



CITY COUNCIL ACTION REPORT

October 31, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Approval of Subdivision Entrance Signs/Agreement
Mount Vernon Estates Subdivision

Background:

- Provisions of the Troy Sign Ordinance allow for the placement of residential development identification signs within the medians of public roads.
- The homeowners association of the Mount Vernon Estates Subdivision has proposed to install three signs within the medians of Colonial at the intersection of Wattles, Ramblewood at the intersection of Wattles and at Mt. Vernon at the intersection of John R.
- The proposal includes the sign permit applications, sign plans, site plans, agreement between the association and the City regarding the maintenance of the signs, and an insurance certificate.
- These documents have been reviewed by staff and have been found to be in compliance with the Ordinance requirements.

Financial Considerations:

- There are no financial considerations with this matter.

Legal Considerations:

- Section 85.01.05 of the Troy Sign Ordinance requires that the design of the sign and the agreement for its ongoing maintenance be approved by City Council before a permit can be issued for a residential development identification sign within the median of a public street.

Policy Considerations:

- The homeowners association is interested in utilizing the entrance sign to help establish an identity and sense of place within the subdivision (Goal 2)

Options:

- City Council can approve the sign and the agreement.
- City Council can deny the sign and the agreement.

Approved as to Form and Legality:

Lori Grigg Bluhm, City Attorney

RESIDENTIAL DEVELOPMENT RIGHT-OF-WAY SIGN AGREEMENT

This Agreement is entered into on this _____ day of _____, 2007, between the City of Troy, a Michigan Municipal Corporation, 500 W. Big Beaver Road, Troy, Michigan 48084 (hereinafter referred to as the "City") and Mt. Vernon Estates Homeowners Association, whose address is 4127 Washington Crescent, Troy, Michigan 48085, (hereinafter referred to as the "Residential Development").

Recitals

A. The Residential Development desires to remove three existing signs and erect three (3) new identification signs at various entrances to the subdivision for the Residential Development pursuant to and in compliance with the City of Troy Code of Ordinances, specifically Chapter 85, Section 85.01.05. A. 3. (Signs in Right-of-Way). Three Sign Permit Applications have been submitted to the Building Department and copies are attached to this Agreement as Exhibit A, Exhibit B, and Exhibit C. The Residential Development is located in the City of Troy, Oakland County, Michigan.

B. The Residential Development is between Wattles Road and Long Lake Road and John R Road and Dequindre Road. The sites for the erection of the signs are as follows: entrance to Colonial Boulevard at Wattles Road; the entrance to Ramblewood Street at Wattles Road; and the entrance to Mt. Vernon Street at John R Road. Those locations of the signage is more particularly

described on the attached Exhibits A, B, and C. A description of the proposed signage is attached to this Agreement as Exhibits A, B, and C.

C. Chapter 85, Section 85.01.05. A. 3. provides that Troy City Council shall approve the design and materials of all residential development identification signs. Further, the Ordinance provision requires that an Agreement be executed between the City and Residential Development specifying that the Residential Development shall assume liability for the signs and be responsible for their maintenance.

IN CONSIDERATION of the foregoing recitals and the mutual covenants contained in this Agreement, IT IS AGREED:

1. The Residential Development shall be permitted to erect three (3) identification signs in the following locations: 1. the boulevard median at the entrance of Colonial Boulevard at Wattles Road as designated on Exhibit A; 2. the boulevard median at the entrance of Ramblewood Street at Wattles Road as designated on Exhibit B; and 3. The boulevard median at the entrance of Mt. Vernon Street at John R Road as designated on Exhibit C. The signs shall not be more than five (5) feet in height and not more than fifty (50) feet in area as set out in Section 85.01.05 A. 3. of the City of Troy Code of Ordinances. If applicable, the height of each sign shall be subject to the corner clearance requirement of Figure 85.01.05 A as set out in the Troy Code of Ordinances as part of Section 85.01.05 A. 3.

2. The identification signs shall comply with the plans and specifications attached hereto as Exhibits A, B, and C and incorporated into this Agreement

and any terms and conditions for design and materials established by City Council by Resolution. Any plans and specifications must designate on their face that they have been approved by the Director of Building and Zoning.

3. The Residential Development shall maintain the identification signs in good and safe condition at all times and shall make such repairs as the City may deem reasonably necessary from time to time to keep the signs in good and safe condition. Failure to keep the signs in good and safe condition shall be considered a breach of this Agreement under Paragraph 7.

