



**NEWS
AROUND
THE
NEIGHBORHOOD**

Fall 2014

2014 Board of Directors

Jay Popp, President
Kathy Skurauskis, Secretary
Joe Arias, Treasurer

Ron Szikora, Director
Ralph Flens, Director

Decision Making on Behalf of Others

In a previous newsletter, an article was written on the attributes of Leadership. It mentioned the price of leadership and the responsibility of “standing tall in the face of criticism.”

This article will deal with “Decision making on behalf of others.” Like leadership, you are often dealing with the very same issues. A White paper report written by John R. Hibbing (University of Nebraska-Lincoln) and John R. Alford (Rice University) researching the dynamics in how one may be affected by either making the decisions or being on the receiving end of the process. Without going into the abstract of the research, there were interesting tidbits worth mentioning.

The goal of the research project was to investigate the manner in which giving authority to other individuals changes the perspective of both the representative (board) and the represented (homeowners).

An example used, *a boy found two ripe apples as he was walking home from school with a friend. He kept the larger one for himself and gave the smaller one to his friend. “It wasn’t fair to keep the larger one for yourself” the friend replied. “What would you have done?” The first boy asked. “I’d have given you the larger one and kept the smaller one for myself” said the friend. To which the first boy responded, “Well, we each got what you wanted, so what are you complaining about?”*

Was the second boy “Hood winked?” Would you make a similar decision? One could conclude that typically, given the same circumstances most homeowners would make the same decisions as board members without realizing it. Why? As in the case of the apple decision, it wasn’t the fact that he got the smaller apple, but it was not his decision, yet that was the same outcome he would have picked. That says that while we may not be happy with others making a decision for us, it’s most likely the decision we would be making.

Our next open Board meeting will be Thursday, October 16, 6:30 pm, at the Schererville Library. It may be an opportunity to meet candidate(s) for the one term that’s expiring.

Elections in November

In November 2014, the term of one current Board Member, Joe Arias will be expiring. We ask all interested parties to forward a brief Bio no later than October 1st, to Peter Bylen at 1st American Management Company, Inc. Peter's email address is pbylen@1stpropertymanagers.com, or via U.S. Mail, 3408 Enterprise Ave., Valparaiso, IN 46383. Please include a brief note describing why you are interested in volunteering, in addition to a short summary of any experience that you may bring with you.

Community Garage Sale

The Homeowners Association annual garage sale again proved to be successful. However, it brought unexpected dilemmas. We realize that some homeowners don't welcome the traffic that our annual garage sale brings. By holding a community wide annual sale with set hours it minimizes the traffic to one day. The rules were revised to include estate/moving sales to aid the homeowners in need of such events. Please alert 1st American Management Co. when planning such an event. The Annual Garage Sale is scheduled on the 3rd Saturday of August each year from 8 AM to 2 PM, and is the only day to hold a garage sale in Briar Cove. Please be a good neighbor and follow the Rules.

Maintenance Tips to Prep Your Home

While trying not to rush the inevitable, it's never too early to review Olthof's Maintenance Responsibilities for Briar Cove. It outlines items that may be a bi-annual check list prior to the changing seasons. Look for the check list in your Briar Cove Homeowners Manual or for the new homeowners look in the General Information & Governing Documents passed out by our Welcoming Committee.

Social Committee Welcomes New Homeowners

The Welcome Committee continues to monitor and welcome our newest homeowners to Briar Cove. The tag team of Rita and Beverly from our Social Committee are again ready to make contact with our new neighbors. Since early last year, they have welcomed at least 18 new homeowners. There are about 5-6 new homeowners in the process of closing. Along with a smiling "welcome to the neighborhood," our new homeowners are given a welcome packet that consists of General Information, with our governing document in a binder and a gift basket of fruit. Which brings us to an interesting observation; about a third of our current homeowners did not purchased their home from Olthof, but directly from a homeowner, which may mean they were probably not totally aware of all the Rules and Regulations of a Homeowners Association. Please familiarize yourself with the manual.

