA does for tree damage to sidewalks and whose responsibility is it. Ms. Conklin stated it might depend on the tree. Ms. Conklin stated PRRMA may have to deal with them on a case by case basis. Mr. Casari stated under the Canton Township sidewalk program it is the homeowner's responsibility. Mr. Casari stated the homeowners argue that the trees were required under the Canton Township Beautification program and the tree is on the right of way, but the homeowner is still responsible. Ms. Gitre stated we can have guidelines on the right kind of tree to plant. Ms. Gitre stated if the homeowner did plant the proper tree and it still heaves the sidewalk she feels it is PRRMA's responsibility. Ms. Conklin stated we might put a clause in that states individual situations could be evaluated as necessary. Mr. Porter stated worse case scenario that there is a huge root going underneath the sidewalk and we cut the root off and the tree falls damaging someone's property. If we accept responsibility then we open ourselves up to liability. Ms. Conklin stated we opened ourselves up the day

we formed PRRMA. Mr. Porter stated if we stay consistent that sidewalk damage created by trees is the tree owner's responsibility. Mr. Stephens stated then we get into the issue that we were trying to avoid in the first place, which is the homeowner doesn't want to do that and they don't fix the sidewalks. Mr. Stephens stated there is some tree root damage. Ms. Conklin stated she feels we are exposed at the intersections. Ms. Conklin stated the sidewalks heaved by tree roots are the homeowner's responsibility and will be dealt with on an individual basis.

Mr. Stephens stated he agrees with Ms. Gitre that if the tree is an approved tree roadway tree, then it will be PRRMA's responsibility and if it is a non approved tree it is the homeowner's responsibility. Mr. Waldbauer stated it depends. Ms. Gitre inquired if there can be criteria around depends. Mr. Porter stated there maybe very little of this and a moot point. Mr. Porter stated as the subdivisions get older and the trees get bigger we may have more and more of these problems. Mr. Casari stated he would like to think that the trees are all of the approved variety. Mr. Porter stated he believes there was a change from what the approved trees were 10 years ago. Ms. Conklin stated she would like to go on the idea that it is the homeowner's responsibility to maintain the sidewalks in front of their home. Mr. Porter stated if the homeowner removes the roots when they are small the tree will be ok and it will prevent the roots from heaving the sidewalks. Mr. Stephens inquired if what we are saying is that sidewalks damaged by trees are the homeowner's responsibility. Ms. Conklin stated sidewalks that are damaged by trees are the homeowner's responsibility unless they can justify an exception.

Ms. Conklin inquired if Ms. Gitre agrees. Ms. Gitre stated she is paying for it either way with dues or having the sidewalk fixed. Mr. Casari stated he likes leaving it as the homeowner's responsibility. Mr. Stephens stated he is fine with it being the homeowner's responsibility. Mr. Stephens stated unless the sidewalk is damaged by excessive load, PRRMA has agreed to be responsible. Ms. Conklin stated we are not finalizing this tonight since we are waiting for the opinion from the attorney. Ms. Conklin stated let's all mull it over and discuss it at the next meeting.

**f. Fairway Pines Proposal**

**i. Independent Accountant Review**

Ms. Conklin stated she has done some initial investigation and others believe it is a good idea for total transparency. Ms. Conklin stated all members were supposed to put some thoughts down and we will get an RFP for an accountant. Ms. Conklin stated we discussed talking to the individual HOA to see if anyone is interested in donating their time. Ms. Gitre stated the only examples of questions were the CD's report and expense bucket. Ms. Gitre stated she did send an email to the rest of her HOA Board and has not received any response back yet.

Mr. Stephens stated we want the RFP to say we want an accountant to review the way in which we maintain our accounts. Mr. Stephens

stated we do not want them to undertake an audit of our accounts, and is the way we do our books aligned with common bookkeeping practices. Ms. Conklin stated everyone get their request for the RFP to her by March 23, 2009.

