

Oakbrook chase HOA meeting. March 23, 2009

I. Meeting began at 6:35pm. Kristi Arnold, HOA president, welcomed all and asked for all to list current email and sign in by your name. She introduced all board members (Perry Bowen, VP; Jerry Beidenharn, Treasurer; Peggy Kelly, Secretary). She thanked all committee members for their hard work.

Kristi then gave out the email address for the HOA –oakbrookchase_hoa@aol.com as well as the HOA website www.oakbrookchase.com

You can email Kristi any information about a business that you might run to post on website.

Please introduce yourself to Kristi at the end of the meeting if possible.

II. Renee Ryan has offered to get some bids on **security systems**. Renee is willing to contact various security companies and might be able to leverage having several households buy. You can send an email to Renee if you might be able to assist her with technical aspects of this purchase. 320-5844, rlryan@hotmail.com

III. **Treasurer's report** – Jerry Biedenbarn

Last year we took in \$16240. The biggest expense was detention pond repairs \$2100. Today we have \$19262.

Draft Budget biggest fee \$30000 entrance development. Anticipated collecting \$16000 in fees. We will end up with \$35262.86 and spend \$37000.

Discussion on report:

Doug Samuels: Correction on lawn maintenance to 4500 from 2500.

John Fenter knows an ex-school teacher Gayle Marshall who might be willing to do this for us.

Kristi: Should give bids to Becky O'Connor to deal with it as part of maintenance committee.

Shiva Katai: had another person who might be able to mow as well. Their bid is currently cheaper than what we have.

Kristi: We will look to save some money here.

Cyndi Cherry: clean up on detention pond on Adams Way was fantastic.

Will wait to approve treasurer's report until after voting on front entrance.

IV. **Committee Reports**

a. **Maintenance committee**: Mike O'Connor reporting for Becky O'Connor and Bob Fookes. This is what the committee has worked on this past year:

- They worked with the Beaver Creek City Engineer to determine the best ways to fix the washed away areas in the Adams Way detention area and to get recommendations for contractors. The City Engineer got the developer to bring in some of the rocks, but the committee had to finish the repair. They got a couple of estimates and chose Keast Excavating. Keast removed dirt and debris that was blocking the drainage channels in all three detention areas. Additionally, they

brought in additional rip rap and cement to grout in the rock. Total cost for all three areas was \$2100.00

- Finally, \$300 was spent to cut, chip, and remove a tree that was down in the Adams Way detention area from the September windstorm.

Current maintenance committee concerns:

- There is a sink-hole forming by a storm drain in the Adams Way detention area. This area is between the sidewalk and the street and may be caused by a drainage tube collapse. Repair of this is the responsibility of the City of Beavercreek and they have been informed of the problem.
- There have been complaints about trash from the construction site on Oakleaf. Kristi has the name and number of the construction company and has called to get that cleaned up.
- The committee is looking for bids to mow the 3 detention areas and do weed control on the Oakleaf and Adams Way detention areas. If you have a company that you use or like, please forward a quote to: Becky O'Connor @ 1330 Adams Way. You may also email a quote to becky_oconnor@yahoo.com. A selection needs to be made ASAP so please get those to her before April 15th.

b. Entryway committee- Greg Meyer reported. (Other committee members are Cyndi Cherry, Julie Berro, Lori Huffman, and Candi Meyer)

Greg is impartial on whether we build something or not. The committee tried to look for options and costs and what's involved with redoing the front entryway.

Any voting this evening consists of two parts:

1) Will we pursue building a new entryway? Yes or no.

If **no**, we just have to maintain what we have.

If **yes**, we vote on either 1) mostly a landscaping package. Landscaping keeps the wrought iron, placing it on a stone and mortar base. The bulk of this package is that it includes more attractive and extensive plantings. Greg did not think that the estimate included backlighting. This estimate from Siebenthaler's was about \$30,000.

or 2) building a stone wall. This is a more permanent option. This is something along the lines of a big etched stone wall on each corner and some landscaping. For brick or stone and mortar the costs can easily be \$40-50K. The committee determined that a good compromise is a mortarless stone construction (unilock brand). It is as durable as stone with no maintenance. This estimate includes the structure, landscaping, and some lighting. The committee received an estimate of \$40,000 from Dig-It. The company offered the flexibility to do this project in phases. For example: stonework could be done in year one, landscaping in year two, and lighting in year three.

