

Delamar HOA Newsletter

APRIL 2019

President's Corner by John Munday

Time for a Restart

At its April meeting, the HOA board took action to rescind actions taken at the last annual meeting. To be specific, the actions to institute an initiation fee, recognize email as a form of notification of meetings, and the setting of the annual assessment for the 2020 fiscal year taken during the second try to hold a meeting with a quorum. The board agreed with concerns raised that required procedures relating to notification were not followed. Although the need to take actions to improve the financial viability of the HOA and to recognize the legitimacy of using email as a notification tool (as provided by Georgia law) are important, it was thought that making sure that members felt they are being treated fairly and everything is being done above board was more important. All initiation fees collected are being refunded.

My wife and I were not at that second meeting and submitted our proxy for the then officers to execute. I have no reason to believe that the actions taken were only taken for what the officers believed were in the best interest of the HOA. However, I don't believe that the standards of communication required by our governing documents were met. Improved communications is one of my primary goals. This newsletter and the re-launched website are examples of this effort.

It should be noted that both of these efforts to improve communications involve electronic means of communication that reduce the expense and effort needed by the volunteers to carry them out. It is for this reason that I will pursue actions to recognize the legitimate use of email as a method of notifying members of meetings and information. This is recognized by the state law that governs HOAs.

The next priority I have is to prepare a detailed budget for the 2020 fiscal year which will determine annual assessment based on the needs of the HOA. We need to have a reasonable fund set aside for maintenance to common areas to avoid large special assessments to pay for them.

I continue to be grateful to the people on the board and others who volunteer their efforts to improve the neighborhood. Without their selfless efforts we would have no choice but have a much more expensive management company take over these responsibilities.

2019 Graduates

Congratulations to our graduates!

WE ARE PROUD OF YOU!



HIGH SCHOOL

- **Amy Goodrow** (Forsyth Central High School)
- **Anna McCarthy** (Forsyth Central High School)
- **Elizabeth Sherlock** (South Forsyth High School)
- **Eve Irish** (Forsyth Central High School)
- **Kaylie Zamonis** (Forsyth Central High School)
- **Lexi Somoza** (Forsyth Central High School)
- **Marina Mikhail** (Forsyth Central High School)

COLLEGE

- **KJ Moore** (Salve Regina University)
- **Nathan Gafford** (Liberty University)

Neighbor News

- **Paul Willoughby** passed away April 12, 2019. He is survived by his wife of 55 years, Kathy.
- We have had several new families move into Delamar. Please help us welcome **Blake Bagwell** and **Bethany Blumenshine** (3955 Delamar Drive); **Rod, Jaimee, Dante and Damian Munoz** (4015 Delamar Drive) **Edward and Abbie Zinkan** (4155 Idle Grass Place); and **Sergey and Marina Tentyuk** (4220 Willow Grass Court).

Last (and First) Day of School

The last day of the 2018-2019 Forsyth County school year is **Friday, May 24**. The 2019-2020 school year begins on **Thursday, August 1**.

Website Launched

The **DelamarHOA.com** website has been reactivated. On the site, you can find items such as the covenants and bylaws as well as past issues of the newsletter. We plan to add financial reports and other relevant information in the coming months.

Yard of the Month

Who do you think should be recognized as Yard of the Month for May? Please send your nomination to **DelamarHOA@gmail.com** by **Friday, May 10**.

Delamar HOA Newsletter

MAY 2019

President's Corner by John Munday

The most miserable part of this job is the enforcement of covenants. A covenant, in its most general sense and historical sense, is a solemn promise to engage in or refrain from a specified action. In the case of our neighborhood, the actions are those that we believe will adversely affect the property value of our neighbor's homes. The definition of those actions are spelled out in a lengthy document that can be found on our website or on file at the court house. When we bought into this neighborhood we also bought into this covenant with our neighbors.

When it is suggested that we scrap the HOA and the hassles that go with it, the first objection that arises is not the turning off of street lights or letting the entrance go to seed, it is the concern that some of the neighbors will engage in actions or inactions that will negatively affect their property values. Delamar is by zoning and covenant a single family residential community. We expect our neighbors to maintain their property and homes in such a way that if we choose to leave this community, others would find this a desirable place to purchase a home. This means that our home and those around it will have "curb appeal".

