

Silver Oaks Homeowner's Association Board Meeting

March 9, 2004

Location:

Davidson Middle School

In attendance:

Tom Calhoun	423-0178	tcalhoun@woodlawnbaptist.com
Barbara Cole	682-5283	franzcole@cox.net
Joe O'Neill	682-4654	josephroneill@cyou.com
Deryl Snyder	682-6805	deryl.snyder@eglin.af.mil
Michael Zoltek	689-8598	mzoltek@anobles.com

Absent:

Dan Taylor	683-4122	jdandmstaylor@cox.net
David Shepherd	683-1700	ceelydave@cox.net
Ed Santos	682-2911	hmd5859@cox.net
Lou Gennaro	682-5368	louis.gennaro@cox.net

Minutes:

- 1) Agenda (Mike Zoltek)
 - a) See Appendix A
- 2) Minutes from last meeting (Joe O'Neill)
 - a) Motion to accept minutes from February meeting as written – Tom Calhoun
 - i) Second – Barbara Cole
 - ii) Yea 5, Nay 0 – Motion passed
- 3) Status of Association due collection (Tom Calhoun)
 - a) 29 homeowners not paid to date
 - b) Letters have been written to those who have not paid in past years
 - c) Board agrees to send letters to those who have not paid dues by March 19
 - i) “Nice” letter (reminder) to those who have paid in previous years
 - ii) More “aggressive” to those who haven’t paid in the past, with receipt confirmation requested
 - iii) Mr. Shepherd and Mr. Calhoun to handle this task
- 4) Treasurer’s Report (Tom Calhoun)
 - a) See Appendix B
 - b) Motion to approve as written – Deryl Snyder
 - i) Second – Joe O'Neill
 - ii) Yea 5, Nay 0 – Motion passed
- 5) Discussion of Enforcement/Legal Concerns – Mike Zoltek
 - a) See Appendix C
 - b) Discussion regarding retaining a lawyer to answer questions regarding
 - i) Answer questions regarding vague wording in covenants and restrictions

- ii) Ensure proper handling of covenant and restriction violations
 - iii) Answer any other questions from homeowners/board members
 - iv) Assist in handling other legal issues as they arise
- c) Motion to retain lawyer – Barbara Cole
 - i) Second – Deryl Snyder
 - ii) Yea 5, Nay 0 – Motion passed
- d) Mr. Shepherd to proceed taking steps to retain lawyer
- 6) Other legal concerns – Tom Calhoun
 - a) We have no insurance to protect individuals on the board from law suits while acting on behalf of the board
 - b) This question can be posed to the lawyer once on retainer
- 7) Signs – Mike Zoltek (written statement by Dave Shepherd)
 - a) See Appendix D
 - b) After discussion, it is agreed that a vote will take place at the April board meeting regarding whether to replace broken/missing signs with Phase I style or Phase II style
 - i) Each member needs to look at each style of sign and decide
- 8) Review of project status – written statement by Dave Shepherd
 - a) See Appendix E
 - b) Motion to not purchase bulk mailboxes at \$50 savings – Tom Calhoun
 - i) Second – Joe O’Neill
 - ii) Yea 5, Nay 0 – Motion passed
 - c) Discussion regarding ARB approval for building on lot 37A. It is agreed to deny approval pending submittance of full documentation, including complete site plan.
 - i) Mike Zoltek to contact contractor and discuss the association denying approval.
 - ii) In addition, association dues for that lot are several years past due
 - iii) Dave Shepherd to talk with attorney about forcing work stoppage.
- 9) Lawn care bids – Mike Zoltek (written statement by Dave Shepherd)
 - a) See appendix F
 - b) Termination clause should be written into contract
 - c) Motion to enter into contract (with said termination clause) with Greenworks – Joe O’Neill
 - i) Second – Tom Calhoun
 - ii) Yea 5, Nay 0 – Motion passed
 - d) Deryl Snyder to contact Mr. Shepherd and notify him to pursue setting up contract.
- 10) Homeowner comments/questions
 - a) Recommendation to contact Phase II homeowners association regarding cost share to upgrade and repair entry way at Phase I (because Phase II uses this entry as well).
 - b) Request investigating taking down black advertising sign at front entrance now that Phase II homeowners association has been formed.
 - c) Request that board members visit 5863 Saratoga
 - i) Complaint of young man at this household speeding through neighborhood

