

OAKHURST COMMUNITY ASSOCIATION, INC.

BOARD OF DIRECTORS MEETING

NOVEMBER 20, 2000 - 7:00 P.M.

AT OAKS RECREATIONAL CLUB

I. CALL BUSINESS MEETING TO ORDER/DECLARE QUORUM

The Monday, November 20, 2000, meeting of the Oakhurst Community Association (OCA) Board of Directors was called to order at 7:00 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	President
	X	Kevin Suckow	Vice President
	X	Mary Armstrong	Secretary
	X	Therese Knight	Director
	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	Bob Dixon	Mayfair
Charlotte Dockstader	Aspen	Colleen McKinley	Summerfield
Melinda Lerner	Aspen	Wayne Johnson	Stanfield
Joan Hurst	Aspen	Kim Karas	The Woods
Absent	Autumn Meadows	Linda Hunt	The Woods
Lynn Minnis	Breckenridge	Matt Tomy	Wild Meadows
Jonathan Lack	Carriage Estates	Absent	Autumn Lakes
Doug Gienger	Inverness	Absent	Country Homes
Rick Mervin	Inverness	Absent	Heather Glen
Gary Grissinger	Inverness	Absent	Townes Homeowners
		Absent	Townes Condos

Also in attendance was Kelly Henry from Baum Property Services.

II. NEIGHBORHOOD REPRESENTATIVE FORUM (Opening Comments)

Jeanette asked if there were any neighborhood reps who wished to address the Board this evening. She stated that she particularly wanted them to address the CC&R amendment process. The day after the last meeting, she was informed by our attorney that there were not enough votes to pass this as the vote should have been taken of the entire residents not just those residents represented at the meeting. She wants to give each neighborhood a chance to express their opinion and give input into this matter.

Joan Hurst - Aspen - Voted for the amendment. Jeanette asked if there was anything about the process that needed to be changed the next time around. Joan Hurst asked if the process could be streamlined.

Jeanette replied that she thought that much had been learned by this process, but we needed to come to terms on specifics and make sure that everyone understands each item to be voted on. There seemed to be a lot of confusion about the percentage to change the CC&Rs. She checked with the lawyer and found that an option like that could be separate, so if you do not want to vote for one item but you do want the rest, then you can do so.

Lynn Minnis - Breckenridge - Lynn stated that she thought the amendment should have passed. She thought there should be some kind of commitment when you agree to be a representative to be a part of the process and show up for the vote. She noted that there were not enough people there to make the vote. She used her neighborhood as an example that although there are three representatives for Breckenridge, to her knowledge she is the only rep that has shown up for meetings this past year. She felt it unfair to the Board and to the people that they are representing. She states that your home is the largest investment you may have and it is in your own best interest to be in a community that everyone supports, etc., and it cannot happen with just seven people doing it.

Jeanette replied that she agreed with her comments. She said that one thing learned is that there could have been written approval for the amendment, that the reps did not have to show up at the meeting. She approached two of the three people that were not present at the vote for the amendment and she got one to agree, one did not, and at that point it was pointless to approach the third. She suggested that if there were to be another vote, there could be a written ballot, it could be lined out with yes or no for each item, and you would not have to be present at the meeting to do so. She noted that the lack of communication from the community is a concern that needs to be worked on.

Jonathan Lack - Carriage Estates - Stated that there needed to be a better hand-hold on what it is they are trying to do and what road to take to get there. He said that they do not even know what they need to do and have already been told that they have failed, and they still do not know what they need to do. If people do not know about the meetings, they cannot be there to vote. They cannot even vote by proxy because they do not know what they are supposed to be voting on. He did not think anybody had a real

understanding of what was being voted on as far as changing the percentage in order to get rid of the CC&Rs or which document was being overwritten. He thinks it needs to be presented prior to the vote, everyone needs to know about for participation and input, then just at the night of the vote.

Karyn Mrozek - Carriage Estates - She felt that she understood what was going on the night of the vote, but it was still very confusing for her as she believed it was for a lot of the other people in the room. She also commented that the same reps show up at the meetings all the time and there are at least three times as many people that should be there.