4. The Residential Development has provided a Certificate of Insurance acceptable to the City demonstrating that general liability coverage is available for claims for personal injury or property damage caused by the signs or attributed to the placement of the identification signs in the right-of-way. Such insurance shall be in the amount of \$500,000.00 per occurrence and aggregate limit. The Certificate of Insurance shall name the City of Troy as an additional insured. The City reserves the right to modify the insurance requirements as necessary with 30 days notice to the Residential Development. The Residential Development agrees to keep said insurance or a similar policy with the above minimum insurance coverage in effect for the term of this Agreement. The Residential Development shall submit to the City of Troy Risk Management Department on the anniversary date of this Agreement a Certificate of Insurance acceptable to the City demonstrating coverage for the above insurance amounts. Additionally, the City may request a copy of said insurance certificate at any time during this Agreement. Failure to produce a certificate of insurance within fifteen

(15) days of a request by the City, or a determination by the City that there is a lapse in coverage, shall be considered a breach of this Agreement under Paragraph 7.

5. The individual executing this Agreement on behalf of the Residential Development represents that he or she has the authority to bind the Residential Development and the individual property owners within the Residential Development to this Agreement and has provided documentation to support his or her representation. If it is determined by the City at any time hereafter that no such authority exists, this Agreement shall be null and void, and the identification sign shall be immediately removed in accordance with Paragraph 7.

6. If it becomes necessary for the City to remove all or any of the signs for an emergency purpose or to service a utility, such as but not limited to: repair of water main breaks or sewer line or electric line repair, the Residential Development shall be one hundred (100 %) responsible for the replacement of the sign(s). Further, the City shall not be responsible for any damage to the sign(s) as a result of the removal. If the Residential Development fails to reinstall the sign(s) in an identical manner, as set out in this Agreement, or fails to remove the sign(s) from the site within thirty (30) days after the City's removal, the City may take action to remove the sign(s) in accordance with Paragraph 7.

7. If there is a breach of this Agreement or if the Agreement becomes null and void, the City shall notify the Residential Development that it has thirty (30) days to remove the identification signs. If the Residential Development fails to comply, the City may remove the signs and assess any costs it incurs to the

Residential Development. If the Residential Development fails to pay the City's costs for removal within fifteen (15) days from the notification of the costs, the City may exercise any legal remedy to which it is entitled against the Residential Development and/or the individual property owners within the Residential Development including the pro-rata assessment of costs on each individual property owner's tax bill.

8. To the fullest extent permitted by law, the Residential Development agrees to defend, pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on behalf of the City, by reason of personal injury, including bodily injury or death and/or property damage, relating to the erection, maintenance, location and any other aspects of the identification signs.

9. Mt. Vernon Estates Homeowners Association shall submit a written notice of any new addresses to: Risk Management Department, City of Troy, 500 W. Big Beaver Road, Troy, Michigan 48084. Such notice of change of address shall be sent to the City of Troy within 60 days after the effective date of the change.

10. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF, this Agreement has been entered into as of the above date.

WITNESSES:

CITY OF TROY,

Louise E. Schilling, Mayor

Tonni Bartholomew, Clerk

RESIDENTIAL DEVELOPMENT

Mt. Vernon Estates Homeowners
Association,

Charles H. Folkerts

By: Charles Folkerts
Its: PRESIDENT



SIGN PERMIT APPLICATION
CITY OF TROY
 DEPARTMENT OF BUILDING INSPECTIONS
 500 W. BIG BEAVER ROAD
 TROY, MICHIGAN 48084
 Phone: 248-524-3344
 Fax: 248-689-3120

RECEIVED
 SEP 24 2007
BUILDING DEPT.

SIGN

Date: 9/18/07

Project Information

Job Address: COLONIAL BLVD/WATTLES Suite # _____ Sidwell # _____

Property Owner: MT. VERNON ESTATES HOMEOWNERS ASSOC. Address: 4127 WASHINGTON CRESCENT DRIVE Phone # _____

Type of Sign: Ground Wall Special Event Sign Renewal Zoning District: R1C

Sq. Ft. Area of Front of Building Structure: _____ Land Area (if parcel is vacant): _____

Sign Size: Width 66" Height 24" Sq. Ft. Area: 11' x 12.33'

Ground Sign: Height from grade to top of sign 30" Distance from ultimate right-of-way 11' (SIDEWALK)

Are other signs located on property? No Yes Type GROUND Size _____

Copy on sign: MT. VERNON ESTATES * TO BE REMOVED AND REPLACED W/NEW

Illuminated Sign Yes No Electrical Connections by: _____

SIGN PERMIT FEE SCHEDULE			
Size	Wall Sign Painted on Wall	Wall Sign Structurally Attached	Ground Sign
Under 100 sq. ft.	\$ 75.00	\$ 100.00	<u>\$ 125.00</u>
100 to 199 sq. ft.	\$100.00	\$ 125.00	\$ 150.00
200 to 300 sq. ft.	\$ 100.00	\$150.00	\$ 175.00
Special Event		\$30.00	

Applicant/Contractor Information

Name: SIGNS & MORE Phone: (248) 852-0683 Fax: (248) 852-0804

Address: 1633 STAR BATT DR. City: ROCHESTER HILLS State: MI Zip: 48309

Signature of Applicant: [Signature] License # _____

FOR OFFICE USE ONLY:

