

OAKHURST COMMUNITY ASSOCIATION, INC.

BOARD OF DIRECTORS MEETING

May 17, 1999 - 7:00 p.m.
at Oaks Recreational Club

MEETING MINUTES

I. CALL BUSINESS MEETING TO ORDER / DECLARE QUORUM

The Monday, May 17, 1999 meeting of the Oakhurst Community Association (OCA) Board of Directors was called to order at 7:10 p.m. by Vice President Ron Joyce, at the Oaks Recreational Club clubhouse. President Jim Mulvoy was traveling on business and could not attend. A 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	Debbie Beatty	Summerfield
Absent	Aspen	Absent	Wild Meadows
Absent	Autumn Meadows	Absent	The Woods
Absent	Breckenridge	Absent	Autumn Lakes Condo Assn.
Donald Houck	Carriage Estates	Absent	Country Homes of Oakhurst Assn.
Nick Furibondo	Carriage Estates	Mary Armstrong	Heather Glen Association Assn.
Gary Grissinger	Inverness	Absent	Towns of Oakhurst Assn.
Bob Dixon	Mayfair	Karen Troller, Pres.	Towns of Oakhurst Condo Assn.
Absent	Stanfield	Absent	Hunters Glen Apartments

Vice President Ron Joyce welcomed everyone on behalf of the Board, and explained that Jim Mulvoy was traveling on business. The Board introduced themselves. Roll was called by the Recording Secretary.

II. RESIDENT FORUM

Ron explained that the Resident Forum is to allow any Residents to bring their concerns or issues to the attention of the Board. It is requested that each Resident state their name and subdivision for the record, and hold their time to five minutes per speaker.

Mary Armstrong, President of Heather Glen Association (HGA) discussed a letter from the Oakhurst Community Association, which states that Oakhurst feels HGA owes them \$3000 payment for berm work. This was in response to a HGA request for modification approval for the installation of 3 towing sign. She discussed the history - in July of 1998, Oakhurst called the HGA management company to come to a meeting to discuss problems they were having with the berm and Montalbano. She noted that HGA attended the meeting, confirmed that they were having other problems with Montalbano, and provided the name of a contact point for Montalbano. In August, Ron Joyce called Mary and told her that Oakhurst would have the berm worked on by Western DuPage, and it was suggested that HGA pay half the amount. Mary took this suggestion, in the form of a letter, to the HGA Board. The HGA Board made the decision not to agree with the OCA request to reimburse the \$3,000.00 in question, and sent a letter in September to Ron Joyce, stating that Oakhurst owns the berm, and the issue is between Oakhurst and Montalbano. She reported that HGA received no response to the letter, and assumed Oakhurst was in agreement. HGA sympathizes with Oakhurst in dealing with Montalbano, as they have had major problems with them involving landscaping, over \$12,000 in delinquent assessments, and 11 buildings with water problems. HGA is also unable to pay Oakhurst because of \$14,000 in delinquencies that they are carrying. They bring this situation to Oakhurst for their review. The 3 signs are already installed, for towing services. She asked if HGA should keep the signs up while Oakhurst makes its decision, or remove them until the decision is made. Clif Hanna answered that one of the signs is on Oakhurst property, the one on the north berm, and should be moved back. The other two signs should be moved back so as not to be so conspicuous. Clif suggested that the sign at the entrance could be moved to the right hand side of the road. Ron advised that the subject will be discussed in Executive Session, and HGA will be advised by written notification of the decision. Mary told Michelle that HGA has had an election and there is a new member-at-large who will attend Oakhurst meetings, as Mary is unable to attend Monday meetings.

