

Summerbrooke Newsletter

summerbrookehoa@summerbrooke-community.com

Second Edition, Winter—February 2004

Board Members

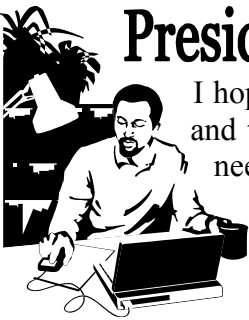
Cedric Carter—President
Alain Morel—Vice President/ACC
J. Richard Maritt —Treasurer
Teresa Parkinson—Secretary
Jack Elsey—
Recreation Coordinator



Board Meetings

The next board meeting will be held on February 26, 2004, from 7-8:30 p.m. at the **West Cobb Library** at 1750 Dennis Kemp Lane off Stilesboro Road near Mars Hill. Their phone number is (770) 528-4699 to call for directions or log on to cobbcat.org.

President's Piece



I hope everyone had a great Holiday season with friends and family. A New Year is upon us and there is much to be accomplished in 2004. This year the playground will receive much needed maintenance. Work has already begun on repairs and vendors are being contacted for additional cleanup and painting. Leaks, gutter problems and other minor repairs will soon be underway in the pool house. Final decisions on lighting for the playground and walkway to the tennis courts will be made soon. Estimates for installation are being submitted and when the criteria of both the lighting and cost are met, work will start immediately. Last year our front entry and fencing got a new coat of paint. This year improvements will continue with cleaning of the brick, stucco repair and replacement of failed lighting fixtures. The kid's pool will be resurfaced before the pool season starts in addition to minor repairs to the filtration plumbing. Estimates to resurface and stripe the parking lot average about \$1,600. A decision has not been made if this is to be a 2004 or 2005 project. The best estimate we have so far for our 2005 pool resurface project is about \$10,000. Dues for 2004 will remain \$395, a financial analysis this year will determine if our community can continue to support the current assessment. I am back in contact with the City of Kennesaw concerning the detention area in phase three. I am projecting that I will have enough information to have a meeting with all who reside along this area by mid to late February. I will notify those affected in writing and I will post a notice on our web site. It is not too late to receive information on the Stucco class action, email me at cedric@summerbrooke-community.com or if you do not have email place a request in my mailbox and I will print out a hard copy for you. As you can see there is much to do in 2004 and this is just the beginning. I hope everyone has a great 2004. ~Cedric Carter

EVENTS

Valentine's Dance: 2/14, 7p-10p—Mommy/Son or Father/Daughter at Bobby Grant Recreation Center. Deadline to purchase tickets is 2/6.

Ringling Brothers & Barnum Bailey Circus: 2/12-22 at Phillips Arena

Southeastern Flower Show: 2/18-22 at GA World Congress Ctr: 404.223.4300

Atlanta International Auto Show: 3/10-14 at GA World Congress Ctr

St. Patrick's Day Parade: 3/13 Cathedral of Christ the King at 2699 Peachtree Rd

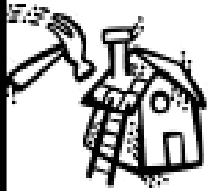
Touch-A-Truck: 3/13 10a-2p at The Depot in Kennesaw

Egg Hunt: 4/3, 10a at Adams Park

ANNUAL MEETING

Our annual meeting this year will be held on or before June 30th as per the community By-Laws. Three board positions will be up for re-election/replacement: Cedric Carter, Teresa Parkinson and Jack Elsey (who replaced Jo-Anne Liakakos). The remaining board members are Alain Morel and Richard Maritt who have one year of a two year term left. If you are interested or would like to nominate someone, please submit to summerbrookehoa@summerbrooke-community.com or 2657 Summerbrooke Drive. At this meeting, we hope to have revisions to the Covenants up for vote. Please plan on attending or completing a proxy beforehand. More details will be available as we get closer to June.





