

The Cherrywood Homeowners Association met for a special meeting Monday, September 10<sup>th</sup>, 2018, at 1830 hours. Those present were, William Bayer, William Spicer, Michael Snyder, 33 voting residents, and representatives.

The meeting was called to order by Mr. Bayer at 1831.

- A) Mr. Davis resigned from the board this morning via email, due to a pending move out of the subdivision. The board would like to thank Mr. Davis for his hard work and dedication to the homeowners of the Cherrywood Place Homeowners association. The board has appointed homeowner Blair Milburn to fill the open vacancy on the board, Mrs. Milburn will finish the term of Mr. Davis until approx. April of 2019.
- B) The financial report was presented to the homeowner's present, a discussion was had on the financial situation of the association.
- C) In August the board began hiring off-duty LaGrange police officers to target speeding in the neighborhood. The total cost of hiring off-duty officers was \$420. During strategic times officers made 28 contacts with drivers in Cherrywood Place, for speeding. Five citations were written for drivers exceeding 35 mph, 9 contacts for disregarding a stop sign, and 2 contacts for no seat belt. Please review the attached slides for statistics on vehicle speed and collisions with pedestrians. The board approached the city to add stop signs in the neighborhood, and the city agreed to approve three stop signs. Cherry Creek Rd & Cherry Hollow Rd, Cherry Creek Rd & Fruitwood Ct, and Cherrywood Dr & Cherry Ridge run will all become full three way stops. The city will provide the signs and the association will cover the cost to have them installed to match other signs in the neighborhood. The cost to install the signs will be approx. \$1500.
- D) The 2019 budget was presented, and a discussion was had. The proposed assessment for 2019 will be \$175, this will cover the 6% service tax increase. The assessment is 9% more than 2018, and the additional 3% will be used to fund capital improvements and maintain our reserves. The front original HOA has agreed to share the cost of maintaining the Cherrywood Dr entrance and will pay us a 7.5% rate of our costs of the site maintenance. The board is also planning to approach businesses on Cherrywood Dr, to offset the costs of maintaining that entrance.
- E) A discussion was had on capital improvements for 2019, lighting improvement at Cherry Creek Rd, will cost approx. \$3000. The board feels a storage shed placed in the 2300 block of Cherry Creek Rd, will allow for storage of association decorations, signage and other shared property, without incurring a continuous recurring cost. The shed would be placed out of sight on common association property and secured. The cost for the shed would be approx. \$3500. The third capital improvement is to complete phase I of the irrigation project at Cherrywood Dr. This would rehab the irrigation system at this entrance and allow for the expansion of this system down Cherrywood Dr, towards Hwy 53. A vote by ballot was had:
  - (1) Lighting at Cherry Creek Rd: 30 to 2 in favor

- (2) Shed: 21 to 11 in favor
- (3) Irrigation system: 24 to 8 in favor

- F) The board has again received many inquires on the possibility of permanent above ground pools, which are explicitly prohibited by the deed restrictions. The board opened the floor to those present to entertain a motion to amend the deed restrictions to allow permanent above ground pools. No motion was made and the subject died.
- G) A discussion was had to amend the deed restrictions regarding voting on amendments to the deed restrictions. Currently the restrictions state 2/3 of all the homeowners must approve an amendment, which means if a homeowner does not vote that homeowner automatically counts as a "no" vote. The amendment to the deed restrictions would change the quorum required to have a valid vote changed to 2/3 or another percentage. This would allow the homeowners who vote to have their voice heard and encourage other homeowners to voice their opinion and make their vote count. A motion was made to for the board to pursue a vote to amend the amendments, by Pam Sawyer, and seconded by Cliff Gregory, the motion passed 19 to 13. The board will work with omni to finalize the wording of the amendment and present it at the annual meeting.

With no other business to come before the association the meeting was adjourned at 1951 hours.

Respectfully submitted;



William Spicer

A photograph of a brick sign for 'CHERRYWOOD PLACE' with a dark overlay containing text. The sign is made of red bricks and has the words 'CHERRYWOOD PLACE' engraved in a serif font. The background shows a green tree and a blue sky.

# Welcome!

- ▶ Cherrywood Place HOA Meeting
- ▶ 9/10/2018 @ 1830
- ▶ Board Members:
  - ▶ Adam Bayer
  - ▶ Bill Spicer
  - ▶ Jaqueline Bryan
  - ▶ Mike Snyder
- ▶ Website!
  - ▶ <http://www.cherrywoodplace.com>



# Agenda

- ▶ Welcome
- ▶ Financial Report
- ▶ Speed Control
- ▶ 2019 Budget Presentation
- ▶ Proposed improvements Vote
- ▶ Question & Answer period