Since it will cost money to get a formal quote the committee decided to wait until it got direction from the members of the HOA before pursuing this portion of the project.

Greg showed pictures of the current and potential entryway. The current metal work is leaning and corroded and is "invisible" with background of plantings. The Siebenthaler's picture showed a modest stone wall with refurbished fence on top with trees and perennials around on both sides. Additionally, there would be large vertical evergreen plantings and they would eliminate a portion of fence (about \$30,000)

Dig-it: Oakbrook Chase in etching in middle with quick lock block construction. Still get accent bushes and perennials around. Perhaps put a simple column at other entrances with

“Oakbrook chase” on them(not included in the quote). The quote does include footers and foundation, etc. (about \$40,000). Dig-It was open to use our to help with planting of smaller perennials. (not trees, or big bushes because of warranty issues) They would welcome assistance with removal of old fence to save some money.

The following is much of the discussion from the members of the HOA.

Cyndi Cherry: Does the budget include this year’s dues? Jerry Biedenharn: Yes

Shiva Katai: Do we know the cost of yearly maintenance? GM: No

John Angi: What is the warranty on either plan? GM: Don’t remember what it is.

John Angi: Will they take all the trees along Beaver Valley? GM: No, just around the structure.

Mike Connolly: I’d like to see a comparison of yearly maintenance for the two plans.

Pat Moran: How do we fill a deficit if we select the more expensive option?

GM: We can either have a special additional assessment or break it over several years so that we don’t force an additional assessment.

Mike Deis: We currently have a tremendous surplus of money in 1 ½ years. Even if we went with the more expensive option we should be able to do it over 2-3 years.

Mike Peelle: Is it irrigated? GM: No.

Doug Samuals: We like the relative simplicity of wrought iron, but needs to be refurbished. It makes it look different from the other neighborhoods. We definitely need to have someone maintaining it. Also, the new trees will not interfere with vision to get out onto Beaver Valley? GM: Right, no interference on driving. Did not price out option of complete refurbishment of the wrought iron.

Jane Weeder: I have seen people maintaining their neighborhood’s structure across BeaverValley. Does the HOA expect her and Hal to cut grass and maintain plantings around structure? Can we get someone to maintain everything on Beaver Valley?

Bonnie Fenter: How will we keep up with watering? The plants and trees will look bad quickly.

GM: to Jane- The HOA will be responsible to maintain those corners. To Bonnie: we will have to hire someone to maintain it no matter what.

Mike Peelle: Siebenthaler’s inflates some costs – we can eliminate some costs if we get rid of perennials and just get stonework. Later we can do some plantings.

Harold Miller: I have experience in places with entryway. We think of it as being maintenance free but will likely experience some damage over time. We do need more color in entryway.

Carol Alfter: Can we insure it? Kristi: Yes we could.

Shiva: Why not just reduce amount of fees to HOA instead of getting new entryway

Krist: It’s an option, but many have expressed dissatisfaction with entryway so that’s why we’re looking at it. We could choose not to do anything. If we continued to have a surplus then we could look at reducing dues.

Shiva: What about the kids with graffiti? They came through and spray painted many things a couple of times last year. Will be expensive to repair if necessary?

GM: We do have to consider everything and that’s why this is up for vote.

Bonnie Fenter: What about boulders used as an accent for the wrought iron.

GM: We can get more people in to look at options if we choose to create something new.

Marianne Pohlmann: I have connections with wholesale nursery to get wholesale prices on plantings. Strassburg nursery in Xenia.

Pat Moran: If we are voting to do this or not, we'd like to know exact costs. Perhaps it's a good idea to get actual quote even if we have to pay for it. GM: Quotes can cost \$1500 and up so we felt we should just start with an estimate until we are approved to look at something new and what direction the members would like us to go. PM: Siebenthaler's seems way too expensive. GM: It felt like we were premature to get bids without an approval.

Mike Peelee: All 80 of us are not going to design this – it will never happen. We can look at more specific options after we decide. We can't make all decisions among all of us.