11) Front Entrance Beautification Committee Report – Bob Hester

a) See Appendix G

12) Motion to adjourn – Deryl Snyder

a) Second – Joe O’Neill

b) Meeting adjourned

Action Item Summary:

1) Letters to be sent to homeowner’s who have not yet paid association dues

a) Tom Calhoun and Dave Shepherd

2) Pursue retaining lawyer

a) Dave Shepherd

3) Home construction on lot 37 A

a) Mike Zoltek to contact contractor

b) Dave Shepherd to question lawyer regarding work stoppage

4) Lawn care contract

a) Deryl Snyder to contact Dave Shepherd regarding board decision to work with Greenworks

b) Dave Shepherd to pursue contract

5) Contact Phase II homeowners association regarding sharing costs of front entry

a) Dave Shepherd to handle or delegate to other board member

6) Determine whether black advertisement sign at entrance can be removed

a) Dave Shepherd to handle or delegate to other board member

7) Visit 5863 Saratoga regarding speeding vehicle

a) Dave Shepherd to handle or delegate to other board member

Appendix A

AGENDA

Silver Oaks Homeowner's Association Board Meeting

March 9, 2004

- Opening** Dave Shepherd
- Treasurers Report** Thomas Calhoun
February 2004
- Minutes of last meeting** Deyrl Snyder/Joe O'Neil
- Old Business**
- Transfer of Safety Deposit Box Mike Zoltek/Dave Shepherd
 - Legal Issues/Collection Company Mike Zoltek/Shepherd Letter
 - Front Entrance Beautification Status Bob Hester/Barbara Cole
 - Lawn Maintenance Bid Status Shepherd Letter
 - Irrigation System update Shepherd Letter
 - Lighting Repair/Improvement Status Shepherd Letter
 - Architectural Review Board Report Barbara Cole
 - Street Signs Shepherd Letter
 - Mailboxes Shepherd Letter
- New Business**
- Board of Directors
 - Homeowners
- Closing** (motion from board) Dave Shepherd

Appendix B

Silver Oaks Phase 1 Homeowner's Association
February-04

Starting Account Balance			\$ 24,094.75
GENERAL LEDGER BALANCE			\$ 8,113.45
Deposits			
1 Home Owners Dues	\$ 17,380.00		
2 Home Owners Dues	902.79		
	<u> </u>	\$18,282.79	
Expense			
1 Utilities	\$ 204.00		
2 PO Box Rental	48.00		
3 Accounting	70.00		
4 Postage	35.34		
5 Safety Deposit Box	25.00		
6 Bank Charge	8.17		
	<u> </u>	\$ 390.51	
			<u>\$ 26,005.73</u>
EMERGENCY / RESERVE FUND			\$ 4,081.30
Expense			
			<u>\$ 4,081.30</u>
ASSOCIATION RESPONSIBILITIES FUND			5,900.00
Expense			
1 Barbara Cole Expense (Plants)	\$ 217.00		
	<u> </u>	\$ 217.00	
			<u>\$ 5,683.00</u>
PROJECTS FUND			6,000.00
Expense			
1 Daryl Snider (Christmas Decorations)	\$ 53.47		
	<u> </u>	\$ 53.47	
			<u>\$ 5,946.53</u>
Ending Account Balance			\$ 41,716.56

Appendix C

ENFORCEMENT/LEGAL CONCERNS

Article 4, section 1...This article mentions "interest, cost & reasonable attorney's fees" please define.

section 8...Are there additional fees, penalties, assessments or charges that can be assessed?

Article 5, sections...What is the remedy or penalty for failure to comply

- Homeowners
- Contractors

Article 6, all sections...What would be the remedies for failure to comply with provisions of this ?

Would the remedy require a civil action?

Article 8, section 2..These section mentions association has the right to enter homeowner s property that

are in violation and voted upon by the B O D. Would this require a civil action?
Recovery of costs associated with?

All


Article 9, sections..What would be reasonable remedies for failure to comply? Would these require a civil action.

Article 12, section 1..

Appendix D

Delete Reply Forward Spam Move to folder... OK

This message is not flagged. [Flag Message - Mark as Unread]

From: "Dave Shepherd" <ceelydave@cox.net>  Add to Address Book
To: "hoa mail" <davesilveroaks@yahoo.com>
Subject: street signs
Date: Wed, 18 Feb 2004 17:53:36 -0600

Board Members,

I have looked into prices for street sign replacement and have looked at the current sign being used by SOHA Phase I and the signs being used by phase II. There is a great corner to view both signs and let me know your opinion as to which sign you prefer. Prices for both are as follows;

Phase I Sign

Complete Unit	\$750.00	(this includes the post, 2 arms, stop sign and top piece)
Arm	\$250.00	(this is one arm)

Price recently quoted for the sign for corner of Hunting Meadows Drive and Sorrel Ridge Road and one (1) arm for Pinto Lane is 1128.00 pick up at Pensacola.

