

Minutes for the Tanner Trails HOA Meeting August 12, 2009

General Announcements

The Board apologized for the late notice that residents received for the August 12th meeting.

Introductions

Board Members: Jerry Rauwolf – President

Bob Strusz – Treasurer

Melissa Bedwell – Secretary

Guests: Elizabeth Sokacich – Property Manager, Foster/Premier

Due to personal obligations Mike Glock, Village of North Aurora Representative, Superintendent of Public Works, and Rick William, Attorney hired by Board to represent HOA; McMahon/ Williams: Attorneys at Law were unable to attend the meeting.

Charter Statement of Board

As members of the Tanner Trails Homeowner's Association Board, we are obligated to uphold the covenants of the association, ensure the fiscal viability of the association, and promote a welcoming environment within the subdivision through organized events and beautification projects.

Financial State of the Association

- The Board provided a credit for the 3rd Quarter payment for all homeowners.
 - If payments were made for the 3rd Quarter assessment, a 4th Quarter credit will be given.
 - Please contact Elizabeth at Foster/Premier with any questions.
- The Association remains in a strong financial position.
- The Board continues to work individual budget line items.
 - Preparing for Wetlands Management costs when the HOA would take over maintenance in late 2010 or 2011.
- Please continue to support the Association with prompt payments of assessments.
 - Hardships will be considered on a case-by-case basis. Please contact Elizabeth at Foster/Premier should you have any questions.

Second Quarter in Review

- Foster/Premier's contract was renewed for two years.
 - Solicited four bids
 - Received three bids
 - The bids were reviewed for fixed cost, services offered, and additional costs, such as postage, envelopes, etc.
 - All bids were reviewed by the Association Legal Representative.
 - Foster/Premier's bid had the best fixed cost and scored roughly equivalent in the other two categories.
 - The recent service improvements with Foster/Premier was a factor as well:
 - Increased general responsiveness
 - Improved bookkeeping of application, calls, etc.
- Committees were formed:
 - Architectural Review and Compliance Committee
 - Social Committee:
 - General responsibility to organize activities within the community:
 - Walking groups
 - Bike rides
 - Neighborhood Party
 - Neighborhood Clean-Up Days
 - Neighborhood Beautification
 - Check into benches along bike/walking paths near wetlands
 - Pet clean-up station along paths
 - Wetlands Preservation Committee
 - Committees are important to the Association:
 - Spread workload

- Encourage greater involvement
 - The Board needs to work with the committees this coming quarter to provide more clear direction.
 - The Board will meet with each committee during the next quarter.
 - More volunteers are needed for the Social Committee.
 - The Board requested that those who were interested in volunteering stay after the meeting.
- Violations
 - The Board is tasked with enforcing the Covenants and Rules and Regulations.
 - The Board strives diligently to be consistent.
 - Architectural Review and Compliance Committee was formed to assist the Board.
 - Significant compliance items still being worked (fences, decks, sheds, and satellite dishes).
 - **Submit an application before beginning work and get approval prior to the start of your project.**
 - All applications and compliance issues are reviewed and discussed by the full Board.
 - The Board will work with homeowners as long as the homeowner is working towards compliance.
 - Without compliance to the Covenants and Rules and Regulations our property values will drop quickly.
 - Wetlands Update
 - The Board toured the wetlands areas with a Village Representative and Wetlands expert in June.
 - The Village still has a lot of work to do on all of the wetland areas since most of the wetland areas are still under the control of the Village.
 - Most of the work will begin this fall.
 - Village will work this fall to clear weeds and replant areas.
 - If your home borders the wetlands, anything outside of your property line will be removed or destroyed, including plants, grass, trees, structures, etc.

- Check property boundary lines with plat survey or look for metal stakes at the corners of property lines.
 - It is important to allow the natural plantings of the wetland areas to grow properly. Proper growth will cut down on weeds and wild life entering resident properties.
 - Any tampering with the re-planting of the wetland areas will be dealt with harshly by the Village (no spraying weed killer, mowing, etc.)
 - The Village is using Neumann’s letter of credit to get the wetlands into compliance to be turned over to the HOA. This is an extremely costly project. Resident help is needed to make sure the wetland areas are not tampered with.
 - The “front” wetland area off of Tanner Road is still under control of Kane County.
 - Signs have been posted around the wetlands for the safety of the residents and visitors. Fishing, swimming, entry to the wetlands, etc. is strictly prohibited.
 - The wetlands are extremely dangerous. A person entering the wetlands can quickly get stuck and drown, as the saturated mud acts like quicksand and can quickly entrap a person or child.
 - The HOA will work with a new environmental engineer separate from the environmental engineer who works with the Village to avoid conflicts of interest.
 - The Board will meet with the Village to continue to get the wetlands into compliance so that the HOA may take over the wetlands, as was contracted by Neumann, within the next couple of years.
 - Maintenance of the wetlands will cost approximately \$30,000-35,000 per year.
- Association Website
 - The new website for the Association is active: <http://www.tannertrailshoa.org>
 - The website will be a good place to begin for HOA information. It will be a source for
 - Association News
 - Event Calendar
 - Architectural Applications

