

YELLOWLEAF HOA

ANNUAL HOMEOWNER MEETING MINUTES

Saturday, June 3, 2023

In Attendance

Pam Kimball – President

Lori Cheney – Treasurer

Shelley Bailey

Heather Hyde

Karen Upchurch

Absent:

Cindy Garmon, Vice President

Rose Wade, Secretary

Opening Comments

Pam thanked all board members for their willingness to serve and their time spent over the past year for HOA initiatives, especially Lori, who does a tremendous job as treasurer.

No one expressed an interest in becoming a new board member for the next fiscal year after a Facebook posting. It was acknowledged that all current members are in the middle of their terms, and therefore we did not require annual voting this year. We will have many seats on the ballot for next year.

Our intention is to hold future annual June meetings at the Chelsea Senior Center on Hwy 36, since it is free and we don't get a large audience of homeowners attending.

President's Report

Accomplishments for the Year:

- Results of our caretaker role were well-met again in fiscal year 2022 - '23, achieved were continuation of our good financial standing, plus on-going entrance and bridge area maintenance and improvements.
- Financial standing was achieved through good expense control, fundraising and donations. Donations continue to be good because homeowners can see tangible improvements and a good use of funds.
- Pam acknowledged Michael Cheney and Al Sturdivant for their efforts in the entrance and bridge landscaping areas. It all looks good because of them!
- Completion of a permanent solution for electrical wiring that runs to the entrance island - thanks were given again to Jim Bailey, Mike Cheney, Mark Beynon, and Mark Mullins.

Our Biggest Problem: Dog Complaints

- Discussion occurred over results from neighbors who have contacted Chelsea City Hall. The latest complaint over the dog and owner at 410 Pin Oak Circle has resulted in 2 neighbors discussing the possibility of raising their concerns before a city judge, as repeated City Hall letters have been ineffective. It was also suggested we could:
 - attend a City Hall meeting and complain, and
 - call the Shelby county animal control office for possible pick up - they must see offending behavior to do so.

Treasurer's Report

Lori reported that 66% of homeowners (88) have paid their HOA dues, no change in the past two months.

She also provided income and expense numbers thru May. Will have some entrance expenses in June.

Note: After the meeting via email communication, Pam and Lori discussed with board members the decision to move money market funds from Avadian to Edward Jones for improved interest earnings via a 3 month Certificate of Deposit - 5.25% vs. 0.05% (annual interest increase of \$396). All board members were in favor of this decision, with no concerns expressed, and the funds were moved on June 6th. The actual rate locked in was 5.35% - 10 basis points higher than expected.

Annual invoices for fiscal year 7/1/23 - 6/30/24 will be mailed out by the end of June, Pam and Lori to review the invoice for any needed revision. Dues are payable by July 31st.

Welcome Committee

Lori reported for Cindy: there are no houses currently for sale in Yellowleaf. In March, Cindy called and welcomed our newest neighbors at 408 Pin Oak Circle, Jay and Kathy Angelucci.

Entrance and Landscape Maintenance

The sprinkler system is malfunctioning again, with several sprinkler heads broken off. (After the meeting, Michael Cheney also identified the solenoid at the water meter as being cracked.) Lori suggested calling a plumbing company or landscape company who could give us an estimate for repairs.

Water is turned off at the entrance; Pam turns it on as needed so she can water by hand.

Seasonal flowers will be now planted at the ends of the entrance island every year. Summer "red, white and blue" plants were installed just before Memorial Day and will be good until Fall.

We will need to address the park bridge graffiti in the fall when it is cooler and the risk from encountering snakes is minimal.

Miscellaneous

Pam reported a recent question from a homeowner: “*Why does the board think that the covenants are unenforceable?*” It’s a good question, one that we all need to understand the answer to. She explained the multiple reasons, and for the benefit of the board, her response to the question is as follows:

The covenants were legally filed in 1994 when the neighborhood began to be developed. The HOA did not exist at that time, formed later in 2004.

Our property deeds recognize the covenants at the time they were filed, but do not recognize the HOA as a legal entity to enforce them, although they are “transferrable”. We also have some homes that were built independently, and therefore are not subject to the covenants.

There is no provision in the remedy section of the covenants for punitive fees to be assessed if a covenant is violated. It states that any homeowner may file suit against the offending party. But it does not grant enforcement ability to the HOA or the developers. And we don't have legal standing to file a lien against property.

Thankfully, we have been able to rely on the quality of our homeowners to do the right thing in complying and keeping their homes in beautiful condition. Currently we have 2 (out of 130) who don't fall in that category, and the best we could do it to write letters. Those would likely not be effective.

This situation has been a frustration of mine and many past board members for many, many years. I hope this explains my answer to your question, which is a good one and has been asked over the decades.

Shelley requested the holiday lights on the entrance island trees be turned on every weekend since they are so pretty and inviting! Lori verified that the electricity expense is minimal and affordable. The board agreed with Shelley’s request. Pam will turn the lights on Friday night and turn off Monday morning - they are on a dusk to dawn timer.

Decorations - we use flags at the entrance for Memorial Day and 4th of July; Pam stated that decorating ideas for other holidays are welcome and asked for a volunteer to manage those efforts.

The next newsletter will be sent out no later than July 15th, earlier if possible because of the annual invoice going out at the end of June. The April newsletter was not produced because our writer had other commitments and ran out of time.

Next Meeting

September 16th from 9:00 am – 10:00 am