

Avalon Homeowner's Association Board Meeting

November 2, 2021

Call to order: __1904____ PM

Name	Role	Present?
Josh Oakes	President	Y
Ellen Najdowski	Vice-President	Y
Jeff Shoemaker	Treasurer	Y
Ed Dearman	Beautification Chair	N
Amanda Goodrich	Social Chair	Y
Ashley Campbell	Welcome Chair, ACC	N
Aleah Kaip	ACC Chair	Y
Mike Rauch	Secretary	Y

Secretary's Report: Mike Rauch

- Approval of meeting minutes (prior meeting)
- Remove section 4 from minutes

Treasurer's Report: Jeff Shoemaker

- Financial Status
 - Accounts Receivable – status of collections
 - Financial Statements
- Checks issued since October
- No invoice for pressure washing or website build as of this meeting
- BBVA sold to PNC, do we want to continue to bank with PNC? Board supports Jeff making the decision.

Special Events Report: Amanda Goodrich

- Halloween Hayride went great
- Christmas movie in December (place in newsletter, FB, mail, website)
- Recommendation to send out what night and time we will be doing trick or treating for 2022
- When sending out communication we should use website and facebook also

ACC Report: Aleah, Ashley

- ACC Approvals
 - Chapman – Pool Cabana/Landscaping – 10/08/2021
 - Green – 11716 County Rd 54 – Landscaping – 10/11/2021
 - Tindall – 11424 St. Ives – Pool Enclosure – 10/13/2021 (Renewal)
 - Carney – 11251 St. Ives – Tree Replacement – 10/14/2021 (Renewal)
 - McKean – 24386 Saxson Ct. - Rear Gutter Replacement – 10/16/2021
 - Nadjowski – 11413 Halcyon Loop – Parking Pad, New Gate, Remove Bushes
 - Rankin – Statue Relocation – 10/16/2021
- Executive Session - New Complaints – Board entered executive session at __1940____ PM to discuss specific complaints.
- Board exited executive session at __2030____ PM.

- Proposed Covenant (for editing) for Painted Brick*

2.5.1(h). Painted brick for residences shall be considered by the ACC within the following scope:

1. Painting to be done by a licensed, certified painter.
2. Paint colors will be approved only in soft tones (which shall not include, among other colors, any high gloss finishes, pure red, or pure white.)
3. Any paint peeling or disrepair will be cause for the ACC to require homeowners to immediately repair to ACC's satisfaction and/or repaint home or the ACC shall be charged with the ability to hire a licensed, certified contractor to make the repairs and/or repaint the home at the owner's expense with a lien as a surety of payment to the HOA.
4. If request is approved.... Must send back steps 1-3 to make sure they understand that it must be replaced.
5. We can enter yard to fix disrepair at owners expense.
6. #4 paint must be solid and fully covering the brick

*Proposed wording for metal shingles already submitted.

Vote at meeting:

1. 30 days from Meeting and it will be closed
2. Yes page/No page

Welcome Committee Report: Ashley Campbell

- Welcome bags delivered to:
 - 11406 Saint Ives
- Next round of bags to be delivered:
 - 11606 County Road 54 (this week)
 - 24027 Trowbridge (this week)
 - 24384 Avalon (currently listed)

Beautification/Maintenance Report: Ed Dearman

- No report
- Need to follow up on the Greenes Trees

President's Report: Josh Oakes

- Old business and reminders, tabled until next meeting
 - Dog waste stations – on hold pending “collection” effort. Josh verified with homeowners their offer still stands.
 - Trowbridge Wetlands / Retention Pond
 - Filing with county: 2011 bylaws and 2021 rules & regulations – Josh to research

- Annexation concern:
“Recent flyer received about an effort by residents of Rosington and Barnwell to stop annexation by their neighboring municipalities. Those 2 rural areas could easily be out-voted in an annexation election by tying them to other areas that wanted to vote for annexation.