Variance Granted? No Yes Date: _____

Special Stipulations _____

Sign Design

DOUBLE SIDED
 0.125" Thick Aluminum
 Sign Panels - Non-Illuminated
 Painted Medium Green
 PVC Crown Cap
 (Three 0.5" PVC Layers)

Two Aluminum Rectangular
 Poles (4" Square x 8 ft.)
 with Beveled Caps

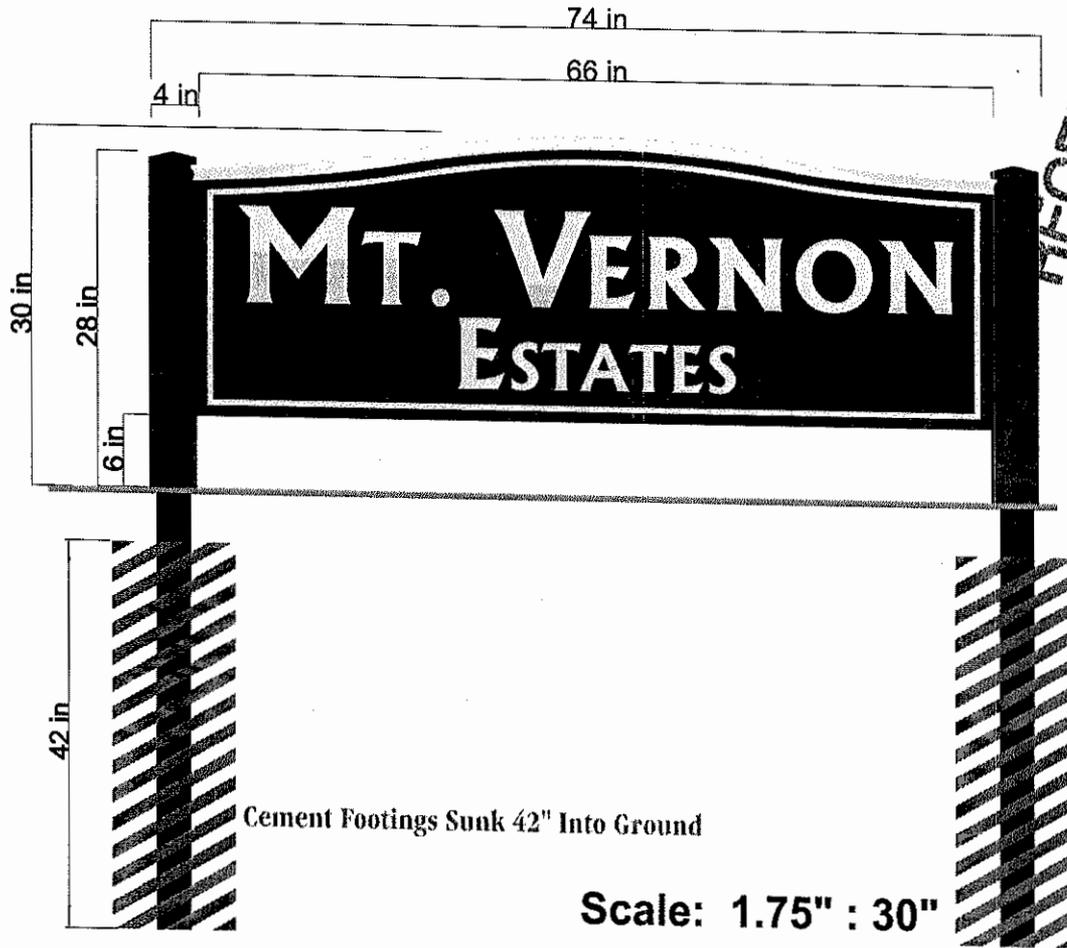
Both Sides Removable
 Stud Mounted PVC Letters

Over-All Square Feet:
 15.4'

6" Above Grade:

Location

Colonial Blvd.
 Entrance Island



Cement Footings Sunk 42" Into Ground

Scale: 1.75" : 30"

