MT. POCAHONTAS PROPERTY OWNERS ASSOCIATION

386 OLD STAGE ROAD, ALBRIGHTSVILLE, PA 18210

**ANNUAL OPEN BOARD MEETING MINUTES**

October 10th, 2020 12:15 P.M. EST

LOCATION: MPPOA grounds next to the clubhouse

Board Directors Present: Mike Kath, Alan Ingrassia, Joshua Chelnik, Eileen Slack, Tom Wrenn, Tatiana Mikhailenko

HOA Attorney Present: James Nanovic

Started at 12:18 p.m. EST

Pledge of Allegiance

Certification by attorney James Nanovic that a quorum was declared with 54 persons present and 46 present by proxy.

HOA attorney James Nanovic asked the members if they have a motion to approve the annual meeting minutes from July 13th, 2019. The minutes were read aloud to the members. Alan Ingrassia made a motion to approve the minutes, Joan Abigale seconded it. All ayes except for 2 nays. Annual meeting minutes from July 13th, 2019, approved by the majority members.

Tom Wrenn read the treasury report, financial reports were distributed to the members before the meeting. Mike Kath provided the maintenance report. He clarified the roads maintenance, and how the maintenance department is fixing any road issues. Mike mentioned that none of our community roads were properly paved before. Eileen Slack briefed members on the activities being planned, like Halloween event, movies nights etc. If it rains, some activities will be rescheduled. Eileen thanked the volunteers of the activities committee who are helping to organize all the events. Alan Ingrassia read the security report about ATVs, pets, suspicious people, noise, fireworks, vehicles and etc. complaints, he reminded the members if they see anything suspicious to report security right away. Alan also explained about the MPPOA rules and regulations and how members can participate in updating them.

The HOA attorney James Nanovic briefed the community members about two lawsuits: W. Caroll vs MPPOA. The case was settled, costed the community zero dollars except the insurance money, Secord case, the Vigilant Towers vs MPPOA – that litigation continues. It might be settled in the next two-three weeks.

Clubhouse renovation: Mike Kath said that the board will try to follow the deceased President. Five-year plan to save the clubhouse. He has the prints etc. At the previous open BOD meeting the majority of our members wanted the building to be repaired.

The meeting moved to the open discussion. A motion was made by Joseph Cuffari and seconded by Charles Dovan to remove Board Members Michael Kath, James O'Connor, Alan Ingrassia and Tatiana Mikhailenko.

This type of Motion is authorized under the Planned Community Act. 68 Pa.C.S.A. §5303(f) states "Notwithstanding any provision of the declaration or bylaws to the contrary, the unit owners, by a 2/3rds vote of all persons present and entitled to vote at any meeting of the unit owners at which a quorum is present, may remove any member of the Executive Board with or without cause, other than a member appointed by the declarant." The Board had not been notified in advance that this motion was to be made. If the Board had been notified, we could have devised a method by which to tally votes. In the absence of notice, it was decided that the persons who favored removal would sign one piece of paper indicating yes to remove and persons who did not want to remove would sign another piece of paper entitled no not to remove.

At the inception of the meeting a Quorum was declared with 54 persons present and 46 present by proxy. During the course of the meeting some members may have left and others may have arrived.

In any case, attached is the vote.

The final vote was:

To remove 33

Not to remove (persons present) 24

Not to remove (by proxy) 46

Total NOT to remove 70

Although some persons in attendance declared that the proxies were illegal, the proxies were not necessary to determine the outcome of this motion. Pursuant to the statute, a 2/3rds vote is required. The Motion did not obtain the 2/3rds necessary to approve the Motion.

Therefore, the Motion failed.

Open discussion: The members discussed ATVs use in our community pros and cons. Members can submit a petition to the board, then the official vote could happen at the annual MPPOA meeting.

Motion at adjourn at 2:25 pm

Mike made motion to adjourn, and Alan seconded it. All ayes.

Respectfully submitted

by Tatiana Mikhailenko

MPPOA Secretary