- Association Documents
 - Covenants
 - Rules and Regulations
 - Budget
 - Minutes
 - Map
 - Etc.
- Email links to the Board, Committees, etc.
- Still several improvements in process
- Landscaping Contractor Issues
 - Sent letter to Tecza stating dissatisfaction.
 - Communicated resident complaints on a regular basis to Tecza.
 - Met with Tecza in late July:
 - Walked property
 - Discussed specific areas where improvement is needed
 - Discussed general expectations
 - All the problems are not Tecza's responsibility.
 - The Village is still working in some areas to reseed.
 - However, Tecza has failed to respond to our satisfaction.
 - The Board will begin the process to select a landscaper for next year this fall.
 - The process will include a walk-through of the property with the bidders, and
 - Address the plantings and mulch at the entryway signs.
- Mulch Contractor
 - Gathered bids to mulch the entryway signs and beds along Tanner Road, as Tecza's contract did not provide for this service.
 - Selected North Aurora Landscaping. The company completed the work in late July.

- In the future, the upkeep of the Association's plant beds will be explicitly part of the landscaper's contract.
- Empty Lot Clean-Up Update
 - Actively working with the builders and other lot owners through the Village of North Aurora.
 - The Village is taking the lead and is assessing fines.
 - The HOA and Architectural Review and Compliance Committee are providing updates to the Village.
 - Clean-Up is ongoing.
 - Some lots are still not satisfactory, but improved over last year.
 - Tracking down individual owners is part of the process.
 - The Board, with the support of the Village, will continue to track the process of the clean-up.

Miscellaneous Items

- New Construction
 - The Board is working with builders to review elevations in order to maintain monotony clauses for new construction.
 - The Board is also monitoring other compliance issues.
- Covenant Modifications
 - In process with the goal of simplification
 - Make the covenants clearer and easier to understand.
 - Would like to lower quorum requirements so that we do not end up with an empty Board.
 - Looking toward January meeting to vote on changes.
 - Expand Board

- The Board can expand its size by declaration, but would have to be filled by election.
 - Looking to create 2 more positions for a total of 5 Board members.
 - Open positions must be filled by election. The Board may be going door-to-door this fall in order to get quorum.
 - Targeting January meeting for expansion.
- Traffic Monitoring
 - Traffic study of the corner of Bauer, Schrader and Moutray showed that the corner does NOT warrant a traffic stop.
 - Legally the Village cannot put up a stop sign due to the study.
 - Corner of Bennett and Sandell does NOT warrant a traffic stop.
 - Increased patrols by police for these areas.
- Watering
 - The Village has strict watering guidelines.
 - Unlike some of our neighboring villages, North Aurora only has access to deep aquifers.
 - As a result, North Aurora has a limited water supply that must be closely monitored.
 - Unless you have a posted permit, you may only water between 6pm-9pm.
 - If you have new sod, you may apply for a permit through the Village.
- Park District Property
 - The park located off of Meade, Bauer and Schrader is Park District property.
 - Large groups (25 or more) are not allowed to congregate there without Park District permission.
 - The gazebo cannot be reserved due to lack of parking and restrooms.
 - No vehicles allowed on the park property including on the bike paths.

Plans for Next Quarter

- Monitor Wetlands status and management.
 - Upcoming meeting with Village and contract for wetlands maintenance.
- Work with Committees
 - Increase communication
 - Provide clearer direction
- Work Covenant changes.
- Possible second survey (website based?).
- Continue to pursue safer, neater empty lots.
- Complete and act on compliance research.
- Fall Neighborhood Clean-Up Day

Questions and Answers

At the end of the meeting, the floor was opened up to address questions and concerns of the residents. (Q = questions, concerns, or comments posed by residents; A = response by Board, representatives from Foster/Premier.)

Wetlands:

Q: Who is the environmental engineer the HOA will work with on the wetlands?

