

OAKHURST COMMUNITY ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
 JANUARY 15, 2001 - 7:00 P.M.
 AT OAKS RECREATIONAL CLUB

I. CALL BUSINESS MEETING TO ORDER/DECLARE QUORUM

The Monday, January 15, 2001, meeting of the Oakhurst Community Association (OCA) Board of Directors was called to order at 7:09 p.m., by President Jeanette Reida, at the Oaks Recreational Club clubhouse. A quorum of the Board was present. Mary Armstrong called the Roll.

The following Board Members were in attendance:

ABSENT	PRESENT	BOARD MEMBER	BOARD TITLE
	X	Jeanette Reida	Director & President
	X	Kevin Suckow	Director & Vice President
	X	Mary Armstrong	Director & Secretary
	X	Therese Knight	Director & Treasurer
X		Kermit Lee	Director
	X	David Fish	Director
	X	Tom Ruvarac	Director

The following Neighborhood Representatives were in attendance:

NEIGHBORHOOD REPRESENTATIVE	REPRESENTING	NEIGHBORHOOD REPRESENTATIVE	REPRESENTING
Absent	Ashbrook	Absent	Stanfield
Charlotte Dockstader	Aspen	Debbie Beatty	Summerfield
Melinda Lerner	Aspen	Kim Karas	The Woods
Absent	Autumn Meadows	Linda Hunt	The Woods
Lynn Minnis	Breckenridge	Matt Tomy	Wild Meadows
Karyn Mrozek	Carriage Estates	Steve Bosco	Wild Meadows
Doug Gienger	Inverness	Absent	Autumn Lakes
Gary Grissinger	Inverness	Absent	Country Homes
Rick Mervine	Inverness	Absent	Heather Glen
Dennis Egan	Inverness	Neil DuBry	Townes Homeowners
Bill Poppe	Mayfair	Tamara Hatcher	Townes Condos
		Penny Priebe	Hunter's Glen

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Also in attendance was Kelly Henry from Baum Property Services.

II. NEIGHBORHOOD REPRESENTATIVE FORUM (Opening Comments)

There was a discussion regarding snow removal from the pathways around Steck School.

Debbie Beatty - Summerfield - Inquired as to whether anything could be done to get residents to shovel their sidewalks to accommodate children walking to and from school. Problem areas include corner houses as there are some who have not shoveled at all since the first snowfall.

Kevin Suckow replied that it is a City ordinance that you have to shovel. He suggested calling the City to report these areas. It was also suggested that Oakhurst could impose its own fines.

Bill Poppe - Mayfair - Responded that he lives on a corner and due to the snow plows, it is almost impossible to clear the sidewalks on the corners. Fortunately, he has a powerful snowblower, but some of his neighbors do not. Bill asked if it would be possible for the Association to take on some of the snow removal around the school area.

Jeanette stated that we have done the Fox Valley Park path to keep this clear. Jeanette suggested that the Board discuss this at the Communication Meeting and brainstorm some ideas.

Lynn Minnis - Breckenridge - Suggested that the parents of the school children take it on themselves to take turns making sure the paths were clear.

Rick Mervine - Inverness - Stated that the school has equipment but he is not sure if they can use it off of their property.

Debbie Beatty - Summerfield - Said that she had talked with the school about snow removal and they can only do the school property.

Bill Poppe - Mayfair - He stated that in looking at the recent correspondence from the Board, there seems to be an implication that there may be an attempt to raise assessments, as noted on the bottom of the sample ballot. He questioned what the intentions were.

Jeanette stated that the proposal was put on the ballot at the request of David Fish. She deferred comment to David. David responded that it was not a request to raise assessments, it was rather a request to lower assessments

for the multifamily units. He explained that to keep the budget balanced, it was made into a proposal to raise them for the single family homes.

Wayne Johnson - Stanfield - Questioned if the owners of the apartments get a full vote at the present time. He asked that if the assessments were lowered, would they pay less but still have the same voting rights. Jeanette replied that the apartments already pay less, as

per the CC&Rs. They pay a base assessment for every five apartments. Wayne questioned the amount of votes, does every apartment get a vote. Jeanette replied in the affirmative, there were 320 votes.

Neil DuBry - Townes of Oakhurst Homeowners - Asked if the letters regarding the Board position will be attached to the amendments for voting. Jeanette replied that this letter was not going to be forwarded to everyone, but a cover letter would be. Board positions would not be made known so people can make up their own minds.

Jeanette suggested that the proposed voting ballot be gone over item by item for comments, etc.