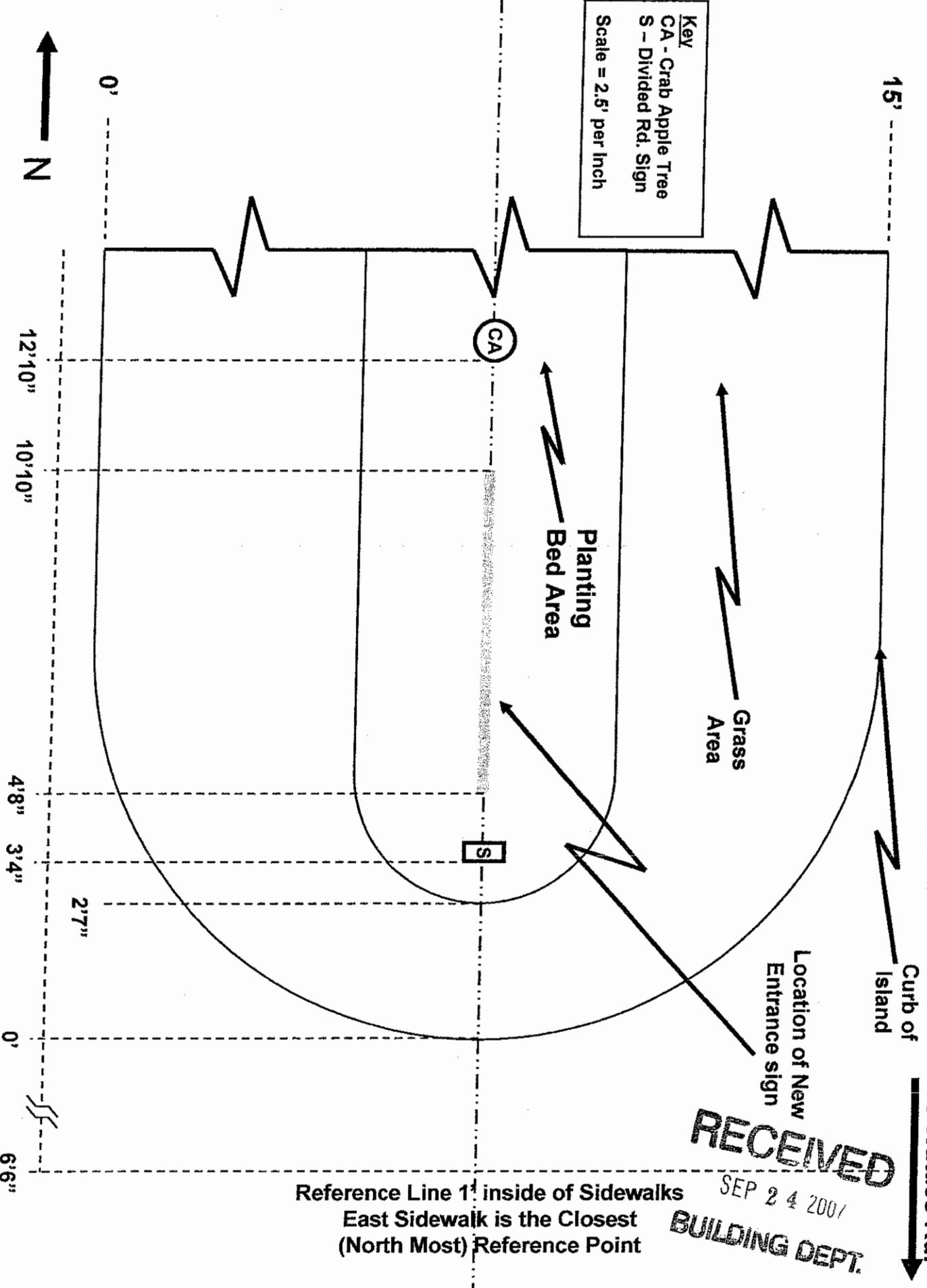
RECEIVED
 SEP 24 2007
 BUILDING DEPT.

Customer:	Date:	<p>All ideas, designs and plans indicated by this drawing are owned by Signs & More and were created and developed for use on and in conjunction with the specified project. None of such ideas, designs, or plans shall be used or disclosed to any person, firm or corporation for any purpose whatsoever without the written permission of Signs & More</p>	 <p>1633 Star Batt Dr. Rochester Hills, MI 48309</p>
Customer Signature:			

Colonial Blvd. Entrance Island

To Wattles Rd. ↓

Key
CA - Crab Apple Tree
S - Divided Rd. Sign
Scale = 2.5' per Inch



Reference Line 1 inside of Sidewalks
East Sidewalk is the Closest
(North Most) Reference Point

RECEIVED
SEP 24 2007
BUILDING DEPT.



SIGN PERMIT APPLICATION
CITY OF TROY
 DEPARTMENT OF BUILDING INSPECTIONS
 500 W. BIG BEAVER ROAD
 TROY, MICHIGAN 48084
 Phone: 248-524-3344
 Fax: 248-689-3120

RECEIVED
 SEP 24 2007
BUILDING DEPT.

SIGN

Date: 9/18/07

Project Information

Job Address: RAMBLEWOOD / WATTLES Suite # _____ Sidwell # _____

Property Owner: MT. VERNON ESTATES HOMEOWNERS ASSOC. Address: 4127 WASHINGTON CRESCENT DRIVE Phone # _____

Type of Sign: Ground Wall Special Event Sign Renewal Zoning District: R1C

Sq. Ft. Area of Front of Building Structure: _____ Land Area (if parcel is vacant): _____

Sign Size: Width 66" Height 24" Sq. Ft. Area: 11² 12.33

Ground Sign: Height from grade to top of sign 30" Distance from ultimate right-of-way 7' (SIDEWALK)

