

Sunflower Gardens Homeowners Association Newsletter

August 2016

Annual Meeting of the Sunflower Gardens Homeowners' Association

Where: Summit Elementary School

When: 7-8:30 p.m., Wednesday, October 12

Please mark your calendars now, and plan to attend or to appoint a proxy. There's a full agenda, and a vote on amendments to update the *Bylaws* and *CCRs* (*Covenants, Conditions and Restrictions*) will take place at 8:15 p.m.

The amendments speak to two issues:

- (1) We had wording in our existing *CCRs* and *Bylaws* that needed to be updated to comply with new Indiana statutes, which went into effect on July 1, 2015.
- (2) Our current *CCRs* and *Bylaws* do not offer clear language for establishing who (the Association or the individual Owner of each Lot) is responsible for maintenance and repair. An attorney contracted by Jamar examined our existing documents and determined that several sections, especially Sections 5.1 and 8.8, needed clarification. This has posed problems for the Board and/or the Design Committee, because it calls into question whether and how they may take any action to help Owners with issues such as storm water damage, deck repair, tree removal, or other problems that may occur within Sunflower Gardens subdivision from time to time. The Board has concluded that because there are inevitable financial repercussions for the resolution of this issue, the Sunflower Gardens HOA as a whole should determine more clearly articulated lines of authority and responsibility.

You will soon receive materials in the mail that will set out the proposed amendments, along with additional clarifying information. There will be two options (either limiting or enhancing the HOA's responsibilities) from which to choose. You may wish to compare them with the wording in the current *Bylaws* and *CCR* documents that you received when you bought your home. You can find them on the SGHOA website or, if you need a hard copy, please contact Jamar, 812 330-8655, or at jamarproperties@yahoo.com. At the annual meeting, you will be asked to vote on one of the two options by secret ballot. Please feel free to ask questions of the Board or Jamar if you need clarification, and come prepared to vote.

Annual Homeowner's Survey

Along with the packet of materials you will receive prior to the annual meeting will be the annual Sunflower Gardens homeowners survey. It will invite you to comment on our current mowing contractor, Design Committee issues, and other concerns you may have. Please return by the date indicated so the members of the Board can incorporate the results into the Annual Meeting agenda.

Keeping Your Neighborhood Safe



Back in late January, Sunflower Gardens implemented a **Neighborhood Watch** program in our area, working with the Bloomington Police Department (BPD) and other law enforcement agencies in Monroe County to share information and support.

Why? Because in the last year, various residents have reported problems with mailbox tampering, unfamiliar and noisy vehicles in our neighborhood at all hours of the day and night, and other suspicious activities by non-residents.

Lots of neighbors have been watching, keeping track, and the Watch Committee has passed along that information to local police. That resulted in more frequent patrols of our area, and periodic arrests at one residence.

At the same time, we began negotiations with the City of Bloomington to have a Neighborhood Watch sign posted at the intersection of Sunflower Drive and Countryside Lane. After months of waiting on the city to decide how to work our request into a new sign ordinance, we finally have a decision and a signed agreement with Bloomington. We purchased a sign, delivered it to the responsible city department, and it was installed on the "No Outlet" sign post a few days ago.

With the expected addition of streetlights in the area, these actions should make us all feel more secure. As always, if you see something suspicious, please let us know!

Annual Block Party Scheduled for September 11th



Photo from last year's picnic

The 2016 Sunflower Gardens Block Party picnic will be held on Sunday, September 11th, from 4:00 to 6:00 pm at the home of Susan and Charles Weir, 1554 W. Petal Court.

Please bring a covered dish, meat to grill, and your beverage of choice. Cups, plates, silverware, and napkins will be provided. All family members are welcome.

RSVP to Donna Lobdell at dlobdell1@frontier.com or Cathy Larson at larson@indiana.edu. Hope to see you there.

Change in Proxy Rules for SGHOA Annual Meeting

You may recall from the 2015 Annual Meeting that the Sunflower Gardens Home Owners Association (SGHOA) is required to comply with several sections of new Indiana law governing associations such as ours. House Enrolled Act No. 1286 (HER1286) became effective July 1, 2015.

Among the requirements is a change how we treat PROXIES at the annual meeting.

Most notably, HER1286 requires an affirmation signed under penalties of perjury. The law also requires that proxies cannot be valid for more than 180 days. Currently our Bylaws allow proxies to be valid for 11 months. Jamar will design new proxy forms accordingly and send them to all Owners.

Among several amendments to our Bylaws and Covenants, Conditions and Restrictions (CCR) amendments you will be asked to adopt, will be this section. IC 32-25.5-3-10 is the section of the new law that applies:

2.6.4. Proxies. At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the Secretary before the appointed time of each meeting and shall conform to IC 32-25.5-3-10.

Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his Lot or upon receipt of notice by the Secretary, or the Board of the death or judicially declared incompetence of a member or upon the expiration of **180 days** from the date of the proxy. A form of proxy or written ballot may provide an opportunity to specify approval or disapproval with respect to any proposal.

If you have any questions, please contact Jamar.

SGHOA Website



Sunflower Gardens Subdivision is located on the southwest side of Ellettsville, Indiana. A quiet, friendly community, it's just a couple of minutes from Interstate 69 and convenient to west side shopping. Sunflower Gardens is a residential community of single-family homes consisting of 21 double, shared-wall structures and 3 free-standing units for a total of 45 homes. Each property is individually owned and there are no common areas.

SGHOA BOARD

NEWSLETTERS

NEIGHBORHOOD WATCH

NEIGHBORHOOD PICNIC

CONTACT / DIRECTIONS

RESIDENT'S PORTAL



The updated and upgraded Sunflower Gardens webpage is now up and running. The link to the new site is <http://jamarproperties.com/sunflowergardenshoa.xhtml>.

There is a public section which has information about the neighborhood, directions, etc. There is also a resident's-only section for which you will receive a password by email.

If you have any suggestions, corrections, or additions for the webpage, please send to tim.calla@gmail.com.

Board Meetings

The final Board meetings of 2016 will be held in November. Date, time, and location will be announced at least two weeks prior to the meeting. The annual meeting is scheduled for Oct 12th.

2016 SGHOA Board

Tim Callahan — President

tim.calla@gmail.com

812-333-8854

Donna Lobdell — Vice President

dlobdell1@frontier.com

260-403-4931

Cathy Larson — Treasurer

larson@indiana.edu

812-339-2094

Don Westerhaus — Secretary

djwesterhaus@msn.com

515-229-6151

Bev Malooley

bmalooley@att.net

319-361-2305