

OAKHURST COMMUNITY ASSOCIATION

BOARD OF DIRECTORS MEETING

March 15, 1999 - 7:00 p.m.
at Oaks Recreational Club

MEETING MINUTES

I. CALL BUSINESS MEETING TO ORDER / DECLARE QUORUM

The Monday, March 15, 1999 meeting of the Oakhurst Community Association (OCA) Board of Directors was called to order at 7:03pm by President Jim Mulvoy, at the Oaks Recreational Club clubhouse. A full quorum of the Board was established, with the following Board Members in attendance:

Absent	Present	Board Member	Board Title
	X	Jim Mulvoy	Director & President
	X	Ron Joyce	Director, Vice President & Landscape Chairman
	X	Ron Papale	Director & Treasurer
	X	William Poppe	Director & Secretary
	X	Clifton Hanna	Director & Modifications Chairman
	X	Bob Nasenbeny	Director & Compliance Chairman
	X	Christopher Tabb	Director & Recreation Chairman

Also in attendance were Property Managers Michaelene Conrad and Michelle Cohen, representing MC Property Management (MCP), and the following Neighborhood Representatives:

Neighborhood Representative	Representing	Neighborhood Representative	Representing
John Rahn	Ashbrook	Absent	Stanfield
Kimberly Larsen	Aspen	Debbie Beatty	Summerfield
Tracey Herrick	Autumn Meadows	Absent	Wild Meadows
Tim Loats	Breckenridge	Absent	The Woods
Nick Furibondo	Carriage Estates	Absent	Autumn Lakes Condo Assn.
Jonathan Lack	Carriage Estates	Absent	Country Homes of Oakhurst Assoc.
Don Houck	Carriage Estates	Absent	Heather Glen Assn.
Doug Gienger	Inverness	Absent	Towns of Oakhurst Association
Brian Carroll	Inverness	Karen Troller, Pres.	Towns of Oakhurst Condo Assoc.
Absent	Mayfair	Absent	Hunters Glen Apartments

President Jim Mulvoy welcomed everyone on behalf of the Board, and announced the Resident Forum as the first order of business.

II. RESIDENT FORUM

Jim asked if there were any residents who wished to address the Board.

AYSO Contract

Mary Kay Lang (Breckenridge) stated she is on the Recreation Committee, and asked to be brought up to date on the AYSO contract. She questioned how approval of the contract came to be on the agenda, since there were still some unanswered questions after the last Committee meeting. Mary Kay questioned how a final contract recommendation could be made to the Board if the Committee had not met to discuss the final version.

Jim Mulvoy advised that it is the Board's intent to try and approve the contract this evening, but they have yet to discuss the final version. Christopher Tabb offered his copy of the draft contract for Mary Kay to view, explaining that none of the information should come as a surprise to anyone on the Committee. He noted that Ron Joyce was looking into Western DuPage's services for field maintenance, which will be discussed this evening. Christopher stated he had polled everyone on the Committee as to what would be an amicable price for field repairs, and passed on this information to the Board in the form of the draft contract. As far as field maintenance, he penciled this amount in because it was an unknown, and it could just as well have been left blank. Jim explained that the majority of the contract is consistent to what was provided for Wheatland last year, with some exceptions of dates and times.

Mary Kay stated her concern is with the paragraph regarding field maintenance, and that she understood that the Committee would be deciding as a group on the amount, based on information gained from contractors.

Jim stated the Board has the ultimate responsibility on how much money will be charged for the field maintenance, and the issue will be discussed this evening. He noted the draft contract isn't necessarily the final result. If necessary, it will be tabled, but it was put on the agenda, since the soccer season is starting soon.

Mary Kay and another resident, Mary Borchardt, stated that the Committee has met only once, maybe a week after the last Board Meeting, and that there was no conclusion drawn at the time.

Tim Loats (Breckenridge) stated he is active in AYSO, and noted the Reba Steck fields given to them last season are in better shape now than they were two years ago. There was no extra maintenance or agreement with the Park District. He added that the Oakhurst fields groundskeepers come out twice a year for seeding and fertilizing every year as part of their regular agreement. He noted they do a great job (Western DuPage).