This is a real danger for Avalon. We could similarly be annexed into Daphne. Our Real Property tax rate would instantly go to 45 mills from our present rate of 30 mills. That is a whopping 50% increase for NO service enhancement whatsoever.

The Board might want to look into this. The time to get our defenses up is now.”

- Executive Session: Board entered executive session at _1940__ PM to discuss specific complaints and a change to the bylaws.
 - The bylaw change was approved and a copy is attached to the minutes below. Subsequent to the meeting, it was determined that bylaw change discussions should probably *not* be held during executive session.
- Board exited executive session at ____2105____ PM
- Other business
 - Proposed development
 - Letter from Board (see below)
 - Annual Meeting
 - No Coastal Church
 - Belforest Civic Center – \$40? – Stephanie: 251-253-2800

Annual Meeting tentatively planned for __Belforest Civic Center 12/14/21 at 1900_____.

Next meeting planned for November 30 at 6:30 PM.

This meeting adjourned at ____2127____ PM.

ALTERATION TO THE
BYLAWS
OF
AVALON HOMEOWNER'S ASSOCIATION, INC.

WHEREAS Article III MEMBERS' MEETINGS, Section 3.3 Regular Meetings reads that "Regular or annual meetings of the members of the Association shall be held on the first Monday of December of each year, beginning with the year 2003." and

WHEREAS it has been customary for the Association to hold such annual meetings on different dates for the past several years and

WHEREAS the board of directors desires for the Bylaws to reflect the actual customs of the Association and

WHEREAS ARTICLE IX AMENDMENT OF BYLAWS, Section 9.1 Bylaws states that "The Bylaws of the Association may be altered, amended or repealed by a majority vote of the Directors."

WE HEREBY as a majority of the Directors of the Avalon Homeowner's Association, Inc. do hereby instruct that Article III MEMBERS' MEETINGS, Section 3.3 Regular Meetings be altered to read "A regular annual meeting of the members of the Association shall be held each calendar year as scheduled by the majority of the Directors of the Association with notice provided by email and community signage to each member of the Association at least ten (10) days prior to such meeting."

IN WITNESS WHEREOF, we, being all the directors of the Avalon Homeowner's Association, Inc. have hereunto set our hands this 5th day of October 2021.

Ashley Campbell, Welcome Chair	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstain	_____
Ed Dearman, Beautification Chair	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstain	_____
Amanda Goodrich, Social Chair	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstain	_____
Aleah Kaip, ACO	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstain	_____
Ellen Najdowski, Vice-President	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstain	_____
Josh Oakes, President	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstain	_____
Mike Rauch, Secretary	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstain	_____
Jeff Shoemaker, Treasurer	<input type="checkbox"/> For	<input type="checkbox"/> Against	<input type="checkbox"/> Abstain	_____

AVALON HOMEOWNER'S ASSOCIATION, INC.
PO BOX 386
DAPHNE, AL 36526-0386

November 3, 2021

Baldwin County Planning & Zoning Department
22251 Palmer Street
Robertsdale, AL 36567
By Email To: planning@baldwincountyal.gov

RE: Case No. Z-21040 Lazzari, Jr. Property

To the Department and Commission:

We are writing on behalf of the Avalon Homeowner's Association and its members. Our neighborhood borders the property requesting re-zoning (the Lazzari, Jr. Property discussed in Case No. Z-21040 or the "Subject Property") and several of our members and the association itself have property adjacent to and immediately abutting the Subject Property. We appreciate this opportunity to provide comment and thank you for your time and consideration.

We strongly agree with and support the Planning & Zoning Department Staff (the "Staff") Recommendation of **DENIAL** of the rezoning application for the Subject Property. As the Staff correctly assesses, the proposed re-zoning of the Subject Property from RA to RSF-3 is less restrictive and more intense, is not consistent with development existing in the area, is not compatible with the existing development pattern and zoning of nearby properties, and breaks from precedent in regards to normal transition of land from rural to very low density to low density before transitioning to the moderate density zones. Further, this rezoning, if approved, would require a change to the Master Plan – we do not find any significant benefits to the County or citizens from this development that would warrant a change to the Master Plan.