1st American Management

If you have a question or need to report a problem, please contact Peter Bylen first. He will contact a board member, if necessary. He can be reached at 219-464-3536, ext 310, or toll free at 800-990-3536. The after-hours number is 219-465-3956. You can also reach peter by email at pbylen@1stpropertymanagers.com.

Lawn Care Program Update

Pleased to report that our Lawn Care Program with the services of Philip Hargarten, Consulting Turfgrass Agronomist and our supporting vendors received positive reviews. The program which was tailored for Briar Cove lawns continues to focus on the long term health of our lawns. The soil samples recently taken have shown a vast improvement. “Root depth is at least 6-inches - very good and a far cry from the shallow (2-inches) root system of two years ago. There were marginal adjustments after soil samples were taken for the coming season. We’ll aerate again later in the fall. Phil’s overall assessment is “I see no adjustments to my program at this point as it is designed to proactively address the needs of turf under varying environmental stresses and changes.” At this point we are fine tuning the program.

Additional information will be posted on our website as it becomes available in our Lawn Care Program link.

Landscaping Committee

The L & B committee polished off their “To do List” for this year. Their goal is continue to add “Community Curb Appeal” to our neighborhood. This year’s work included the planting of hardy ground cover geraniums (Rozanne) to our Ludington entrance. They provided direction to our contractor to thin out the existing ground cover and fill in the bare spots in the main entrance. They tackled the chore of neutralizing the effect of the “The Polar Vortex” at the waterfall. There were a number of boxwoods damaged. They added colored above the waterfalls by planting Pink Roses. We want to thank Ken, Beverly, Mary, Chris, Dee, Nancy, Leslie, Millie and their chairperson Sue Arias for all their work and effort.

Financial Summary

Our financial health continues to show no ill effect from our snow removal.

The unseasonable cool and wet weather conditions have helped offset the cost of snow removal.

Our incoming YTD income remains steady and on target slightly below plan.

The Financial information as of the July statement.

- Our Year to Date Income \$218,263
- Our Year to Date Operating Expense is \$241,371
- Our Net Operating Income of \$(23,108)
- Checking Account Balance \$54,195
- Capital Reserve Balance \$101,734

Proposed Amendments

It's been a slow and tedious process, which may be compounded by not fully understanding the reasons behind the proposed amendment changes.

Why are we amending the association documents? Our documents were written by the developer, who is no longer involved with the Association. The developer used what is called "boilerplate" provisions, anticipating that as we evolved and matured we would propose amendments to reflect our changing needs.

- "Proposed Third Amendment to the Declaration" will address our "Lawns and Landscaping" and "Existing trees." As simply as possible, the Homeowners Association should not bear the responsibility of trees planted by Mother Nature.
- "Proposed Fourth Amendment to the Declaration". This change to the Declaration is to clarify the language concerning the Architectural Review Committee.
- "Proposed Second Amendment to the By-Laws". A NEW amendment to the by-laws, a statement that states a "Homeowner in Good Standing" a homeowner should be held to a higher standard in order to run for or hold a board position and also used regarding eligibility for candidacy as a Director.

We need your consent form for each proposal to be sent in to Peter Bylen. If replacements are needed contact Peter Bylen. If you have sent them in, thank you for your help. If you have any question feel free contact Peter Bylen or any Board member.

A brief overview of the needed amendment changes.

Proposed Third Amendment to the Declaration

Old ___ Article IV, Section 1g and f of the Declaration sets forth as the Association's responsibility for maintenance, repair and replacement of "Lawns and landscaping" and "Existing trees."

New ___ Article IV, Section 1g of the Declaration as follows: "Lawns and landscape plantings installed by the developer or the Association" and "Common Area, lot line, and perimeter trees originally installed by the developer or the Association."