Poorly kept landscape, lawns and homes in disrepair with peeling paint or items stacked in front the garage doors is not appealing. The parking of large commercial vehicles and storage of materials used for businesses in plain sight of the road is not appropriate in a residential community. We have agreed that the storage of recreational vehicles or vehicles we are working on for whatever reason in view of the street is not something we wish to see.

When a problem arises because of a violation of the covenants the most direct and desirable action would be for one homeowner to discuss it with the other homeowner. But few want to get involved in a situation that may result in conflict, so the concern comes to the HOA Board to speak for the community. Many HOAs hire outside management companies so the anger at enforcement activities are focused on others rather than neighbors. That comes at a cost both financial and enforcement activities that follow the letter and not the spirit of the covenant.

The Board is of the general opinion that a person's home is their castle and our intrusion into what goes on there should be minimal. If the curb appeal of the neighborhood is maintained and the actions of one neighbor does not impinge on another neighbor's enjoyment of their castle there is no need for us to get involved. I assure you that the Board prefers to have dull, routine meetings.

2019 Graduates

We missed a few graduates in our April newsletter. We apologize for the omission. Congratulations to these college graduates!

- **Alex Fekete** (Georgia Southern University)
- **JD McCarthy** (Georgia Southern University)
- **Jake Mishoe** (Georgia Southern University)

Neighbor News

In April, we shared the sad news of the passing of long-time resident **Paul Willoughby**. Several people have asked about sending flowers to his wife, Kathy. She has asked in lieu of flowers, a memorial donation can be made to the **Forsyth County Humane Society**, 4440 Keith Bridge Road, Cumming, Georgia 30041.

Website Launched

The **DelamarHOA.com** website has been reactivated. On the site, you can find items such as the covenants and bylaws as well as past issues of the newsletter. We plan to add financial reports and other relevant information in the coming months.

Yard of the Month

Congratulations to **Rich and Eric Petrosino** at **3925 Delamar Drive**. Their yard has been selected as **Yard of the Month** for May 2019.

Lawn Maintenance

Spring is here and the flowers are in bloom. But along with these very welcome spring flowers come a host of not so welcome early spring bloomers which invade even the most carefully tended lawns and gardens: **WEEDS**. Please treat weeds in your lawn before they become a bigger problem for you (and your neighbors). If you need recommendations for a lawn treatment company or need some advice about how to treat them on your own, let us know.

2019 BOARD

JOHN MUNDAY
President

STEVE GAFFORD
Vice President

BILL WILD
Treasurer

BILL TOLL
Secretary

.....

**Forsyth County
Public Library**
770-781-9840

**Forsyth County
Sheriff's Office**
770-781-3056

**Mashburn
Elementary School**
770-889-1630

**Lakeside
Middle School**
678-965-5080

**Forsyth Central
High School**
770-887-8151

.....

If you have an issue or concern about the neighborhood, please let us know. The best way to contact the Delamar HOA Board is by email at DelamarHOA@gmail.com. This allows us keep track of issues that arise between scheduled meetings and respond in a timely manner. You can also send a letter to the HOA at **P.O. Box 3201, Cumming, Georgia, 30028**. We do check e-mail more frequently so if it is an urgent issue, it is best to contact us by e-mail instead of U.S. mail. You can also visit our website www.DelamarHOA.com for the neighborhood covenants, by-laws, previous newsletters, and other relevant documents.

PRESIDENT'S COMMENTS

Part of the joy of home ownership is the cost of maintenance of the property.

We are getting bids to paint our home since the time has come where I am not allowed to crawl up an extension ladder. (I guess I should be happy that my wife values me enough over her survivor's benefits to insist upon this.) We are not changing the colors so we do not need approval of the Architectural Control Committee and just have to submit the form from the website and check the "no change" box. Then of course there is paying the contractor for something we need to do but is not as much fun as a trip or new toy.

The homeowners association also has maintenance responsibilities for the commonly owned property which is essentially the entrance to the subdivision. This is the first impression people get when they come to Delamar and impacts the value of all of our homes. In addition to what I am told is called the monument that has the name Delamar on it, we have two types of fencing, landscaping and irrigation system for our lawn, lighting and crosswalk striping. After being installed when the subdivision was first built, much of this has not been updated and is in need of maintenance.



We are fortunate to have a member on our Board who oversees the development of these areas for new subdivisions being built. The Board has requested that he develop a budget for the required maintenance of our common entrance. This is part of our effort to identify the necessary annual assessment to put before the membership this November. As with the maintenance of our individual homes, it is cheaper to perform regular maintenance than to allow things to degrade to the extent that they must be replaced. We want to avoid a large one-time special assessment of hundreds of dollars by budgeting these efforts over a five-year period.