Item 1 - Make changes recommended by legal counsel

Bill Poppe - Mayfair - Stated that without being able to see the changes recommended, it is going to demand a "No" vote. Jeanette responded that the changes have been seen as they were the changes that were put in the draft copy received in October. Bill suggested that there needed to be reference to the document, perhaps transmitted again to the reps or tied to the question somehow. There were a few comments regarding this.

Item 2 - Animal and Pet Regulations

Jeanette explained that this says that Association would adopt regulations that mirror whatever the law is and that they would be enforced through regular procedures.

Item 3 - Use Restrictions

Wayne Johnson - Stanfield - Stated that his understanding is that these restrictions are to be pulled out of the CC&Rs, but questioned who would make the changes, would it be the Board or would it be voted on by neighborhood reps.

Jeanette replied that it was common practice in Associations that the Boards are the ones making Rules and Regulations. This is written into our current CC&R document. She explained that the neighborhood reps are the "police force" in that their power lies in electing the Board and also in removing the Board if the Board is not acting in the best interest of the Association. She feels that a proposed change should be published to the community, there should be a comment period, and that the change should not be effective unless the actual rule that is passed is published to the community. She believes that this is so important that it should be in the CC&Rs. She is proposing that this be added to the CC&Rs. This was not in version one, but should be on the final ballot.

Karyn Mrozek - Carriage Estates - Stated that she felt many people are concerned about abuse power in making Rules and Regulations.

Jeanette asked what Karyn felt about Jeanette's proposal of the amendment that Rules and Regulations cannot be instituted or changed without the three steps suggested. Karyn asked if during the comment period, do the people in the neighborhoods make their comments to the neighborhood reps to make their opinions known and then the voting members vote the way of their neighborhood.

Mary Armstrong - Secretary/Heather Glen - Stated that what Jeanette is proposing is in the Illinois Condominium Act and every townhouse or condo has to go by this.

Kevin Suckow - Vice President/Summerfield - Commented that this is actually better than what we have at present because the Board can still create Rules and Regulations, just not where it conflicts with what is already in Section XII.

Karyn Mrozek - Carriage Estates - Questioned if the procedure by which the Board determines how they come up with the Rules and Regulations be in the CC&Rs.

Jeanette replied that the three safeguards would be in the CC&Rs. In the Rules and Regulations, there would be procedures for petitioning for a change, etc., but before it becomes effective it would have to pass the three safeguards. She reiterated what Kevin said, that the Board now has the right to institute Rules and Regulations. She used the example of the rule from two years ago that stated that your barbecue grill must be stored in the garage. She stated that the Board made this rule, then rescinded it but never told anybody.

Neil DuBry - Townes of Oakhurst Homeowners - Asked if the Rules were to be passed by a majority of the Board.

Jeanette replied that the CC&Rs already say that the Rules and Regulations are passed by the Board, it does not specify a percentage, but must pass the Board by a majority. She read her proposal. "Shall changes to the Rules and Regulations be subject to advance notice to the community of the proposed change, an open comment period of not less than 30 days, and shall the change not be effective until the community is notified of the final version of the rule? Yes or No" If you vote yes on that, it will go into the CC&Rs.

Jeanette explained to Neil, who was not a rep until now, that they wanted to make this process as flexible as possible, because she feels that some of the neighborhood reps think that some things are so important that they should be left in the CC&Rs. She suggested that items 5, 6 and 7 on the ballot should be in the CC&Rs as these are things that should not be changed from year to year.

Bill Poppe - Mayfair - Suggested that the introduction to ballot item 3 be expanded to the specifics that are being put into the CC&Rs and then also, he believes there should be some words about who is going to have revision/approval rights of the Rules and Regulations.

Jeanette replied that this is already in the CC&Rs that the Board does Rules and Regulations, and that is why it is not on the ballot.

Bill asked if it could be put on the ballot. It was explained that it is not a change. Bill stated that it would explain what the people are voting on, and that the introduction should be more specific about what is being planned and that the Rules and Regulations document will be controlled by the Board. He also agreed that Jeanette's proposal was a good idea. He commented also on the original architectural standards from Aurora Venture regarding swimming pools in Oakhurst.

Neil DuBry - Townes of Oakhurst Homeowners - Commented on the Section 16 relating to underground utility cables and leaving this article in the CC&Rs rather than removing it as suggested by the attorney.

Jeanette replied that this was a good point and was not sure why it was suggested to remove this section.

Wayne Johnson - Stanfield - Questioned Section 10 regarding guns and if it was to be removed from the CC&Rs totally.

Jeanette explained that these are the items that the lawyer suggested be taken out.

