

**Avalon Homeowners Association**  
**2010 Mid-Year Meeting**  
**June 21, 2010**  
**Minutes**

**Call to Order – Jerry Davis**

The Mid-Year Meeting of the Avalon HOA was called to order at 6:30 PM at the gazebo on Avalon Subdivision common area.

**Attendance – Jerry Davis**

Since this was an informational meeting and not a decision making or mandatory annual meeting a quorum was not required. The sign-in sheet is attached to these minutes. There were 25 homeowners in attendance.

**Minutes of 2008 Meeting – Jerry Davis**

No minutes of previous meetings were read.

**Treasurers Report – Jerry Davis**

Lori Collins was unable to attend the meeting due to a death in her family. Jerry passed copies of the approved 2010 budget and expenditures for 2010 (see attached) to all attendees. All expenditures were well within the 2010 budget and no questions or comments were voiced. Jerry explained that to date that only three homeowners have failed to pay their 2010 HOA dues and that liens have been filed against those properties. This number was far less than anticipated in preparation of the budget. Jerry also explained there were seven vacant lots, owned by three builders, that had not paid their 2010 dues. Two of the lots had been taken back by the banks financing them and were sold, at auction, on May 24<sup>th</sup>. The Board has not been able to identify the new owners. Multiple liens had been filed on those two lots for 2010 dues and previous unpaid mowing. The two remaining builders had been contacted by the Board and indicated a commitment to pay the dues owed. The Board decided not to lien the five builder's lots at this time trying to provide an incentive for those builders not to abandon those lots. Phenix Palmer, Lot 122, expressed a desire that we lien the vacant lots as we had with the homeowners who have not paid. Jerry indicated the Board would discuss that at its next meeting.

**Update of Lawsuit Against Avalon HOA – Jerry Davis**

Jerry explained that the suit was stuck in the Alabama Court of Appeals due to a second counter suit filed against the original plaintive. The appellate judge ruled that the two suits are so related that until the lower court rules on the counter suit the Alabama Court of Appeals cannot rule on the appeal. We have no timeframe for the lower court to hear the counter suit and then no idea how long it will take the appellate court to then review both rulings. Any changes in the status of this law suit will be reported on the Avalon website under "Avalon Insider." Jerry assured all the homeowners that no matter what the outcome of the suit, individual homeowners will not be liable for any monetary payment as our liability insurance covers the Avalon HOA against such claims.

### **Gazebo Renovation – Jerry Davis**

Jerry pointed out the repair work to the benches, post tops, and decorative trim, explaining that Bill Lanyon, Lot 70, over the past few weeks had made the repairs and asked for anyone who sees him please thank him for his work.

### **Avalon Work Day, May 8, 2010 – Jerry Davis**

Jerry summarized the four main projects undertaken and completed on that day and thanked the 20+ homeowners who spent 4-8 hours on a Saturday for the benefit of the neighborhood.

### **Beautification Committee's Recommendations For Avalon – Jerry Davis**

Cathy Blake, the committee chair and her committee looked at all of Avalon and submitted to the Board recommendations to improve the appearance of Avalon. That report (see attached) was summarized by Jerry as Cathy was not able to attend the meeting. There were no negative comments regarding the report. Four additional recommendations were voiced by attending homeowners: 1. Add a sidewalk in the common area north of the retention pond, 2. Add cement ramps at each street corner to allow crossing a street without going over grass. This is especially necessary for strollers and to make the area wheelchair accessible, 3. Add benches in the common area around the pond, 4. Use some of the transplanted azaleas to screen the electrical boxes on the common area at the southern end of Avalon Blvd. The Board will be obtaining estimates for the recommended projects and will organize a work day in the fall to transplant the azaleas and other projects that can be completed by homeowners.

### **Trash Receptacles and Other Visible Items in Driveways – Jerry Davis**

Jerry explained the original comment about trash receptacles by a Realtor showing a home in Avalon. Over the past 6 weeks the Board has monitored the number of homeowners with trash receptacles visible from roadways in Avalon or CR-54 on Thursday, one day following trash pick-up. Approximately 30 homeowners have failed to respond to general and personal Emails requesting the trash receptacles be removed from sight. There were questions about the wording in the covenants which were read. One homeowner felt this was such a small issue and that there were other more important issues to be considered. One homeowner asked if they would be allowed time to plant shrubs to screen their receptacles and he was told yes and he was requested to notify the Board of his intent and timeframe. Jerry stated that this issue is specifically covered in the covenants and would be a continued issue for the Board until completely resolved.

### **Dumping of Lawn Waste in Common Areas and Vacant Lots – Jerry Davis**

Jerry asked everyone to please not dump lawn or other waste on vacant lots or Avalon common area as it causes problems with mowing and likely will end up in the retention pond. If violations are observed please call one of the Board members.

### **Revision of Restrictive Covenants – Jerry Davis**

The Board is asking for volunteers to work on a committee to evaluate the current restrictive covenants and recommend changes to the Board. Once the Board reviews the recommended changes and the homeowners have an opportunity to comment on the changes a vote will be taken to approve the changes. To change the covenants a 75% yes vote will be required. Paul Brown (Lot 16) volunteered to be on the committee. After the meeting Brian Matson (Lot 99) also agreed to serve on the committee.

**Driving on Common Areas – Kim Miles**

Kim explained that there have recently been reports of cars and trucks driving/parking on the area around the pond and on the playground lot on Halcyon Loop. Signs are being made to post in those areas but homeowners are requested to ask offenders to move their vehicles off the grass or to report such activities to a Board member. Once the signs are posted the county Sheriff can be called to resolve the issue.

**Stop Signs and Speeding – Jerry Davis**

Jerry asked homeowners to be extra cautious now that school is out and more children are playing in the area. Many reports of speeding and driving through stop signs were related by homeowners.

**Nominations for Board Members – Jerry Davis**

Jerry asked homeowners to be thinking about potential Board members as we will require election of two new members in December at our annual meeting.

**Stickers for Homeowner’s Autos – Jerry Davis**

A recommendation had been received by the Board to issue stickers to place on all homeowner’s autos. The benefit would be to be able to enhance visual identification of autos parked in suspicious areas. The general consensus was a lack of support for the idea.

**Status of Common Area south of lots 1-4 – Mary Vining**

Mary gave a brief summary on the subject as some in attendance were not aware of the previous concern regarding this common area. Jerry Davis provided some concerns expressed by Ralph Stemp (not able to attend the meeting) that the property should not be given to the owners of lots 1-4. He feels that selling the property to the lot owners is more appropriate. Van Stephens explained that the owners of lots 1-4 have maintained the common area for more than 3 years and feel they have “earned” that property. Jerry tried to conclude this subject by again explaining that once the HOA received approval from the two planning boards it would still be necessary to obtain a 75% approval from the Avalon homeowners before the property can be transferred to the owners of lots 1-4. Additionally, in the last few days the owners of lot 1 have stated that they would not be willing to apply for re-zoning (one of the requirements of the planning boards) until the HOA had received approval by 75% of the owners (97 owners). The Board will continue to explore this issue with the intent of removing this common area from HOA responsibility. Any updates will be placed on the Avalon website.

**Open Discussion – Jerry Davis**

There was general approval to hold a mid-year meeting with a format similar to today’s for the purpose of keeping information flowing in both directions.

**Adjourn – Jerry Davis**

Due to the rapid approach of an electrical storm the meeting was adjourned.

**APPROVED:**

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**JERRY DAVIS, PRESIDENT**