

OAKHURST COMMUNITY ASSOCIATION, INC. BOARD OF DIRECTORS MEETING

May 16, 2000 - 7:00 p.m.
at Oaks Recreational Club

MEETING MINUTES

I. CALL BUSINESS MEETING TO ORDER/DECLARE QUORUM

The Tuesday, May 16, 2000, meeting of the Oakhurst Community Association (OCA) Board of Directors was called to order at 7:00 p.m. by Vice President, Nick Furibondo, at the Oaks Recreational Club clubhouse. A quorum of the Board was present. Kevin Suckow called the Roll. The following Board Members were in attendance:

Absent	Present	Board Member	Board Title
X		Bob Nasenbeny	President
	X	Nick Furibondo	Vice President
	X	Kevin Suckow	Secretary
	X	Jeanette Reida	Treasurer
	X	Kermit Lee	Director
	X	David Fish	Director
	X	Mary Armstrong	Director

Also in attendance was Property Manager Kelly Henry representing Mike Baum Associates, and the following Neighborhood Representatives:

Neighborhood Representative	Representing	Neighborhood Representative	Representing
Joan Hurst	Aspen	Kim Karas	The Woods
Charlotte Dockstader	Aspen	Karen Mrozek	Carriage Estates
Doug Gienger	Inverness	Karen Troller	Townes of Oakhurst Condominiums
Therese Knight	Inverness		

Vice President Nick Furibondo welcomed everyone to the meeting. He stated that Bob Nasenbeny had a business meeting downtown and was not able to attend this meeting.

II. NEIGHBORHOOD REPRESENTATIVE FORUM (Opening Comments)

Nick asked if there were any neighborhood reps who wished to address the Board this evening.

Karen Mrozek - Carriage Estates - Had a question about the rules regarding having boats or trailers parked in driveways. Nick responded that he recalled there being a resolution allowing a 24-hour limit for parking of such vehicles.

Theresa Knight -Inverness - Wondered about the outcome of e-mails etc., regarding the building of playgrounds in the subdivision. Nick said that an e-mail came in from the Fox Valley Park District stating that \$75,000.00 has been approved by the Park District to put playground equipment at the Cheshire Lake park. Theresa also questioned the issue of a special assessment to build various playgrounds in Oakhurst, if it was still under consideration. Nick responded that no decisions have been made.

Kevin Suckow commented on the \$75,000.00 project. He believes that there are six neighborhood representatives that formed a committee to assist the Park District with the allocation of those funds. He noted that Kim Karas is one of the representatives, as well as Sharon Danielson, and John DiJohn. He asked that Kim could bring updates to the next meeting.

Kim Karas - Woods of Oakhurst - Stated that Bob Nasenbeny had mentioned that a representative from the Fox Valley Park District would be attending this meeting, wanted to know if he was going to be here. Nick replied that he was not here, and so did not expect him.

III. RESIDENT FORUM

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

Linda Hunt - Woods of Oakhurst - Wanted to know what it takes to become a representative, was under the impression that there was an open position in the Woods. Kevin confirmed that there is an open position. He and Nick responded that there was an election but if there was an open position and someone wanted to fill that position, they would be accepted unless the number of persons wanting to fill the vacancy was greater than the number of positions opened. In that case, an election would be held.

Linda was accepted as the third representative for the Woods of Oakhurst. It was explained that the term is for one year's time.

Nick noted that the meeting was now moving into the business portion.

IV. APPROVAL OF APRIL 20, 2000 MEETING MINUTES

Nick stated that he e-mailed out the Minutes last night and all changes were incorporated. It was brought to Nick's attention that the date of the next meeting was incorrectly stated as June instead of May. Nick made this change. Kevin noted that on page 5, third paragraph under Bob Nasenbeny's report, there was a error in words where it is typed "extensive," it should read "expensive."

Nick entertained a motion to approve the Minutes as amended.

MOTION: Kevin Suckow moved to approve the Minutes. Jeanette Reida seconded the motion

DISCUSSION: None.

VOTE: Motion passed, 6-0.

V. DIRECTORS AND OFFICERS REPORTS

A. Jeanette Reida - Treasurer

Jeanette stated that she has been working on several items, one of which is the new Ryland townhouse development on Kautz Road and New York Avenue called Abbingtion Woods. Part of this parcel of land is within Oakhurst though the majority is not. Autumn Meadows backs up to this development, and a survey was sent out to them to ask how they felt about the issue of annexing the entire development into Oakhurst. There are 58 lots in this parcel and from the 21 surveys returned, 20 said to annex it.