Wayne asked if it would be addressed in Rules and Regulations or just removed from the CC&Rs.

Jeanette said that it would be removed from the CC&Rs and addressed in Rules and Regulations if so desired.

Wayne replied that there are laws regarding use of guns and that if something is put into Rules and Regulations, it needs to be enforceable or should not be a Rule. He suggested removing this item entirely as it is not enforceable by the Board as it is a City law.

Jeanette replied that it is up to the Association if it would be left in the Rules and Regulations, but what can be done in the document, even though it is not our Rule and Regulation, the residents can be reminded that there are laws on guns, and that if there is a gun discharged in the neighborhood that the police should be called.

Wayne questioned that when the Board votes on these issues, would they vote on each individual section at a time so that the people can say they like or dislike the items, or will all recommendations be voted on at one time.

Jeanette stated that the initial document would probably be done as an entire document, but the whole thing would be discussed item by item.

Item 8 - The voting percentage necessary to amend the CC&Rs in the future.

Jeanette asked for comments regarding this. She stated that they decided to use the number suggested by the lawyer. There were no comments.

The last item is regarding the multifamily units which has been discussed earlier.

Karyn Mrozek - Carriage Estates - Asked if the budget had to be kept the same and if the assessments were lowered for the multifamily, the single family assessments would be raised.

Jeanette responded that the bills had to be paid, so if one person gets a lesser rate, then the other people have to get more.

It was stated that the Reserve study is being redone and that if it is found that there is too much in Reserves, then one assessment could possibly be lowered without the other being raised.

Rick Mervine - Inverness - Suggested that perhaps this item could be set up as a table with individual categories showing the current rates versus the proposed rates.

Doug Gienger - Inverness - Wondered how the rates were established and why it has been decided that multifamily should be less than single family.

It was explained that the multi families have their own property manager, their own landscapers, they have much smaller property size. It was noted that many of the multi families want to disassociate from Oakhurst as they feel they do not get any benefit from Oakhurst.

Neil DuBry - Townes of Oakhurst Homeowners - Agreed that most of the multi families have their own association and pay another assessment, have their own management companies, landscapers, etc. They feel that Oakhurst being the "parent" organization does no more than maintain the signs.

Wayne Johnson - Stanfield - Responded to Neil's comments stating that Oakhurst does not cut the grass or remove snow from the driveways for the single family homes either. He believes that Oakhurst is being paid to take care of large common areas, i.e., the playing fields. He stated that there are many children that live in the multifamily homes that utilize the fields. He feels that being a part of Oakhurst has benefits such as raising your property value. He stated that he has a major problem with someone paying a lesser amount and getting a full vote.

It was asked how he felt about them paying less and getting a lesser vote.

Wayne replied that he felt if they were paying 60%, they should get 6/10 of a vote. Whether the multifamily homeowners use or do not use the common areas, they should pay for them.

Neil DuBry - Townes of Oakhurst Homeowners - Agreed with the concept that the amount being paid should be consistent with the representation that allotted.

Rick Mervine - Inverness - Stated that the single families and multi families have almost divergent interests as they have different needs, they are represented differently. Perhaps they should be separate. There are some common things such as the name.

It was suggested that a vote should be taken to sever the Associations. The statement was made that a lot of the multi family homes regret being a part of Oakhurst as they do not see any immediate benefit of being in Oakhurst. There was another suggestion that an alternative would be to eliminate the sub-associations and let the Oakhurst Association run everything. The response was that this would be complicated as the multi families deal with common walls, etc., that are very important to their housing.

Linda Hunt - The Woods - Stated that a lot of the restrictions have to do with single family issues, i.e., fences, but the multifamily homes get a full vote on this.

Unknown Person - A question was raised if the item was changed that in addition, the multi families would also a 50% vote. It was suggested that the homeowners in the multi families be asked if they agreed before it was added to the ballot. Jeanette added that perhaps a task force should be put together to explore this issue as it is very complicated for this ballot. It needs to be explored if the sub-associations should be severed completely. Mary Armstrong agrees with Jeanette and would like to talk to representatives from the multi family homes. It was suggested that the ballot still contain the lowering of assessments and in addition shall receive half the vote that a single family unit does. There was another suggestion that the entire issue be tabled until more information is gathered.

Bill Poppe - Mayfair - Recommended that the dollar amounts be taken out of the vote and change the wording on the ballot to say, "Shall the Board pursue multifamily units paying 50%..."

It was suggested that the question be put on the Oakhurst web site. The item will be withdrawn from the ballot at this time.