It would be hypocritical for the Board to require homeowners to paint and otherwise maintain their fencing and landscaping and not do the same with the neighborhood. Because of the importance of this area to the perception people have of our community, it is also not the kind of job you give to someone who throws their business card in a plastic bag weighted down with rocks on your driveway. It is not a volunteer task. The Board recognizes their fiduciary responsibility to spend responsibly for a quality job.

As people have told me, one of the reasons that they chose this neighborhood was not having to pay for recreation facilities they did not feel they would use. Our annual assessment is a small fraction of what is paid by nearby neighborhoods that have pools, tennis courts and a community building to maintain. The proposed assessment for next year will still be low and similar to that which was recently proposed. It will, however, be based on facts and figures we will present to you that the Board believes are needed to meet our responsibilities to manage the homeowners association.

- JOHN MUNDAY

Home Maintenance

The main reason Delamar has a Homeowners Association (HOA) is to protect the value of properties in our neighborhood by enforcing rules (known as "covenants") about how our homes and yards look. Though these covenants limit what you can do with your property by dictating what color you can paint your house or what type of mailbox you must have, they ultimately exist to **protect the value of our homes** (something you will greatly appreciate if you ever need to sell yours).

Whether you love having an HOA or hate it, the reality is that you are in a neighborhood that has one. You are responsible for keeping your property at a certain level of repair. Please do your part! We don't enjoy fining homeowners for peeling paint, dirty siding, rampant weeds, or overgrown trees and shrubs, but unfortunately, it is part of our job. **Your job as a homeowner is to abide by the covenants by keeping your house and yard neat and clean.** If you have financial or health issues that prevent you from being able to properly maintain your home, let us know. We will do whatever we can to help.

As a reminder, below are the "neat and clean" standards for our neighborhood:

- **The house exterior** (siding, roof, windows, doors, trim, garage doors and fence) **should be in good condition** (regularly painted; clean; no wood rot; no peeling; no dirt, algae, moss or mildew; no missing or damaged shingles; no vines growing up the side of the house)
- **The landscaping should be well maintained and the yard should be free of debris** (grass is regularly cut; clippings are cleaned from street or on driveway; clippings are bagged; lawn is edged; weeds are controlled; islands and beds are mulched and free of weeds; trees, bushes, and plants are healthy and trimmed or pruned regularly)
- There should be **no trailers, boats, or non-working vehicles** in driveway or yard and **no cars should be parked in the grass or yard**
- **Waste and recycling cans** should be kept behind fence or screen
- **Mailbox and post** should be in good condition (box and post painted black; house number painted gold; no rust; no stick-on numbers; no dents or other damage; no loose or missing parts)

If you need assistance with any maintenance around your home, there are a variety of resources available including HomeAdvisor, NextDoor, Angie's List, and Thumbtack. You can also talk to your neighbors who have had similar work done.

• • • • •

SEPTIC TANK ISSUES

Over the past few years, several Delamar homeowners have experienced moderate to severe problems with their septic systems. Failing septic systems are expensive to repair or replace. One of the most common causes of early system failure is improper maintenance.

Many homeowners are not aware that septic tanks should be inspected and pumped every three to five years. Since it can cost \$10,000 or more to replace a failing septic system, it makes good financial sense to spend a few hundred dollars to perform routine maintenance.

There are many companies to choose from, but two local companies that have consistently good reviews are:

- **Amos Pump Service** (770) 887-0414
- **Banks Septic** (770) 889-2708

• • • • •

SELLING YOUR HOUSE

Please be aware that it is the seller's responsibility to inform any potential buyer that the properties in Delamar are governed by an association and its covenants. If you need a copy of the covenants, please visit our website at **www.DelamarHOA.com** or e-mail us at **DelamarHOA@gmail.com**.

• • • • •

CONTACT INFORMATION

As hard as we try to keep it current, our e-mail address list frequently gets out of date. It is very important to keep this information updated because it is used by our block captains to alert the community to important or emergency information. Please send any updates to **DelamarHOA@gmail.com**.



Yard of the Month

Our June 2019 Yard of the Month belongs to **Bill and Carol Cone** at **4255 Delamar Drive**. Congratulations – keep up the good work!

