

April 5, 2022, Ashford Park POA Meeting

Foley Public Library 5PM

Present: Jerry Delmont, Laura Daily, Sally Gedosch, Teri Mellies, Asa Baugher, Attorney, Charlie Ebert, City Councilman, Chad Christian, City Engineer

The meeting began with Jerry Delmont leading the pledge. Teri Mellies took a roll call vote, and all were present. Jerry welcomed the homeowners and thanked the city officials for attending.

Teri explained that the meeting was on a strict timeline, due to the necessity to conduct the election. The city officials would present first and then each Board member would give a summary of business and allow the attorney to answer questions, time permitting. The library closes at 7 and we must be out at 6:45 promptly to allow the library staff to close properly.

Information from Charlie Ebert and Chad Christian

1) Charlie explained that questions had been asked regarding the project to add sidewalks in a few areas, including Ashford Park. Initially, the city had planned some sidewalk additions when they were completed the 9th Avenue project. However, when the Baldwin County School System approached the city and asked them to accelerate the timetable, due to the building of the Mathis Elementary, the city agreed. At that time, the city was able to apply for and receive a TAP grant. (Transportation Alternative Program) This would increase the amount of money and increase the scope of the sidewalk program.

2) Chad Christian provided owners with a map of the project. Some of the sidewalks will be 8 feet and some will be 5 feet. The contractor for the project will determine starting points. We have about 4 easements to obtain, hopefully in a couple of weeks we can move toward construction.

3) Questions:

On the map, do the numbers mean that is the order of building?

No, the contractor determines where to start. It ends up costing money if you try to tell them. Easements affect impact to private property and cost.

Question:

Ashford Park has a decorative brick area on Hickory and Park. How will the sidewalks affect this, or will there be no effect?

Chad will have to send the plans for that particular area. But it will not be at any cost to the POA.

What is the timeframe?

If we get the easements in time, possibly this summer. Definitely before the end of the year.

What about the traffic on Hickory?

Every new development has to do a traffic study to determine if they need turn lanes, etc. One limitation along Hickory is that it is unzoned in the county. It gets harder to limit what people can do with their property.

People run stop signs. What can be done?

The county wants to extend county road 20 over to route 65. The city is working with them to provide some funds. This may alleviate some traffic on Hickory. They are working on getting some right of ways.

Park is a racetrack.

Charlie said if you observe a particular time, call the Foley Police. They can put a detail there.

So, homeowners can call the police. Can the HOA do anything?

The HOA cannot enforce city ordinances of any kind. However, Laura Daily met with Officer Williams of the Foley Police to discuss several issues. He indicated that we could

ask for 2 speed tables, a speed machine and also ask for traffic details. You have to go slow around the speed tables.

One homeowner thanked the city for the work on drainage near the Y and the High School. Updates?

Chad will check with public works. But there is a contractor who is working per foot. He can go into an area where the work is needed. Charlie suspects he may be coming our way. Chad will send a message to Public Works. The contractor is familiar with removing debris.

Is the big open field near Ashford Park city property? Would the city consider a park?

The city is reviewing the park areas at this time. Mayor Helmich is very interested in this. Forward ideas to Charlie Ebert for trails etc. A perimeter trail would be beneficial.

Foley's drainage is bad. Are there any plans?

Foley is very flat. One thing the city has done is to obtain 94 acres, Bon Secour River, and this basin can hold more water than the river can hold. This is through a Federal Grant. Leslie Gahagan has worked on this.

There is an area on Park that and the drainage is blocked.

This is part of the previously discussed area to be cleaned out.

A big thank you to both Charlie and Chad for their time and information, and for listening to our concerns.

Sally Gedosch (Treasurer and Nomination Chair)

- We have two accounts at Centennial Bank. The General Account has \$27,975.92 and the Pond Account has \$68,995.32.
- In 2019 the Board started a CD with Edward Jones. One CD matured in September 2020 and the other in July 2021. At that time, the rate for the CD was not available, so the money was moved from Edward Jones to the Pond Account. We no longer have a CD.
- We have 22 owners with unpaid dues.
- Dues are currently \$200. Out of the \$200, \$150.00 goes into the general account. Fifty dollars goes into the POND account. Will it stay the same? That depends on future boards.
- The present Board will not be running in 2023. Because there has not been anyone to show any interest in being on the Board, we have begun investigating management companies, policies, prices etc. We plan to invite several companies into meet with homeowners, so homeowners can ask questions. Nothing final has been decided but we cannot wait to gather the information. More information will follow.
- For the election, one vote per lot. Nominations will be taken from the floor and the person being nominated must be present to accept or decline. People must show their license and sign to vote. Votes will be tabulated, and the results will be announced, and/or on the website.
- Asa Baugher clarified the use of proxies and that you may vote in person or by proxy, but not both.

Laura Daily (Architecture Chair)

- Provided a list of the types of violations that have occurred, including enclosed trailers in drives, boats in drives, a plastic mailbox. Enclosed trailers and boats **MUST BE** stored behind a fence or off property. No exceptions.