A: The Board has not yet met the new environmental engineer. The Board will meet with him soon. Valerie Jakobi, the previous environmental engineer who works for the Village, provided three names of environmental companies to the Village and HOA to get bids for the work.

Q: Will the wetlands need to be dredged?

A: During the walk-through of the wetland areas this summer, Valerie Jakobi did not think the wetlands would need to be dredged. The maintenance company will clean the water and drain areas. The natural plantings and yearly maintenance will help keep the wetlands clean.

Q: Why is the HOA responsible for the wetland areas?

A: Currently, the wetlands are under the control of the Village and the front pond is under the control of Kane County. However, the HOA will have to take over the wetlands when they are up to proper standard as was required by the contract Neumann signed to develop the property.

Q: Who took care of the wetlands before Tanner Trails was developed?

A: Farmers, as it was farm land.

Q: What is the purpose of the wetlands?

A: Creates habitats for animals. Near JC Penny's there is a wetland area that the Village believes to be the home of bald eagles.

Q: Information should be listed on the HOA website for the engineer and other wetlands issues.

A : The Board will check into putting up links to the EPA and County report for purposes of resident information.

Q: The weeds from the wetlands are spilling over into resident's property. The poor maintenance of the wetlands is allowing for weeds to spread and wildlife to entry property.

A : The HOA has not been responsible for maintenance. The village is currently taking care of the area. The Village has already completed two high mows to cut back on the weeds spreading and is going to replant the some of the natural plantings this fall. The property has never been in compliance under Neumann, and the Village is trying to get it into compliance for the turnover. The environmental engineer stated at the walk-through that only two or three sections of the entire wetlands are in compliance. The proper natural plantings will cut down on weeds and deter wildlife.

Note: The Board President has asked the Village to mark off wetland area boundaries for residents and landscapers for purposes of proper maintenance. Those residents who back up to the wetlands will know where their property lines end and the wetlands begin.

Q: Resident stated that the lines would be for the benefit of the HOA not for the residents because the weeds are taking over the yards.

A: Established sod should be hard for wetlands grass to penetrate. The Board will try to get a wetlands expert to come to our next quarterly meeting. Reminder: cutting, weeding and sod are an intrusion on the wetlands property, which is currently under Village control. The wetlands grass and plantings need to grow and become established, which will cut down on weeds. The non-native plantings and sod allow grassy areas for wildlife to get to the water to drink. The native grass and plantings once established will cut down on wildlife coming onto residents' properties. The cost to the Village, thus far has been a few \$100,000 to repair the damaged land. The Village and HOA along with the Wetlands Preservation Committee will try to monitor this situation to make it better, but residents cannot keep destroying what the Village is planting. It is too costly and the wetlands will never become established with the proper plantings and native grass if residents continue to put down weed killer, mow or put

down sod. It takes two to three growing seasons to properly develop the natural grasses and plantings of the wetlands. Natural plants should take over to minimize weeds.

Q: Resident doesn't know where property lines are for lot. Will she have to pay for a survey?

A: The Village should be marking the property lines, hopefully, this fall. To determine property lines, look at plot of survey from builder. Power boxes in backyards are a good indicator as being close to the property line. Also, look for metal stakes in the corners of property. Some builders used the metal stakes to mark the property before building.

Q: To better educate residents regarding issues of the wetlands to insure proper compliance, it would be helpful to have a vision of what the wetland areas should look like when they are in compliance.

A: For purposes of boundary lines, the wetlands begin where the buffer areas (where the shorter plants grow) are located. The buffer areas then lead into the taller plant areas. The HOA will ask the environmental engineer to provide a picture that may be posted on the website, as well as other information that may be posted to help educate residents.

Q: Who is responsible for cleaning up the debris that is in the wetlands caused from builders and blowing garbage?

A: The maintenance company that completes the yearly maintenance should be cleaning out the wetland areas including the drains and the plywood where teenagers have tried to build a pier.

Common Areas:

Sidewalks

Q: Mike Glock stated at the second quarter meeting that the empty lots would have sidewalks in place by July, which has come and gone and not all of the empty lots have sidewalks.

A: Builders have to get the land to a certain level. The sidewalks are the builders' responsibility. The Village is currently back in court with the builders to get this done. The Village is doing what they can at this point. Some builders have properly maintained lots and put in sidewalks. Please call the Village if the builders are not currently maintaining empty lots. There is a new Village Code Enforcer who is working with the developers. She is surveying lots, taking notes and watching the progress, or lack thereof.