SEPTEMBER 2019

NEWSLETTER

2019 BOARD

JOHN MUNDAY
President

STEVE GAFFORD
Vice President

BILL WILD
Treasurer

BILL TOLL
Secretary

.....

**Forsyth County
Public Library**
770-781-9840

**Forsyth County
Sheriff's Office**
770-781-3056

Mashburn Elementary
770-889-1630

Lakeside Middle
678-965-5080

Forsyth Central High
770-887-8151

.....

If you have an issue or concern about the neighborhood, please let us know. The best way to contact the Delamar HOA Board is by email at **DelamarHOA@gmail.com**. This allows us keep track of issues that arise between scheduled meetings and respond in a timely manner. You can also send a letter to the HOA at **P.O. Box 3201, Cumming, Georgia, 30028**. We do check e-mail more frequently so if it is an urgent issue, it is best to contact us by e-mail instead of U.S. mail. You can also visit our website **www.DelamarHOA.com** for the neighborhood covenants, by-laws, previous newsletters, and other relevant documents.

ANNUAL MEETING PREPARATIONS

In an effort to avoid the problems experienced at the last annual meeting of the homeowners association, the Board at its August meeting began planning for the 2019 annual meeting. There are timelines that have to be met and documents that need to be prepared and delivered to all homeowners. We are committed to following the requirements of the covenants regarding notification and distribution of these materials.

We are required to prepare a budget at least thirty (30) days before the end of the fiscal year which ends on December 31. The Board is required to deliver a copy of that budget to each homeowner by hand or mail fifteen (15) days before the annual meeting. Homeowners must be notified of the annual meeting thirty (30) days prior, but not more than forty-five (45) days prior to the annual meeting. To meet all of these timelines, we are planning to hold our annual meeting in November with written materials delivered to all homeowners in late September to early October. The exact dates will be determined at our September Board meeting. We are planning to use a local church so that there will not be a time crunch requiring us to be out of the meeting location in a rush.

Preparations for this meeting began earlier this year when the Board undertook a review of the expenses we would need to incur for the maintenance of the front of the subdivision. The repainting and repair of the fencing along with the trimming of the trees are the major expense in this area. In order for the volunteer board members to carry out their duties, it is required to retain outside services in the accounting and legal areas. The neighborhood has made it clear that it does not want an outside management firm. However, in order to get volunteers willing to perform those duties, it is necessary to provide them with the support they need to fulfill those responsibilities. When all of these expenses were tallied up, the amount was deemed too much to ask for in one year. The Board instead will present a five-year plan to build up our reserve in order to cover these expenses. Detailed information will be presented to homeowners in the annual meeting materials.

The Board has decided not to ask the community to approve an initiation fee as was presented last year. Even though this is a common practice in surrounding communities, it is felt that because of our recent experience with this effort, it would not be in the best interest of setting an assessment that will meet our long-term needs. We will, however, again be requesting that email be included as a recognized method of providing notice as required in the covenants. This is consistent with the State of Georgia law covering HOAs and will ease the burden and expense of communicating with homeowners. This electronic newsletter is an example of how this generally accepted method can improve communication.

The quorum required to conduct business at the annual meeting is sixty percent (60%) of the homeowners in the neighborhood in person or proxy. The proxy will allow homeowners who cannot attend the annual meeting to vote yes or no on each of the issues. We also hope to know in advance of the meeting the names of the individuals willing to serve on the board for the coming year. We have current members who are leaving and we will need replacements. We should have at least five members to serve on the board so that its actions reflect the desires of the neighborhood and not any one individual.

Solicitation Ordinance

The Forsyth County Sheriff's Department has notified homeowners that, on the advice of the county attorney, "no solicitation" signs at the entrance to a subdivision are not enforceable. You must have an individual sign on your property for the ordinance to be enforced. All solicitors or canvassers must file an application for a permit and register with the Sheriff's Office as a solicitor. All solicitors or canvassers must wear a badge from the Sheriff's Office. The badge must be worn on the shoulder where readily visible. All solicitors and canvassers must present an information card, as provided by the Sheriff's Office, to each household visited. No solicitor or canvasser may enter a home without the express invitation of the occupant or owner. If a "no solicitation" sign is posted on the property, no solicitation or handbills shall be left on the property.

