**ASHFORD PARK POA MEETING**

**July 23, 2022**

**10:00 a.m. Foley Public Library**

Present: Jerry Delmont, Laura Daily, Sally Gedosch, Anita Phelps, and Asa Baugher, Attorney.

The meeting began with Jerry Delmont leading the pledge. Anita Phelps took the roll call, and all were present. Jerry welcomed the homeowners attending the HOA meeting.

Sally Gedosch, Treasurer: Passed out a treasurer’s report and said that $20,000 had been moved from the pond account to an Edward Jones one-year interest CD account. There are 12 homeowners who have still not paid their 2021 HOA dues. These homeowners are assessed interest every month that the dues are not paid. If there is a problem concerning payment, the homeowner needs to contact the Board. Installment payments can be set up. This would be better than the situation escalating into having to have a lien placed on the property. A lien is a matter of public record. It shows up on credit reports and eventually the past dues will be satisfied if the homeowner sells the home. But by this time, there has been accrued interest, attorney fees, court costs and can be quite expensive. The delinquent homeowner will also be denied voting rights at the annual board meeting held in January.

Laura Daily, Architecture Chair: Updated as to violations that have occurred since the last meeting: parking RV’s in driveways, and trailers in the driveway. There was a recent occurrence of an ATV driving on the sidewalks. ATV’s are not allowed on the streets of Foley and not permitted on the sidewalks nor streets in Ashford Park. If a car is not in working condition, it needs to be behind the homeowners fence and not parked in the driveway. The covenant’s at Ashford Park are very easy and reasonable compared to other HOA’s in the area. As a reminder, please do not have cut grass go in the streets. The grass needs to be blown back into the homeowner’s yard. When the grass is left in the street, the grass will go down the sewer and the City of Foley does not have filters in place and this grass goes directly into the ponds and retention areas. Laura stated that she does not like sending out violations, but she is trying keep the subdivision looking nice so that when a home goes on the market the homeowner will get top dollar. The homeowner will receive a courtesy letter first, followed by a violation letter giving the homeowner 30 days to correct the situation, which is more than fair. A homeowner said that they were concerned about cars needing repaired sitting on driveways and what about Christmas lights still being outside.

A homeowner, Bobbie Hale, spoke up and said that Laura has been receiving abusive emails, which is not acceptable. We have by-laws here in Ashford Park which need to be abided. The board does not need abuse. They need cooperation. Bobbie went on to say that she was the Chair of the Welcoming Committee. She meets and greets the new homeowner giving them a pineapple and a copy of the covenants. This is a new practice that has been going on for a little more than a year. Bobbie said that she has been getting a lot of complaints from homeowners regarding trash cans that have been taken to the curb early, or near front doors, and not hidden from sight. These trash cans can get quite smelly at this time of the year. Bobbie said that there are a lot of homeowners who were concerned about this and they take pride in their home(s) and the subdivision. Our attorney, Asa, said that unfortunately, there is nothing in the by-laws/covenants that has a restriction to this problem. At the present time, we cannot expand upon the by-laws/covenants without overstepping the boundaries that the court has given us. 2028 would be the first chance to change the covenants and the governing bodies. There could be a city ordinance somewhere in the future that could give the HOA some leverage.

Jerry Delmont, President: Jerry said that he had recently attended a meeting of other HOA President’s and the Mayor of Foley had stated that even if you vote out a HOA you still do not get out from under the obligations of the HOA. An HOA in Mobile did not want to maintain the ponds and the EPA assessed the individual homeowners $6,000 to correct the problem. Even if you get rid of an HOA, the problem then falls to the individual homeowner. We certainly do not want the EPA to assess us here in Ashford Park. The fines could be as high as $500.00 a day in penalties. At the HOA President’s meeting, it was discussed by the attendees that getting contractors to work on various projects was getting more difficult. There is a beaver at one of the ponds and Jerry has had animal control out and has talked with Leslie Gahagan at the City regarding undamming the beaver dam. This pond backs up into another one of our ponds and it can’t be fixed until the city takes care of their part. Jerry had recently received a report from a local real estate company showing how quickly homes sell here in Ashford Park and the price range of the homes. He said that he has seen a $100,000 to $200,000 increase in property values. We received bids from various contractors regarding the ponds and drainage ditches. These bids ranged in price from $22,000 up to $130,000. We are waiting on the drainage ditches to dry out, as it has been an incredible wet spring and a wet June and July. The MEKO aluminum bulldozer costs $3,000 a day and we don’t want to use the dozer very often. They will mow our ponds three times a year at an approximate cost of $3,000 a day. This work can be done if the ground is wet or dry. But before the work is started, we need to make a decision on what we need these ponds to look like ….. do we want them dry or to hold water?