Donna Allen, Ashbrook - Donna and her husband complained about a piece of property that Ashbrook backs up to. They reported there are several non-Oakhurst properties that have been rented out, and have a lot of illegal activities going on - drugs, gun shooting, fireworks, pit bulls, trash burning. It was noted that one has a person living in a trailer parked behind the buildings on the property. She noted that this was illegal in Aurora. Donna asked if they could install a berm between their homes and these properties. She noted that other areas of Oakhurst have them. Ron asked if the Police Dept. has been notified and has helped. Donna answered yes. Her husband added that the property is not being kept up at all. Clif took the action to check into this issue and report to the board in the Executive Session. The Allen's asked if a berm would need to be placed on their property. Ron added that a berm may be

possible, but the land has to be Oakhurst land. Clif added that he would need a copy of the plat survey for their lots to determine if a berm would have to be placed on their property, and asked whether there is a utility easement. It was noted by the Board that adding a berm is not a simple issue, and that easements and buried utilities would need to be located before such a change could be planned.

III. NEIGHBORHOOD REPRESENTATIVE FORUM (Opening Comments)

Debbie Beatty, Summerfield - referring to the recent flyer that was mailed to the Residents - asked if landscaping bags could be stored in the back yard until trash day. Ron answered that this will be discussed in Executive Session. Debbie added that fire pits (portable fireplaces) are not against City ordinance. Ron stated that there will most likely be a clarification issued regarding fire pits, because they are allowed.

Resident Gen Roy - asked for clarification of fire pit issue. The above response was reiterated.

Gary Grissinger, Inverness - stated that some Residents in Inverness were discussing the stated requirement about barbecues in the recent flyer and that it was felt that the tone of the flyer should have been more diplomatic. Gary offered a City of Aurora form for barbecue pit permits, which are available and required by the City of Aurora. He also provided a copy of his permit. Gary also asked why underground pet fencing is not allowed, which was recently a subject of discussion by Inverness Residents. Ron explained that with invisible fencing, it does not provide protection for any child or person entering the yard. Clif explained that the Board considered this issue. With the liability issues involved, and with the recommendation of the Association attorney, voted not to allow these type of fences. Gary asked how rules get made and changed in the Association. Ron explained that it is very difficult to change CC&R rules, as a 75% majority vote is needed. To add a resolution, which is a clarification as to how the CC&Rs are to be implemented, the Board considers the issue and votes to adopt it. A resolution was voted on for the underground fencing rule. Copies of resolutions may be obtained from MC Property Management (MCP).

Clif, Ron and MCP discussed the flyer that went out to the Residents. Ron noted that there was a mis-communication on some of the issues in the flyer and advised it will be discussed in Executive Session.

Resident Helmud Strohschein - some of his neighbors were not given the CC&R's or Association papers to sign. Ron explained that when a Resident signs papers on a home, they acknowledge the fact that they are in Oakhurst and there is an Association with rules and regulations. The Rules & Regulations are supposed to remain in the home, passed on from homeowner to homeowner. Helmud was advised that his neighbors may contact MCP if they need the CC&R's. Helmud explained that people should be informed about the Association before they buy property. It was noted that when considering buying property, a prospective buyer should ask if there are any rules, because Realtors probably do not diligently advise the buyers. Michelle explained that many times homeowners say that they have not received CC&R's, but in actuality have signed for them, and MCP has the forms in their files to prove it.

Ron 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 APRIL 19th 1999 MEETING MINUTES

Ron asked if the Board had reviewed the Minutes, which they had. There were no comments.

Ron entertained a motion to approve the April 19, 1999 Minutes.

MOTION: Bill Poppe moved to approve the Minutes. Clif Hanna seconded the motion.
Motion carried, 5-0.

V. APPROVAL OF APRIL 5th HEARING MINUTES (Confidential)

Ron entertained a motion to approve the April 5, 1999 Hearing Minutes as written and submitted.

MOTION: Clif moved to approve. Bill Poppe seconded the motion.
Motion carried, 5-0.

VI. APPROVAL OF MAY 3rd HEARING MINUTES (Confidential)

Ron entertained a motion to approve the May 3, 1999 Hearing Minutes as written and submitted.

MOTION: Clif moved to approve. Bill Poppe seconded the motion.
Motion carried, 4-0 (Ron Papale abstained as he was not present at the hearing).