- Our covenants are not as restrictive as many new subdivisions and there are very few things to initiate a violation.
- Laura does not like sending violations, but the purpose is to keep our property values strong. There are people who push the time limits and the rules.
- The bylaws detail the procedure for bylaws. There is a committee and Laura usually gives more time, than less.
- Starts with a courtesy letter; just stating what is wrong.
- After a given time, if not corrected, a violation letter is sent, reminding the homeowner of the need to correct the violation.
- After the stated time, another violation letter is sent, warning that if not corrected, the next step is the assessment process. As stated in the bylaws, assessments of \$250.00 per 30 days can be placed if an owner does not “fix” a violation.
- If you are wanting to change ANYTHING on the exterior of your property, you must ask for approval. You must detail what the plans are.
- Laura was asked whether Ashford Park streets are on the list of approved streets for golf carts. The officer she spoke with said this has changed. The homeowner will call the City of Foley to clarify if this is the case.
- Laura met with Officer Williams regarding questions over golf carts and where they can be. Officer Williams said the carts must street legal, it must be (inspected by the police and Laura will also observe. That way she does not have to stop anyone that has had approval.
- ATV and 4 wheelers: NOT ALLOWED. Call the non-emergency police number. 943-4431 If you don't want to give your name, call Laura and she will meet the police. No little motorcycles, etc on the sidewalks. These vehicles must not be on the common areas or ponds.
- If you believe you see a violation, you can report it via email and your name will remain anonymous.
- In the covenants, there is no reference to storage of garbage cans. However, Laura has developed a letter to ASK owners to put their garbage cans out of sight. It is NOT a violation. But it is ok to ask owners to help in keeping our neighborhood looking great. Some owners are selling their homes; and if a garbage can is in clear sight, it could affect the ability to sell. Be kind. Help others. Be thoughtful, not inconsiderate. IF you were out in the middle of the countryside, you might not affect others. But living in a subdivision, homes are very close, and our behavior affects our neighbors.

A question is asked if all renters and owners know the covenants and know what they are able to do and not do.

(Asa Baugher, Attorney, spoke to the fact that owners are ultimately responsible for their property, even if they have renters. THE HOA deals with OWNERS, not the renters.)

Teri Mellies: (Secretary)

- *When letter was sent in March to notify owners of the April meeting, we also sent a letter and form to owners who rent their property. The purpose was to get the information on who is renting the property (safety) and ask owners if we can provide the renters with covenants. The copy would remain with the HOUSE being rented. We also asked owners if they had copies of the covenants. We have approximately 30 rentals. This may reduce incidences of problems when renters violate covenants.*
- *EMAILS: we will respond Monday through Friday. We have received some emails that are rude. The Board is “half-rumped” So when the Board says at the end of year that we are*

finished, understand that some people are rude and never satisfied. MOST of our owners are great and appreciative. Some emails are threatening and totally out of line.

- ***One email asked a question about dissolving the HOA, Specifically, it said that since there are “threats of increased dues and a lack of volunteers.” The Board has NOT lacked in volunteers; we have great volunteers. The difference is no one wants to serve on the Board. And no one is threatening increased dues; the fact is that management companies mean an increased cost. They will not do the work the Board does without pay.***

Mr. Baugher: The City of Foley is not in the business of taking over governance of covenant restricted communities. It has the authority to and does enforce its ordinances on all residents and visitors within the city limits. The city taking over the duties of the association is not an option. Second, because of the centrality of the association, specifically the Architectural Committee, to and within the Covenants, I do not believe that dissolution of the association is an option until the requisite 20 year waiting period for modification of the covenants has passed for all 8 Units of Ashford Park. Dissolution of the association would undermine and effectively modify the Covenants for all 8 Units, thereby violating paragraph 20 of the Covenants if done sooner than 20 years after the adoption of the Covenants for Unit 8.

Each and every owner of a lot in Ashford Park was given notice that the subdivision is governed by the Association at the time they purchased their property. If any owner no longer wants to live under such an arrangement the answer is for them to sell their covenant restricted lot and buy in an area that is not restricted by covenant and governed by a POA/HOA/COA, not to seek the dissolution of an association whose sole purpose is to serve the interests of the neighborhood as a whole.

A homeowner asked a question about if Management Companies can charge a higher assessment for violations.

Asa Baugher indicated that the ASSESSMENT amount is already stated clearly in the BYLAWS. The management companies do not have the authority to exceed that amount. Plus, even with a management company, there still has to have an Architectural Chair to make final decision about if a violation exists and IF an assessment should be implemented. Plus, there are only a limited number of infractions in Ashford Park covenants.

A question was asked about the ponds.

Jerry indicated that the EPA sets standards for how ponds can be remediated. We use an engineer who works with the City of Foley Environmentalist, Leslie Gahagan, to determine what the ponds need. The board does not look at the ponds and try to decide what to do. We have recently accepted a bid of \$4000.00 for Hickory Pond and \$22,000 for Oakford Pond. The engineer is monitoring the Unit1/2 pond and will make recommendations on what is needed in the Fall of 2022.

Sally Gedosch began instructions for the election. The meeting adjourned at 6:23.

There were no nominations from the floor for the Board. The following people were voted for the 2022 Board:

Jerry Delmont Laura Daily Sally Gedosch Teri Mellies

Thanks to the 43 owners who attended and those who submitted their votes by proxy.