Are other signs located on property? No Yes Type GROUND* Size _____

Copy on sign: MT. VERNON ESTATES * TO BE REMOVED AND REPLACED W/ NEW

Illuminated Sign Yes No Electrical Connections by: _____

SIGN PERMIT FEE SCHEDULE

Size	Wall Sign Painted on Wall	Wall Sign Structurally Attached	Ground Sign
Under 100 sq. ft.	\$ 75.00	\$ 100.00	<u>\$ 125.00</u>
100 to 199 sq. ft.	\$100.00	\$ 125.00	\$ 150.00
200 to 300 sq. ft.	\$ 100.00	\$150.00	\$ 175.00
Special Event		\$30.00	

Applicant/Contractor Information

Name: SIGNS & MORE Phone: (248) 852-0683 Fax: (248) 852-0804

Address: 1633 STAR BATT DR. City: ROCHESTER HILLS State: MI Zip: 48309

Signature of Applicant _____ License # _____

FOR OFFICE USE ONLY:

Variance Granted? No Yes Date: _____

Special Stipulations _____

Sign Design

DOUBLE SIDED
 0.125" Thick Aluminum
 Sign Panels - Non-Illuminated
 Painted Medium Green
 PVC Crown Cap
 (Three 0.5" PVC Layers)

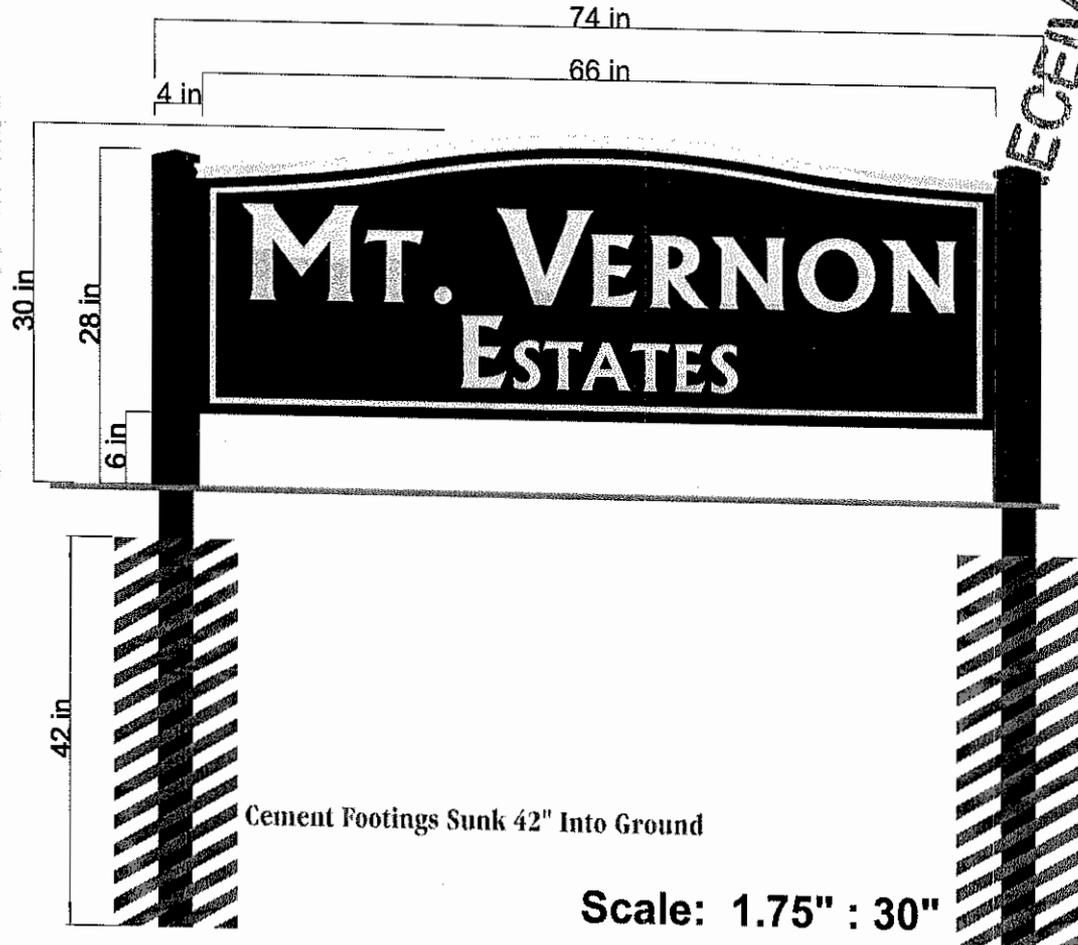
Two Aluminum Rectangular
 Poles (4" Square x 8 ft.)
 with Beveled Caps

Both Sides Removable
 Stud Mounted PVC Letters

Over-All Square Feet:
 15.4'

6" Above Grade:

