



# Winter 2021



## Proposed Covenant Amendments

Some homeowners think we are Converting to a POA. That is **NOT** true. We are **NOT** converting from a Homeowner's Association to a POA. Perhaps some early information gave that impression. We clarified that in the extensive answers to the questions from the May 1st Zoom meeting. Our Covenants were written in 1993 under Georgia law that was in effect at the time. Because Georgia Law has evolved and changed over the years, and there are some provisions in the new law that we would like to incorporate, we are formally declaring that we accept the new law. We remain a Homeowner's Association. For example, we cannot apply leasing restrictions to all homeowners without adopting the new law.

While property upkeep can be an issue, the current problem with leases is that we have little visibility of leasing activity. We are in the dark about new leases, lease language, and identity of occupants, i.e., we are not capable of enforcing current Covenant lease provisions. One example, if your neighbor decides to lease their property tomorrow, we have no way of knowing that it happened, nor do we have any confidence that the lease contains the proper language obligating, or at least notifying the tenants of their responsibility to comply with the covenants. Another problem is with out of state or remote owners. If there is a problem with a property the notification and resolution process can be extended. Often, the current tenants don't even know there is a violation.

There is a document available that compares current to proposed lease provision.

Neither the Board of Directors, nor the management company has any ability nor desire to dictate who purchases or lives in a home. All the covenants say is that we need to review the lease, to ensure that required language is included regarding compliance with the Covenants

Some people have raised a concern about foreclosures. Nothing in the proposed amendments increases the chances of the possibility of foreclosure. Foreclosures are the last action after attempting to collect large amounts of funds owed to the

Association. There's a long process before that might happen, it's rare, and we work with homeowners who may be in financial difficulty. None of the new rules changes that.

For new homeowners, the HOA consists of all 259 homeowners. The Board of Directors represents the homeowners and has the responsibility to manage operations of the Association in accordance with the Covenants and By-Laws. To do that we hire a management company. AMAG, our current management company, performs the day-to-day operations of the HOA since volunteer Board members cannot possibly handle that on their own. They (AMAG) are *agents of the Board* and have NO independent authority to perform any tasks or functions without Board approval, either explicitly, or as defined in our contract with them. In other words, *they work for us, not the other way around*.

The proposed changes were recommended by our law firm. It allows for an upgrade of the covenants to current law, gives us the ability to restrict the # of leases It also will save us some money in the event of having to take legal action. Today, if we do have to place a lien on a property, it takes added work and expense to do it. The new law and covenant change allows the lien to exist in the deed, so that when needed it is already there, without having to take the steps to create one. **The Board agreed with the expert advice of our law firm and proposed the changes.**

There is ONE proposed Amendment change document that incorporates several changes. The Board recommends a YES vote. As previously communicated to homeowners, over 90% of homeowners will not even be aware anything has changed after this is implemented. At least two owners who lease their property are satisfied with the changes and have voted YES.

## Amendment Changes Vote Update

Hello neighbors! To encourage participation in this important vote, we are having a contest! While we highly encourage you to vote YES, it is not necessary to be included. We need 173 homes to vote favorably to adopt the changes to our amendments. As of today, we have 16 Yes votes, and 13 No votes.

The amendment changes are based on the expert legal advice from our lawyer. There is misinformation on Facebook, if you have questions, please send an email to [admin@associationmgt.com](mailto:admin@associationmgt.com). If you previously voted no, you may send an updated Consent Form. Winners will be drawn on Fridays and announced the following Monday.



## Adopt A Road: NOVEMBER 13th

If weather does not permit the cleaning, we will move the date by one week, please check the e-mail from AMAG and the posting on the Facebook page.

We will meet at the pavilion at 8 AM and pick up trash between Buford Drive and Azalea through the Gwinnett County Clean & Beautiful Adopt-a-Road Program.

You get to meet old and new neighbors, have a nice workout, keep Ridge Road looking nice, AND you can proudly say you did something for your neighborhood.

If you are in high school, you can earn some community service hours. Please make sure to bring your school's form.

Please note that due to the program guidelines, children under 12 are not permitted to participate for safety reasons.

Please let me know if you can make it so we have enough supplies. We will have bags and vests. Please make sure to wear sturdy shoes and bring a pair of gloves.

We're looking forward to seeing you again and would love to see new faces.

2022 dates coming soon...

## Social Committee

Thank you to everyone who helped make Halloween in Highland Oaks super fun and spooky! There were so many awesome houses it was hard to choose winners. We hope everyone had fun and your kids got way too much candy! The winners of Halloween decorating contest are below. Prizes delivered soon.

- 927 Richmond Hill Court
- 1807 Richmond Hill Drive
- 1634 Crittenden Drive
- 1590 Highland Oaks Way
- 749 Teal Court



## Landscaping

We hope you enjoy the beautiful fall color that has been installed at the main entrance. We are working towards more beautification projects including updating the landscaping at the Branch Tree Way entrance, improving the drainage issues at the playground, and refreshing the pine straw in the common areas.

## ARC

Winter is here and can wreak havoc on your landscape. Protect your investment and keep your yard in peak health. Below are some suggestions to prepare your property for the colder weather and able to bounce back looking better than ever come spring.

- Aerating
- Avoiding Salt Damage
- Fertilizing
- Maintaining Equipment
- Minimizing Compaction
- Mowing
- Raking
- Removing Debris
- Seeding and Sodding
- Watering
- Weeding

## C.O.P.S.

The fall festival was rescheduled to November 13th from 10am-2pm at Cool Ray field.

