

**Auburn Hills Swimming Facility Master Association (AHSFMA)  
Special Board Meeting – Wednesday 01-05-11, 5:30pm at Legends Clubhouse**

**Board Members:**

**Present:**

Jason Ciesielski – President (Legends/Meadows –President)  
Lynn Joynt – Treasurer - (AH North/Ironwood - Sub for President)  
John Oborny – (Enclave – President)  
Sarah Funke – (Fairways - Sub for President)

**Absent:**

Bert Barrett – (Stoneleigh - President)

**Others Present:**

Jay Russell – West Wichita Development  
Rodney Wright – HOA Management  
Debbie Travis – Fairways Member

**Proceedings:**

- Meeting called to order at 5:35 p.m. by President Jason Ciesielski
- Jay Russell requested meeting to discuss history of Pool Association

**Jay Russell was given the floor to present his information**

**Opt Out of AHSFMA**

- **Lot owners should have received Restrictive Covenants Notice from:**
  - Contract from builder
  - Paperwork from Title Co.
  - Developer was not responsible to inform lots owners if they did not buy directly from him.
- **AHSFMA Restrictive covenants on all lots sold after 8-25-2000**

The developer cannot impose restrictions on any lot he does not own. Any lot that was purchased from the Developer before 8-25-2000, which is recorded date of the Declaration, does not have to be a member of the AHSFMA. Jay indicated that many of these lot owners wanted to be members of the pool association. He indicated these members signed a consent form, but doesn't know where the forms are located.
- Rodney with HOA Mgmt or anyone else present had no knowledge of any signed consent forms. John Oborny said Dixie Decker gave him approx 4 boxes this month which have HOA & pool information. He said he would look through the boxes &/or have HOA Mgmt help sort the documents.

**History of AHSFMA**

- Pool in Enclave Addition was built
- Pool in Legends Addition was built
- Pool in Fairways Addition was built. Location of pool was moved to lot on Fawnwood per the Pool Board.
- Remodeled Enclave pool Facility per the Pool Board.

- Jay said he was at Pool Board meeting when they discussed building the clubhouse in the Meadows Addition. He disapproved of the larger clubhouse. He said the Pool Board decided what type of building to construct.
- Sarah asked Jay why he did not build and finance the pool in the Meadows Addition as stated in the Declaration. He said he is not responsible for paying any of the pool facilities. The pool association wanted the pool. Sarah read from 2007 AHSFMA general pool meeting minutes which state: “vast discussion that the members do not want to have a new pool added this year.” Jerry Decker “made aware the developer has the right to annex the land to the association for a period of 20 years. There is no option not to build a new pool and clubhouse.” Jay Russell said that was not true. Debbie asks about Jay having 4 votes per lot, and could have voted the clubhouse down if he was against it. Jay replied they have never used the votes available to them for any voting opportunity. Lynn, agreed the members were told there was not a choice, but someone calculated we could afford a (\$?) payment. Sarah asked why he deeded the land in the Meadows Addition to the AHSFMA in 2005 instead of constructing & financing the facility like he did for the facilities in the Enclave, Legends & Fairways Additions. Jay said the Board decided on building the larger facility. Need to reference 3.5 of the Declaration.

#### **Subsidy of AHSFMA**

- Sarah informed Jay that the AHSFMA would be presenting him with a budget and requesting subsidy for 2011 as stated in the Declaration.
  - Jay explained about a letter from Jerry Decker and a letter from Mike Gasho & Issam Stouky. He would not be obligated to subsidize the AHSFMA anymore. He also said if the pool association has made budget in a year the subsidy stops. He also mentioned the association did not ask for subsidy previous to 2009.
  - Lynn asked if the association was in the black for 2010 then it didn't matter about asking for subsidy.
  - Sarah said the Meadows pool was built & all loans were financed in May of 2008, so the association did not have as much expense for maintenance and mortgage until then. The pool facilities have not been maintained as well as they should have because the dues from the membership do not provide enough income. The AHSFMA needs liners in 3 pools, security systems are outdated & need replaced, fences are deteriorating and need replaced; many trees are diseased and need to be replaced.
- Meeting adjourned at 7:40p.m
- Minutes respectfully submitted by Sarah Funke