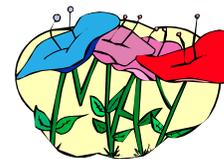


HERMITAGE HILLS SUBDIVISION TRUSTEES NEWSLETTER

May 2012



To: All Owners/Residents of Hermitage Hills Subdivision

From: Board of Trustees – Lynn Daugherty, Tim Davis, John Linsenhardt, Dan McKean, Holly Tichy

HAPPY SPRING!

Spring is here! We were fortunate to have a mild winter without much snow and had a taste of summer temperatures before finally balancing into some beautiful Spring weather. We hope you are able to spend time outside with your family and friends doing things you enjoy.

SPRING SUBDIVISION PROJECTS

With the Spring weather, there are some upcoming subdivision projects that we will coordinate in which we will need volunteers. They are as follow:

Concrete Pot hole Patch Repair



Last year, one our of residents volunteered his time and resources to provide concrete patching to some of the pot holes on our subdivision streets. There were also other residents who contributed funding to his efforts. These concrete patches have held up

well and he has notified the trustees he is willing to do this again to other potholes that have formed, if funding for the materials can be provided through the subdivision assessment collections. The trustees are grateful for his past contribution and offer to help again this year. Because the current budget is limited for the large expense of asphalt street repair, the trustees have agreed to assist in this effort to provide the less expensive immediate concrete patching of potholes. After the pot holes have been identified that can be adequately patched with concrete and the cost has been estimated, they will determine how much funding can be provided from the collected assessment funds. In addition, the trustees will organize volunteers to help with mixing and applying the concrete to the pot holes.

Brush Clean-Up

As reported in the last newsletter, the subdivision had a successful volunteer brush-clean up day in November.



SUBDIVISION PROJECTS (CONT'D)

We would like to coordinate another brush clean up day and re-visit the area around the entrance sign and others that have had significant brush re-growth since then. Volunteers will need to use their own weed eaters, trimmers, etc. for this project.

Street Name/Stop Sign Installation



In response to multiple requests from lot/homeowners for street name signs to be posted on each street in the subdivision and stops signs at each intersection, the trustees are planning to use assessment funds for this purpose. With the mild temperatures this past winter, less funding was used for snow removal than what was budgeted leaving funding for other uses such as this. Not only are street name signs convenient for residents in giving directions to their homes, they could be life saving in emergency vehicles finding their homes more quickly. Stop signs also provide safety to those operating vehicles in the subdivision. The cost of the signs and posts have been estimated to be between \$2,000 and \$2,500 without the cost of labor for installation of the posts. To save on the cost of installation, we are planning to provide the labor ourselves with the help of volunteers.

If you are willing to volunteer for any of these projects, please contact us with your name, subdivision address, phone number and e-mail address, the type of work you are willing to do and any skills or expertise that would be useful in these projects.



When details of dates and times are known, we will contact you with the information. In addition, the information will be posted to the website and on signs posted at the subdivision entrances.

TRUSTEES NEWSLETTER

LAKE CHEMICAL MAINTENANCE



One of our residents has volunteered to assist with chemical maintenance of the subdivision lake again this year as he did last year. The subdivision is able to purchase chemicals for weed and algae control and lake dye at cost through him from his employer and he and his wife apply the chemicals to the lake. The trustees have approved a budget of \$500 for the purchase of the chemicals which was the amount spent last year. Thank you to these residents for providing this service to the subdivision.

As a reminder, the restrictions for usage of the common ground area around the lake are as follow:

- **No unauthorized vehicles are allowed on the lake common ground areas, including cars, trucks, 4-wheelers, motorcycles, dirt bikes, and mini bikes.**
- **No gas powered passenger watercraft is allowed on the lake. Electric trolling motor watercraft is allowed.**
- **Small, gas powered and radio controlled (RC) non-passenger vehicles are allowed on the lake and common ground.**
- **No swimming is allowed in the lake.**
- **Littering of trash on common ground or in the lake is prohibited.**
- **No camping or camp fires allowed on the common ground.**

VIOLATORS WILL BE PROSECUTED AND FINED FOR ANY DAMAGES THEY CAUSE TO THE LAKE OR COMMON GROUND AREA.

PATCHING OF ASPHALT STREET REPAIR



Some of the asphalt paving repair that took place on the subdivision streets last fall had some deterioration over the winter. The contractor, Asphalt Paving and Concrete, was notified and they recently provided repair of these areas at no cost to the subdivision.