Location
 Ramblewood
 Entrance Island



Cement Footings Sunk 42" Into Ground

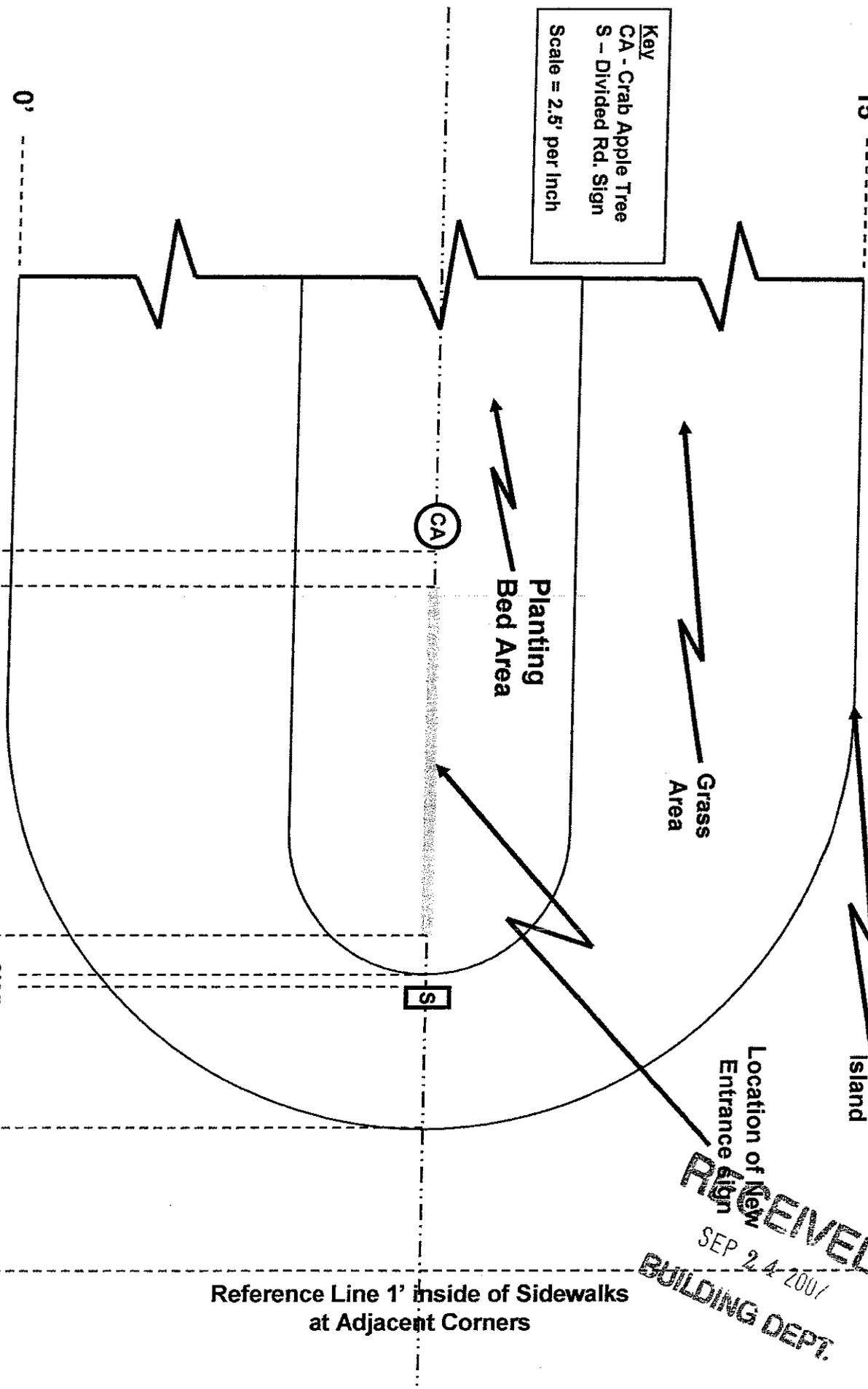
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Customer Signature:			

Ramblewood Entrance Island

To Wattles Rd.

Key
CA - Crab Apple Tree
S - Divided Rd. Sign
Scale = 2.5' per Inch



0'

15'

10'4" 9'6"

3'5" 2'6"

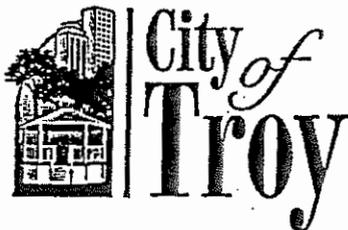
2'9"

0'

2'6"

Reference Line 1' inside of Sidewalks
at Adjacent Corners

RECEIVED
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BUILDING DEPT.



SIGN PERMIT APPLICATION

CITY OF TROY
DEPARTMENT OF BUILDING INSPECTIONS
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
Phone: 248-524-3344
Fax: 248-689-3120

RECEIVED

SEP 24 2007

BUILDING DEPT.

SIGN

Date: 9/18/07

Project Information

Job Address: MT. VERNON / JOHN R. Suite # _____ Sidwell # _____

Property Owner: MT. VERNON ESTATES Address: 4127 WASHINGTON CRESCENT Phone # _____
HOME OWNERS ASSOC.