The terms "solicitor" or "canvasser" shall not mean an individual or field sales representative working for or on behalf of a bona fide charitable or nonprofit organization, or students or parents of students (i.e., PTA, booster club organizations) participating in approved school-sponsored fund raisers. It is my understanding that this includes religious groups and political groups.

The bottom line is that if you want to try to fend off these individuals and litter, you need to have an individual "no solicitation" sign on your property. We do not, at present, intend to take down the sign at the subdivision entrance. In any event, you should not expect a sheriff with lights and siren blaring to respond to your complaint of a solicitor.

The county ordinance can be found at:

<https://www.forsythco.com/Portals/0/Documents/CommunityDevelopment/Door%20to%20Door%20Peddlers%20and%20Solicitors.pdf>



SELLING YOUR HOUSE

Please be aware that it is the seller's responsibility to inform any potential buyer that the properties in Delamar are governed by an association and its covenants. If you need a copy of the covenants, please visit our website at **www.DelamarHOA.com** or e-mail us at **DelamarHOA@gmail.com**.



CONTACT INFORMATION

As hard as we try to keep it current, our e-mail address list frequently gets out of date. It is very important to keep this information updated because it is used by our block captains to alert the community to important or emergency information. Please send any updates to **DelamarHOA@gmail.com**.

Delamar HOA Newsletter

December 2019

2019 ANNUAL MEETING

The Delamar Homeowners Association held its annual meeting on Thursday, November 14. In order to establish a quorum and conduct business at the meeting, we needed to have at least 37 homeowners (at least 60 percent of the membership) attend, either in person or by proxy. Thanks to the outreach efforts of several people, we had the best turnout we have had in many years: Out of 62 homeowners, **53 participated in the 2019 meeting**, representing more than 85% of the neighborhood. I want to express my appreciation to block captains Pam Sherlock, Susan Phillips, Kelly Fekete, and Carol Munday as well as Board members Steve Gafford and Bill Wild who went door-to-door to encourage attendance or collect proxies from homeowners.

VOTING RESULTS

- 2020 budget, including 2020 annual assessment of \$175
APPROVED: 53 votes (43 yes / 9 no / 1 abstain)
- Using email as a method of notification
APPROVED: 53 votes (50 yes / 2 no / 1 abstain)
- Election of 2020 Board members
Nominated: John Munday · Bill Wild · Dave Schult · Bill Toll
APPROVED: 53 votes (51 yes / 1 no / 1 abstain)

We still have the need for an additional board member. If anyone interested, please make your interest known to the board.

CONCERNS OF THE COMMUNITY

In the open forum, several homeowners expressed their concerns and opinions on a variety of issues:

- **Cars are routinely parked in the street** rather than in the driveway or garage. This is dangerous for drivers and pedestrians, especially during the times when people are going to or coming home from school or work.
- The gate on the road which runs by Mashburn Elementary, Haw Creek Elementary, and Lakeside Middle **is being left open after normal school hours**, which allows drivers to use it as a cut through. It also allows easier access to areas that might be used for hunting or other prohibited activities.
- The trees and shrubs along the neighborhood entrance **are overgrown** and are blocking the streetlights.
- Given the age of the neighborhood and the number of homeowners who have experienced issues with their septic systems, there is an interest in **the feasibility of having a sewer system** installed in the subdivision.
- Members have requested that the Architectural Control Committee provide a **standard palette of colors** for homeowners to choose from when repainting their homes. When Delamar was established, the HOA had a color palette, but over the years, it was lost and needs to be replaced.
- It was clearly expressed that the Board has a responsibility to make sure that the **HOA funds are spent wisely**. Competitive bids must be taken before funds are expended on the maintenance of the common areas at the front of the neighborhood. **The five-year budget plan must, and will be, reevaluated on a yearly basis.**

NEIGHBORHOOD NUMBERS:

62 total number of homes in Delamar

total number of homeowners who participated in the 2019 annual meeting either in person or by proxy **53**

THIRTY-SEVEN
total number of attendees needed to establish a quorum and conduct official business at the annual meeting

66.7

Percentage of membership votes needed to approve changes to covenants

2020 ANNUAL ASSESSMENT

The annual assessment of \$175 for the 2020 calendar year is due by January 15.

Please mail your payment to:
Delamar Homeowners Association
P.O. Box 3201, Cumming, GA 30028

Payments received after January 15 will be subject to a 10% late fee.

Please remember that our treasurer is a volunteer. It is unfair to make him chase down delinquent assessments in person.