VII. DIRECTOR AND OFFICER'S REPORTS

A. President / Legal & Executive (Ron Joyce filling in for Jim Mulvoy)

Vice President Ron Joyce thanked MCP and Board of Directors, Mary Caldwell, AYSO, and all his neighbors and Neighborhood Representatives for their prayers and cards and gifts for Ron's speedy recovery. It is very much appreciated, and he asked for their continued prayers. New landscaping will be dealt with later in New Business. There are approximately 15 dead Dempsey Hughes trees on the Asbury Lane wall, off New York Street entranceway. Last Fall, a main water pipe in the irrigation system separated and flooded the whole quadrant corner. These trees don't like a lot of water, and they drowned. He has a copy of the proposal for their replacement. The pipes have been repaired. He noted that this explains the high water bill received last year. Ron had a lengthy conversation with Chris Beykirch in regard to the snow plow damage done by the City of Aurora's contractor. A walk-through is planned with Ron, Chris and the
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Council Director to assess the damage along McCoy and Oakhurst Drive, and certain residential areas. Also along McCoy, there is excessive wear or salt erosion on the south side of McCoy. A proposal was received from Western DuPage last year for approx. \$7,800 to repair the whole stretch along McCoy and up Oakhurst Drive toward East New York Street. Ron noted that the parkways, in actuality, belong to the City of Aurora, so hopefully the City will pay for the repairs. Saturday morning about 5:21 a.m., somebody damaged 9 beautiful crab trees from the median strip on Asbury Lane entrance off New York Street. The person has been identified. Ron will deal with the accident report at the police station and also the person's insurance company. The damage is estimated at \$4,230, plus the turf and concrete damage.

B. Modifications Chairman (Clif Hanna)

Modifications Chairman Clif Hanna encouraged the Neighborhood Representatives to encourage their neighbors to leave adequate lead time for modification requests. There were 15 requests Saturday. Just call MCP for forms, and call Clif with any questions.

C. Recreation Chairman (Christopher Tabb)

Recreation Chairman Christopher Tabb reported that he doesn't yet have a signed contract with AYSO, and will discuss with Mike Grace. AYSO wants to rent a moon walk and locate it at the community center. It was noted that this request will be discussed in Executive Session. Ron Joyce asked why the contract is not signed yet. Chris answered that AYSO is having their attorney view it. Ron commented that meanwhile the season is half over and they are playing soccer, so we need to get it back as soon as possible. Chris commented that we do have their first payment, in case they do not sign the contract but do incur some damage to the fields.

VIII. PROPERTY MANAGEMENT REPORT

Michaelene Conrad of MC Property Management (MCP) reported that the AYSO check is in the bank, in a separate savings account. Approximately 1,700 newsletters were sent out. All of the Resolutions have been signed. The next mailing is the June 16 billing. The Oaks Recreation Club has been billed for 1998-99 snow removal. Michaelene asked for a resolution to the PO Box address change issue presented in the Board packet. She was advised it will be discussed in Executive Session. Michelle added that signs have been posted in the washrooms above the light switches, stating that if there are any problems, MCP should be called.

IX. OLD BUSINESS

A. 1998 Financial Report Approval

Ron Papale reported that comments on the draft Audit have been reviewed with Michael Cochran (CPA) and that changes have been made and reviewed. He made a motion to approve the Financial Report for 12/31/98 as presented in the Board Packet.

MOTION: Ron Papale moved to approve. Bill Poppe seconded the motion.
Motion carried, 5-0.

B. Action on May 3rd Hearing Issues

Ron Joyce reported that the first issue was for Christmas decorations left up, as discussed in Executive Session, and the waiving of the fine.

Ron entertained a motion for a one time waiver of the fine (next time it would be a \$25.00 fine, no warning letter).

MOTION: Clif moved to approve. Bill Poppe seconded the motion.
Motion carried, 5-0.

Ron Joyce reported that the second issue was also an action from the May 3rd hearing, in regard to an unleashed dog.

Ron entertained a motion for a one-time waiver of the \$50 fine, resulting in only the \$25 fine.

MOTION: Clif moved to approve. Bill Poppe seconded the motion.
Motion carried, 5-0.