Type of Sign: Ground Wall Special Event Sign Renewal ^{SR} Zoning District: R1C

Sq. Ft. Area of Front of Building Structure: _____ Land Area (if parcel is vacant): _____

Sign Size: Width 66" Height 24" Sq. Ft. Area: 117 12.33

Ground Sign: Height from grade to top of sign 30" Distance from ultimate right-of-way 4' (SIDEWALK)

Are other signs located on property? No Yes Type GROUND* Size _____

Copy on sign: MT. VERNON ESTATES * TO BE REMOVED AND REPLACED
W/ NEW

Illuminated Sign Yes No Electrical Connections by: _____

SIGN PERMIT FEE SCHEDULE

Size	Wall Sign Painted on Wall	Wall Sign Structurally Attached	Ground Sign
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Special Event		\$30.00	

Applicant/Contractor Information

Name: SIGNS & MORE Phone: (248) 852-0683 Fax: (248) 852-0804

Address: 1633 STAR BATT DR. City: ROCHESTER HILLS State: MI Zip: 48309

Signature of Applicant [Signature] License # _____

FOR OFFICE USE ONLY:

Variance Granted? No Yes Date: _____

Special Stipulations _____

Mt. Vernon Entrance Island

Curb of Island

To John R Rd.

15'

Key
CA - Crab Apple Tree
S - Divided Rd. Sign
Scale = 2.5' per Inch



0'

12'2"

10'3"

4'1"

2'6"

1'

0'

5'

CA

Planting Bed Area

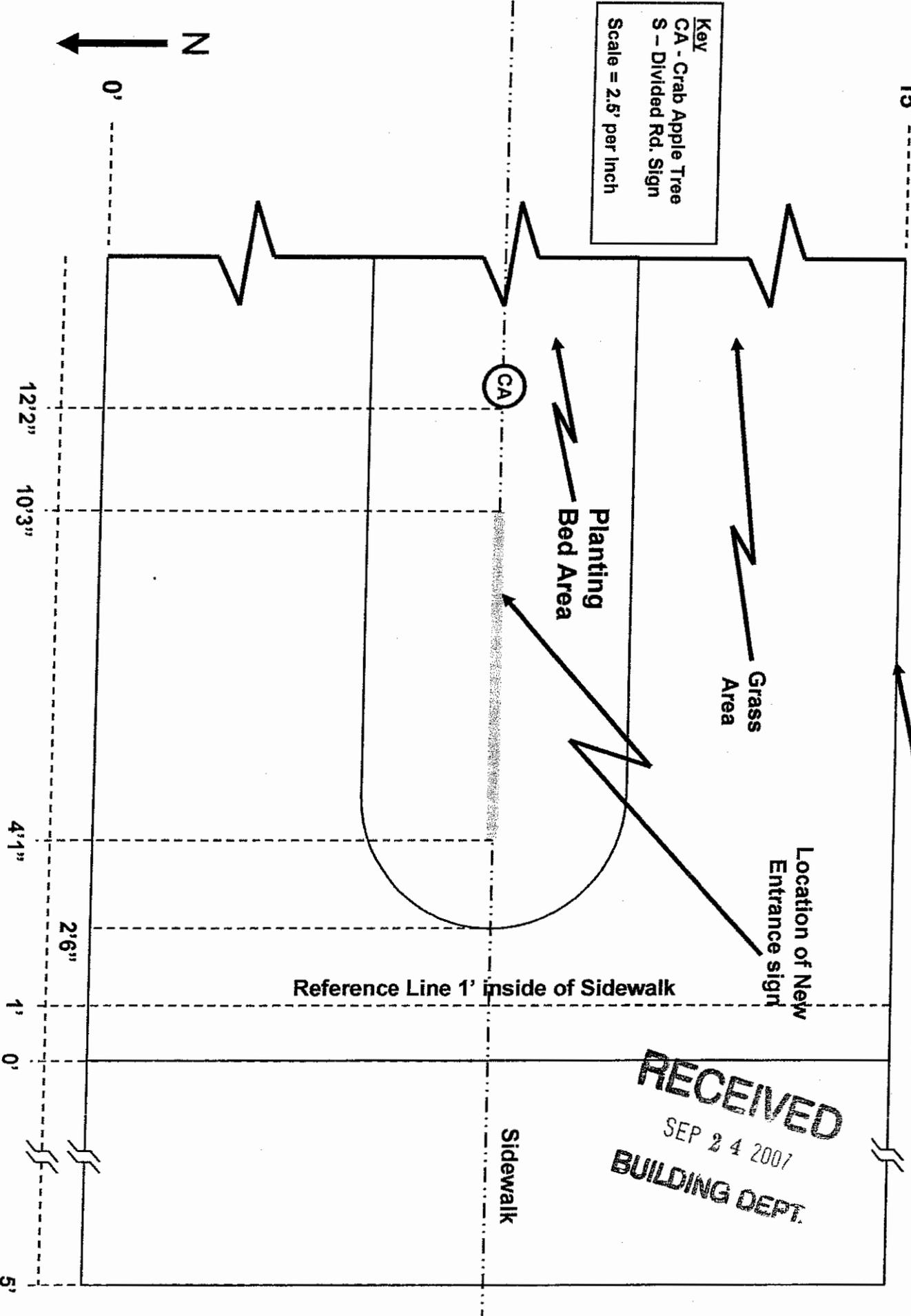
Grass Area

Location of New Entrance sign

Reference Line 1' inside of Sidewalk

Sidewalk

RECEIVED
SEP 24 2007
BUILDING DEPT.



ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID SK
MTVER-1
DATE (MM/DD/YYYY)
10/24/07

PRODUCER Emerson-Prew, Inc. 30600 Telegraph, Suite 3110 Birmingham MI 48025 Phone: 248-642-5900 Fax: 248-642-2310	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	INSURERS AFFORDING COVERAGE	NAIC #
INSURED Mt. Vernon Estates Homeowners Assoc., A MI Non-Profit Corp 4127 Washington Crescent Troy MI 48085	INSURER A: Auto-Owners Insurance Co.	18988
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	X	GENERAL LIABILITY	0400534207	07/01/07	07/01/08	EACH OCCURRENCE \$ 1,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
		<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person) \$ 5,000
		<input checked="" type="checkbox"/> D&O 1,000,000.				PERSONAL & ADV INJURY \$ 1,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER:				GENERAL AGGREGATE \$ 2,000,000
		<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				PRODUCTS - COMP/OP AGG \$ 1,000,000
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident) \$
		<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
		<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
		<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident) \$
		<input type="checkbox"/> HIRED AUTOS				
		<input type="checkbox"/> NON-OWNED AUTOS				
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
		<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY: EA ACC \$
						AGG \$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE \$
		<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE \$
						\$
		<input type="checkbox"/> DEDUCTIBLE				\$
		<input type="checkbox"/> RETENTION \$				\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS OTH-ER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT \$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$
		OTHER				E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate holder is included as Additional Insured. Should any of the policies be cancelled or a material change before the expiration date, the issuing company will mail 30 days written notice, with the exception of 10 days for non-payment of premium.

CERTIFICATE HOLDER

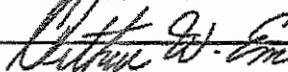
CANCELLATION

TROYC-1

City of Troy
500 W. Big Beaver Road
Troy MI 48084

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



MINUTES OF THE ANNUAL MEETING
MT. VERNON ESTATES HOMEOWNERS ASSOCIATION
June 14, 2006

The meeting was called to order by President, Chuck Folkerts at 7:05 p.m.

Introductions were made, and Chuck went over the Treasurer's report item by item.

Chuck informed the attendees that the Council of Troy Homeowners Association is no longer an organization.

Chuck discussed the status and improvements needed on the Mt. Vernon markers:

Ramblewood & Cumberland--crumbling and needs replacement.

Mt. Vernon--Fair shape--main pillar was hit by a car and cannot be rebuilt.

Colonial--Main pillar on East side is cracking--others in fair shape--starting to show cracking.

Chuck then showed pictures of all entrances and their deteriorating condition.

PROPOSAL:

Ramblewood & Mt. Vernon--

1. Double-sided sign on the islands--6 ft. long
2. Signs perpendicular to the main streets
3. Identification for both directions of traffic.
 - a. Requires agreement with the City of Troy.
 - b. We accept responsibility for maintenance and repair.
 - c. We provide proof of liability insurance.
 - d. Sign placement and size are controlled by ordinances.

PROJECT PLAN:

1. Obtain approval and signed legal agreement with the City of Troy.
2. Fund raising in the Spring/Summer of 2006.
3. Execute plan when sufficient funds are collected--TARGET DATE: FALL, 2006, for required landscaping changes and pillar removal as well as sign installation.

Chuck Folkerts moved and Robert Preston seconded to get approval and legal agreement with the City of Troy--motion passed unanimously. 

NEW BUSINESS:

Mike Mouranie moved and Robert Preston seconded to keep the present slate of officers for the 2006-2007 year. Robert Preston seconded--motion passed unanimously.

Minutes of the Annual Meeting
Mt. Vernon Homeowners Association
June 14, 2006

-2-

Dennis Daignault moved and Stan Edgle seconded to establish a Social Committee to organize and facilitate activities for our residents.

The amount for this committee was set at \$500. Invoices will be submitted to the treasurer for reimbursement. The committee co-chairs are Beth Mayne, 4130 Ramblewood and Lori Mouranie, 4197 Ramblewood.

Mike Mouranie moved and Stan Eagle seconded to adjourn the meeting at 8:15 p.m. and the motion passed unanimously.

Respectfully submitted,



Bonnie J. Daignault
Secretary/Treasurer
MVEHA