Penny Priebe - Hunters Glen Apartments - Commented regarding voting and assessments. She stated that these are two separate issues. The assessments for the apartments are based on the return on the apartments, what do each of them cost versus what homes cost. It has nothing to do with the voting percentage. She does agree though that multi families should not determine issues such as storage units, etc., which pertain to single family homes.

Linda Hunt - The Woods - Stated that she understands Penny's point, but she feels given the small percentage of multifamily reps that come to the meetings and voice opinions and do not come to vote, it holds back the passing of issues being voted on.

Jeanette asked for volunteers for the task force to study this issue.

Therese Knight - Treasurer/Inverness - Commented that after hearing the discussion about breaking things down, in Section 8 pertaining to basketball equipment, clotheslines, garbage cans, etc., asked if these items could be separated into 8a, 8b, 8c, etc.

Jeanette replied that this Section is just to take it out of the CC&Rs, not to address rules. They will be addressed separately in the future.

Mary Armstrong - Secretary/Heather Glen - Mary has a question from a Heather Glen rep. The way the document read to the rep was that when there was voting, they would not have to attend the meeting on February 5, just supply a piece of paper. The question is do they have to attend the meeting to vote.

Jeanette replied that their vote can be mailed in an envelope that will be supplied. It was suggested that the vote be postmarked by a week prior to the meeting.

Gary Grissinger - Inverness - Had a question regarding the letter that accompanied the sample ballot pertaining to including spaces for fellow reps to designate concurrence. He wanted to know why this information was wanted and how it would be used.

Jeanette said that it was to encourage caucusing so that there was feedback so that there would be feedback and everyone's opinions would be heard. The only vote that can be accepted is that of the voting rep.

Penny Priebe - Hunters Glen Apartments - Stated that a woman fell on the sidewalk on the outskirts of their property, and wondered whose responsibility is that particular sidewalk. They are doing interior sidewalk work, but the accident happened between the parkway and the property.

Jeanette responded that it would be looked into.

Wayne Johnson - Stanfield - Questioned the City law that there be a reasonable effort made to clear sidewalks of snow, why can't the school district be held to this law. There is a common area along the school property and if the school district 204 is the owner, then it should be their responsibility to keep the sidewalks clear.

Jeanette replied that the school does plow its sidewalks, and that Debbie Beatty was talking about the sidewalks leading up to residents' houses to the school.

Lynn Minnis - Breckenridge - Commented regarding the statement concerning utility lines not being pulled out of the CC&Rs.

Jeanette agreed that it would not hurt to leave it in.

III. RESIDENT FORUM

Jeanette asked if there were any residents who wished to address the Board this evening.

There were none.

IV. APPROVAL OF NOVEMBER 20, 2000 MEETING MINUTES

Jeanette entertained a motion to approve the Minutes.

MOTION: Mary Armstrong moved to approve the Minutes. Kevin Suckow seconded the motion.

DISCUSSION: None.

VOTE: Motion passes, 4-0 with one abstention.

V. DIRECTORS AND OFFICERS REPORTS

A. David Fish- Director - Reported that the annexation of Ryland is done. Ryland executed a check for approximately \$10,000.00 to reimburse the Association for sign costs, landscaping, etc. Jeanette stated that it also included reimbursement for legal fees.

B. Jeanette Reida - President- Reported that the dirt pile got moved. It was questioned if this site would be planted on this year. Jeanette said that she understood the grass had to be grown for a year first. She stated that the Board needed to write a letter to the Park District regarding repair of the sidewalks there as they should be fixed before the transfer takes place. It was asked if when they fixed it, could there be a curb cut put in for a bike trail. Jeanette made note of this request.

Neil DuBry asked what was going to be put at this site.

Tom Ruvarac responded that it would be a neighborhood park/playground. A neighborhood committee would be formed with the Park District to review what would be put there. It was noted that the plan is that lights would not be put there; however, the neighborhood committee has to have a discussion with the Park District as there is not supposed to be any structure at the park; however, last fall the Park District stated that they were getting pressure from the Aurora Rotary Club to put in a pavilion because it is at the end of a bike trail, which mandates lights for safety, and which violates the initial rules of putting no lights there. Tom is planning on organizing the neighborhood committee and ensuring that no lights get put up in that park. There will be an informal ball field, playground equipment,

and perhaps half court basketball. Full court basketball tends to attract people from outside the neighborhood to play there, so half court is usually put in the smaller neighborhood parks. He also stated that the Park District would not take title to the land until it is graded and seeded and the grass has taken root.