SUBDIVISION MEETING REPORT

The subdivision meeting to discuss the proposed new indentures/restrictions for the subdivision took place at Rockwood Summit High School on Monday, April 23, 2012 beginning at 7:00 p.m. and ending at approximately 9:30 p.m. There were 82 people in attendance, including the trustees and the subdivision attorney, Lester Stuckmeyer, with 65 subdivision lots represented.

Each item on the proposed indentures was explained and the lot owners had the opportunity to ask questions and provide feedback. After much discussion, the consensus of the attendees was for the following revisions to be made:

- ⇒ Opening paragraph to specify Hermitage Hills is located in Fenton, Missouri to avoid confusion with other subdivisions with similar names.
- ⇒ **2.2 Common Land** - Mention roads and the lake.
- ⇒ **2.3 Individual Lot and Home** - Remove "two" from "There shall be no change in Lot boundaries unless the two adjacent Lot Owners..." In addition, state "for assessment purposes, lots are defined as shown on the original plat map for the subdivision."
- ⇒ **Section 2** - Add definition for "Association".
- ⇒ **3.1 The Board of Trustees** - Change the use of 'Director' to 'Trustee' to avoid confusion
- ⇒ **3.2 Qualifications of Board Members** - Add the trustee must not only own a lot, but also must live in the subdivision. Remove "vacated term" at the end and change it to reflect the temporary trustee will only serve until the next general meeting/election period...at which time the subdivision will elect a trustee to continue that term. Also reference section 5.7 trustee removal.
- ⇒ **4.9 Preventing or Abating Nuisances** - On the first sentence of the second paragraph, change "due notice" to "15 day notice".
- ⇒ **4.13 Architectural and Design Prior Approval** - Add that the Board will acknowledge the request within 10 days; the Board will need to provide an explanation for denial; and the resident can re-submit.
- ⇒ **5.3 The Annual Meeting** - Add a requirement for two homeowners to count ballots and certify the results.
- ⇒ **6.5 Vehicle Restrictions** - Change weight to 1.5 ton and length to 25 ft.
- ⇒ **6.6 External Construction and Ground Contour** - after "greater than 120 square feet in size" add without Board approval.

Mr. Stuckmeyer will make the changes and the revised indentures will be submitted to the lot owners for a vote with the proposed 2013 budget in the Fall.

TRUSTEES NEWSLETTER

ASSESSMENT BACK-BILLING FOR '04-06'



The final back-billing of assessments to include the years 2004, 2005 and 2006 is scheduled to go out this month. This billing applies only to those who owned lots and/or homes in Hermitage Hills during these years. This will complete the back-billing of assessments for the six years in which the association was barely active

and there were no assessment billings issued to the lot/homeowners.

Although the new Board of trustees would have preferred not to collect unbilled assessments for the years in which the association was barely active, it is their fiduciary duty to do so. This is because some assessments were collected for these years through property sale closings. (Part of the process a title company is required to do during a closing is to make sure all the assessments are paid up to date.) The money being collected through the closings was used by the previous sole trustee to provide some snow removal services, lake maintenance and a few road repairs. There were also two road agreements made during this time in which some property owners paid for repair on their road and the money they paid was applied as a credit toward their assessments during these years.

Because the previous Board was not completely inactive with some assessments collected and some services provided, forgiving the unbilled assessments could cause claims for refunds by those who did pay assessments for those years through closings or the road agreements. In addition, property owners did receive some snow removal services, lake maintenance and road repairs during those years (even if minimal) and therefore, are required to pay the assessments for those years.

The bill for 04-06 assessments will be issued through a different software system than the previously issued assessment bills and will look different in its format. If any incorrect information appears on your assessment bill, please contact us.

2012 BUDGET UPDATE

Following is the financial status report for the Homeowner's Association showing the income and expenses as of 5/2/12. The legal fees shown include \$3,000 paid towards the \$4,000 fee for the indenture re-write process currently in progress. The remaining \$500.00 was for the negotiation regarding the legal judgment from N.B. West. Please also note the snow removal was significantly less than the \$15,000 budgeted at \$2,050. This allowed us to move forward with the indenture re-write process earlier than originally scheduled. In addition, funding will be available for other expenses not previously budgeted such as maintenance of the common ground.

2012 BUDGET UPDATE (CONT'D)

Beginning Bank Balance from 2011		\$16,203.91
<u>INCOME</u>		
Deposits	January	\$3,082.88
Deposits	February	\$1,061.75
Deposits	March*	\$2,691.50
Deposits	April	\$871.80
Deposits	May	\$1,032.60
Deposits	June	\$0.00
Deposits	July	\$0.00
Deposits	August	\$0.00
Deposits	September	\$0.00
Deposits	October	\$0.00
Deposits	November	\$0.00
Deposits	December	\$0.00
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		<hr/>
		\$8,740.50
Total Income		\$24,944.44

*March - included \$195.00 deposit from a closing that needed to be refunded to previous homeowner because it had already been paid prior to the closing.

