

## ***York Farms Maintenance Corporation Meeting Minutes***

July 20, 2013

### **I. Call to order**

M. White called to order the meeting of the York Farms Maintenance Corporation at 10:05 am on July 20, 2013 at the Bear Library and introduced herself as President and Reginald Thomas as Vice President. She thanked Arthur Bookout and Andrea Thomas for their hard work on behalf of the community.

### **II. Open issues – removal of front entrance sign**

- A. York Farms Maintenance Corporation (YFMC) received a letter regarding removal of community signage adjacent to 100 Cornwell Drive. The owner rescinded his approval for the community sign to remain on his property. In his letter, the homeowner advised of his plan to sell his home in the near future, and stated, "It appears [the signs] are out of compliance." He would like the signage removed immediately and the property restored to its original state.
- B. M. White advised this letter dated 4/23/13 was initially sent to New Castle County (NCC). NCC mailed this letter to YFMC on 7/2/13. NCC initially contacted M. White 2/2011 and advised the initial permit for the front entrance signs was never closed, NCC did not inspect the signs upon completion, and footers were not erected for the signs. NCC advised they contacted the contractor for repair of the signs, and if repairs were not made then NCC would pursue collection of the surety bond taken out for the work. M. White advised YFMC members of the code violations at the 2011 budget meeting and has provided updates at each yearly budget meeting. The last update was obtained on 7/3/13. Read MacMillen, Administrative Hearing Officer, advised on 6/5/13 Marlene White, Sr. Attorney for NCC, wrote the bond company requesting payment of the bond within 20 days. NCC is awaiting the check from the surety company.

#### **C. Options**

- #1. Notify homeowner signage would not be removed
- #2. Notify homeowner sign would be removed by YFMC immediately recognizing there would be additional cost to YFMC to remove the signage. Erect a code compliant sign at a later date.
- #3. Notify homeowner sign will be removed but not until such time that resolution is received from NCC (repair of signs using surety bond)

### **III. Open Discussion**

#### **A. Discussion of options:**

- 1. Preference for 2 signs at the entrance of the community. The signs have been there for 16 years, and at this point there is a question as to whether we the community had "right of passage" to keep the signage on the property at 100 Cornwell Drive.
- 2. Majority of corporation members present decided the best course of action would be to notify the homeowner the sign will be removed but not until such time that resolution is initiated by NCC including removal and repair of the signs.

#### **B. Planning for the new signage**

- 1. Draft letter to homeowner advising the community discussed the issue and agreed the sign will come down when NCC recovers the surety bond and initiates repairs of existing sign – consult with legal counsel regarding this correspondence.

2. Contact NCC and DELDOT regarding setbacks and sizing of signage
3. Request installation of a streetlight at front entrance once sign is removed from 100 Cornwell Drive

#### C. Questions

1. If the home sells prior to removal of the signage will the sign remain on the property? If this should occur, we will approach the new homeowner regarding sign placement and obtain his/her written consent for sign placement and acknowledgement of responsibility for removal of sign if occupant rescinds consent in the future.
2. Should we form a committee to address county/state compliance issues of YF signage so once funding is received there are no stumbling blocks preventing us from moving forward? YFMC members interested in forming a **beautification committee** to address issues concerning signage/landscaping and to monitor YF properties for NCC code violations should contact M. White or R. Thomas. **As with all YFMC committees and per York Farms by-laws, all YFMC board and committee members must be up to date with payment of HOA assessment fees.**

#### IV. New business

A. Increase in the number of **NCC code violations occurring in the community**- please call NCC (395-5555) and report all recurring NCC code violations.

##### B. Non-payment of YFMC dues

1. M. White stated there was over \$20,000 in unpaid dues, and legal action would be taken to retrieve these funds. A YFMC member stated there is a billing issue with NCC, and she did not receive her bill. She stated if a homeowner has not received a bill, then his/her account with the county will not appear on the NCC Delinquency Report. She suggested further reconciliation be performed prior to taking legal action. She stated she contacted Jeffrey Stewart, NCC Treasury Department, and he is attempting to determine why the error is occurring, but this will not resolve the issue until all others are identified as well.

2. **All YFMC members (homeowners) must pay HOA fees on time in accordance with NCC law**, which mandates communities to maintain their common areas. YFMC pays for that maintenance. The bulk of YF expenses occur during the spring and summer as we pay monthly bills for grass cutting, mulching, and weeding of the common areas, cutting of the retention ponds, algae prevention of the rear retention pond, and repairs to the retention ponds. YFMC budget meetings are held yearly in February, YFMC budgets are posted on [NEIGHBORHOOD-LINK.COM](http://NEIGHBORHOOD-LINK.COM), and NCC bills HOA assessments yearly in April with fees due in May. Please contact Marika White @ [marika0824@yahoo.com](mailto:marika0824@yahoo.com) if you did not receive a HOA bill from NCC or if you are having difficulty paying your HOA fees. **YFMC members requested legal action be taken against members with outstanding (unpaid) assessments; please pay your HOA fees in a timely fashion to avoid legal action.**

C. Several YFMC members reported Leyland cypress trees located at 100 Cornwell Drive bordering Rt. 71 are a safety issue (they limit visibility of Rt. 71 when turning onto Rt. 71) and need to be cut back. All homeowners are encouraged to call DELDOT to report this safety issue.

D. YFMC correspondence: YFMC no longer mails correspondence, as it is too costly to do so. YFMC meeting minutes, budgets, and community information can be found at the following website: [NEIGHBORHOODLINK.COM](http://NEIGHBORHOODLINK.COM).

#### V. Adjournment – M. White adjourned the meeting at 11:40 am.