## Cherrywood Place

### ▶ Financial Report

#### ▶ Period through 7/31/18

▶ Operating cash - \$23,152.45

▶ Reserves - \$86,708.67

▶ Total funds available - \$109,861.12

# Cherrywood Place

## ▶Speed Control

- ▶Speeding – 28 Contacts

  - ▶5 Citations written > 35 MPH

- ▶Disregard stop sign – 9 Contacts

- ▶No Seat Belt – 2 Contacts

- ▶Expired Vehicle registration – 3 Contacts

- ▶Expired Operator's License – 1 Contact

- ▶License to be in possession – 2 Contacts

- ▶No Insurance – 2 Contacts

- ▶Illegal turn – 1 Contact

- ▶Total cost of speed control for August \$420

## Cherrywood Place

### ▶Speed Control

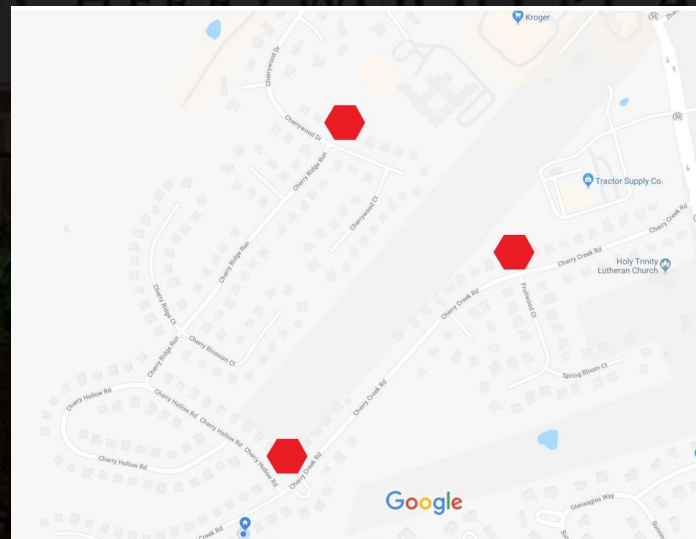
- ▶A vehicle traveling 20 MPH would stop in time to avoid a child running out three-car lengths in front of the car.
- ▶The same vehicle travelling 25 MPH would not be able to stop and would hit the child at a speed of 18 MPH, roughly the same speed as the child falling from a two story window.
- ▶The greater the impact speed the greater the chance of death.
- ▶20% mortality rate at 30 MPH, 33% mortality rate at 35 MPH.
- ▶Children go down and under, teenagers and adults go up and over.
- ▶20 MPH 29 FPS, 25 MPH 36 FPS, 30 MPH 44 FPS, 35 MPH 51 FPS.
- ▶Traveling 35 MPH in a 25 MPH Zone is the same as traveling 98 MPH in a 70 MPH zone.

# Cherrywood Place

## ▶ Speed Control

### ▶ The City approved new stop signs

- ▶ Cherry Creek Road & Cherry Hollow Rd will become a three-way stop
- ▶ Cherry Creek Road & Fruitwood Ct will become a three-way stop
- ▶ Cherrywood Dr & Cherry Ridge Run will become a three-way stop







## Cherrywood Place

### ▶Speed Control

#### ▶Stop signs cont.

- ▶City took recommendations from Chief of Police.
- ▶The HOA will pay to have the signs installed, the city will provide the signs.
- ▶The project will cost approx. \$1,500, to have the 9 signs installed.

CHERRYWOOD PLACE

# Cherrywood Place

## ▶ 2019 Budget Presentation

- ▶ Increased costs, 6% service tax that went into effect 7/1/18.
- ▶ Front HOA has agreed to pay 7.5% annually of the grounds keeping costs
- ▶ Proposed assessment for 2019 - \$175
  - ▶ 9% Increase
  - ▶ Absorbs 6% service tax
  - ▶ 3% increase after accounting for service tax

## ▶ Capital Improvements

- ▶ Vote
  - ▶ Lighting improvement Cherry Creek Road - \$3,000
  - ▶ Storage Building - \$3,500
  - ▶ Irrigation Installation Phase I - \$8,000
  - ▶ Total capital improvements – \$14,500
  - ▶ \$10,000 will come from reserve account

