

Dellwood Digest

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Inside this issue:

DHA Annual Meeting

Dellwood Homeowners Association annual meeting was held on April 28, 2011 at the Golden Coral. Following dinner, a presentation was made by Lieutenant Simmonds of the Hendersonville Police Department. There were numerous questions to him ranging from guns, drugs, actions by the Department, etc.



Lt Simmonds commented that Dellwood was considered to be a safe community.

If there is a concern, the best line of defense is "your neighbor".

VP Brian Kowald presided over the meeting in place of President Sam Battis

who was not able to attend. See related



article regarding the Battis' relocating to Pennsylvania. Here is Brian backed up by reliable Roz Harris.

Total attendance was 38 representing 22 households.

DHA by laws state 15 households constitute a quorum.

See Page 2 for important Association business items.

The hungry crew. See anybody you know

here?? My goodness, one might be your neighbor.



Above and below: The upper level "gang".



James McCall 4

Sidewalks 4

For Sale in Dellwood 5

Covenant Review 3

Dellwood Targeted by Group Home 4

DHA Calendar 6

DHA Business Report 2

Those \$25 Dues

DHA Annual Meeting Business

The business portion of the meeting consisted of reports by VP Kowald and Treasurer Roz Harris, election of 2011/2012 board members, the passage of a dues increase and discussion about sidewalks on 191.

A summary of 2010/2011 Board actions is as follows:

- * Four Board Meetings Held
- * Dellwood HOA website domain renewed:
www.dellwoodhoa.org
- * Dues Collection: 59 out of 59 homes paid dues this year.
- * Garage Sale: Organized by Scott McDermott.
Ad paid for by Max Capps
- * Architectural Committee: Form 101 for Hunold
- * 2010 Annual Dellwood Picnic: Managed by Mimi Licursi. She had great help.
- * New Resident Visitations: 2
- * Facilities: No facilities issues.
- * Annual Dinner: Organized by Syd and Roz Harris.
- * Two newsletters published by Melissa Villars

New Business:

- * Passing of Dellwood Resident James McCall noted (See Page 4).
- ◆ Houses currently for sale in Dellwood (See Page 5)
- ◆ Hendersonville's sidewalk project (See -).
- ◆ Insurance for HOA: Purchased liability policy for board members.
- ◆

- ◆ The need for dues increase from \$12 to \$25 per year was presented. Factors cited were the added cost of liability insurance already purchased (\$500) and the recommendation of placing the Association on a more firm financial basis. Adding financial reserves would allow succeeding boards the ability to pursue issues and services beneficial to the Association.
- ◆ There was general discussion from the membership after which a motion for approval was made, seconded and approved by a majority vote of 19 ayes and 3 nays.

Election of 2011/2012 Board members:
Association residents presented for election were as follows:

President: Roz Harris
Vice-President: Max Capps
Treasurer: Dick Laux
Secretary: Mimi Licursi
Board Members: Glen Bagby;
Robert Hudson; Karyl Kyser

There were no nominations from the floor. Candidates were elected by acclamation duly being motioned and seconded.

Outgoing officers thanked for their services are as follows:
Sam Battis (President) (second year as president)
Brian Kowald (Vice President) (7th years on board)
Melissa Villars (Secretary, one year)
Scott McDermott (5 years, served as Vice Press-

Residents on the Move



Sam and Jan Battis have relocated to Newtown, PA, near Philadelphia, where he is a "Team Leader" at Keller Williams. Sam comments he has mixed emotions about renting their Dellwood house, but expects that is what they will probably do and then sell in a year should they not return to Hendersonville. Photo is from a 2002 Association dinner meeting.

Group Home Targets Dellwood

In April of this year, Brian Kowald VP Dellwood HO Association was contacted by an Oates Realty broker and their prospective buyer for 720 Greenwood Drive. The buyer planned to purchase this home and establish a group home for up to five people and were questioning Dellwood covenants and their application to such an activity. The broker and buyer were requesting clarification of Dellwood covenants. Simply stated, covenants do not allow for business operations in Dellwood.

The prospective buyer has withdrawn deciding not to buy this residence.