Jeanette stated that there is \$21,604.23 in the checking account. Bills need to be paid in the amount of \$27,672.78, leaving a shortfall of \$6,068.56. She proposed that \$10,000.00 be put into the account to cover the bills, leaving a balance in checking of \$3,931.44. Currently, in Operating investments, there is \$55,478.58. The \$10,000.00 would be taken out of the money market account and put into checking, leaving a balance of \$45,478.58. In Operating investments, there is a CD which matures on August 10 at a rate of return of 6.1%, the amount of \$50,000.00. Total Operating funds are \$99,410.02. In Reserve funds, there is \$4,661.80 in a money market with a 7-day yield of 6.01%. There is a CD which matures August 10 at the rate of 6.1% in the amount of \$45,000.00. Another CD matures on May 10, 2001, at 6.85%, the amount of \$100,000.00. Total Reserve funds are \$149,661.80. The grand total cash position is \$249,071.82. CDs are being purchased through Vanguard who can get CD rates from across the country, thereby getting higher yields and a better rate of return than by staying in local banks. Funds that are not invested in CDs are in a money market fund paying higher than we can get at local banks.

B. Nick Furibondo

Nick reported that he is primarily working on the rewriting of the CC&Rs. He stated that at the previous Board meeting, it was decided to use the Pearlstein firm to act as the attorneys to guide the Board through the process of rewriting the CC&Rs. He called Mark Pearlstein who agreed to look at the CC&Rs and make recommendations on what should be done. On May 8, Nick received a letter from Mark making recommendations on what needed to be changed, and most of it focused on how business is done, i.e., succession to the Board, what happens if a Board member retires, moves, etc., how reps are chosen. He strongly encouraged pulling out of the CC&Rs those issues that are likely to change over time, such as basketball hoops, above ground pools, etc., that do not need to carry the full weight of law.

Nick plans to call a meeting together of the people that have asked to work on this project.

C. David Fish - Director

David reported that an issue had been brought up regarding underground pet fences. A past Board had prohibited them. He stated that they can no longer be prohibited, above ground fences can be regulated but an underground fence is invisible and cannot be regulated. Another issue was raised concerning overcrowding of people in homes. He said that regulations can be set for nondiscriminatory purposes. There is an Aurora regulation on this issue based on square footage. He will look into this. He also stated that there have been a lot of questions regarding developer signs that are up. Per the CC&Rs, developers cannot be forced to remove signs until all units are sold. It was brought to David's attention that Chris Beykirch was looking into this and had written to Aurora Venture, and that the city of Aurora can have the developers remove signs, i.e., the banner sign on Eola. David brought up a past issue of suing Aurora Venture for past unpaid assessments and the fact that it would be more expensive to pursue this than what would be collected. He wanted to bring up the issue so that the sub-associations, i.e., condo developments, are also owed money as well. He stated that it was more of a clear-cut case for these associations because the condominium property act says clearly that the assessments have to be paid. If the subassociations would be interested in pursuing this, he would be happy to provide any information as well as the name and number of the attorney. It was brought to David's attention that Heather Glen just won a case and recovered \$11,000.00 out of the \$12,000.00 owed, the rest going for attorney fees. The amount owed Oakhurst was estimated at \$27,000.00 in assessments plus late fees.

D. Kermit Lee - Director

Kermit noted that at the Communications meeting, he was asked to check into an alternate method of procuring trash cans for the area. He has not been able to find these at Home Depot or Menards, etc., as there is not a demand for them and will not special order them. He suggested purchasing 55-gallon drums, painting them and putting them up at a cost of approximately \$60.00 each. The other cans range from \$200.00 to \$600.00. He was also asked to look into the courtesy "poop-scoopers" along the dog runs, with plastic bags inside. He checked with Chesapeake Landing as they were supposed to have these, but they did not know anything about it. He stated this is still an open item. Kermit stated that last week he e-mailed Alderman Beykirch regarding a problem at the Townes of Oakhurst. One of the cul-de-sacs has trucks and cars that park there on the weekends, making it difficult for snow removal trucks in the winter, and his main concern being for emergency vehicles being unable to enter this court. He also noted that last summer a 60-foot trailer home parked there for a week and hooked up to water and electricity. Nick remarked that it was decided that the Board has no jurisdiction over city streets but that on private streets, we have complete authority to control parking. Nick also stated that he wanted to revisit the garbage can issue at a Communications meeting. Kermit also brought up the issue of replacing/adding lights on the pavilion. A brief discussion ensued regarding the cost of replacing/adding these lights. Two firms have bid on this for \$500.00.