ACC UPDATE

During the month of December a courtesy letter was sent by Access Management to ALL the homeowners in regards to rule 4.10 of the Design Standards and Rules and Regulations. This rule addresses lot and exterior maintenance. The letter addresses more specifically the maintenance of the driveway, walking path and the mail post. The intention of this letter was to give the homeowners enough time to take appropriate action if necessary. Many did, and those of you who did what was necessary, I thank you for taking the time to fix your particular issues. There are still outstanding violations that will be addressed by Access Management with violation letters to the homeowners that need to take corrective action, but have not done it yet. Let me remind all of you that ACCESS MANAGEMENT GROUP IS RESPONSIBLE FOR THE ENFORCEMENT OF THE ACC. You can contact them for any community issues or concerns. Our property manager is Olen Robinson at 770-777-6890 ext. 108 or orobinson@accessmgt.com. Please continue to be respectful of all the rules and regulations as they are in place to preserve the beauty and tranquility of our neighborhood as well as protecting the values of all our homes. ~ Alain Morel

Financial



Assets and Cash Account (Figures Accurate 12/31/03)

Access Cash Balance 14,514.72

Association Fees

Budgeted Year 2003 \$44,240.00
Collected Fees \$43,667.94
(\$ 572.06)

Fines & Dues Cumulative Collectibles \$ 10,092.58
Projected Surplus (Deficit) w/collections \$ 9,520.52

Budget Year-to-Date

Total Operating Receipts YTD \$43,667.94
Total Operating Receipts Budget \$44,240.00
Surplus (Deficit) (\$ 572.06)

Total Disbursements YTD \$40,818.72
Total Disbursements Budget \$40,350.00
Disbursements Below (Over) Budget (\$ 468.72)



All utilities are below budget \$404.86. Insurance below budget \$995 due to change in premium processing schedule. Legal Fees over budget \$80. Michael Rome processing will reduce 2004 fees. Office Supplies over budget \$108.56 due to increased storage, communications, and supplies to support increased operations. Miscellaneous Admin over budget \$1347.40 due to payment coupon costs, \$209; bank service charges, \$352; and, many Access mailings, \$450; bank service charges will drop in 2004 due to new bank (SmartStreet). Social below budget \$159.24 due to decreased activities and new resident baskets required. Property Taxes below budget \$250 due to continued dispute of tax bill and ownership transfer between Beazer and Summerbrooke HOA on common area land. Landscape Maintenance, Pinestraw, and Irrigation over budget \$271.40 due to special projects and increased detail (pinestraw, flowers, seeding). Pool Maintenance, Permit/Supplies, and Pool Phone below budget \$2231.95 due to contract change on pool maintenance and removal of pool pay phone. Note: This does include purchase of new phone of 492.73 which will be serviceable only during pool season. Tennis Court below budget \$170 due to decreased repair and supply needs. Common Area Improvements over budget \$1577.18 and Misc Repairs/Supplies over budget \$1288.10 due to multiple early-in-2003 one-time expenditures.

YOUR NEIGHBORHOOD NEEDS YOUR HELP!!



Alain needs ACC Committee members. Right now because no one is willing to offer their assistance, Alain, and Cedric (by virtue of being President) are the only members of the ACC Committee. Per our Declaration, there should be 3-5 members. The ACC processes Modification Requests and helps enforce the Rules and Regulations of our community. Many of you may have received an enforcement letter and perhaps you disagree with it. If this is the case, please consider joining the ACC to have your voice count and see what the process is all about.

Other committees that need volunteers are the Landscape Committee headed by Cedric and the Pool Committee headed by Jack Elsey. Please contact the Committee Chairman directly or send an email to the board address if you are willing to help out.



Community Corner



WELCOME TO OUR NEWEST MEMBERS OF SUMMERBROOKE



Lewis and Beth Bramlett have joined our community and now reside at 2990 Summerfield Court.