Jim suggested waiting to see what the discussion brings in the Old Business portion of the meeting, but noted in fairness to all parties involved, that if needed he would recommend the issue be tabled. Jonathan Lack (Carriage Estates) asked to see the contract before the closed portion of the meeting. He stated that information such as this, in general, should be available to Representatives before meetings so they can have some input, especially since there is no time for discussion before the business portion of the Agenda.

Jim asked him to keep in mind that many portions of the contract aren't subject to general discussion because they are legal in nature and can't be modified. The only thing open for discussion is the amount of deposit and usage hours and days, but everything else is standard form contract which protects the Association legally.

Mary Borchardt stated she doesn't know the final recommendation and she was part of the Recreation Committee. She felt there should be some type of follow-up.

Based on these discussions, Jim recommended the issue be tabled for this evening. He asked Christopher to meet with his Committee, go through the process, and finalize the Committee recommendation to the Board. The Board will make the final decision. He added that the Board wants everyone to work together. If need be, there will be a special meeting to ratify the contact.

Don Houck (Carriage Estates) asked if the financial information from Western DuPage could be shared this evening. Jim answered yes, under the "Disclosure" portion of the meeting.

Don asked who decides if fields are suitable for use. Jim answered that WAA had verbiage in their contract that it was their responsibility to make sure the fields were kept in good condition.

III. NEIGHBORHOOD REPRESENTATIVE FORUM (Opening Comments)

Jim stated that this portion of the meeting provides the opportunity for the Representatives to comment on the meeting minutes or agenda items for this evening, prior to the Board moving into the business portion.

A. Verification of Voting Representatives

Bill Poppe reported that he had made calls to at least one rep in every neighborhood, and received commitments from many reps that they would speak to each other, and be at the meeting this evening prepared to designate the voting member. The neighborhood Representatives were polled with the following voting members designated:

Aspen - Kimberly Larsen
Autumn Meadows - Tracey Herrick
Breckenridge - Tim Loats
Carriage Estates - 1st 3 months - Nick Furibondo, 3 months - Jonathan Lack,
3 months - Donald Houck
Inverness - Doug Gienger
Mayfair - Bob Dixon
Stanfield - (no Reps present)
Summerfield - Debbie Beatty
Wild Meadows - Jon Neely
The Woods - (no Reps present)

Jim told Michaelene she should give a copy of a homeowner listing to each voting member. Bill Poppe agreed to call the subdivisions with no voting member, asking them to identify one.

Tim Loats asked what voting members typically vote on. Jim answered that primarily they vote in Board of Director elections. He stated he includes in the monthly Agenda discussions on various issues, whether it be parking, garage sales, dog fences, etc., before the Board makes a final decision. The Board is open for suggestions at any time on how to improve the Representatives involvement.

B. Disclosure & Opening Comments on Agenda

Jim stated that in response to a suggestion last month from one of the Representatives, the Board will provide some detail on the Agenda items at the beginning of the meeting. This will allow the Neighborhood Representatives a better understand the issues to be addressed.