EXPENSES

Legal Fees	\$3,500.00	
Legal Judgment	\$6,800.00	(N.B. West)
Office Expenses	\$567.47	
Website	\$0.00	
Road Repair	\$0.00	
Postage	\$575.00	
Entrance Light	\$131.43	
P.O. Box	\$76.00	
Snow Removal	\$2,050.00	
Misc.	\$0.00	
Insurance	\$1,018.00	
Lake Maintenance	\$0.00	
Common Ground	\$0.00	
General Meeting	\$213.64	
Emergency Fund	\$0.00	
Refund	\$195.00	
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Total Expenses	\$15,126.54	-\$15,126.54
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BANK BALANCE 5/2/12		\$9,817.90

TRUSTEES NEWSLETTER

PET OWNER RESPONSIBILITY

REMINDER

Following are the restrictions and responsibilities of pet owners in Jefferson County:

County Animal Licenses and Rabies Vaccination Required

All dogs and cats are to be licensed with the Division of Animal Control. In addition, they are to be vaccinated against rabies and this vaccination must be registered with the Animal Control. The license and rabies vaccination tags should be displayed on their collars at all times.

Leash Law



Pet owners are prohibited from allowing their dog or cat to free-roam without physical restraint by its owner when it is off of the owners property.

Provide Adequate Care and Control

Pet owners are required to provide adequate care for their pets. This includes providing wholesome, species and age appropriate food; clean, fresh water; adequate shelter; and medical care for the health & welfare of the animal.

Animals Should Not Harm Another Animal or Person

Animal owners must not allow their animals to bite, attack and or cause injury to another animal or human.

For more details you may access the website at: <http://www.jeffcomo.org/AnimalControlRulesOwnership.aspx?nodeID=AnimalControl>

To report a violation, call Jefferson County Animal Control at 636-797-5577.

HOWLING & BARKING DOGS

There is also a peace disturbance ordinance (section 205.125) related to howling and barking dogs which states:

- A. It is unlawful in Jefferson County to keep or harbor a dog that howls or barks in violation of this Section.
- B. It constitutes a violation of this Section if the howling or barking occurs continually and is audible beyond the property line of the premises on which the dog is located: For more than 15 minutes between the hours of 10:00 p.m. and 8:00 a.m. ; more than 30 minutes between the hours of 8:00 a.m. and 10:00 p.m. ; or a shorter duration on more than 5 occasions within a given 10 day period.

For more details, you may access the ordinance web page at: <http://z2codes.sullivanpublications.com/sullivan/Z2Browser2.html?showset=jeffersoncountysite>

Select the Title II folder and then the Chapter 205 folder and scroll down to 205.125.

To report a violation of this ordinance contact the Jefferson County Sheriff's Department at 636-797-9999.

We continue to receive complaints from residents about speeding ATV vehicles, motorcycles, mini bikes and go carts being driven by both children and adults in our subdivision.



This serves as a reminder that because our roads are open access by the general public, the Jefferson County Sheriff's Department can and will enforce the requirements that all motor vehicles operating on our streets have to be licensed and be operated by a licensed driver. This includes mini bikes, dirt bikes, go carts and 4 wheelers, etc. They will respond if contacted about these vehicles being illegally operated on our roads. If the unlicensed drivers are over the age of 17, they will receive a ticket and if they are under the age of 17, the parents will receive the ticket.

If you would like to report the active use an unlicensed vehicle of this type or driver who appears to be under the age of 17, contact the Jefferson County Sheriff's Department.

In addition, ALL drivers should obey the subdivision speed limit of 15 mph.



Jefferson County Sheriff's Department

Non-Emergency No: 636-797-9999
Emergency No: 911

NEWSLETTERS BY E-MAIL

If you are willing to receive newsletters by e-mail, please your name, home street address or lot no. and your e-mail address to our trustee e-mail address. This will save on our expenses for postage, paper and printing. The next newsletter will go out in August.



HOW TO CONTACT US

You may contact us by e-mail at:

hhtrustees@hermitagehills.net or by regular mail at P.O. Box 426, Fenton, Missouri, 63026.

WEBSITE

Additional information, including minutes from the trustee meetings can be found on the subdivision website at hermitagehills.net.