Gary Grissinger - Inverness - He noted that it has been mentioned that one thing that needs to be communicated better is what is being voted on, how to vote, and what it is all about. He thinks there was a lot of confusion in regards to splitting out the Rules and Regulations and the regular CC&Rs, who was to vote on what and how things would be changed. He stated that in redoing this, these things need to be made clear. He suggested that if proxy voting is not in the document, then perhaps it should be added because a lot of people work and cannot make the meetings.

Jeanette replied that on the voting procedure, she intends to send the wording of the changes, the procedure that will be used, and run it by the lawyer first and make sure that there are no challenges to that from him.

Jeanette asked that as far as the controversy about the Rules and Regulations and who votes on them, does everyone understand that it always has been in the CC&Rs that the Board makes Rules and Regulations? She questioned if everyone now understands and feels comfortable with this.

Bill Poppe replied that only as far as the current CC&R regulations are concerned, it can be interpreted and go beyond, but cannot contradict them. Jeanette replied that this is correct. You can never do anything that is in contradiction to the CC&Rs.

Bill Poppe - Mayfair - He stated that he was misled prior to the meeting. He did not attend the meeting because he could not be there, but he had an alternate and was led to believe that the use restrictions being pulled out of the CC&Rs would still be under the control of the voting members. He had instructed the rep that was at the meeting that it would be okay to pull them out. He found out later that they were to be under the control of the Board and he was unhappy about the misunderstanding. He also addressed the issue of reps showing up at the meetings. He suggested that perhaps these people be called by other reps in the neighborhood and reminded to show up. He stated that his opinion regarding the details of the draft is that there are some minor things that he would like to see changed, i.e., the fact that if the use restrictions are pulled out they need to be under the control of the voting members and not the Board. He also noted that these use restrictions protect his property value as well as that of the rest of the neighborhood, and he thinks it important that the voting members have control of these restrictions.

Kermit replied that voting members do have control in that they vote for the Board.

Bob Dixon - Mayfair - Stated that he is there because Bill has demonstrated that the telephone system works. He was away on business and was unable to attend the last meeting. He said that he agreed with the control by the voting members.

Jeanette replied that she thinks there is a middle ground. When reading the Article XII, Use Restrictions, they were not completely pulled out. Even the lawyer did not pull them completely out, and she thinks the concern is in things that are permanent, i.e., structural type things like fences, sheds, etc., and actually she believes permanent things like this should be in the governing document and should not be pulled out. The Board should make Rules and Regulations about things like hours of contractors and signs, etc. She agrees that things that permanently affect the property value should remain in the CC&Rs and, in fact, would like to make those items a separate vote.

Bob responded that he did not see a need to do this, they can be in a separate document as long as there is appropriate control such as voting, but it is nonpermanent things that can cause the neighborhood to degrade faster. He thinks the voting members need to be in control.

Wayne Johnson - Stanfield - He stated that many of the people that he had talked to had understood that when the use restrictions were pulled out, that it would be by the voting members. He noted that the Board changes every two years and can change 100%, but the body of the people does not change. He suggested that as far as the time frame on this, we do not have to wait a year to do this again. We can get the process going because we are so close to doing it. It was a narrow margin by which it failed, and if people knew that ahead of time they could have gotten a proxy from the apartment owners. The other thing was the last minute changes, it personally caused him to vote it down because of the percentage changes. He thinks this should have been dealt with beforehand.

It was suggested by Wayne that the property managers should remind representatives of board meetings by calls or letters.

Jeanette stated that she was intending to have the Agenda sent out ahead of time, and that is an automatic reminder. It also lets people know what is going to be discussed.

Linda Hunt - The Woods - Wanted to add that she came back from vacation and was surprised that the amendment had not passed. She was wondering who did not vote for it, was it the multifamily neighborhoods.

Jeanette replied that it was a split vote. Jeanette asked for any further comments regarding this process and how quickly should we move on this. She said that the Board has made a list of ways in the Communication meeting on how to split it up into individual votes. She suggested that they do the paperwork and actually line those things out so that they can see what a potential ballot would look like, what the issues are, and they could think about their vote. She can run it by the lawyer. If there is something that should also be voted on, at the next meeting it could be brought up and discussed. In the meantime, it can be sent out in the mail and thought about.

Jeanette stated that Bill Poppe had sent her a very detailed list of edit notes to the proposed amended declaration which she really appreciated. She appreciates all the e-mails she got about this.

Linda Hunt - The Woods - Asked if it would be possible to get Bill's comments posted on the e-group?

