

MINUTES of the PRESTWICK HOMEOWNERS ASSOCIATION
April 19, 2007

Final draft to be approved at the May meeting.

Present: Jim Nolting, Bill Matevich, Paul Koreman, Janice Werner, Lynn Grever, Sue Bloomfield, Dan Smith and Rachel Gilmore (Recording Secretary)

Guests: Marikay Whitlock and Ray Rossi

Absent: John Mackowiak

ENTRANCES

Marikay Whitlock made her report regarding all Prestwick entrances. She went out to each entrance, evaluated it and gave it an overall score. The bottom line is that all of the entrances are good in her opinion. They are also pretty uniform since they all contain a core group of plants and evergreens and have rocky outcroppings. The only entrance that needs work is the south Aberdeen entrance and that is because of the scrubby backdrop. Her suggestions include:

1. Add lighting to the entrance beds with spotlights, either solar cell or connect to a power source
2. Add carved granite stones for signage at each entrance
3. Continue to fill each entrance with annuals seasonally –beds are already fairly uniform because of the perennial content but adding similar annuals will also give the appearance of uniformity

Regarding the St. Andrew's Way entrance and the comment that some people felt it was too sparse, Marikay noted that the plant material is there for that bed to fill in nicely. It just needs a few years to develop.

Regarding the south Aberdeen entrance, she recommends going back 10 feet into the brush, clearing it out and planting some evergreens to give it a nice backdrop.

A general discussion was held on entrances after Marikay left. It was noted that Paul Koreman priced carved granite stones last summer and that the cost was \$3,000-5,000 per stone. It was also noted that Mrs. Galassi lives in Prestwick and might be able to get a better price per stone on this project if it proceeds. Tom Barz may be able to contact her on behalf of the Board.

The Board agreed that lighting and carved stones would be great additions to the entrance beds. The money is already in the budget to fill in with annuals, so that piece is covered.

A suggestion was made to run conduit from the street lamp on each corner to the entrance bed so that the floodlights do not have to be solar.

Since the beautification of Prestwick adds to the overall image of the Village, PHA will ask the Village to pay for all entrance bed improvements with lighting and signage. If the Village doesn't accept the proposal, then the SSA will be used for this.

- ACTION ITEM: Janice will ask Marikay to create a plan showing the location/type of lighting and carved granite signage that Jim can take to the Village when requesting that the Village pay for these improvements.

Discussion was also held about the south Aberdeen entrance backdrop. Paul explained that last year his work took the bed to the IDOT right of way so that if they put any equipment on PHA property, they are obligated to remediate. In addition, since much of that bed will be at risk for demolition because of the Harlem reconstruction, the decision was made not to do anything more with it right now.

Bill noted that the water will be up and running by May 13.

LEGAL

The Board discussed Ray Rossi's report.

He commented on the following:

1. An SSA is certainly doable from a legal standpoint. While the Village is asking for 75% of the residents to sign a petition indicating they would be in favor of the SSA, legally you only need 51% of the property owners and 51% of the landowners to approve it.
2. PHA should not need an attorney to set up an SSA, and there should be very few fees incurred.
3. Sandalwood just got the Village to establish an SSA so the precedence is set.
4. Use the political route to get the SSA passed.
5. When creating an SSA, you have to specify down to the penny what the money will be used for.

- ACTION ITEM: Rachel will include an article in the next newsletter about the plan for PHA to request an SSA for beautification of the entrances and then ask residents to talk to their trustees, the Mayor and the Village staff about the SSA plan.

- ACTION ITEM: Jim will ask the Village about waiving one month's water bill for residents on the entrance corners as a thank you for keeping the corner looking nice.

Ray also suggested that the Board get a crew of volunteers together from Prestwick to take part in the Village's Earth Day clean up April 28. This shows the Village that Prestwick is interested in helping keep the Village looking great.

Regarding covenant violations, Ray noted that the legal option is expensive and not certain. Will County is still a small court community. Will County judges/lawyers could use a loss as reason for motion to dismiss on similar cases. Taking someone to court may be a deterrent and make them fix the violations, but it also may be a waste of time and money.

That said, there are three parties who have a "right" to complain about a violation: the municipality, the homeowners association and adjoining aggrieved property owners.

If PHA were to file suit, it would need additional party plaintiffs, like the adjoining property owners or even the Village.

A petition signed by 100 or so PHA members stating that they follow the PHA covenants and so should this other resident may also help a case. He estimates that the success rate of the case might rise from 45-60% success to 50-75% with a petition.

PHA could publicize what it was doing with the court case as long as it told the truth.

Some things to keep in mind are:

1. There shouldn't be any risk to the party plaintiffs or to the Board members for countersuits (Board members because of D&O insurance).
2. Whatever lawsuit the Board brings, it should be a very egregious case.
3. When a potential new lawsuit situation arises, the Board needs to write a letter asking for specs or details on the proposed construction and then reply with the covenant rules (i.e. shed is only permitted if it becomes part of the back of the house with the same exterior, roofing materials etc.) to show a good faith effort in communicating.
4. When those guidelines are not followed, PHA will have grounds for a lawsuit.
5. It is not worthwhile to take an existing violator to court because they'll simply point out all the other existing violators that PHA did not sue, and the violator will win.

- ACTION ITEM: The Board will send a nice letter to everyone explaining the purpose of the PHA and talking about the beautiful Prestwick community and how it is the Board's duty to enforce restrictive covenants. If the covenants are not followed, the Board will have to take corrective action, so let's all work together to beautify Prestwick.

ARC

Pavichs joined PHA and got approval for their roofing project.

GOVERNMENTAL

1. Jim passed around the ACTHA membership info. Jim, Janice and Mack are the listed contact people for that organization.
2. Bill talked to Jerry Ducaay about the Harlem reconstruction. Jerry said the Sauk/Harlem/Laraway piece is going out to bid this June.

SOCIAL

No update yet as to a pig roast or speakers night event.

MEMBERSHIP

Second notices for dues went out April 10 and are due April 21. When Jim gets that list from Pat at the bank, he'll email everyone and ask people to pick up a list to call residents they know who

haven't paid. Before making calls, Board members should email everyone else who they are calling.

- ACTION ITEM: Rachel has the second ad insert proof. She will get it back to Jan by April 23 or 24. When she has the original artwork back, she will get new images to Doug for the web ads.

Discussion was held on the Village ad and PCC ad. Board agreed to include them but not collect payment.

- ACTION ITEM: Jim will talk to Jerry Ducay about leaving in the Village ad and also to the new Club manager to make sure he knows there is an ad in the book and see if the Club would consider paying.

SECURITY

No report.

WEB SITE

Sue reported that she talked to Travis about redesigning the site. Discussion was held on how much the site is utilized now and how much it could be utilized. Travis' cost would be \$800-1,000. He wouldn't be able to work on it until June.

- ACTION ITEM: Sue will give Travis Jim's email so they can talk directly.
- ACTION ITEM: Jim will email all Board members the web address so they can view the site and make a list of impressions.

FINANCIAL

Jim passed around the first quarter financial statement for review. At the moment, things look good, especially since next year's dues money is in the checking account.

NEW BUSINESS

Newsletter – Next newsletter will go out in June.

The next meeting is Thursday, May 17, 7:00 p.m. at the Club.

Respectfully submitted,
Rachel Gilmore
Recording Secretary