Ms. Conklin stated this is just for transparency purposes and not any reflection on Mr. Kljun. Ms. Conklin stated Mr. Kljun has done a great job and PRRMA appreciates all that he has done.

Ms. Conklin stated there was a question at the last meeting on how much PRRMA has spent on attorney fees and the total was approximately \$17,000. Ms. Conklin stated there were some other things incidentals in that fee.

ii. Cap on the Road Repair Fund

Ms. Conklin stated she requested Mr. Kljun to go through all the minutes to see if we had put a cap on the Road Repair Fund and PRRMA has not put a cap on the Road Repair Fund. However, it was discussed on January 24, 2007, April 18, 2007, June 20, 2007, July 25, 2007, September 12, 2007, and April 9, 2008. Ms. Conklin stated the discussion was no one had an issue with a cap but we have not made that motion. Ms. Conklin stated we need to decide whether we are going to do that or not. Mr. Porter inquired if the cap will be adjusted for inflation. Ms. Conklin stated at this time everything is up for discussion.

Mr. Stephens stated he thinks it is completely unnecessary. Mr. Stephens stated at any point in time we can decide to stop putting money into the Road Repair Fund. Mr. Stephens stated we decided to skip the last quarter's payment. Mr. Stephens stated we can do that anytime we see fit. Ms. Conklin stated on April 18, 2007 meeting, Mr. Stephens indicated a cap of \$700,000 is fine because we will never get there. Mr. Stephens stated why create a rule around something that is never going to happen. Mr. Waldbauer stated or place a cap for a certain window of time that is going to be changed. Mr. Stephens stated we have an estimate of how much money PRRMA will have in our Road Repair Fund from our budget and if anyone thought that we were going to end up with too much money in the Fund, we can vote to change it. Mr. Stephens stated if things work out according to our budget we don't need to worry about a Road Repair Fund. Mr. Casari stated the model and what level we want to keep the roads at and what it will cost to get to that level may use up the Road Repair Fund. Mr. Casari stated understanding what it will cost to maintain at that level will be very helpful for everyone. Ms. Conklin stated at a former meeting we did discuss if we did have a cap on the reserve it would go up around 5% annually. Ms. Conklin stated lots of issues have been discussed but nothing finalized.

- iii. **Homeowner Complaint Process**

Ms. Gitre stated this is something for the Manual of Procedures that there is a process involving complaints and we don't automatically jump and fix it. Ms. Gitre stated let's make sure it meets all the guidelines we have set forth. Ms. Gitre stated there are concerns that this was not being followed and if it is in the Manual of Procedures it is clear and to be followed. Ms. Conklin requested Mr. Kljun add this to the Manual of Procedures. Ms. Gitre stated we discussed that if the situation was hazardous PRRMA could go ahead and make the decision based on our guidelines.

Mr. Kljun stated there is an implication in our standard of responsibilities that there is a certain procedure used and also investigation procedures and everything gets funneled back to the Board for a decision. Mr. Kljun stated we can enter something specific about the complaint process.

**g. Manual of Procedures**

Ms. Conklin distributed the DRAFT of the Manual of Procedures. Mr. Kljun stated under item F.1 under Roadway Maintenance Element it indicates from time to time the Board will be brought issues and Mr. Kljun will make this more specific.

Ms. Conklin stated the complaint process and sidewalks will be added. Ms. Conklin stated she would like the Board to read through this manual and get your comments to her that need to be added. Mr. Kljun stated the Novi Rating Criteria in this Manual was excerpted directly from the PASER Program from Novi. Mr. Kljun stated this is the descriptions of the PASER Program. Ms. Conklin stated "Novi" can be removed and add PASER.