# Cherrywood Place

## ► 2019 Budget Presentation

2019 PROJECTED OPERATING BUDGET	
CHERRYWOOD PLACE	
251 Lots at Buildout	
<b>PROJECTED INCOME</b>	
RESIDENT COLLECTIONS (251 Lots at \$175 per Year)	
4100 Allocated to Operations	\$28,640.00
4110 Allocated to Reserves	\$17,321.00
4116 Contribution from Front HOA	\$ 2,036.00
<b>TOTAL RESIDENT COLLECTIONS</b>	<b>\$48,061.00</b>
<b>TOTAL PROJECTED INCOME</b>	<b>\$ 45,361.00</b>
<b>PROJECTED EXPENSES AND RESERVE ALLOCATIONS</b>	
<b>SITE MAINTENANCE</b>	
5210 Landscape Contract	\$16,542.00
5225 Grounds Miscellaneous	\$ 1,000.00
5226 Lighting Maintenance	\$ 250.00
5228 Irrigation Contract	\$ 530.00
5229A Backflow Inspection	\$ 265.00
5236 Annials	\$ 2,544.00
5261 Holiday Decorations	\$ 250.00
<b>TOTAL SITE MAINTENANCE EXPENSE</b>	<b>\$21,381.00</b>
<b>UTILITIES</b>	
5110 Electricity	\$ 1,600.00
5120 Water & Sewer	\$ 2,400.00
<b>TOTAL UTILITY EXPENSES</b>	<b>\$ 4,000.00</b>
<b>ADMINISTRATIVE EXPENSES</b>	
5020 Administrative & Postage	\$ 1,004.00
5031 Accounting Fees	\$ 280.00
5033 Real Estate Taxes	\$ 53.00
5037 Attorney Fee General Services	\$ 200.00
5040 Management Contract	\$ 5,522.00
5042 Speed Control	\$ 2,000.00
5050 Insurance Expense	\$ 3,000.00
5060 Bad Debt/Bankruptcy/Foreclosures	\$ 1,000.00
5070 Website	\$ 200.00
<b>TOTAL ADMINISTRATIVE EXPENSES</b>	<b>\$13,259.00</b>
<b>RESERVE ALLOCATIONS</b>	
9509 Lighting Renovation - Cherrywood Rd. Entry	\$ 3,000.00
9511 Plant Removal and Replacement	\$ 500.00
9524 Sign Maintenance and Replacement	\$ 1,000.00
9532 Lighting Maintenance	\$ 100.00
9533 Irrigation Maintenance	\$ 200.00
9559 General Operating Reserve	\$ 1,021.00
9565 Storage Building Purchase	\$ 3,500.00
9561 Irrigation Installation - Cherrywood Dr. Entry	\$ 8,000.00
<b>TOTAL RESERVE ALLOCATIONS</b>	<b>\$17,321.00</b>
<b>TOTAL PROJECTED EXPENSES AND RESERVE ALLOCATIONS</b>	<b>\$ 55,961.00</b>
<b>Projected Surplus/Shortfall</b>	<b>\$ (10,000.00)</b>

The Projected shortfall of \$10,000 in the 2019 Operating Budget will be funded through the use of excess funds currently held by the Association in its Reserve Fund.

A photograph of a brick sign for 'CHERRYWOOD PLACE' with a dark overlay containing a list of proposed improvements. The sign is made of red brick and has the words 'CHERRYWOOD PLACE' engraved in a serif font. The background shows a brick wall, green trees, and a clear blue sky.

## Cherrywood Place

- ▶ Proposed improvements Vote
  - ▶ Lighting improvement Cherry Creek Road - \$3,000
  - ▶ Storage Building - \$3,500
  - ▶ Irrigation Installation Phase I - \$8,000

CHERRYWOOD PLACE

A photograph of a brick sign for 'Cherrywood Place' with a red overlay at the top containing text. The sign is made of red brick with a central stone panel that reads 'CHERRYWOOD PLACE'. The background shows a large green tree and a clear blue sky. The red overlay at the top contains the text 'Cherrywood Place' in white, and below it, a dark grey semi-transparent box contains two bullet points: '▶ Question & Answer period' and '▶ Above Ground Pools'.

# Cherrywood Place

- ▶ Question & Answer period
- ▶ Above Ground Pools

CHERRYWOOD PLACE

## Amend Deed Restrictions Section 12.3

In addition, this Declaration may be amended or modified after the Turnover Date with the approval of Owners holding not less than two-thirds (2/3) of the voting power of all Owners in the Association, provided that the consent of all owners shall be required for any amendment which effects a change in the voting power of any Owner, the method of allocating Common Expenses

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### Current State:

Due to the requirement of (2/3) of the voting power of "all owners", any owner who chooses not to vote, by default, is automatically submitting a vote of No towards the measure and effects the outcome of the vote without actually voting.

### Example:

If you decided not to vote in the 2016 election but your vote still defaulted to a pre selected Candidate instead of going towards neither as intended

## Amend Deed Restrictions Section 12.3

As home owners it is our right to have a voice in what happens in our neighborhood, however, I believe if we choose not to exercise that right, that decision should not impact the vote of those who do.

### Proposal:

To amend the deed restriction to state that 2/3 of the owners must vote to validate the measure, and 2/3 of those votes must be Yes to pass the measure

### Example:

At least 168 out of the 251 homeowners must vote to keep the measure alive, If the measure stays alive, it then takes a minimum of 112 votes to pass the measure, but the more votes received, the more that are required to pass the measure

### Purpose:

- Encourage all home owners to use their voice
- Prevent those who choose not to vote from influencing the outcome.
- Simultaneously prevent a measure from passing based on 34% of home owners

# Cherrywood Place

▶ Question & Answer period



CHERRYWOOD PLACE