Brian Boynton & Hana Lee moved from the Perimeter area and have joined our community at 3109 Fieldstone Court.

Mark & Sarah Ketchem moved from Minnesota and have joined our community at 3138 Brookeview Lane.

Are you a new homeowner? If so, please send an email to register your information with the Homeowner's Association.

SOCIAL EVENTS

The Must Ministries and Toys For Tots Drives were such a success. Thank you to all of you who participated and gave. It was a wonderful experience for me to see so many people giving from the heart during the holidays. It went better than I could have ever imagined, and it was all because of your generous spirit. Next year I will plan to do it again. I hope to have more than I can handle!

Vicki Swaney



SCHOOL INFORMATION

Cobb County School District

February 16: Closed for President's Day

March 12: Teacher Workday/ Student Holiday

March 15-19: Early Release (2 hours early)

April 5-9: Spring Break

Open Field Use

Only 10 households have responded to the website opinion poll and two with feedback via email in regard to use of the open field. The two email responses are: 1) "I would like to see a more general use of the field provided. I feel that if we only use it for one type of recreation (such as tennis, soccer or basketball) we exclude most everyone. It may be nice to have park benches, picnic tables, trees, flowers, walkways to and from the street and pool area, bird houses, etc. This idea would enable more families and the like to use it and not just those who like that activity. I can see families and children throwing the Frisbee or football and having picnic or just enjoying nature. If this idea is used it would be less disturbing to us neighbors closely surrounding the area, unlike a heated game

of tennis, etc." 2) "I think a soccer field and a basketball court would be nice, especially since we already know that the children of the neighborhood enjoy basketball. They are currently using a net in the parking lot and it would be far safer for them in the field area. I think some park benches around and maybe a tree or two would be nice as well. Since we already have tennis courts I think we should give some variety to our recreation area and I think that a sand volleyball will not be used as much as basketball and soccer facilities. We need to think of the kids!"

Please submit your opinion to our email address: summerbrookehoa@summerbrooke-community.com.

COURTSIDE

To view all tennis court reservations, login to the website and look at Tennis, under Calendar. We prefer you to reserve court time by sending an email including your name, address, phone numbers, and date and time of requested reservation to reservations@summerbrooke-community.com, or you can call Teresa Parkinson at 678.355.9668 or Jack Elsey at 770.919.1530. Reservations take priority over walk-ons. The Tennis Calendar will be posted in the memo box, but for the most recent information, always refer to the website.

Official League Tennis in Summerbrooke Rules, and Court Rules and Reservations procedures have been adopted and are posted at the neighborhood website. If you play tennis in our neighborhood, please review this information.

The tennis court fence was repaired in December 2003. A Tennis Rules sign was purchased and installed last year as well. The board is actively researching the purchase of permanent scorekeepers for the courts.

Reservations

To reserve the clubhouse or tables, please contact Teresa Parkinson at 678-355-9668 or send your request to reservations@summerbrooke-community.com to obtain a Reservation Form. You can also download the form from the Document Center on our website.



SUMMERBROOKE WEBSITE

Please visit our community website at www.summerbrooke-community.com. Everyone was sent an email with login information who had their email address on file with the board. All others were hand delivered a letter. Once you log on your user name will automatically be reassigned as a number and you can customize your password. At the site you can update your basic Directory information. There is a Document Center to download necessary neighborhood forms. There is a Classified section of the website where you can post services and goods for sale, our Neighborhood Calendar of events such as tennis court reservations, playgroups, neighborhood holiday events, city events, etc. You can also pay your annual assessment online. If you have any problems logging on, please send an email to the board email address.

Please send information you would like posted in the Summerbrooke Newsletter to: summerbrookehoa@summerbrooke-community.com and put "Newsletter" in the subject line. Do not forget to include your name and address in the body of your e-mail. Publication of articles in the newsletter will go through a Board approval process. Currently, we do not publish information on the selling of goods or services but you CAN post Classified Ads on our website. The purpose of the newsletter is to inform our neighborhood about events and community issues. The newsletter will usually be issued the first week of every other month. The next newsletter will be published in April 2004. Information is due by the 21st of the month prior to publication.