Nick entertained a motion to expend \$600.00 for additional lighting for the pavilion.

MOTION: Kevin Suckow moved to approve this expenditure. The motion was seconded by Jeannette Reida.

DISCUSSION: There was a brief discussion regarding the site of this light which will be on a pole and is to project light into the parking lot.

VOTE: Motion passes, 5-0.

E. Kevin Suckow - Secretary

Kevin thanked Nick for drafting the Minutes from the last meeting. He also noted that as of this meeting, Mary Armstrong will be responsible for taping the meetings and delivering the tapes to the transcriptionist, who will forward them to Kevin for review, editing and final approval. Kevin stated that his issue was to look into the dirt mound on Oakhurst Drive. The Fox Valley Park District believes that the Aurora Venture will have this cleared out by the end of June, and then it will be flattened and seeded for new grass. Aurora Ventures' opinion is that this is supposed to happen at the end of August. He also mentioned that there have been some quality issues with Western DuPage Landscaping which will hopefully be resolved. The Welcome Committee has packets being printed and after this is completed will meet to determine the best route of delivery. He is again looking for volunteers to welcome new residents into Oakhurst and provide them with this packet. Kevin brought up a newspaper article regarding the Autumn Lakes Condominium Association which was very damaging to them. He is concerned that this would be misconstrued as the Oakhurst Association and would be damaging for the Oakhurst community. He suggested that the Board respond to the Fox Valley Villages paper. It was noted that an abuttal was sent to the newspaper by Kathy Pruess from Aurora Venture, but Kevin felt the Board should respond as well. It was suggested that this be discussed at the Communications meeting.

V. MANAGEMENT REPORT

Kelly Henry presented the management report. The first two issues regarding sign removal and the clubhouse garbage cans have already been discussed. In item number three, Kelly suggests another law firm located in Aurora for making collections for the Association. She believes their prices to be very reasonable for sending out collection letters, the first collection letter being \$20.00. If not paid within 30 days and require a lien, the cost would be \$75.00. Item number four was that there had been many e-mails regarding a home which had several violations in their landscaping. This has now been corrected. Sign information was the fifth item to be discussed. Kelly and Bob Nasenbeny will meet with Signs Now of Naperville to look at the actual sign and to work up the language, if approved at tonight's meeting, and to order some of the signs to be put in around the Oakhurst fields regarding no golfing, picking up after your pets, etc. Nick asked for her recommendation as to the cost of the signs. Kelly replied that it would cost \$95.00 for an 18 x 24 inch double sided aluminum sign. She replied that Bob thought there might be need for three or four signs. Nick proposed that perhaps more signs should be ordered for other parts of the community where these problems exist. The sixth item concerns the neighborhood sign renovations. John Rahn has volunteered to look at individual signs and prioritize which signs need work and which do not. Item number seven, a pavilion cleaning proposal has been made to clean the pavilion every other week for \$100.00 per occasion or on a weekly basis for \$75.00. She stated that from last year's financial report, \$200.00 was spent each month for cleaning. She recommends that the every other week program be started and see how it goes, if it needs to be done more frequently or not. Item number eight, Kelly has included a listing for what Western DuPage Landscaping is doing on a weekly basis for the landscape report. Kelly states there have been numerous phone calls from the multifamily association questioning the reason why some of the entrances have tulips and others do not. Kevin replied that there is a landscaping plan for the main entrances and another for secondary entrances. A discussion ensued as to what areas the Oakhurst master association is responsible for as well as for which landscaping plans. Nick will discuss this with Jim Boyne of the Landscaping Committee as this issue needs to be evaluated. Kelly states that another issue is that Western DuPage needs to finish up in Summerfield, Aspen and Wild Meadows.

VI. OLD BUSINESS

Sign removal has been discussed. The playground equipment has been discussed. There was no other old business.

VII. NEW BUSINESS

- A. There is a request to spend \$650.00 for two 8 foot crab apple trees to be planted at McCoy and Oakhurst Drive.

Nick entertained a motion that \$650.00 be appropriated for the two crab apple trees.