Wayne Johnson - Stanfield - Asked if it was Hunter's Glen that had a problem with the percentage issue, going from 75 to 70%.

Jeanette replied that there are provisions in the CC&Rs that they did not want changed, and they felt it was in their best interest to keep the vote at 75%.

Wayne asked how many votes they had; Jeanette replied they had 320. Wayne asked how many "nay" votes are allowed to pass the issue; Jeanette replied 25% out of 2,160. It was noted that the percentage vote can be passed without Hunter's Glen, but it would have to be almost unanimous.

Bill Poppe - Mayfair - Had a question about the budget. He noticed there was a \$10,335.00 reduction in replacement Reserve for this year's budget and for the proposed next year's budget. He questioned how this was justified in light of the Reserve study that shows Reserves is behind.

Jeanette responded that in the coming year, Abington Woods is probably going to come in and when they do, they will be paying capitalization fees that will enable us to increase Reserves, but they are not in the budget as of yet. Another factor is that there is going to be made an extra discretionary contribution to Reserves this year, and it probably going to be approximately \$8,000.00 to \$9,000.00, depending on the final numbers. This will practically make up the difference. Jeanette also said that the Reserve study also needed to be revisited because there is a ruling that gardening things are not to be in Reserves, and it is not clear as to whether that includes trees or whatever, as there is no formal interpretation from the IRS on this. A lot of the Reserve study is trees, landscaping and plantings. It has to be determined if it is proper to be in the Reserve study that way.

Kermit Lee - Director - Wanted to clear up an issue regarding powers of the Board regarding Rules and Regulations. In Bylaws Article III, Section 10, it states what the power of the Board is, and it is making and amending Rules and Regulations. It cannot be aggregated or compromised.

III. RESIDENT FORUM

Jeanette asked if there were any residents who wished to address the Board this evening. There were none.

IV. APPROVAL OF OCTOBER 17, 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, 6-0.

V. DIRECTORS AND OFFICERS REPORTS

A. David Fish

David stated that there has been some pressure regarding the annexation. The waiting process is that they have been negotiating the landscaping and there seems to be agreement except for the issue of the brick entrance signs.

Bill Poppe asked who the pressure was coming from and David replied from two main people, one being from Ryland because as part of their sales they want to say they are part of Oakhurst, the other is our attorney who is also working for Ryland since they are paying the legal fees for this.

VI. TREASURER'S REPORT

A. CASH SUMMARY

Therese Knight gave the Cash Summary report.

In Operating Funds, the checking account is \$3,574.34. Transfer amount is \$4,000.00 which gives a final balance of \$7,574.34. The total Operating Funds is \$63,526.27. In the Reserve Funds, the total Reserves are \$155,548.14. The grand total cash position is \$219,074.41.

Kermit asked if the gross amount of delinquencies could be put in the Treasurer's report. Jeanette said that this could be done as well as stating how much is in the collection process, how much is pending, etc.

VII. COMMITTEE REPORTS

A. Jonathan Lack - Recreation

Jeanette asked Jonathan if AYSO had been in contact with him. He responded that they had walked the fields and found normal and customary damage. There will be spot reseeding.

VIII. MANAGEMENT REPORT

Kelly Henry reported that all the landscape improvements that were approved at last month's meeting were completed last week. Home Buyer's Inspection Services has been contacted and they are in the process of putting together a proposal for us as to the dollar amount of any charges to update the original study. Independent Outdoor Signs should have the Country Homes signs completed within three weeks as the customer letter has been ordered for the sign. They should be able to get the Heather Glen sign sooner since it just requires painting.

Modifications update - Notices were sent out to everyone on modification laws that had not notified the office that they were completed. Many responses have been received.

Baum Property's office is in the process of putting together the final landscaping sets to be sent out for bids. This should be done early next year. Both Mike Baum and Jeanette Reida have been in contact with Alderman Beykirch on several items of discussion for the past couple of months.

Under item two on the Management Report is the insurance proposal. Two proposals were received, one from Howard in the amount of \$5,516.00; the second one from Nationwide Insurance in the amount of \$4,367.00. There were slight differences in coverage, and Jeanette has been in contact with them to get more detailed information.

Jeanette stated that she would be contacting existing reps for those that she did not receive a form for and asking if they would consider serving as a rep again. She will also contact those nominated to ask if they would accept their nominations. At that point, it will be determined if there has to be an election for neighborhood reps.