Mr. Kljun stated there are many pages missing from the Manual and he wants to discuss D. Operations Handbook. Mr. Kljun stated item 2. Standards of Responsibility in our previous manual, indicates who does what, and he didn't include in this draft. Mr. Kljun stated it will be added later on. Mr. Conklin stated these two sections will be molded into one for one document. Mr. Kljun stated this will be added to the final draft. Mr. Kljun stated he can email this to each Board member then it can be modified easily and get back to him before the next meeting.

**h. PRRMA website**

Mr. Waldbauer stated he and his wife looked at the other subdivisions to see what they have on their websites. Mr. Waldbauer stated he wife is not looking for work right now, but is willing to do the website for PRRMA. Mr. Waldbauer stated a few questions came up such as: do we want all three (3) subdivisions to look alike with a similar type of format, and should they all have the same basic information. Ms. Conklin stated this is just for PRRMA. Ms. Gitre stated a link can be included to the other websites. Mr. Waldbauer stated as soon as the minutes are approved they can be added to the website.

Ms. Conklin stated PRRMA will have total control over the PRRMA website and what is displayed. Mr. Waldbauer stated PRRMA would put up minutes, current financials, agendas, construction bids, forms, by-laws and manuals. Mr. Waldbauer stated PRRMA would have to register the name and domain and pay for which is minimal. Mr. Waldbauer stated he would prefer PDF's or Word documents. Ms. Gitre stated PDF's is good because no one can change anything. Mr. Waldbauer stated there is room on his server for the PRRMA website. Mr. Waldbauer stated Ms. Waldbauer proposal is for \$75 per hour to construct and maintain the website. Mr. Kljun inquired what it would cost to go outside and get someone to construct the website for PRRMA. Ms. Gitre stated \$75 per hour is a good rate.

Mr. Waldbauer inquired if anyone has taken a look at Pheasant View's website recently. Ms. Conklin inquired if there should be an amount to not exceed. Mr. Waldbauer stated he would encourage members to go to Pheasantview.org and take a look and see if it meets the Boards satisfaction. Mr. Waldbauer stated Pheasant View only puts the current financials on their website. Ms. Gitre stated she is ok with just the current financials. Mr. Stephens stated in addition to the above information on the website we could also put up the annual budget, officers, construction calendar and calendar of meetings. Ms. Conklin stated anything that we include can be PDF before forwarding it on to Ms. Waldbauer. Mr. Stephens stated he would request that any repairs needed be directed through their roadway manager.

Motion by Gitre, supported by Casari to agree to hire Ms. Waldbauer to create and maintain PRRMA website with an amount not to exceed \$600. Roll Call Vote: Ayes: Conklin, Casari, Stephens, Gitre Abstain: Waldbauer Motion carried.

## **V. New Business**

### **a. 2009 Contracts**

Ms. Conklin stated this is for all landscape contracts. Ms. Conklin stated Canton is out for bid at this time for the Canton portion. Ms. Krimmer inquired if monuments could be washed. Ms. Krimmer stated the Cherry Hill monument is bad from the tree sap. Ms. Conklin stated she will get names of contractors.

Ms. Conklin stated we still need to get the punch lists to Mr. Kljun so he can get it to Midwest. Ms. Conklin stated crack sealing will be part of 2009/2010 program.

### **b. 2009/2010 Road Repair**

Ms. Conklin stated we need to move on this relatively fast once we get the Spaulding DeDecker model in as they will manage everything. Ms. Conklin inquired if we will be ready to have Spaulding DeDecker here at the April meeting. Mr. Stephens stated didn't we say prior to the May meeting a designated representative would conduct a visual inspection of the roadway. Mr. Stephens stated it would be great if we could see what they have in April



then go out and do our assessments. Mr. Casari stated he would think by April Spaulding DeDecker would have been out. Mr. Kljun stated they have been out and he spoke with the representative and getting familiar with the roads. Ms. Conklin stated the next meeting will be April 20, 2009 and asked Mr. Casari to contact Spaulding DeDecker to attend.

