

# Majestic Oaks Homeowner Assn. Agenda – March 10, 2014

Call to Order

Call for Additions to agenda – approve agenda

Secretary Report – Reading/approval of Jan 2014 Minutes

Treasurer Report – Financials, collections/liens, service contract payments

President Report – Covenant efforts

VP Report – Landscaping bids, lighting repairs

Director Report – Architectural Change Request's

## **MOHA BUSINESS ITEMS**

**Old Business:** (Homeowner comments)

Presuit Mediation status

Section 4 Roads

Bradford Farms zoning for Planned Unit Development

86<sup>th</sup> & 60<sup>th</sup> Ave Street Entrance

**Action Items:** None pending

**New Business:** (Homeowner comments)

Covenant enforcement – Options discussions, volunteers

Committee assignments – Covenant Enforcement, Covenant grievance, Covenant review

Landscaping

**Action Items:**

Adjourn Meeting

Footnote: As a meeting courtesy to those in attendance; when addressing the board and meeting members please provide your full name so all can know who is speaking from our community.

## MOHA Presidents Report – March 10, 2014

From the January board meeting two action items were generated - first to inform all homeowners of the changes in the annual assessments for 2014 and 2015. Second item was to highlight the concern about no current covenant enforcement program and to present a viable option of hiring a property agent to do the inspections. The option of getting the necessary homeowner volunteers to fill those positions was also put forth in the letter. The homeowner letters reached the community in the mail on Jan. 30<sup>th</sup> so there was not ample time for a proper response period; therefore no Feb. meeting was scheduled for that reason.

The concept of Deed Restricted communities is to preserve the value and beauty of the developed properties and the majority of purchasers chose them to seek a standard of living & housing that should be maintained and not allowed to deteriorate due to variables in other individual's living standards. The covenants & by-laws are the tools to prevent a community from becoming a rural anything goes housing area. The push to establish a proper and sustaining covenant enforcement program here is not driven by an attempt to bring in property management, but by the principle that property owners who bought here deserve to have the rules followed and enforced on those who detract from the upkeep, appearance, and adjacent value of their property. The means of accomplishing this is a choice of that community and their willingness to help out or hire out.

On Feb. 24<sup>th</sup> the board received a letter of intent from 5 homeowners willing to volunteer for the committee to do the property inspection portion of the program in lieu of hiring a property agent. That issue will be addressed under Old Business. I also received calls from 6 homeowners stating they were in favor of hiring an agent to provide the consistency that brings and prevent pitting neighbor against neighbor and the many issues that have occurred in the past. I've asked these folks to attend our meetings and have their voices heard.

There have been two concurrent requests for new volunteers to help and do the community distributions of the Gazette since the current folks have been doing it for over a year or more. A decision was made that until we have new volunteers, the newsletter will just be made available at the gate house box and homeowners will need to go pick one up there. We just need 4 people to do the sections we have divided them into. We do have one volunteer so far.

I appreciated the positive environment of the Jan. meeting as we followed the agenda and had constructive communications between all with no outbursts or intentional disruption to detract from the meeting. I hope this continues and our meetings will be better attended by those homeowners who have avoided board meetings in the past.

Lee Holtman  
MOHA President

720.311 Dispute resolution

STATUTORY OFFER TO PARTICIPATE IN PRESUIT MEDIATION

**720.311 2 (a)** Pursuant to the statute, the parties are required to engage in presuit mediation with a neutral third-party mediator in order to attempt to resolve this dispute without court action, and the aggrieved party demands that you likewise agree to this process. If you fail to participate in the mediation process, suit may be brought against you without further warning.

**720.311 2 (a)** The mediation conference must be held within ninety (90) days of this date, unless extended by mutual written agreement. In the event that you fail to respond within 20 days from the date of this letter, or if you fail to agree to at least one of the mediators that we have suggested or to pay or prepay to the mediator one-half of the costs involved, the aggrieved party will be authorized to proceed with the filing of a lawsuit against you without further notice and may seek an award of attorney's fees or costs incurred in attempting to obtain mediation.

**720.311 2 (b)** If any presuit mediation session cannot be scheduled and conducted within 90 days after the offer to participate in mediation was filed, an impasse shall be deemed to have occurred unless both parties agree to extend this deadline.

March 10, 2014

Vice President Report

George Fisher

1. Revised and sent out bid package for mowing and landscaping.
2. Checked lighting problems at entrance walls, gate house and flag pole.
3. Worked with contractor to find and eliminate the problems.
4. Replaced defective wall fixtures and eye at Gate House.
5. Replaced simple flood light fixture at flag pole with "LED" spot and photo cell eye which eliminates the timer so flag is lit dusk to dawn.
6. Several calls about stray dogs, told resident to call Animal Control.
7. Gave out Covenants and Bylaws as requested.
8. Worked out order of magnitude estimates for painting entrance walls, fence repair and painting and replacing fence with 3 or 4 board vinyl fence.
9. Talked with insurance inspector about Majestic Oaks.
10. Our existing landscaper is not happy with all the dog poop in the islands along 54<sup>th</sup> and at the flag pole area.
11. Answered questions bidders had about mowing and landscaping.
12. Reviewed bids for mowing and landscaping.
13. Had new globe and bulb installed on north wall at 86<sup>th</sup> PL. Globe had blown off and broke.
14. Received and passed on to our Treasurer an estoppels request – property on 88<sup>th</sup> PL.
15. Received and passed on to our lawyer a final judgment motion for a hearing on a foreclosed property on 53<sup>rd</sup> Ct.
16. Attend 2 meetings at the county on the Bradford Farms zoning.

## Covenant Enforcement Motion

To accomplish property inspections IAW state statutes and our covenants the board identified the need for 3 separate functions to establish a viable program within Majestic Oaks. The committees to perform these functions will be known as 1. Covenant Enforcement committee, 2. Grievance committee and 3. Fining committee.

The following individuals have volunteered to comprise the Enforcement committee :

Susan Harris Louis Bartolomeo Alfred Bolla Robert Watson

Herb Zabroski has volunteered as the board member to oversee and manage the committee's development and actions involving covenant issues in behalf of the board.

The needed procedures or guidelines for each committee is the responsibility of that committee to construct and conform to. If there are any from previous committees that did this in the past, those are recommended to be reviewed and updated to fit your committee. How to go about this job and what rules to follow to be **consistent and unbiased** is your job to develop. You will need to have them complete in the next month (30 days) from this date of committee appointment. That will be a condition of your committee approval by the board so the homeowners know your intentions are to serve the community and not to stall off hiring a professional agent to render services.

**A motion is made to appoint Susan Harris, Louis Bartolomeo, Alfred Bolla, and Robert Watson to the Covenant Enforcement committee for 2014.**

The grievance committee is not fully formed at this time but we are seeking a minimum of 3 volunteers to fill this committee to allow for any tie break situations. Ann Ivoni is onboard as one of the needed volunteers.

DAVID CUMMINS  
SU. STACHAN LEMAY

The Covenant Revision effort from 2013 was asked to be continued at Jan. meeting. Tony Ivoni volunteered to chair the committee. Marcy Davies volunteered to work on the committee. Hopefully more homeowners will step up and help.

**A motion is made to appoint Tony Ivoni & Marcy Davies to the Covenant revision committee for 2014.**

MARK CLOFT