Bonnie Fenter: Does lighting have to be done in initial planning or can it be done later?

GM: We would have a lighting discussion up front depending on what option we might decide on and it can at least be planned for.

John Angi: You looked at two vendors for stone work and planting? Could we initially go with the basic stone wall. Then in year one put in some plantings, and year two put in some more plantings. Can we do that?

GM: Yes. We also talked about doing this project with a completely independent third party. We could have someone come up with our design, then bid it out.

John Angi: Other nurseries are cheaper than Siebenthaler (AJ Brown?). GM: We'd like to see how warranties stack up with various nurseries.

Kristi: Please keep in mind that this all takes committee members a lot of time. We would certainly love to have an exhaustive list of every possibility, but there's no way that can happen with the volunteer hours that the committee members are able to give to this project. We all want to save money, but we only have so much time to do it.

Cyndi: If we decide to do this our committee will do its best to make our money go as far as possible. We can certainly look at various places. If we do get a specific direction from the HOA members the committee members can look at many more options in that direction.

Curt Driggers: Do we have enough information at this point to decide if we like wrought iron or stone or not? In other words, are we ready to vote on a direction for the committee?

Candi Meyer: Siebenthaler's said that redoing just the center portion of the fence is \$2000 for each corner. If we put it on mason, it will take more upkeep than the unilock structure. We just didn't feel that we could pay for additional bids at this point.

Sometimes you have to pick the company that is easy to work with.

GM: For every company that showed up there were at least 2 that didn't show up.

Mike Deis: Are we at a point where we can decide where we want to go, can we set a limit on amount spent? We might be able to negotiate better.

Kristi: Before the committee did its work we didn't have any idea how much various options even cost.

GM: All the vendors told us that \$18,000 wouldn't do anything.

Shiva: After the initial two to three years of having a stone structure the maintenance gets to be very costly.

GM: That seems to be with stone and mortar. Unilock has a very high warranty compared to this with a lot less maintenance. I did get impression that unilock was a much more preferable option.

John Angi: What about maintenance on the existing fence?

Mike O'Conner: I used to live in Hunter's Ridge and I know that volunteers in Hunter's Ridge weeded.

Pat Moran: I don't think we're ready for voting. It just seems like we don't have enough information to make a decision.

Kristi: What we have to decide if we just maintain what we have or look to something else.

John Fenter: Perhaps we should take a break and have leaders cooperatively prepare a motion on what we should vote on.

Jane Copley: Do we have enough people for a vote?

Kristi: We need a majority to vote for a change here, whether in person or by proxy or absentee ballot.

BREAK

Kristi: We'd like to have a motion to vote on whether we make changes in front entrance or not. GM motions. Mark Welker 2nds motion. **Thirty-seven voted that we should make changes to the front entryway, fourteen voted against making changes.**

John Angi: Can we vote on budget provided it passes with entire HOA?

John Fenter: Let's start low. We can always raise it.

Kristi: What's a reasonable amount for quotes

Candi: What is our direction for these quotes? Landscaping or stone.

GM: We may need to have another meeting to look at options.

Shiva: What happens with warranty if the company goes out of business?

GM: Unilock is a national company. You'll get company unilock behind you not just the local contractor. I encourage everyone to google "unilock" to see what is behind their product.

Cyndi: We need to decide if we want hard-scape or soft-scape.

Bob Jackson: We could get a landscape architect. Then we can get several bids on exactly what we want.

GM: Let's get an initial vote and see where to go – stone or plantings.

Bob Jackson: As a person who doesn't want to volunteer for a committee I'd appreciate having the architect to show us some ideas.

Unknown speaker: Hardscape may be cheaper down the road... It would be good to see what we want to do here as far as maintenance.

Candi: We still want to decide to if we want hard-scape or soft-scape. We have to give the architect some direction.

Bonnie: Should we keep our current dues no matter what?

Cyndi: We should be able to work within our budget this year and add on more in additional years.

Kristi: Does everyone agree that there should be no special assessment. All members agreed that there should be no special assessment for this project.