This event is a celebration for you all, but also a requirement for the C.O.P.S program. See fun scheduled below. Please contact

Chris Weaver at [christineweaver@bellsouth.net](mailto:christineweaver@bellsouth.net) if you have questions.



- Touch-A-Truck (Helicopter, Ambulance, SWAT, and Ladder Truck)
- Demonstrations
- Car Show
- Displays

## From the Board: Financial Update

As of September, our income remains about \$15,000 above budget, and expenses are at 74% of budget. As our spending tapers off for the remaining 4 months, we expect to set aside a little more in reserve than originally budgeted. We had a leak in the irrigation system that was causing dramatically increased water bills.

The \$970 repair was an unexpected significant expense, but we have applied for a refund from Gwinnett County on the water bill. We also had to replace one of the security cameras due to apparent lightning damage.

We completed both planned capital projects in the last few months. This included the rebuild of the sign at the Branch Tree Way entrance, and we had the parking lot for the amenities sealed.

Because of our relatively strong financial position we will not have an assessment increase for 2022. However, as we prepare the 2022 budget, we are seeing significant increases in several of our contracted services, notable landscaping, and pool management costs. If inflation develops for other of our expenses, we will likely need an increase in 2023.

## HOA Board Members Wanted

Have you ever considered serving on the Board of Directors? Do you want to learn how our association operates? Now is your chance! We have 2 open board positions beginning in February. Nomination forms will be mailed soon.

## Annual Meeting: Feb 12th

Our annual meeting is February 12, 2022, at 11:00am via Zoom. A link will be sent to all homeowners to join. We cannot accept anonymous logins as we need to validate participation to determine a quorum. Look for the annual budget and voting ballots to be mailed soon.





## Amenities Parking Lot

Just a reminder: If you have a need to park a vehicle overnight in our parking lot, you must contact AMAG, so we know whose car is there, and that we have contact information for you.



This is necessary in the event of any emergency where we may need to contact you. For example, damage to your car from accidents, vandalism, weather, community projects, or identifying non-resident vehicles. It is rather expensive if for some reason your car is towed.

## Tennis



Now that the weather is cooler, we hope to see people out on our newly painted pickleball court (court 2). But many people are asking - what the heck is Pickleball? Pickleball is a paddleball sport that combines elements of badminton, table tennis, and tennis. Two or four players use

solid paddles made of wood or composite materials to hit a perforated polymer ball, much like a wiffleball, with 26-40 round holes, over a net. But the best thing about Pickleball is that is a great family activity! Pickleball is ideal for all skill levels. Because pickleball rules are so like ping-pong, it can be easy for practically anyone to learn how to play the game. Pickleball paddles and balls can be purchased at any sporting goods store and there are several tutorials available on YouTube.

If you need to reserve a court for tennis or pickleball, please email Rene Hordines at [highlandoakshoapresident@gmail.com](mailto:highlandoakshoapresident@gmail.com).

## Website

We are desperately seeking a volunteer to maintain our website. It's a small, static Angular (<https://angular.io/>) application with no backend (the backend is already handled by the Plesk hosting service).

If you have the skills to add occasional updates and would like to volunteer for your community, please email Rene Hordines at [highlandoakshoapresident@gmail.com](mailto:highlandoakshoapresident@gmail.com). Thank you!

## Welcome New Homeowners

We are happy you have chosen to live in Highland Oaks. If you are planning to make any exterior modifications to your home, the request forms are available on our website: [myhighlandoaks.com](http://myhighlandoaks.com). If you have any questions, please email Rene Hordines at [HighlandOaksHOAPresident@gmail.com](mailto:HighlandOaksHOAPresident@gmail.com). We look forward to meeting you!

- 752 Porters Point Court
- 777 Porters Point Court
- 1897 Richmond Hill Drive
- 1603 Macy Lane
- 1627 BCC

## Newsletters

Have you missed a newsletter? No worries! They are available on our website: [myhighlandoaks.com](http://myhighlandoaks.com). The Highland Oaks newsletter is published quarterly. If you have an item to add, please contact Amy Rehn at [amyrehn@bellsouth.net](mailto:amyrehn@bellsouth.net).

## Important Info

Are you receiving the neighborhood-wide email blasts? This is how we share important information to all our homeowners. While you may occasionally receive a paper copy of the newsletter, most of our information is emailed. If you are not receiving the eblasts, please check your spam folder or make sure that your correct email address is on file with our management company AMAG. Email blasts are sent from [Email\\_alert@calibersoftware.email](mailto:Email_alert@calibersoftware.email). Please email [admin@associationmgt.com](mailto:admin@associationmgt.com) to update your email address.

Did you know that the notes from all the Board meetings are available to you? They can be viewed on the AMAG portal. If you need help accessing your account, please contact AMAG at [admin@associationmgt.com](mailto:admin@associationmgt.com).

## Our Community Has Heart

Neighbor, Amy Rehn, at 1746 Flowing Spring Ct, is accepting donations of new and gently used coats and blankets for local needy families. A donation box is on her porch. You can also message her for pickup via Facebook or [amyrehn@bellsouth.net](mailto:amyrehn@bellsouth.net). Donations benefit Atlanta Mission and Must Ministries organizations.