The first item is the Approval of the AYSO Contract, which Jim asked Christopher Tabb to read. Christopher read the draft agreement, between Oakhurst and AYSO. Jim stated that the Western Dupage estimate for the soccer field yearly renovation was a not to exceed cost of \$2,400 per field. Ron Joyce stated the a field is defined as the grassy area on one side of the road. Tim Loats asked why the extra fee is necessary if there is already a maintenance agreement to maintain the field. Ron replied that it is for damages incurred by soccer, i.e. the need to add top soil and overseeding. Tim asked why this isn't covered in the regular maintenance. Ron stated that only lawn cutting and general maintenance is covered under the normal contract, i.e. cutting, trimming, cleaning up, etc. Tim stated that Wheatland paid to have this done. Jim and Ron agreed this is correct, last year Wheatland paid Oakhurst for repair of the fields. The agreement for Wheatland was they were to pay \$2,500 at contract signing, for previous problems with the fields. They also paid an additional \$2,500 for usage last year, which covered both seasons. The \$5,000 was spent on the fields, and that is the work that was seen being done. Jim stated that it is the Recreation Committee's responsibility to provide input to the Board. This arrangement also builds Community relations. The Board wants to encourage committees, and for the Board to make a decision at this point, which they could, it would only be counterproductive. A Resident questioned an agreement item which discussed damages beyond normal wear and tear. Jim clarified that it states that any repairs needed are considered additional to the agreement. He added that this is difficult to put a number on, even Western DuPage is guessing because no one knows what kind of damage is going to happen. It's a different age range of children. Residents have expressed concerns to Jim about whether they will have to pay extra money in the future to maintain the fields if soccer groups aren't charged for the usage of the fields. Ron Joyce clarified that it will be the discretion of AYSO to play in bad weather. If it is raining and they play, and tear up the fields, the proposal that he has from Western DuPage is an estimate of this type of scenario. The estimate not to exceed \$2,400 includes any sod to be replaced. It does not include irrigation, which is needed in laying sod. Irrigation would be above and beyond. Christopher committed to make arrangements for the Committee to meet, and will bring feedback to the Board for review and final decision. Jim noted that if Christopher gets back to the Board before April 1, the Board can be polled by phone and it can be ratified at the next Board Meeting. Jim added that he allowed this contract to be read because it is an interesting issue and he wants to encourage Neighborhood participation.

Jim explained the agenda items under New Business, Banking Transactions. He explained the process of approving the banking transactions and the reason for it. He discussed the Resolution Ron Papale had prepared regarding treatment of reserve funds.

Next he discussed the intent to approve a new Resolution on collection of delinquent assessments, which states that any resident of \$200.00 or more will be subject to legal collection.

Jim provided details on the Resident compliance fine decision item and the item regarding the decision on a Resident Satellite Dish.

C. 1999 Tennis Program

Jim reported that Bob Wirkus, who worked very hard on the program last year with Rush-Copley, has received a new contract for this year. It is very straightforward compared to last year. It won't require any funds from Oakhurst. All management fees and expenses will be covered by Rush-Copley this year. The program was very successful for them, so they are willing to do this. It has worked out well for Oakhurst, and it looks like it will continue. Jim stated that some residents have expressed that they don't feel assessment dollars should be spent on any programs except landscaping, etc. Jim stated he feels if you can work within the budget without raising assessments, community programs should be encouraged. Bob Wirkus has received a lot of input, and feels a traveling tennis team may be put together this year, to play against White Eagle, Stonebridge, and even Rush-Copley will have a team. The question was asked whether the tennis program is only open to Oakhurst. Jim answered yes, but as with AYSO, there may be a need to allow one or two Oakhurst North people to fill the teams. Jim feels it is a good program and supports it, as long as no extra dollars need to be spent by Residents. He would like to see other groups started in the same way for kids.

Jim stated that the meeting was now moving into the business portion, which is not open to Residents or Representatives for discussion or comment. It is requested that all comments be held until the end of the business portion of the meeting.

IV. APPROVAL OF FEBRUARY 15TH MEETING MINUTES

Jim stated the Board had reviewed the Minutes, and entertained a motion to approve.

MOTION: Bill Poppe moved to approve. Clifton Hanna seconded the motion.
Motion carried (6-0).

V. DIRECTOR AND OFFICER'S REPORTS

A. President / Legal & Executive (Jim Mulvoy)

President Jim Mulvoy reported that he was made aware of vandalism on the north side of Cheshire, a house has several windows boarded up. Friday night it was severely egged, and rocks were thrown through the windows. The Police Dept. is involved, and there will be heightened Police presence in Oakhurst because of it.

B. Modifications Chairman (Clif Hanna)

Clif thanked Michelle and Michaelene for the work they have done on the modifications, which has been difficult with all the snow, and a lot of people have not been reporting their modifications being completed.

C. Vice President (Ron Joyce)

Ron reported that he has obtained a proposal for repairs for Oakhurst signs. He has been doing a walk-around, and has noticed that some of the mitres on the neighborhood walls are pulled down, due to weather. A few will be freshened up with paint. He will obtain proposals for this also. There has also been tree damage, and this is being worked on. He will be getting together with the Insurance Company to discuss. Jim asked if the Insurance Company had been contacted regarding trees that have been taken out by vehicles this winter. Ron is working on this. He is also working on getting Police reports from Aurora P.D. Bill Poppe asked about snowplow damage. Ron replied that one letter was sent to the City of Aurora, cc to the Alderman, requesting that the City get together with Oakhurst to take care of the damaged parkway areas.