X. NEW BUSINESS

A. Banking Transactions for the Next 30 Days

Ron Papale reported that after taking into account checks that will be signed this evening, the Cash Position in the Checking/NOW account is -\$19,859.26. Therefore, we will transfer in \$30,000.00 from the one-month CD, maturing at \$105,000 - \$30,000.00 to the NOW Account, bringing the new balance from -\$19,859.26 to \$10,140.74. The remaining \$75,000.00 in the CD is to be re-rolled into a one-month CD at Merchant's Bank, for Operating. In Reserve Savings there is a balance currently of \$2,551.79. There is a one-month CD of \$65,000.00, and a six-month CD of \$50,000.00. The one-month CD is maturing, and \$2,000.00 shall be moved to it from the Reserve Savings, bringing that balance from \$2,551.79 to \$551.79. The new balance in the one-month CD to be rolled over goes from \$65,000.00 to \$67,000.00. The Grand Total Operating Cash is \$85,140.74. Total Reserve Cash is \$117,551.79. Total for both is **\$202,692.53.**

Ron Joyce entertained a motion to approve the Banking Transactions for the next 30 days.

MOTION: Ron Papale moved to approve. Bill Poppe seconded the motion.
Motion carried, 5-0.

B. Ratify Spring Landscape Expense

Ron Joyce referred to the memo he copied to the Board. The grand total throughout the area for plantings, trees, shrubs is \$6,009.00.

Ron entertained a motion to approve the Landscape Expense as stated.

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

Discussion: There was a discussion between Bill Poppe, Ron Joyce, Ron Papale and MCP regarding where to budget for the sand for the volleyball courts. Ron Papale suggested putting it in Landscaping Contingency, and next year make a note to budget for the sand. Insurance and deductibles for the damaged trees were discussed. It was decided that it would not make sense to do an insurance claim, as the cost of any one incident was small and submittal could potentially increase the rates.

Motion carried, 5-0.

C. Ratify Sign-O-Rama Sign Purchase

Ron Joyce advised that this sign purchase was for warning signs to be placed around the ponds. One sign per pond, to read No Swimming, Fishing or Skating. The estimated cost for the signs is \$50.00 per sign, plus installation, for total not to exceed \$500.00.

Ron entertained a motion to approve the Sign-O-Rama sign purchase as stated.

MOTION: Clif moved to approve. Christopher seconded the motion.

Motion carried, 5-0.

D. Ratify Rush Copley Tennis Program

Christopher advised there is no contract yet. Ron Joyce stated he thought Jim and Michaelene had received a copy of it prior to the meeting. Michaelene stated she did not receive a copy of it. Ron stated that he heard registration is going very well. Ron suggested tabling the issue until the Board can review the contract and resolve an issue with court time.

Ron entertained a motion to table the issue until the next meeting, with discussion in the Executive Session.

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

Motion carried, 5-0.

E. Approval of Landscape Improvement Expense

Ron asked Michelle and Michaelene if they had gotten a proposal for the Dempsey Hughes trees. They answered that they have a proposal on the crab trees, but not the Dempsey's.

Ron tabled the approval of landscape improvement expense until the next meeting, with discussion in Executive Session.

F. Approve Revised Modification Policy

Clif Hanna stated that he submitted a revised fence modification, as pointed out at the last meeting. It did not include wrought iron fences. The new modification revision includes wrought iron fences that are white or black, and aluminum fences that look and give the appearance of wrought iron, white or black.

Ron Joyce entertained a motion to approve the revised modification policy.

MOTION: Clif Hanna moved to approve. Christopher Tabb seconded the motion.

Discussion: Bill Poppe noted that the Board Packet copy listed the maximum height as 4'-1/2", and that Clif and MCP advised it had been changed to 4'-6" or 4-12'.

Motion carried, 5-0.

Clif stated that he had five other items:

Individual Modification Request No. 99/05/04/03 - fined. No modification request form submitted. Request has since been approved, Resident contacted Clif. Inspected and meets requirements.

MOTION: Clif Hanna moved to waive the fine of \$100.00. Bill Poppe seconded the motion.