VI. TREASURER'S REPORT

A. CASH SUMMARY - Therese Knight gave the Cash Summary report.

In Operating Funds, the net checking account is \$130,206.93. There was a transfer of \$127,000.00, and the final balance is \$3,206.93. Net Operating Investments is \$18,793.17. The final balance including the transfer amount of \$127,000.00 is \$145,793.17. Total Operating Funds, \$149,000.10. The total Reserve Funds is \$167,086.36. The grand total cash position is \$316,086.46.

Collections have past due approximately \$15,000.00 as of December 31, 2000. \$5,000.00 of these were sent to the lawyer of which he collected approximately \$1,300.00. There was loss of approximately \$7,380.00 due to bankruptcies or foreclosures.

VII. COMMITTEE REPORTS

A. Kevin Suckow - Modifications

The year has progressed well, there is some catching up to do from the winter. On the agenda is the development of some pre-approved standards.

VIII. MANAGEMENT REPORT

Kelly Henry reported that the first item is that Baum has been working on obtaining landscape bids. Specifications have been sent out to seven different landscape firms and were due back on the 12th. Three proposals have been received and two more are believed to be on the way. It is hoped that by the Communications Meeting there should be a grid with comparison of landscape firms. Item number two has already

been discussed, the Ryland annexation. Item three is Reserve study update proposal. There is a proposal from HDIS to update the Reserve study. The total amount for that update would be \$3,000.00; \$1,500.00 for the technical assessment and \$1,500.00 for the analysis of repair or replacement costs.

Jeanette said that this would be discussed further at the Communications Meeting, but that a limited update would be in order as there was not need for a full update and did not want to spend \$3,000.00.

Kelly gave a sign update. Independent Outdoor Signs has completed the refurbishing of the Heather Glen sign and also changing the name on the Country Homes sign. In the Spring, they will do an entire survey of the property and prioritize what signs need to be done and in what order. Dick Briel has removed one of the directional signs and when the weather permits, he will remove the other one.

IX. OLD BUSINESS

A. SIGN RENOVATION

This will remain under Old Business until weather permits.

X. NEW BUSINESS

A. LANDSCAPE PROPOSALS

There are none to evaluate at the present time.

Dennis Egan questioned Kelly about the statement she made that the bids were due back by the 12th. He wondered about the two bids that she said she was expecting. Kelly replied that these two firms had called for an extension. Dennis asked if everyone was afforded the opportunity of an extension because if these two companies were allowed to send in bids after the 12th and become one of the successful bidders, the other people have a right to litigation as a result of this fact. Kelly said that if any of the other companies had called for an extension, they would have been given one.

XI. NEIGHBORHOOD REPRESENTATIVE FORUM (CLOSING COMMENTS)

Bill Poppe - Mayfair - Commented that in the Aspen neighborhood there is a sign that someone cut down and there are still two posts sticking out of the ground. He asked if these were going to be removed after the winter and who would remove them.

Jeanette made note of this.

Melinda Lerner - Aspen - Asked for updates on the web site as the information is very outdated.

Therese Knight volunteered to go through the information that could be added/deleted. It was suggested that the news on the playground would be good information to add.

Jeanette added that Therese should talk to Neil DuBry regarding road projects that will affect the neighborhood, i.e., construction on Eola Road.

Kim Karas - The Woods - Noted that in the 60504 newspaper, there was an article asking for information from homeowners associations and perhaps it would be worth looking into. She also asked about the Welcome Committee.

Linda Hunt - The Woods - Responded with information to the new reps at the meeting that the Welcome Committee brings the welcome packets to the meetings and the reps hand them out to the new people in the neighborhood.

Penny Priebe - Hunters Glen Apartments - Commented on Neil DuBry's remarks regarding construction. Stated that her neighborhood received a letter from the City regarding the expansion of New York Street, plans for the bike trail, etc., and the Hunters Glen property was going to be surveyed for this. Wanted to know if the Association needed to be made aware of this.

Jeanette replied in the affirmative that the Association should know about this.

XII. ESTABLISH NEXT MEETING DATE

The next meeting will be February 19, 2001. The next Communications Meeting will be February 5, 2001 at 7:00 P.M. and the ballots would be counted at this meeting.

Jeanette explained that the ballot will go to the residents with a cover letter telling them to contact their voting reps with their opinions. The official ballot will be mailed to the voting reps on the 25th.

XIII. ADJOURNMENT OF BUSINESS MEETING

Jeanette entertained a motion to adjourn the meeting at 8:38 p.m.

MOTION: Kevin motioned to adjourn. Mary seconded the motion.

DISCUSSION: None.

VOTE: Motion passes, 5-0.

Respectfully submitted,

Mary Armstrong
Secretary
Oakhurst Community Association