Ms. Conklin stated she has a truck with cold patch going out tomorrow and getting the big holes filled for the interim.

c. Street Sweeping and Storm Drain Cleaning

Mr. Stephens stated with all the rain we had over the weekend the area of concern was good, so they must have done the job. Mr. Stephens stated he drove the subdivision and so many of the storm drains were blocked with leaves and some may need to be vacuumed out. Mr. Kljun stated the street sweeping is normally done in April and October. Mr. Kljun stated he will request a quote for all subdivisions for spring and fall. Mr. Casari stated Canton will submit a quote. Ms. Conklin stated what that doesn't include is cleaning the storm drains and Canton is the only one who can do that. Mr. Casari stated Canton has the vactor truck to do that. Mr. Casari stated there are other companies that have a vactor truck also. Mr. Casari stated we should also get bids for that. Mr. Stephens stated what if we do the street sweeping and get rid of the debris around the drains and the next time it rains we can take a look. Ms. Conklin stated if any drains need to be cleaned give her a call and she will send the vactor out to clean.

Mr. Waldbauer inquired when do we anticipate we will be starting construction. Ms. Conklin stated hopefully by August. Mr. Casari stated he believes we will be able to start in July. Ms. Conklin stated once we decide the level of the PASER in April, walk it in May, develop the specs and go out for bid in June, by the time the bid is awarded it will be July or August. Ms. Gitre stated we don't want it to be October. Mr. Casari stated with Spaulding DeDecker we would really like it to start in July. Mr. Casari stated if they start in July we won't get a pay request until the middle of August. Mr. Waldbauer stated he is trying to get things in order as far as the street sweeping. Ms. Conklin stated when we were successful with street sweeping we did it late April, early May, and again the third week in October after the road work was completed. Mr. Casari stated the street sweeper doesn't work well with leaves. We usually like to get in right after construction but before the leaves fall and rely on the homeowners to pick the leaves up. Mr. Waldbauer stated a certain amount of street cleaning will be done after construction from the contractor, and doesn't a certain amount of cleaning have to be done before crack sealing. Mr. Casari stated what the contractor does with crack sealing they come in and blow the crack out with compressed air. Mr. Waldbauer inquired if there is a lot to be swept in October. Ms. Conklin stated yes because the rest of the road will not be cleaned by the contractor.

Ms. Krimmer inquired what the width of the cracks that will be repaired. Mr. Casari stated the crack needs to be ¼ inch or less for crack sealing. Ms. Krimmer stated there are several cracks that go the width of the road that you can actually feel when you drive over them. Mr. Casari stated if the crack is too wide they will have to saw cut and fill with asphalt. Mr. Casari stated Spaulding DeDecker will determine what repair needs to be done.

Mr. Stephens stated he saw places that were repaired last year that he didn't expect there to be repairs and other places he expected and there wasn't repairs. Mr. Stephens stated he would like to tighten up on these repairs this year. Mr. Stephens stated we will set the standard and Spaulding DeDecker will go out and determine the areas that need to be repaired to meet that standard. Ms. Conklin stated with Spaulding DeDecker and the contractor we eliminate three (3) outside people doing the same work. Ms. Gitre stated we should bring up at the next meeting what the calendar is for the month of May for the walk. Ms. Conklin stated we can have the May meeting out in the field with Spaulding DeDecker. Ms. Conklin stated we will meet at the Summit for the May meeting for the drive-around at 5:30 p.m. on the 20<sup>th</sup>.

#### **VI. Other Business**

a. Next meeting date

The next meeting will be April 20, 2009 at 5:30 p.m.

Mr. Stephens inquired if Canton has an ordinance on abandoned vehicles left on the street. Ms. Conklin stated yes, and Mr. Stephens should contact the ordinance department. Mr. Porter stated if the vehicle is legally licensed it can be on the street.

#### **VII. Adjournment**

Motion by Gitre, supported by Stephens to adjourn at 7:15 p.m. Motion carried unanimously.