Discussion: Cliff added that this is a new homeowner who didn't realize the rules, and has since become informed.

Motion carried, 5-0.

Modification Request No. 99/04/25/01 - Installed an underground sprinkler system without applying for a modification request. They responded quickly, also a new Resident.

MOTION: Clif Hanna moved to waive the fine of \$100.00. Christopher seconded the motion.

Discussion: Bill Poppe asked if this was a one-time waiver in all of these instances. Clif answered yes.

Motion carried, 5-0.

Modification Request No. 99/01/15/01 - Satellite issue. The satellite has been moved and inspected, and their action complied by the date requested. Pending action taken previously at Executive Session,

MOTION: Bill Poppe moved to waive the fine of \$100.00 which was already paid, and credit the Residents' account. Ron Papale seconded the motion.

Discussion: It was noted that dishes are not allowed in front yards. Clif advised that screening shrubs were installed to screen the moved dish.

Motion carried, 5-0.

Modification Request No. 99/05/10/02 - Individual installed a dish in front of home, house purchased three weeks ago. It has since been correctly installed. Clif inspected today.

MOTION: Bill Poppe moved to waive the fine of \$100.00. Ron Papale seconded the motion.

Discussion: Bill asked where the dish is currently installed. Clif answered it is in the side/rear yard, and is an 18 inch dish.

Motion carried, 5-0.

Modification Request No. 99/02/18/01 - 5 ft. fence, corrected today, inspected before meeting. It is now 4 ft. 6 in., new Resident from out-of-state, attended April 5 Executive session hearing.

MOTION: Clif Hanna moved to waive the fine of \$100.00. Bill Poppe seconded the motion.

Motion carried, 5-0.

XI. NEIGHBORHOOD REPRESENTATIVE FORUM (Closing Comments)

Nick Furibondo - asked about the little girl who was trapped in the washroom. He asked what will be done about something like this in the future. Ron gave history of situation. The deadbolt on the door to the women's washroom was not operating properly, sticking 1/2" out of the door. When the door was closed, it was lodged inside the striker plate, which is missing. A work order has gone out to replace it. Michelle is waiting for an answer from the Board to prevent it happening again. She recommended that the locks be changed. Michelle explained there is a relatively new law that states that there can only be one handle per entrance and exit, only one key. If you have a knob on top that turns from the inside, you can only have a push handle on the bottom. Or you could have the deadbolt blocked off and have a key on the bottom handle. Prices were discussed. Ron clarified that this would be done on the Women's and Men's washrooms. Michelle stated that she has two prices - \$180 and \$360 per door, installed. There was a discussion on what should be done if someone gets trapped in bathroom. The Police should be called in an emergency. If the Neighborhood Representatives get called they should also have Ron and Clif's home numbers. In case of toilets overflowing, MCP should be called and a plumber should be called.

Nick asked Bob Nasenbeny about joining his Committee to develop Neighborhood Representatives duties and interfaces, and whether he has had any response to his April 12 letter. Bob answered that he has met with two Reps, and the results were discussed at the last Executive Session. Nick asked Bob if there will be workshops in the future, or is the Committee developing something? Bob said there is a wish list, and there may be a monthly meeting probably, to get people more involved. Increase communication is one of the goals.

Cathy asked who installed the replacement locks on the washroom doors last year. Michelle stated it was AAA Locksmith. Cathy asked why the replacement locks did not meet the law requirements. Michelle advised that the law is new and my not have existed last year.

XII. ESTABLISH NEXT MEETING DATE

It was noted that the next Board of Directors Meeting is scheduled for **Monday, June 21, 1999**. The meeting will be held at The Oaks Recreational Club Clubhouse, starting at **7:00 p.m.**

XIII. ADJOURNMENT

With no further business to come before the Board, Ron entertained a motion to adjourn the meeting at 8:40 p.m.

MOTION: Clif Hanna moved to approve. Bill Poppe seconded the motion.
Motion carried, 5-0.

Respectfully submitted,

Karen Berry
Recording Secretary

William Poppe, Secretary
Oakhurst Community Association