Proposed Fourth Amendment to the Declaration

Old ___ Article X, Section 1 of the Declaration concerning the Architectural Review Committee: "The Architectural Review Committee (the "ARC") shall consist of at least three (3) and no more than five (5) members, all of whom shall be appointed by the Board of Directors. The ARC shall have exclusive jurisdiction over all new or original construction, and all modifications, additions or alterations (including color) made on or to existing Residential Units and the open space, if any, appurtenant thereto, and Common Areas."

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New Article IV, Section 1 of the Declaration as follows: “The Architectural Review Committee (the “ARC”) shall consist of at least three (3) and no more than five (5) members, all of whom shall be appointed by the Board of Directors. The ARC shall have jurisdiction over submissions based upon guidelines established by the Board of Directors for all modifications, additions or alterations (including color) made on or to existing Residential Units and the open space, if any, appurtenant thereto, and Common Areas.”

Proposed Second Amendment to the By-Laws

Old No existing language.

New Article III adding Section 18 of the By-Laws as follows: “Good Standing. Only Association Members in good standing will be eligible for candidacy as a Director either by vote of Association Members or appointment by the Board of Directors. Good standing will be defined as (1) not being in a state of sanction as a result of the Enforcement procedures in Article XII of the Declaration, (2) being in compliance with the Association’s Rules and Regulations, and (3) being current with Association Assessment or Special Assessment charges levied; current defined as no more than thirty (30) days in arrears. An Association Member’s good standing shall be among the discretionary factors considered by the Nominating Committee.”

RULES-RULES-RULES

Rules are in place in most civil societies. In the USA, there are rules at the federal, state, county, city, and town level. There are rules at work, school, and home and yes at the homeowner’s association level. The rules are written to govern the community at large not for the convenience of a few. Without rules, chaos would be the norm.

At all levels, it is expected that the rules be followed in actuality and in spirit. If rules are not followed there may be consequences to pay. The adherence to the rules enforcement is important at all levels and on a personal level may be more important in a homeowners association, after all this is where we live.

It is a known fact that not all people like all the rules that govern our lives. If there is a particular rule that one objects to, one needs to follow procedures in place to change the rule at any level.

It is also recognized that over time, some rules may need to be amended or eliminated.

Rules are in place to maintain order and to prevent chaos in society and in our community. Briar Cove residents cannot pick and choose which rules they will follow and ignore those that they feel don’t apply to them. The rules of Briar Cove apply to all the residents and their families and/or guests.

When residents choose to ignore the rules they are in fact ignoring their community and friends and/or neighbors in the community.

Briar Cove Book Group

The Briar Cove Book Group is looking for new members to join our monthly book discussions. We are ending our summer hiatus and have already planned our first six reads for the coming year. Discussions are held in members' homes and we strive to make it informal, comfortable, and a safe place to share thoughts. After the discussion, which lasts about an hour, we socialize and, of course, have dessert. The group meets on the third Wednesday of the month and books are usually provided by the Lake County Public Library through their Book Club to Go Kits.

The first book chosen for the September 17th discussion is The Middlesteins by Jami Attenberg which tells the story of a Jewish family in Skokie that is going through the drama of divorce. Edie is a wife, mother, and lawyer with strong opinions and attitudes, and she is morbidly obese. After withstanding years of verbal abuse, her husband of 42 years files for divorce. The story deals with the decline of her health, the disintegration of his relationship with his grown children, and Edie and Richard's attempt to find happiness on the suddenly single scene. Sometimes funny and other times sad, this book invites discussion about relationships with food, responsibilities to spouse and children, and controlling a family member's addictions.

Copies of The Middlesteins are available to borrow for those interested in joining the discussion. Contact Karen Davis at 895-2241 for more information. The kit from the library also contains discussion questions and background material plus there are usually three large print books for those of us who are visually challenged. Because three of our members listen to books, our book choices are limited to kits that have companion audio.

Our selection for October is Girl in Translation, by Jean Kwok. It is a coming of age story that intertwines what it means to be an immigrant with the values of family, a sense of duty, and hope for the future.

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