

Cedar Oaks Estates Homeowners' Association
Minutes from Semi-Annual Homeowners' Meeting
April 19, 2010

The meeting was called to order at 7:00 pm by Rick Tyler, President. Ed Dowell led the group in prayer, and Rick Tyler led the Pledge of Allegiance to the Flag.

Rick Tyler gave the President's Remarks beginning with a recap of issues from the Annual Meeting in October 2009.

- Rick mentioned that six homeowners have not paid their dues for 2010 and a lien can be placed on their property. At this time late charges apply on past-due payments of dues.
- At the October meeting, homeowners recommended that a vote be taken concerning raising the annual dues amount from \$100 to \$125 and to count unreturned ballots as affirmative votes and to also include the issue of changing the Declaration of Restrictions to allow for a 2/3 super majority when amending the Declaration in future issues. This vote was taken, and both issues carried; however, it was ascertained that the votes were counted incorrectly when counting unreturned votes as affirmative. Since this happened, a door-to-door canvass of votes non received will be conducted in an effort to obtain votes from more homeowners. The votes will be only for the dues increase, and the issue of changing the Declaration has been dropped because a change requires actual signatures on the legal document of 90% of the property owners. This would be an impossible feat.
- Restriction Violations (such as failure to maintain easements, parking trailers, boats, and non-operable vehicles nearer to the street than the rear wall of the home, failure to restrain pets and having more than two dogs, failure to have proper coverings on windows facing the street or a neighbor, and failure to obtain approval for construction projects prior to beginning construction) need to be addressed.
- Rick expressed a need for legal assistance in educating the officers concerning enforcement of restrictions and other issues in the Declaration of Restrictions.

The Secretary/Treasurer report was given by Kit Mraz showing total income of \$12,789.41, expenses of \$5,215.33. The checking account balance at this time is \$10,028.71, and the certificate of deposit is \$5,051.42. The entire financial report will be posted on the website.

A budget for the period from October 2009 until October 2010 was presented, showing the financial position if the \$25 dues increase carries compared to the position if it is defeated. The projection is that there will be a shortfall of \$1,000 without the increase and a surplus of \$1,935 if it carries. In November and December 2009 we had to wait until enough dues were collected for 2010 to pay the taxes and insurance without leaving a bank account balance below \$500 and paying bank service charges. Dues were billed in October 2009 for the calendar year of 2010, and at this time six homeowners have not paid their dues which were due by or before January 1, 2010.

After a discussion with attorney, Jack Jones, Kit recapped the conversation. He explained that all four sections of the subdivision comprise the homeowners association and that each property owner has one

vote. The sections are not separated when voting is concerned. He also said that after efforts to enforce restrictions are made, a last resort in enforcement would be by a law suit in small claims court seeking enforcement and restitution for court costs. He also said that the combined Declaration of Restrictions which has been filed is not enforceable but can be used for convenience sake. He will prepare a form to file which rescinds this form so that there will be no confusion in the public records.

Derek Anderson gave the Landscape Committee report saying that the plants damaged by the freeze could be replaced for approximately \$300 including labor and that lawn fertilizer and spray for the Junipers would cost about \$200. Josh Moore has volunteered to power wash the walls at each entrance and Ed Dowell said that he can put a hose connection at the Cedar Oaks Estates entrance. It was suggested that the Sago Palms might not be completely dead and the decision was made to wait to see if they will come back to life.

Since Jason Trumble resigned as chairman of the Architectural Control Committee, Dan Fulmer agreed to assume this position. At this time he and Bill Ellis are the Architectural Control Committee, and they have approved construction of several structures. They asked that an exact definition of a “structure” be obtained during the conference with the attorney. They also, supported having a “committee” to discuss restriction violations by a personal visit with homeowners, and this idea will be tried for a period of time to see if it works better than violation letters as previously sent. Bill Ellis, Jim Young and Dan Fulmer will perform this duty.

When the floor was turned over to homeowners for miscellaneous discussions, the meeting turned lively. Many concerns were brought up which had been issues for several years, and several homeowners expressed the desire to “move forward” rather than discussing issues which had been resolved.

The meeting adjourned at 9:15 pm.

Rick Tyler, President

Kit Mraz, Secretary/Treasurer