MOTION: Mary Armstrong moved to approve this expenditure. Kevin seconded the motion.

DISCUSSION: None.

VOTE: Motion passed, 6-0.

- B. There is a contract tennis agreement with Rush-Copley which is similar to the contract with AYSO for soccer. The insurance letter has been included in the packet.

Nick entertained a motion that this agreement with Rush-Copley be approved and sent to Rush-Copley to be signed by them.

MOTION: Jeanette Reida moved to approve the contract. Kermit seconded the motion.

DISCUSSION: Kevin inquired if the residents get priority for the tennis courts. Nick replied that there is no provision in the contract for such an item. He also noted that there was no set time for Rush- Copley's usage, although they are to provide a schedule.

VOTE: Motion passed, 5-0.

- C. Nick reported that there is a resolution that will be prepared regarding a builder who completed a home but did not put in landscaping. The terms of their agreement as well as being a city regulation is that landscaping must be installed upon completion of the home or that money is escrowed until done. It was brought to Nick's attention that the home is still owned by the builder and there is no driveway either.

Nick replied that there was to be a vote at this meeting on preparing a resolution for a \$1,500.00 fine to be levied against a builder that does not install landscaping within an appropriate time. Kermit stated that this same builder has an unkempt lot in Wild Meadows which is strewn with rocks, etc., and is an eyesore. Kevin asked if this fell under unkempt property. A discussion ensued as to setting specific terms for the resolution before voting on it, establishing a fine for developers, etc.

Nick entertained a motion to establish a fine of \$1,500.00 for a parcel developer in violation of the unkempt property provision as stated in the CC&Rs.

MOTION: Kevin Suckow moved to approve this. Kermit Lee seconded the motion.

DISCUSSION: None.

VOTE: Motion passed, 6-0.

David Fish will write up this resolution.

IX. NEIGHBORHOOD REPRESENTATIVE FORUM (Closing Comments)

Nick asked if any neighborhood representatives wished to address the Board.

Kim Karas - The Woods - Kim inquired as to how many builders the new resolution would affect. It was stated that it would affect the new Ryland development as well as the two unkempt lots. She also brought up the underground pet fence issue, stating that in the CC&Rs it is not allowed. It was noted that this was not in the CC&Rs, it is a resolution which is different. It was stated that this would be removed and there would not be enforcement of it. This would be tabled until the next meeting.

Kim also questioned the difference between a private street and a city street in a neighborhood. It was answered that if it is curved, it is a city street as they require all city streets to be curbed. If blacktop meets grass, it is a private street. This explanation comes from the city itself. Kim also asked if there was a way the city or Alderman Beykirch could talk to the builder about these unkempt lots. Kelly stated that Mike Baum had talked to Alderman Beykirch about this and she would follow up on it. Kim also asked if there were maps available of the subdivisions within Oakhurst. A brief discussion followed.

Lynn Minnis - Breckenridge - stated that she printed out CC&Rs from web site. Was wondering how to know where CC&Rs stop and resolutions start, as the pet fence issue was on the web site. Nick responded that section 12 is for use restrictions. A discussion regarding this issue ensued.

Unknown Neighborhood Representative - questioned the methodology to be used for amending the CC&Rs. Wanted to know if the OCA web site would be used as a method to review. Nick replied that a committee has been formed and they need to meet to decide how it will be done. The first plan is to take the existing documents and pull out from section 12, the use restrictions, and make them individual resolutions. Once this is done, they need to be voted on. The governing document also needs to be voted on.

Unknown Neighborhood Representative - questioned the appearance of the turnaround point in the median area at Oakhurst Drive near Eola. Kermit replied that previous builders dissected the median strip for a turnaround point. He states that this median has become an eyesore and should be returned to one continuous strip where trees should be planted and landscaped. Nick asked that Kelly look into this. Another item of concern was that in Wild Meadows there is a lot of speeding traffic with cars looking for a cut through and finding none. He would like to have a no outlet sign put up. It was stated that the city had to supply this sign.

X. ESTABLISH NEXT MEETING DATES

The next meeting of the Board of Directors will be on June 20th, 2000.

X. ADJOURNMENT OF BUSINESS MEETING

MOTION: Kevin Suckow made the motion, seconded by David Fish
DISCUSSION: None
VOTE: Passed, 6-0

Respectfully submitted,

Kevin Suckow, Secretary
Oakhurst Community Association