Next, the members voted on whether they prefer a hard-scape (stone structure) or a soft-scape (mostly plantings). **Thirty-seven preferred the hard-scape, six preferred the soft-scape, and four were undecided.**

It was then decided that the committee would be initially budgeted \$2000 to begin looking for an architect or quotes.

c. **By-laws committee:** Mike Deis reporting first. (also Ed Kunay and Charlie Crow on committee) The committee started off by looking at the documents that all members received at the first HOA meeting. All covenants and by-laws were skewed toward the developer. The committee tried to point the covenants and by-laws more in the direction of the HOA. The committee also tried to simplify what existed. They also looked at what could be done to change by-laws to make future changes faster. You'll see that a suggestion is for the HOA to give members the option of proxy. One other major change is the set up of officers of organization. Currently, there are an even number of officers – they are looking to have an additional person to break ties (chairman of board position). All members should look though the changes that will be posted on the HOA website. Comments can be emailed to the Oakbrook Chase email and will be forwarded to Charlie or Ed or Mike so that they can be incorporated into this revised document. There will be a meeting in the summer to vote on these changes.

Ed Kunay reporting next: Many changes in covenants and by-laws needed to be checked for legal issues. He said that we need an attorney to look at these to be sure that we haven't stepped off a cliff or anything. Kristi and Peggy Kelly reported that the HOA's attorney, Kevin Hunt did look at these documents and said that they looked good. Officers have also looked at them. The committee started with two documents – the code of regulations and declaration of covenants with by-laws attachments. The committee pulled information out of all three documents and placed into the documents with the format that you see now. Please see the amended documents on the website. They added a chairman of the board of directors. This position operates as it would in a business. The only duties are to attend board of directors' meetings and cast a vote to break ties. This position does not deal with day to day business. There will be a two year term of office for officers. There will need to be a staggered time for elections.

Mike Dies reported on Declaration of Covenants, conditions and restrictions
See amended documents on website. Again they were leaning toward Bob Arnold and the developers. Some changes reflected discussions with board.

Renee Ryan asked "If you don't pay your assessment do you get to vote?"

MD: It's not in here, but should be. The committee plans to add wording to that effect.

d. **Architectural Integrity committee** Jerry Biedenharn reporting (Jeff Arnold also on committee): Protective Covenants and restrictions were changed or added onto. Should be posted on website.

Again, changes were made so as not to not be directed toward developer. Added a few changes such as no business vehicle parked on or within view from street.

The committee also added three protective covenants: 1) minibarns, sheds, decks, etc, must be approved by city of Beavercreek and HOA. 2) different color exterior paint anywhere on your house must be approved by the committee and 3) no holding tanks (propane or other fuel) permitted. Some discussion occurred as follows:

Greg Meyer: How enforceable is satellite dish issue? And do we really want to ban them all?

Marianne Pohlmann: Should we be specific on the size allowable?

GM: Maybe we need to restrict where it is located vs. having it or not. We could direct that they must be the smaller ones and where they are located on each lot.

Doug Samuels: Item 20 still has “developer” in it.

JB: We’ll make that change.

Renee Ryan: So, if I decide I want to build a shed, what is the process?

Mike Deis: There should be a process in place since we have the committee.

RR: There should be language that says the committee can approve shed, etc.

John Angi: How enforceable are these covenants?

Carol Alfter: Can we fine them if not in compliance?

MD: First ask them to comply. If they say no you have option of taking them to court and filing lien on home.

Kristi: I just want to clarify that the house is in foreclosure (that owes the association dues.)

MD: I’m in favor of leaving the language as it is. If we just fine them, they may say “sure” and pay fine.

Someone asked: Will these be posted?

Kristi: The original is posted on the website and this has been sent out via email.

We will look for a time frame to get back to owners by to approve changes.

Miller: I’d like some clarification about changes from developer to association. Do the developers have any responsibility for anything?

MD: no

Jerry: We will make the suggested changes and Kristi can post on website.

There was some further discussion on the treasurer’s report.

Doug Samuels: We have \$30K budgeted for the entrance. Is that the right place for it?

Mike Deis: I think we just put it in reserve and put \$2000 in entrance.

DS: I move to approve the treasurer’s report.

Marianne Pohlmann seconded the motion.

The members voted to approve the report.

Meeting adjourned at 9pm.