VI. PROPERTY MANAGEMENT REPORT

Michaelene Conrad of MCP discussed Bob Wirkus' information from the racquet place regarding nets, baskets, trays, approximately \$700.00. Jim and she have discussed getting a few more prices. This will be discussed later in meeting. The tax returns prepared show we will have to pay \$242 for Federal tax and \$99 to Illinois. Since Oakhurst is a not for profit organization, taxes have to be paid on any interest earned, and the only thing deductible is 5% of accounting fees and 5% of management fees. She sent a memo to Aurora Venture, as there was a question regarding the lot absorption report. There are eight lots being built on for Summerfield. The report says they are six lots, but AV says they have eight. A homeowner on Breckenridge called (in Board Packet), who is waiting to have a tree replaced from last year. There is a landscape contract to be signed. A sign that came down near the Clubhouse entrance, Oaks wanted to know what the price is and will probably share expenses. Near New York and Asbury, there has been a problem with high water bills. They have been trying to find out the cause. There is a leak in the sprinkler system. The City of Aurora has turned the water off. Western Irrigation will drain the remaining water out manually for \$55 an hour. Jeff from Western Irrigation said this would not exceed \$250, and once the water has been drained, they will determine where the leak is. It was found in a gasket, which was rusted out. This is not abnormal. The gasket will be replaced. Jim asked if this was the area

that had the high water bill last year. Michaelene stated she will check. She continued, stating that Overstreet has sent her a certified letter and wants an answer. Ryland Homes wants homeowners to be responsible for straightening out overdue assessments. Clif commented that he wants to meet with representative from the City on water issue, when they come out, since he has met with them previously regarding meters. He will take responsibility, and wants to be notified. Michaelene stated that Western Irrigation is working through Western DuPage, and thinks they are affiliated. Jim commented that regarding Michaelene's request for a decision on Resolutions, that they have to exist in the Association's files, and she may have to go through the files. Jim feels the Resolutions should be there, and if they are not, Michaelene needs to ask AV for them. Michaelene stated that the files that they obtained from Aurora Venture are in disarray, and searching for the files is above and beyond MCP's agreement with Oakhurst. Any files that MCP has worked on since they started are in order and in file cabinets. Jim asked if Michaelene has talked to Linda Blakeley. Michaelene stated that all the files from AV were just thrown into boxes. This issue will be discussed later. Jim stated that the item on MCP's report states that he was given a Western DuPage proposal, and he did not receive it. Michaelene stated it was delivered to Jim's house, and he stated it was delivered to his house and given to Ron Joyce. Michaelene stated that she has not seen the contract. Ron will get a copy to Michaelene. Jim commented on the Oaks sign issue being cost-sharing. He stated that this was not the Board's intent, that the sign was to be a courtesy to the Oaks Recreation Group because they have been kind enough to let Oakhurst hold their meetings in the Club House twice a month. The intent was just to contact the Oaks to see if they wanted to put anything on the sign before we made it. Jim asked Michaelene for a letter (p.5, modification log section, item 4) which was indicated in the Board Packet, that he did not receive. Michaelene will provide it for the Executive Meeting. Jim noted in the Budget Comparison Cash Flow sheet, (p.22) there are two categories listed under Expenses Operating, Lighting and Misc., and these can't be listed as Budget categories. They have to go under different accounts. Bill Poppe stated that Misc. category should be deleted, both under Maintenance and under Operating. He suggested moving the amounts to another category. Jim stated that they won't be viewing the Financial Report until the Executive Session. Jim stated that he wants to put together a Spring mailing, to include the Budget that has not gone in the mail yet. Also the rules and regulations as they pertain to the Summer season. He will add a letter on the success of the Collections program. Jim asked Michaelene to bring the Western DuPage plaque to the next meeting (2nd Place for Landscape Maintenance). Jim asked Michaelene if she has received a bill from Peter Jagel. Michaelene stated that he mailed it to MCP. Jim asked her to let Peter know to mail it to the P.O. box, as he personally reviews it. Ron Joyce asked, regarding p. 37, Item 13, he wants a letter sent to him, stating that he can have a tree replaced this Spring. This will probably be taken care of at the next Board Meeting. He has proposals from Western DuPage, among others, regarding this.

