

# *THE WINDS*

*December 2008 - The Voice of Twin Harbors POA*

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## **END OF YEAR 2008 EDITION**

### **REPORT OF THE ANNUAL MEETING**

On Oct 18th, our annual meeting took place at the pool/clubhouse. It was a pleasant meeting. Some 60 property owners were in attendance with over 103 proxies. Three new members were elected to the board and are highlighted later in the newsletter. **PLEASE NOTE:** The special assessment for 2008 passed by a five-to-one vote. **More importantly, the special assessment has been raised to \$50 per lot by the same five-to-one vote.** An explanation of the special assessment is discussed below as a number of new property owners requested it. Committee reports were given concerning financial conditions, 2007-2008 accomplishments and plans for work in 2008-2009. Following the meeting those that remained shared a potluck meal with the Board furnishing the meat. There were many excellent side dishes prepared by property owners. Thanks to all those who helped make the meeting and the meal a huge success. Those who did not attend should re-think their decision next year.

### **SPECIAL ASSESSMENT**

A new homeowner at the Annual Meeting requested an explanation of the Special Assessment. Previous Boards voted on passing a Special Assessment to help pay for the rising costs of repairing and up keeping our roads. The Board obtained a legal opinion from our attorney and he approved the passage of this fee. **The Special Assessment fee can only be used for the roads, and nothing else.** Also, this fee is kept in a separate bank account. Then, the Bylaws were changed by the same Board so no future Boards would abuse this right to assess a Special Assessment fee without the majority of property owners at the Annual Meeting voting on the Special Assessment every year. Previously, the Board could set the fee at any rate without the majority of property owners approving it. Now, this is voted on at the Annual Meeting.

### **DEED RESTRICTIONS**

The Board would now like to discuss a **serious situation** that exists in our subdivision. The current Deed Restrictions were written by the Developers in 1976 and their goal was to sell lots and move on. They wrote the Deed Restrictions such that the maintenance fees could never get over \$10 per lot per month for a total of \$120 per year until 2027, and possibly 10 more years after that. As all of you know, the price of everything has gone up dramatically since 1976. A previous Board member did some research on the government *cost of living index* and applied it to the \$120 per year fee. If we applied this index, the current maintenance fees would be slightly over \$300 per lot per year.

As mentioned above, to keep up with the rising prices, previous Boards have voted on a Special Assessment fee that can only be used for the roads.

The current Board is in favor of changing the Deed Restrictions. This requires a majority of property owners to vote on approving this. Notice that it says property owners; so if you own two or more lots, you still only get one vote. There are 681 lots in our subdivision with approximately 400 property owners. That means we need over 50% of the 400 property owners to approve a change in our current Deed Restrictions. The current Board would like to raise the yearly maintenance fees to \$175 per lot per year and do away with the Special Assessment. Additionally, some type of inflation adjuster would have to be included, such as the Board and/or the attendees at the Annual Meeting voting to increase the fees from 1 (one) to 2 (two) percent per year – with a cap of no larger than 2 (two) percent. A two percent increase would raise the fee from \$175 per year to \$178.50 per year. Keep in mind that asphalt, our most expensive material used on our roads, has increased over 500% since 1976 when the current deeds were written.

Another idea being discussed by the Board is granting permission to build a storage shed that conforms to the material used on the house. Other ideas can be submitted to the Board and are requested by property owners on other changes you would like included in the new Deed Restrictions, if passed by the majority of property owners. Please consider this request seriously as the Board is looking many years down the road on how we want this subdivision to be maintained. **Each property owner will be receiving a letter and a voting card in the future to vote on changing our Deed Restrictions.**

## **LATEST NEWS**

2. Interest on unpaid fees and dues has been changed to 12% (twelve percent) compounded annually. If you owe fees to the Property Owners Association (POA) and have made arrangements to pay something monthly, the POA will not charge you interest as long as you continue to pay monthly.
3. A new Collection Policy was approved by the previous Board. **Please note that your unpaid dues and fees will be turned over to a collection agency and the credit rating agencies will be notified. That is, your credit rating will be affected in the future.** A copy of the new Collection Policy is available at the office. Please pay your dues on time!
4. **New Office Hours:** They are 8:00 am to noon on Mondays and Saturdays.
5. The new Board will be looking into converting the unused southern tennis court area into a secure parking area for RV's, boats with trailers, etc.
6. Hurricane Ike has damaged the sign at the main entrance and a member of our subdivision is looking into designing a new sign. The interior of the old sign is slowly rotting away.
7. All property owners should thank Lydia and Don Harvey, Georgia Charles and MaryEllen Yost for the Christmas decorations at the main gate.
8. The Board wants to schedule a "Volunteers Day" in the spring and we will publish it in our next Winds. Please volunteer.
9. Our Building Permit has two new changes: (1) The property owner must insure that the roads, if damaged, must be restored to their original condition they were previously before building or remodeling a house (Note: property owners and builders in the past have stated that the road base was bad and it was not their fault, but this will not apply in the future – as stated, restore the roads to their previous condition), and (2) You must obtain a 911 address before applying for a permit. The

phone number to get this address is on the Permit.