Phase II Sign

Post	\$92.50	(post is 5"x6" treated, 12' in length, 8' of the post is covered in the pvc and 4' exposed to put in ground)
Arm	\$38.50	(arm is 4' in length, 5" high & 3/4" high, attaches to post with 3 long wood screws)
Stop Sign	\$85.88	(sign is 24"x24"x3/4" attaches to post)
Emblems	\$8.50	(emblem is the Silver Oaks emblem)
Cap	\$14.50	(cap is painted silver)

The total cost for one (1) sign unit is \$287.00 and the parts/pieces are more replacement friendly than the current Silver Oaks Signs. This is a savings of 487.00 and more savings if we have to replace parts of the sign.

Please take a look at the two signs which are on the same corner and please let me have your opinion.

Thanks,

Dave

Dave Shepherd

Delete Reply Forward Spam Move to folder... OK

Appendix E

PROJECT STATUS

- **Irrigation System** – Incomplete at this time, I have discussed with Mr. Jesse Alford to take a look at the system, advise of any irregularities or problems. Mr. Alford has apparently been busy and hasn't had the time. Will contact another sprinkler/irrigation system company.
- **Lighting System** – I have been in contact with King Electric, who installed the system. They are trying to find the necessary parts to correct our problems. Hopefully will have some remedy soon.
- **Street Signs** – I sent to the Board Members a comparison of two street signs, which included the replacement cost of each and the location of the two for comparison/observation. The very similar look of the signs and the fact that the replacement of signs or portion of signs will be so much easier to do as the component parts are attached to the exterior of post instead of the complicated components of the current Phase I signs. **I request that the Board give me the approval to purchase the signs currently being used by Phase II and is located on the NW corner of Saratoga Drive and Sorrell Ridge Road to replace the Sorrell Ridge and Hunting Meadows and also the sign at Pinto and Saratoga.**
- **Mailboxes** – I think the board should start thinking about future replacements of mailboxes for homeowners. The replacement cost for the current mailbox is \$250 + tax and shipping, Classic Signs & Mirrors will discount them to \$199, if a dozen or more are purchased at the same time. **I have been unable to find a mailbox that is similar to the current mailbox, except the mailboxes currently being used in Phase II.**
- **Legal Issues/Collection Agencies** – I plan on meeting with Attorney at Law this next week to discuss what actions the board may take on Architectural Control, Maintenance Issues, Use Restrictions and past due HOA dues. At this time I am opposed to hiring a collection agency to handle our past dues as we would probably lose control of the process. When I meet with the Attorney, I will get an idea what the cost associated with any legal actions will be.
- **Architectural Reviews** – I am opposed to the granting of approval for the building on lot 37 A, the lot next to the lake. I would recommend that we check with the Attorney and see if we can get a stop work on the lot, as they didn't follow established guidelines and are past due two (2) years HOA dues.

Appendix F

LAWN CARE BIDS

<u>Company</u>	<u>Year</u>	<u>Month</u>	<u>Comments</u>
Hight Lawn & Home Care	\$4500	\$375	Doesn't meet insurance requirements, see attached letter
Mike's Lawn Service	\$5880	\$490	
Brad's Lawn Service	\$4800	\$400	
Ronald Hayes Enterprises	\$4992	\$416	
Greenworks	\$5148	\$429	Meets all requirements
Phil-Dirt	\$5100	\$425	Will provide some sand to level lawn and aerate lawn And provide some sod for bare spots.

Appendix G

Committee Meeting: Tuesday, March 2, 2004 at 6:00 pm.

In Attendance: Raul Figueroa, Barbara Cole, Bob Davenport, Dave Shepard, and Bob Hester

Established the following 5 projects with tentative dates;

1. Spray front fence with bleach 6 March @ 0800 (TBD, rain)
2. Plants azaleas along front fence TBD, plant sale
in tree groups
3. Plants in entrance island 20 March @ 0800
4. Daylilies in areas by front entrance 10 April @0800
and remove monkey grass
5. Remove two flower beds by 24 April @ 0800
front entrance