VII. OLD BUSINESS

A. Approval of AYSO Contract

Jim stated that, based on tonight's discussion with the Representatives, he recommended to the Board that the action be tabled until the Recreation Committee reports back through Chris as to the final standing of the contract.

Jim entertained a motion to table the approval of the AYSO Contract until the Committee reports back through Chris.

MOTION: Ron Joyce moved to approve. Bob Nasenbeny seconded the motion.
Motion carried (6-0).

VIII. NEW BUSINESS

A. Banking Transactions for Next 30 Days

Ron Papale reported that the only thing that needs to be done is that there is a 1-month CD maturing in the Operating Account, for \$105,000.00. This will be rolled into a new 1-month CD. The Reserve Account, as previously stated, there is a \$115,000.00 CD maturing, and that will be broken up into two parcels - \$65,000.00 for a 1-month at 4.75% currently, and the remaining \$50,000.00 will be a 6-month at 5.0% currently. The Operating CD is \$105,000.00, 30-day roll-in. To summarize, Total Operating Cash is \$119,613.74, and Total Reserve Cash is \$116,022.98. Grand Total Cash Position is \$235,636.72.

Jim entertained a motion to approve the Banking Transactions for Next 30 Days.

MOTION: Ron Joyce moved to approve. Christopher Tabb seconded the motion.
Motion carried (6-0).

B. Approve Reserve Account Resolution

Ron reported that a deal was worked out with Merchant's Bank, through Peter York, the previous Treasurer, where if there was an excess of \$50,000.00, Merchant's would allow the Jumbo CD rate, which was probably about 200 basis points higher on average than a regular CD rate. Up until the close of 1998, we fell short of \$100,000.00 in the account. Now there is \$115,000.00 in the account, so we are in a position to break it into two parcels, in which both parcels will be in excess of \$50,000.00, and we will still be able to glean the advantage of having the jumbo rate in both accounts, yet one of them can be extended out for 6 months, and one on a 1-month basis. This way, \$115,000.00 won't continue to be rolled over and over. Ron recommends the \$65,000.00 be for 1-month CD, at 4.75% currently, and the remaining \$50,000.00 will be in a 6-month CD, maturing in September, giving us 5.0% currently.

Jim entertained a motion to approve the Reserve Account Resolution.

MOTION: Christopher Tabb moved to approve. Ron Joyce seconded the motion.
Motion carried (6-0).

C. Approve Collection Resolution 99-01

Jim read through the Resolution, reading only the new verbiage. It states that any Resident of Oakhurst who has an outstanding balance of \$200.00 or more shall be subject to legal collection.

Jim entertained a motion to approve the Collection Resolution 99-01.

MOTION: Clif Hanna moved to approve. Christopher Tabb seconded the motion.
Motion carried (6-0).

D. Decision of Resident Compliance Fine

Jim reported that this issue relates to the short January 7 letter that he passed out before the meeting. The issue was discussed at the Executive Session. It is from a Resident who came to the Board Meeting to request that a fine be waived regarding his not storing his basketball hoop. The Board has decided to waive the fine, for two reasons. The Resident did bring it into compliance. And two, this is a new Resident, so the waiving of the fine was felt to be appropriate.

Jim entertained a motion to approve waiving the Resident Compliance Fine.

MOTION: Bill Poppe moved to approve. Clif Hanna seconded the motion.

Discussion: Bill Poppe asked what the amount of the fine was. It was \$75.00, a total of \$25.00 and \$50.00.

Motion carried (6-0).