10. Remember the Board meets on the second Saturday of every month at the Clubhouse at 9:00 am. Please attend if you have any comments or requests.

## ***NEW WEB SITE***

Please take the time to visit our website: [www.twinharborslakelivingston.com](http://www.twinharborslakelivingston.com). It's an attractive set of web pages with Deed Restrictions, contact lists, maps, past minutes of annual and board meetings, lots for sale, and it's very comprehensive. Have a look for yourselves. If anyone would like to list lots within Twin Harbors for sale, just contact the office, drop us a note in the mail, or fill out the form on "Lots for Sale" and email it to us with the Submit button on our website. The Board is always looking to improve our website, so please submit recommendations in the Contact button or mail us your recommendations.

## ***ELECTION OF BOARD MEMBERS***

Four members were nominated to be on the Board. They are:

Jim Wilder, Greg Yost, David Heathcock and Fred Alderman (Fred was on the previous Board and his term expired)

The following positions are now held by the Board:

President: Jim Mason

Vice President: Fred Alderman

Treasurer: Don Harvey

Secretary: Cliff Budd

1st Architect: David Heathcock

2nd Architect: Greg Yost

3rd Architect: Robert Zbranek

Parliamentarian: Jim Wilder

The Board requests your assistance in complying with our Deed Restrictions and Bylaws. Also, the Board requests suggestions to upgrade our subdivision.

## ***AUCTION OF LOTS***

The following lots, listed below and owned by the Assn., are to be sold to the highest bidder. Bids will be accepted by regular mail beginning January 1, 2009, and ending February 14, 2009 (Valentine Day). **MARK ON THE ENVELOPE: "BID"**, so we don't open it early. Hand-delivered bids will be accepted starting as soon as you receive this newsletter and up to 9:00 am on February 14, 2009. Remember, hand delivery of bids can only be accomplished on Mondays and Saturdays when the office is open in the morning. Submitted bids will be opened and reviewed during the regular board meeting on February 14, 2009. Bids must be single figure offers by lot. No bids conditional on other bids will be accepted. No bids worded by design to supersede other bids are allowed. Determine the maximum you are prepared to pay for each lot and submit that figure only.

The Board has the discretion to accept or reject all bids. The Board favors adjacent property owners bidding on the lots and will give the adjacent property owners first rights to bid for 30 days if the bid is acceptable. After 30 days, the lots are open to all bidders. In order to maintain bid secrecy, email bids cannot be

accepted. Multiple offers must clearly indicate each lot by legal description and amount offered. A lot map is available for review at the office and on the web site, [www.twinharborslakelivingston.com](http://www.twinharborslakelivingston.com).

Here are the lots available for auction from the Board:

Sec 2, Blk 1, Lot 7            Sec 2, Blk 1, Lot 26.

## **MISC. REMINDERS AND NOTES**

If your fees and dues are past due, the association will accept your lot(s) in lieu of past maintenance and special assessment fees due, but taxes and sewer fees must be current and no existing liens.

Remember, if you are not paid in full on all your fees, you cannot use the boat landing, swimming pool, etc. In addition, use of the boat ramp requires a window decal available at the office. Please affix it so it is clearly visible. Dashboard passes for guests' vehicles are also available. You may also place a note on the dashboard indicating the vehicle belongs to a guest and write the homeowner's name, lot # , or address.

During routine police patrols in the subdivision, some drivers have been ticketed for failure to make a complete stop at stop signs. Please observe traffic laws completely.

Be observant while walking or driving through the neighborhood. Make notes of suspicious autos or activities. Call 911 if the situation warrants.

The Property Owner's Assn maintains a storage lot for RVs, boat trailers, etc. in front of the clubhouse. However the POA is not liable for damages to items stored there. The Police Dept. requests all trailers have locks and other security devices on them. You must get permission from the office manager to park your trailer, RV, etc. in the storage lot. The fee is \$25 per space per year.

If you walk the subdivision routinely, please once and awhile, take a plastic bag and pick up trash along the roads. It would help keep the subdivision clean. If you ever notice anybody throwing out trash in our subdivision, please write down their license number and notify the office manager.

There has been an abuse of All Terrain Vehicles (ATV's) in the subdivision. Riding ATV's randomly through our subdivision is not allowed. Remember, once you drive off the road, you are violating some property owner's private land and that is illegal. The Onalaska Police Department can and will give you a citation and fine you. You can call the Onalaska Police Dept. at 646-5676 to report abuses.

The gravel pits on Moonlight Drive have been used by some individuals for mud racing. If you see individuals in ATVs mud racing, please call the Onalaska Police Dept at 646-5676.

## **STRAY DOGS**

We still hear complaints from residents about too many stray dogs and cats. We recognize the problem with stray dogs but only the police can handle the situation. That's not to say one cannot protect one's self. Carrying a large walking stick or pepper spray are good options. Almost everyone has cell phones these days. Take one with you and call Onalaska Police (646-5676) if dogs are spotted during normal business hours. At other times call Polk County 911.

Keep in mind that there is an active group in Polk County trying to establish n SPCA shelter and a temporary one has opened in Livingston near the Pedigo furniture store. Please support it with money and/or volunteer work.