IX. OLD BUSINESS

A. ABINGTON WOODS ANNEXATION

This has been addressed by David Fish in his earlier report.

X. NEW BUSINESS

A. INSURANCE BIDS

Jeanette stated that as previously mentioned by Kelly, there are two insurance bids. The differences between the two companies and the differences in the coverage have been discussed in the Communications Meeting, and the Board is comfortable with the differences

Jeanette entertained a motion to approve placing insurance for the coming year with Nationwide Insurance in the amount of \$4,367.00.

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

DISCUSSION: None.

VOTE: Motion passes, 6-0.

B. AUDIT CONTRACT

A renewal contract has been received from the auditor from last year at the same rate of \$2,500.00.

Jeanette entertained a motion to award the audit contract to Nyborg and Condill Company in the amount of \$2,500.00.

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

DISCUSSION: None.

VOTE: Motion passes, 6-0.

C. BUDGET FOR 2001

Jeanette explained that the budget was distributed to all of the residents and the voting members and the Board in October.

Jeanette entertained a motion to approve the budget.

MOTION: Mary moved to approve the motion. Therese seconded the motion.

DISCUSSION: A question was raised concerning the assessments, if the current assessments are bound for the following year if the budget is passed. Kermit replied that it can always be amended; a special meeting could be held to increase or decrease the assessments. The speaker stated that at the Communications Meeting he proposed lowering the assessments and part of the concern was to have a Reserve study but at this time, he did not want to vote in favor of approving the budget until it was decided about the assessments. Kevin asked if there was a requirement as to when the budget had to be approved. Jeanette replied that the assessment bills had to be sent out January 1st. The budget could be amended in the future if warranted.

VOTE: Motion passes, 3-1, with one abstention.

D. SIGN REMOVAL

The green and white developer signs located at the entrance to Heather Glen off of McCoy and another at the intersection of Oakhurst Drive and Cheshire are in need of painting. They either need to be maintained or removed. Jeanette stated that they do not fit in with the look of the neighborhood and she would like to remove the signs at a cost of \$165.00 each. A brief discussion ensued regarding the seemingly high cost of this. Kelly Henry will contact Dick Briel the handyman.

Jeanette entertained a motion to have the handyman remove the signs.

MOTION: Therese Knight moved to approve the motion. Kevin seconded the motion.

DISCUSSION: None.

VOTE: Motion passes, 6-0.

XI. NEIGHBORHOOD REPRESENTATIVE FORUM (CLOSING COMMENTS)

Bill Poppe - Mayfair - Noted that there was an area on Oakhurst Drive between Aspen and Wild Meadows that Aurora Venture was supposed to turn over to the Fox Valley Park District, and it is supposed to be turned into a playground. He asked if the Board was keeping up with this issue and putting pressure on Aurora Venture. Jeanette responded that they have had Alderman Beykirch call them, she has called them, Mike Baum has called them, Kevin Suckow has called them, trying to get the dirt moved. Bill stated that he knew someone he could talk to regarding this and would do so.

There was a question regarding the election of neighborhood representatives. Kevin replied that there was no election. Jeanette responded that if there were no nominations received, the current reps would be asked to maintain their positions for another year, or if someone could be recommended to fill the position.

XII. ESTABLISH NEXT MEETING DATE

There will be no meeting in December. The next meeting will be January 15, 2001. The next Communications Meeting will be December 4, 2000.

Jeanette explained that there were no pressing issues except for the discretionary contribution to Reserves. Jeanette entertained a motion that a transfer to Reserve Funds be made at the President's and Treasurer's combined discretion during December.

MOTION: Kermit moved to approve the motion. Mary seconded the motion.

DISCUSSION: Kevin suggested that the Board maintain contact during December, and Kermit suggested using e-mail. Mary asked if everyone understood the need for the Reserves transfer. She explained that money had to be put in the Fund or that taxes would have to be paid on it.

VOTE: Motion passes, 5-1.

XIII. ADJOURNMENT OF BUSINESS MEETING

Jeanette entertained a motion to adjourn the meeting at 8:10 P.M.

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

DISCUSSION: None.

VOTE: Motion passes, 6-0.

Respectfully submitted,

Mary Armstrong
Secretary
Oakhurst Community Association