As noted in the Staff report, neither traffic nor runoff impact studies have been completed. These are two serious issues for the community that we urge you to consider and analyze *before* changing zoning.

The traffic in this area has grown exponentially worse with the opening of the new Belforest Elementary School. There are plans to install both a traffic light and a round-a-bout on County Road 64. This critical infrastructure should be completed *before* changing zoning so as to eliminate the possibility of delays in infrastructure while development moves forward. The number of serious accidents on County Road 64 has increased with the addition of the school and the faster-than-anticipated build-out of the Jubilee Farms neighborhood. Now is the time to learn from our mistakes – before we are holding vigils and putting out flowers for a fatality on County Road 64 that is directly related to poor infrastructure planning. By completing the study *before* changing the zoning, the Planning & Zoning Department can also require an investment in infrastructure by the Developer as a condition of approval.

Pertaining to runoff, the development of farm-land into moderate density residential will result in significant additional runoff. Our neighborhood is already paying the price for the rapid construction of Jubilee Farms with a failed drainage plan that is now pushing excessive water into the wetlands and eroding our neighbors yards. When we approached the county about this problem we were told that the Jubilee Farms drainage plan was "perfect" and not the cause of our problems. While we realize this was ultimately a decision and approval made by the City of Daphne, we are certain that either the drainage plan or its execution was not "perfect" as we were told. First, we know that as that neighborhood has grown, our neighbors yards have literally shrunk. Second, we are aware

that the developers of Jubilee Farms are moving fences and installing alternate drainage paths now – in homes that have already been sold – this means that either the plan was flawed or it was executed on incorrectly – or both. The proposed rezoning of the Subject Property now purports to replace farmland with moderate density residential property. This will cause additional runoff in all directions *and* limit the ability of water to runoff from our neighborhood. We were told by the county that there is no money available from the county to fix our current problems and we should approach the state. We ask that any approval for this new zoning be conditioned on the Developer contributing to establish a permanently endowed fund to correct run-off issues and remove beaver dams both upstream and downstream from the proposed development.

To be clear, we are not opposed to development that is properly managed. We believe that there are several issues with this proposed development that must be overcome before it is approved. In addition to the above, we request that if this zoning change is approved the County Commissioners:

1. Sit down with Baldwin County Schools and have a candid discussion to jointly develop an effective master plan that allows for growth and minimizes the impact on our children through careful planning that avoids overcrowding and rezoning. The building of a relationship between the schools and the county is long overdue. Your constituents are suffering because of the lack of communication and transparency.
2. A fund be established within the County, funded by Developers, to manage the environmental and property impacts of run-off to existing developments and, in particular, to the area around the protected wetlands bordering Avalon. Your constituents are suffering because of a lack of funding while those who are creating the damage are profiting.
3. The property taxes of Avalon and Sedona homes for existing residents be permanently reduced by 20%. The homeowners of these neighborhoods purchased their homes based on the characteristics of the area and with knowledge of the Master Plan. This change in zoning decreases the value of these homes. Passing a provision to reduce property taxes is within the purview of the County Commissioners, helps mitigate the damage (over time), and is more than made up for by the new tax revenue generated from the development. This proposed reduction would only need to be made for existing residents as new residents would be aware of the property they are moving into. Your constituents are suffering because of a change to the Master Plan that only benefits the developer.

We believe that the County Commissioners are elected to represent all residents, including our children, and not only the developers. We strongly support the Staff Recommendation of **DENIAL** of the zoning change. If the Staff's Recommendation is ignored, we believe that there are ways the County Commissioners can mitigate some of the damage and encourage you to do so – both as outlined above, at a minimum, and however else you see fit.

Respectfully,

Avalon Homeowner's Association, Inc.,
Its Board of Directors,
And Your Constituents