Jerry and Asa: A homeowner asked to explain the steps regarding violations in the subdivision: The homeowner will get a courtesy letter stating what the violation is and that it needs to be corrected within a 24- hour time frame. If not corrected, a second “violation” letter is sent, giving the homeowner 30 days to correct the problem. On the 31st day, if the violation has not been corrected then a copy of all letters will be sent to our attorney, Asa. There will be a $250.00 fee per month for 3 months. At the end of this time period, then a lien will be placed on the homeowner. There will be court costs, lawyer’s fees, etc. Interest will be accruing all the time. If there are a lot of liens placed on a homeowner, the Board has the option of filing a foreclosure to satisfy the liens and then it goes to the courthouse steps….this would be a “nuclear action”, but the possibility exists. The violation process according to Laura is working. The property owner for the most part is taking care of the problem(s) and our subdivision is looking good.

Anita Phelps, Secretary: I want to make the homeowners aware of a situation that recently took place after 10:30 at night. There were three teenagers who were going through the neighborhood and knocking on doors where the homeowner was still up. After knocking, then they would run away and jump into a white pick-up truck and speed away. I have to tell you that this is/was a scary situation because my home was one of the homes that this happened to. There are a lot of homeowners in Ashford who have health problems and or on canes or walkers, and for them going to the door especially late at night could result in an accident. This is not acceptable and people need to be aware of this occurrence and if it happens again the police need to be called. I have notified our Neighborhood Watch Committee of the problem. We have also looked into having security cameras placed on different locations and at the entrances, but unfortunately it would be cost prohibitive. You would have to have an electrician place cameras at the entrances and a company to monitor the cameras. A lot of research and phone calls were done to see if a solution to the recent problem could be rectified.

Some discussion took place regarding the possibility of a management company taking over duties of the HOA, if we are not able to have people volunteer for the Board. A homeowner asked if we could pay board members. Asa said as to the covenants the board members cannot take compensation. This is strictly a volunteer board to serve Ashford Park to work to keep property values up. There was a property management company about five years ago here in Ashford Park that did not work out to expectations. The Board has interviewed the perspective management company and homeowners will have an opportunity to hear them speak and to ask questions. Even if we chose to go to a management company, we will still need 3 homeowners to volunteer to serve as Executive Board Members to oversee the management company. Another possibility would be that the Board could “piece-meal” certain jobs to the management company, i.e. Architecture. This meeting will take place on September 24th at 10:00 at the United Methodist Church in Foley. Please try to attend this informative meeting. If we do not have any volunteers for the board, then our yearly dues will go up by $100.00 a year per homeowner to offset the fee set by the management company.

There was general discussion regarding the ponds, pellets, round-up, cat tails, and sprays. It was emphasized numerous times that this is not allowed. We have to adhere strictly to the City of Foley and the EPA guideline or the HOA will be subject to huge amounts of fines. One property owner said that they had recently killed three water moccasins on their property. The pond near Hampton Park is owned 76% of the cost by them and 24% by Ashford Park. Hampton Park own controlling interest and therefore they control what is done to the pond. They are responsible for the upkeep and maintenance of this pond with Ashford Park paying our share.

Meeting adjourned at 11:45 with a reminder of the management company meeting scheduled for September 24th at 10:00 at the Methodist Church in Foley and the next POA meeting on October 4th at 5:00 at the Foley Public Library.

Thank you to the 27 homeowners who attended the meeting.