Bike/Walking Paths

Q: Will there be a bike path near Moutray and Imgrund? It was on the original plat for the community.

A: The HOA will have to check into this. The funding would have to come from Neumann's letter of credit. Initially, the money went to completing streets and sidewalks. Most of the money that is currently left will have to go towards the wetland restoration. This will have to be determined at a later date. May be completed if there is money left.

Q: What is happening with the sidewalk behind Tanner Trails Community Church?

A: The residents who live behind the church and adjacent to the wetlands own the property. Creating a completed path possibly will need to wait until the wetlands are under the control of the HOA so that a retaining wall and lowered walking path can be constructed so as not infringe on the homeowners' property. How much money is left from Neumann's letter of credit may also be a determining factor. This was poor planning on the part of Neumann Builders.

Q: Can the HOA put benches next to the bike/walking paths, especially near the wetland areas, so residents can enjoy the wildlife?

A: The HOA will check into this issue.

Q : Will plants be installed on the bike paths similar to the plantings on the path on Berman?

A: The HOA will check into this issue. The Village is still in the process of reseeding some of these areas, so the HOA would have to wait until the grass is properly established to add plants.

Traffic and Parking on Street

Q : Concern that residents are parking multiple cars on street, which is dangerous for both children and moving vehicles.

A: Village allows cars to park on street, but they must be moved after 24 hours or the owner can be ticketed.

Q: Concern that residents and visitors of the subdivision are speeding on Bauer, especially those who use the park for football and baseball practice. Can speed bumps be implemented?

A: At the last meeting, Mike Glock said that speed bumps have been shown not to work. They can also ruin vehicles, such as snow plows. The Village completes traffic studies through the company Rempy-Sharp. The recent traffic study completed on the corner of Bauer, Moutray and Schrader does not warrant a stop sign. Therefore, the Village cannot legally put in a stop sign. Residents need to slow down. Residents also need to remind their visitors to drive the proper speed limit throughout the subdivision. The HOA can request another traffic study to be completed, perhaps on days when sports practices are in session.

Q: Could "no parking" signs be installed?

A: This may cause other problems, such as which side of the street the signs will be placed, overcrowding on one side, etc. A letter needs to be written to the Park District and organized sports teams to make them aware of the speeding situation in the subdivision. The HOA can ask the police to monitor during peak times. If residents see speeders, please try to take down the license plate number and call the police.

Q: Resident suggested putting up “Slow Down, This is our Community” signs throughout the subdivision.

A: The HOA will ask the Village about put up these type of signs as a reminder to drivers.

Builders:

Q: McCue model home has not been mowed, especially the backyard.

A: The Village will check on this, and if it is too high the Village will mow it.

Q: When will the advertisement sign for Remington be taken down, and what is going to happen to the lot next to the Remington model?

A: The HOA is working with the Village. These issues are being looked into. The Remington sign may be on Village property. If so, the Village can take it down.

Empty Lots:

Q: Are the empty lots supposed to be leveled so as not to hold water? The lots on Sandell are still holding water.

A: Yes. Please inform the Village of these lots.

Q: Empty lots next to bike paths have strip of weeds next to silt fence, whose responsibility is it for taking care of this area?

A: The builder should be mowing next to the fence areas. The HOA will ask the landscapers who bid this fall to include ideas on how they may be able to fill in empty areas where the grass has not grown properly.

Village Related Topics:

Watering

Note: The Village has an ordinance against watering lawns outside of the designated time of 6pm-9pm. One can water flowers at other times, but unmanned hoses and sprinklers are not allowed. The Code Enforcer and police will write tickets if in violation.

Rain Barrels

Q: Are rain barrels allowed since they are a good way to conserve water?

A: The HOA is looking into this topic. The HOA supports this idea, but needs to wait for the Village to make decisions on this issue. Most likely, the rain barrels will be able to be placed in residents’ backyards near the home. The Village is working with a committee called NOARDA (North Aurora River District Alliance). The Alliance can be found on the Village website at www.vi.north-aurora.il.us/riverbend/index/htm. Also, more rain barrel information can be found through the

Conservation Foundation at www.theconservationfoundation.org and Aquascape, Inc. at www.aquascape.com. Please remember if you plan on purchasing a rain barrel, please put them in your backyard and be aware that the covenants may include changes regarding this issue in the near future.

Parkway Trees

Q: At the second quarter meeting, Mike Glock said that the Village would be replacing the dead parkway trees. However, the last Village newsletter stated that they would only be replacing 50 trees throughout the Village and that would be on a first come, first served basis. Tanner Trails alone has more than 100 trees that need to be replaced.