WHAT IS THE PURPOSE OF A HOMEOWNER ASSOCIATION?

By Michael Rome, Esq.

Some homeowners have misconceptions about the purpose and role of a homeowner association. They confuse it with a 'landlord' and believe that it should cure all ills. Others may feel that an association should not be able to tell them what they can do on their property.

Homeowner associations first became popular in the Atlanta area around the 1970s. There were four major reasons for their popularity:

1. Local government could no longer afford to provide the park areas needed for all the neighborhoods springing up with urban sprawl. Local governments encouraged developers to provide park and pool areas, and in return allowed homes to be built closer together;
2. Purchasers wanted 'country club' type amenities, such as pools, without having to pay country club prices;
3. Homeowners liked the idea that their property values and standard of living would be protected by a set of covenants, which would apply to all residents; and
4. Families liked the community feel and added sense of security for their children.

There is a basic trade-off for the advantages of a homeowner association. Homeowners give up some of the freedoms and property rights they would otherwise have if they lived outside a planned community.

Covenants for associations contain provisions called 'use restrictions.' Use restrictions are rules that apply to residents outside of the common areas. This includes architectural controls that apply to individual homes and lots, such as constructions of additions, house and yard maintenance, etc.. Use restrictions can also apply to areas as leasing, pet rules, sign limitations, and parking regulations.

Most residents are happy to trade off some of their freedoms for the advantages of living in an association. On the other hand, some homeowners do not want to be told that they need to cut their grass, or need approval before painting their house. These individuals probably want the advantages of a community association, without the trade-offs. Even though a majority of people would prefer to live in a planned community, homeowner associations are not for everyone.

UNDERSTANDING THE GOVERNING DOCUMENTS OF A COMMUNITY ASSOCIATION

By Michael Rome, Esq.

It can be challenging to understand the documents governing your association. It is a little easier if you realize that the structure of a community association is modeled after our national government. It is a representative form of democracy.

Declaration of Covenants.

The Declaration of Covenants or Declaration of Condominium ("Declaration") is like the 'Constitution' of the association. This document is filed on the county deed records, and it automatically applies to any property purchased thereafter. The Declaration provides the basic authority for the association, including mandatory dues. It also contains general restrictions and requirements, commonly known as *use restrictions*. Some typical examples are building restrictions, landscaping requirements, leasing restrictions, and the process for approval of architectural modifications.

Bylaws.

The Bylaws are the procedural rules that govern the Members and the Board. These contain provisions for voting, quorums, rules of order, powers of the Board, etc.. Additional procedural guidelines are contained in the Georgia Non-Profit Corporation Act. Just as we have procedures for how we vote in national elections, and other procedures that have to be followed by the Congress, there are procedural rules for the association. The Bylaws do not have to be filed on the deed records.

Rules.

Next are the Rules of the association, which are like statutes and laws passed by the Congress. It usually does not take a vote of the membership to pass or amend rules. Rules are usually passed by the Board. Although rules can be created by the Board, they must be reasonable. This means that they cannot be arbitrary, and relate to some legitimate purpose of the Association. Also, they must be 'constitutional.' In other words, they cannot exceed the authority of the Declaration of Covenants or the Bylaws. For instance, if the covenants prohibit chain link fences, the Board cannot pass a rule stating that chain link fences will be allowed as long as they are green in color. Common examples of Rules are; design standards, pool rules, collection policies, and pet rules. Rules do not have to be filed on the deed records.

Although Rules may be passed by the Board, an amendment to the Declaration of Covenants or Bylaws usually requires a vote of the membership. An amendment to the Declaration often requires a two-thirds majority of the owners.



**“The Kitty Homeowner’s Association
would like a word with you..”**