

**OAKLEIGH HOMEOWNERS ASSOCIATION  
ANNUAL MEMBERSHIP MEETING  
JANUARY 29, 2008  
MINUTES**

**CALL TO ORDER:**

A QUORUM BEING PRESENT THE MEETING WAS CALLED TO ORDER AT 7:30 PM.

**INTRODUCTIONS:**

President Barco Davidson introduced the members of the Board of Directors (Wayne Williams, Kevin Boland, Don Keck & Keith Simmons) and Gerri Schwartz of Working Solutions.

**ELECTION OF BOARD MEMBERS:**

Three Board members were elected for two year terms.

The announced candidates were:

Kevin Boland

Don Keck

Keith Simmons

As there were no additional nominations the three announced candidates were elected by acclamation, with one no vote.

**2007 FINANCIAL REPORT:**

Treasurer Keith Simmons reviewed the HOAs income and expenditures for 2007. Once again all projects, repairs and improvements were completed within the 2007 Operating Budget, and the unexpended funds was transferred to the Capital Reserve Funds. It was reported that the Reserve Funds have been increase from \$35,815 in Jan. 2004 to 115,075.99 in Jan. 2008.

In response to questions concerning the Reserve Funds it was indicated that as of Jan. 2008 the Reserve Funds have been transferred to a CD and a Money Market Account in order to earn a greater rate of interest than we have earned over the past two years.

It was also reported that, in accordance with the recommendations of our Auditor and the Engineering Study (completed in 2005), the Board's objective is to accumulate Reserve Funds in the amount of \$250,000 to \$260,000 for future contingencies, such as replacing the Tennis Courts at a cost of \$100,000 and resurfacing the Swimming Pool at a cost of \$25,000 in 2008 dollars.

Questions were raised about the Alta Tennis Teams contribution to the maintenance of the Oakleigh Tennis Courts. It was reported that an agreement has been reached with the Tennis Teams to contribute \$500 per annum to the HOA to help defray maintenance costs for the Tennis Courts, and that the Tennis

Teams will be billed on a quarterly basis for their contribution. The Swim Team contributes an equal amount annually toward the maintenance of the Swimming Pool.

**VANDALISM REPORT:**

Don Keck reported that vandalism to the Oakleigh common property in 2007 cost the HOA \$1,875.74. (\$1,765 of this amount resulted from a single incident.)

The cost of Vandalism in 2007 declined from:

\$5,429.05 in 2006,  
\$13,129.56 in 2005,  
\$10,450.00 in 2004.

**GAS LAMP ISSUE:**

The issue of the signature gas lamps was discussed. A vote was taken on whether to:

- (1) retain the signature gas lamps in undamaged and operable condition and require that they be lit,
- (2) retain the signature gas lamps in undamaged and operable condition, but not require that they be lit, or
- (3) allow those homeowners who wish to do so to remove the signature gas lamps as long as they do not replace them with a different type or style of lamp.

A majority voted to retain the signature gas lamps in undamaged and operable condition, but not require that they be lit.

**COVENANT & BY LAW REVISION:**

Don Keck reported on the status of the Covenants, pointing out the urgent need to update the Covenants in order to bring them into compliance with current laws and make them both more flexible and enforceable.

A proposed document has been approved by the Board of Directors and sent to our attorneys for review. The Board will consider their recommendations and make any further changes that may be necessary. The final document will then be submitted to the membership for its approval. At the same time a few minor amendments will need to be made to the By Laws in order to eliminate any possible conflict between the two documents. It is hoped that a vote of the membership may be held by May or June of 2008.

Questions were raised about the Board's efforts to enforce the Covenants, Design Standards and Rules for the use of the common facilities. The Board was criticized by a few for being too zealous in its efforts to enforce the documents. At the same time it was criticized by others for not being zealous enough.

It was reported that while the majority of home owners who have received a notice of violation have willingly complied with the Board's request a handful have refused to do so.

It was also pointed out that the existing Covenants are essentially unenforceable except by suing recalcitrant home owners, and that a half dozen such law suits in any given year would wipe out the Association's annual budget.

In response to a question concerning fines levied under the new By Laws, it was pointed out that there is a difference between an AC violation which can be corrected and the violation of a rule governing the use the common facilities for which there is no post hoc remedy. Where an AC violation occurs the Board normally sends out three notices requesting that the situation be corrected before any action is taken. Where a Rule governing the use of the common facilities has been ignored or broken action may be taken immediately to impose a penalty. It was also pointed out that Article VII of the new By Laws provides a mechanism by which dissatisfied home owners may challenge the actions of the Board of Directors.

It was announced that, in accordance with the new By Laws, copies of all minutes of Board of Directors meetings, monthly financial reports, annual budgets and annual Audits since Feb. 2004 are on file in the HOA office, where they may be examined upon request by any member in good standing. The minutes of Board meetings are also published monthly on the Oakleigh website.

#### **REPORT ON 2007 ACHEIVEMENTS:**

Vice President Kevin Boland reported on the achievements of the Oakleigh HOA during 2007, including refurbishing the interior of the Club House, installing new playground equipment, installing a liquid chlorine system for the Swimming Pool, replacing one pump and repairing the pool drainage system, repairing the sprinkler system, repairing the broken side walk along Lost Mountain Road, replacing one entrance sign and repainting another, etc.

An irrigation company has been retained to provide annual maintenance service for the sprinkler system beginning in 2008.

Questions were raised about the resurfacing of the Tennis Courts. It was pointed out that the Board plans to resurface the Tennis Courts every five years, as per the recommendations of the Engineering Study and two Tennis Court companies: Court Makers and RMJ Associates, both of which examined the courts in Jan. 2008. As the Courts were resurfaced in 2004 this means that they should be done again in 2009. Provision will be made in the 2009 budget to do so. Estimated costs for resurfacing the Tennis Courts range from \$8,400 to \$12,000. In addition the Board plans to apply a new product called Armor Crack Repair to the cracks in the surface of the Courts. This product should prevent the existing cracks from reappearing once the Courts have been resurfaced. As this treatment will add \$18 per linear foot for each crack filled it will significantly

increase the cost of resurfacing. But it should insure a better playing surface and extend the life of the Courts.

**2008 BUDGET:**

President Barco Davidson presented the 2008 budget proposal. He explained the dues increase, and the need to increase the Reserve Funds. He also discussed the projects planned for 2008. The most important project is the resurfacing of the Swimming Pool which must be done this year. The surface of the pool is falling apart and has to be replaced immediately. This project may cost as much as \$25,000. In order to accomplish it we will need to take approximately \$10,000 to \$12,000 out of the Reserve Funds.

Another project for 2008 will be the refurbishing of the Basketball Court, which was made a priority at last year's Annual Meeting. Two new professional quality goals will be installed and the Court will be resurfaced at a cost of approximately \$5,200. The goals will be adjustable and lockable so that one goal can be locked in the lowest position for use by younger children. That goal may be raised for full court play upon the request of Oakleigh home owners.

The 2008 budget was approved unanimously as presented, with authorization to transfer the necessary funds from the Reserve Funds to cover the cost of resurfacing the Swimming Pool.

**THANKS:**

Diana Lund was thanked by acclamation of the membership for the excellent work she has done with the Oakleigh website.

**ADJOURNMENT:**

THE MEETING WAS ADJOURNED AT 9:30 PM.