A: The HOA will check into this issue.

Covenants, Rules and Regulations:

Voting

Q: Instead of trying to lower the voting quorum, have residents vote by proxy.

A: Even getting residents to vote by proxy, it was difficult at the January meeting to get enough residents who attended and those with proxy votes to participate. At the meeting, residents were calling neighbors at the last minute, because not enough residents participated either by proxy or attending.

Architectural Applications

Q: What is the turn-around time for the Board to review architectural applications?

A: Generally the applications are reviewed within a week. However, as stated on the application, the Board does have 30 days with which to review the application.

Q: Where should the architectural applications be sent?

A: Applications are available on the HOA website. If sending via post office, please send to Elizabeth at Foster/Premier, 426B North Weber Road, Romeoville, IL 60446. Quarterly assessment payments are sent to a different address: Tanner Trails HOA, c/o Foster Premier Inc., 750 W. Lake Cook Road #190, Buffalo Grove, IL 60089.

Compliance

Q: Resident, who could not attend meeting, approached Board prior to meeting to express concern that the electronic dog fences do not work. Resident witnessed dog breaking through electronic barrier twice on Bauer.

A: If a dog breaks free of the electronic fence, fines can be assessed to the owners. The HOA Rules and Regulations state: "If, at any time, the dog(s) comes out of the yard unleashed, the homeowner will be fined Twenty-Five and No/100 (\$25.00) and will be required to put up a standard fence. . ."

Q: What has been done with the residents not in compliance with the covenants?

A: The Board has met with the HOA attorney to discuss options for noncompliance. The Board is reviewing all of the documents from Neumann. The Board hopes to get the letters for compliance sent out next quarter.

Q: Will the Board circulate another survey? Will it be web-based? What about the commercial vehicles question? And how will the Board get more than 163 residents to respond?

A: The Board looked at the previous survey from the standpoint of percentages, believing that those who responded to the survey reflect the opinions of the majority in the subdivision. The Board may readdress the topic of commercial vehicles, because the results of the responses were too close to get a definitive answer. Certain questions such as pools seemed to be a hot topic amongst residents. In order to get a general sense of what the community wanted the Board sent out the survey. In order to propose a change in the covenants costs a lot of money and time. The Board wants to roll all of the covenant changes into one vote to cut down on cost. The Board did not want to waste time and money on issues that the majority of residents did not want to change.

Q: Is the Board enforcing the covenants, rules and regulations?

A: Yes.

Q: How does the Board expect to enforce the CCR's for others if the members themselves are not following the rules? That is, not removing a portable basketball hoop when not in use.

A: The term not in use can have different interpretations. When children use the basketball hoops everyday then it would be in use. The survey results supported keeping portable basketball hoops up for certain periods of time. Albeit, the covenants have not been changed but the current language does allow for this. (Elizabeth helped resident look for language in the CCR's, but was unable to find it regarding portable basketball hoops. The CCR's allow for permanent basketball hoops.)

Q: CCR's need to be enforced consistently. Resident was displeased with inconsistency.

A: The Board agrees.

Committees

Q: Are the committees up and running? The committees would help with the workload of the Board. Will there be updates provided on the website?

A: Yes, the committees have been formed. The Board needs to provide more direction for the committees this quarter and work on communicating with committee chairs. Currently, the Wetlands Preservation Committee can be of assistance by monitoring the wetlands for debris and help inform neighbors of the maintenance that will be completed this fall.

Park District Property:

Q: What was on the east side of Tanner Trails Park that was raised up? What was underneath raised section?

A: The Village was required to put in huge Styrofoam blocks for the pipes that run underneath. The blocks resurfaced raising the ground. The Village has fixed this problem.

Q: Is the open field next to Bennett, north of Westover park district property?

A: Yes. Half of the field is under the control of the Mirador subdivision. The other half is currently under the control of the Village of North Aurora. The Mirador section met proper specifications to be turned over to the Batavia Park District. The other half needs to be reseeded. Once it meets proper specifications, Batavia Park District will take over the property and put in a park.

Q: The Tanner Trails Park is being vandalized by teenagers who are writing obscene things on the benches and tearing shingles off of the gazebo.

A: Because it is Park District property, the HOA asks residents to contact both the Fox Valley Park District for clean up, and the North Aurora Police if one sees the property be vandalized. The Park District should be monitoring the parks for maintenance.