E. Decision on Resident Satellite Dish

Jim reported that the Board met in Executive Session and discussed the 18" dish vs. the 36" dish, and also the location. The Resident has agreed to relocate the dish to their back yard. The issue that stands is whether a 36" dish is acceptable or not. Present standard says 18" is maximum. Today's technology may say otherwise. Jim recommended that the Board table this issue until next meeting. He wants to do research into the ability to receive the signals that this Resident is trying to receive from China, and see if it is technically possible on the 18" dish, or if it needs to be 36". The issue at hand is the FCC has specific rules, and the majority of the rules have to do with denying of access. There is only one definition of access - either you get it or you don't.

Jim entertained a motion to table the Decision on Resident Satellite Dish.

MOTION: Clif Hanna moved to approve. Ron Joyce seconded the motion.

Discussion: Clif committed to check into the access issue. Jim stated that any fines, etc. to the Resident will be suspended until the issue is decided.

Motion carried (6-0).

F. New Resident Accounts for Collection

Jim stated that he provided a memo to the Board earlier this evening, containing a list of 15 Residents whose accounts will go to Collections. Since then, it has been discovered that 3 of the accounts are already in Collections. He recommended proceeding with Collection.

Jim entertained a motion to approve the listing of New Resident Accounts to be turned over to Collections.

MOTION: Clif Hanna moved to approve. Ron Joyce seconded the motion.

Discussion: Bill Poppe asked if any of the Residents on the listing were actually in the category of being involved with Developer accounts. Michaelene stated that none of them were. Bill asked about the amounts on the last three, which he stated seem to be significant, and why they were missed. Michaelene explained that the names were on the previous lists sent for collection, but when Knuckles & Jagel did the list this time, they did not include them for whatever reason. The first one, there is a letter on file. The second one is in foreclosure, and it was agreed last month not to go any further with it. The third one was under another name to begin with, and now there has been a Quit Claim Deed to change the name. The first name went into foreclosure, and then the second one took over with the Quit Claim Deed. Christopher asked if these Residents will always have to be voted on when they go over \$200.00. Jim answered that not once the Resolution is in place, at which time it will be automatic. Michaelene asked for direction from the Board on a pending eviction. Jim recommended that we go ahead. The Board agreed that once the process starts, it's irreversible, no partial payments. Michaelene stated that during the 60-day period of a judgment, partial payments can be accepted, because at the end of the 60 days they have to pay it in full or they are still evicted. Nick Furibondo asked if our policy deviates from standard. Jim answered that more and more Associations are adopting the policy. Clif Hanna stated the policy is the same as with any Renter in Illinois. Ron Joyce asked that the MCP notify the Board if an eviction takes place.

Motion carried (6-0).

Jim stated that this concludes the business portion of the meeting. The Neighborhood Representative Forum is the next item on the Agenda.

IX. NEIGHBORHOOD REPRESENTATIVE FORUM (Closing Comments)

Debbie Beatty asked if there would be any fields or open space for non-AYSO people to use. Jim answered that AYSO only uses the fields Monday through Thursday. Christopher stated there may be a plan to have all the east side fields vacant, weekends open. Bill Poppe asked if there is a chance that non-structured Wheatland games could be going on. Jim stated that he didn't think so.

Nick Furibondo asked if there is a process on how the ad hoc committees should relate to the Board. Jim answered that there isn't a defined process. The Board has had to create things like this. This needs to be defined. He asked Nick and Don to stay after the meeting so he could share some information with them.

X. ESTABLISH NEXT MEETING DATE

The next Board of Directors Meeting is scheduled for Monday, April 19, 1999. The meeting will be held at The Oaks Recreational Club, starting at 7:00 p.m.

XI. ADJOURNMENT

With no further business to come before the Board, Jim entertained a motion to adjourn the meeting at 8:50 p.m.

MOTION: Clif Hanna moved to approve. Bill Poppe seconded the motion.

Discussion: Christopher Tabb asked Jim that if the contract for soccer is to be ratified before the season starts, and it has to be done in open forum, how will the public be informed about the meeting. Jim stated that Chris can meet with his Committee, let them make their recommendations. Chris can bring it to the Executive Session on the first Monday. No one will throw AYSO off the field if they're on for a day or two. The Board can ratify it at the next Board meeting. Ultimately, it's the Board's decision anyway.

Motion carried, 6-0.

Respectfully submitted,

Karen Berry
Recording Secretary

William Poppe, Secretary
Oakhurst Community Association