Homeowners Refresher

Here is a little refresher about Dellwoods 'covenants and our homeowner association by laws. You may consider this material pretty boring (it is) and therefore not pay much attention to them until-----a problem arises. So here's a quick run down.

Covenants came into existence in 1975 at the time developer Chet Phillips began building private residences in Dellwood. This initial version dealt mostly with construction details (minimum size, etc) and restrictions on residents conduct (dogs), etc. This initial version remained in effect until 2000 when they were revised and updated by a resident task group.

Randall Romeo was the local lawyer that

Those \$25 Dues

I'm sure residents are wondering what circumstances caused dues to increase from \$12 to \$25 per year. About 2 years ago, Board members became concerned about their personal liability in the event there was a disagreement or confrontation with homeowners or an outside party. We live in a litigious society in today's "world" and parties seem to turn to the courts to resolve situations given the slightest provocation. (This may be one reason Hendersonville has a Dispute Settlement Center). In addition, the past decade has seen numerous home

guided the group. A major recommendation was that "if you want this thing to stick", you'd better have every lot owner sign and witnessed. All lot owners did sign-----except one. After numerous attempts, the task group gave up trying to corner Mr. Bennet owner of lot 00 at the end of Britton Avenue. This lot remains under the 1975 covenants.

In the previous paragraph the term Lot Owner is used, not Homeowners. The significance here is that it is lot owners that control covenants. Not all lot owners are resident. Changes to covenants require a majority vote of lot owners. These covenants are "free standing" and are not controlled by the Association. However, DHA was added to the cove-

about "Neighborhood Watches" at our Annual Meeting. Dellwood residents are caring and protective of each other and lend a helping hand when needed. Lt. Simmonds reminded us that we can always call the Sheriff's office and they will do house checks while we are away. If you weren't able to attend this meet-

ownership changes within Dellwood which provides another source for the concern as new folks sometimes bring different problem solving attitudes.

The 2010/2011 Board decided to take action and solicited proposals from 6 insurance agencies. A general liability policy was purchased from Erie Insurance Exchange. The premium is \$555 per year. Doing a little math here at \$12, 46 dues payers would be required to cover this premium. At \$25, 22 payers are required. The \$12 level leaves the Association little "wiggle room" to act on other activities.

Your neighborhood volunteer Board members hope you understand their situation.

Dick

nants in the 2000 revision making the Association part of those parties lawfully eligible to "institute proceedings" (see paragraph 16, Enforcement) against those violating or attempting to violate these covenants.

Dellwood Homeowners Association came into existence in 1981 and with it came the by laws. By laws were updated at the time of covenants updating to show the connection to covenants.

In summary of the document relationship, covenants and by law are separate and free standing. They are independent and can exist without the other. They are Dellwoods' "firewall".

ing you missed a very informative evening.

I received a letter from one of our neighbors asking for help with a problem. Unfortunately, you did not sign the letter, so I was unable to get in touch with you.

Roz

From the "PREZ"

Roz Harris

As I sit here at my computer I think about how lucky we are to live in Dellwood. Not only do we have the beautiful views and the wild life but also wonderful neighbors who watch out for each other. I was reminded of that when Lt. Simmonds was talking

James McCall



James McCall of 840 Greenwood Drive died on Monday April 4, 2011 while a patient at Park Ridge Hospital. Jim had been in failing health and had been taken to Park Ridge by EMS.

Jim had been a Dellwood resident since 2004. He was a retired federal employee where he worked as a patent examiner for many years. His niece Marjorie Owen of

Toxaway is the only known family survivor and is coordinating his estate affairs.

Burial was at the Oak Grove Baptist church cemetery in Lake Toxaway.

A good neighbor. Nice man that Jim.

More About the McCall Name

There's more to this McCall name. If you have ever been through the Rozman NC area, you may notice many mail boxes with the McCall name. The McCall's were early settlers in NC. There is even a McCall cemetery in Pisgah Forest. James' ancestors were part of these early settlers as he commented to Dellwood neighbors that his grandfather (maybe great grandfather) owned a grist mill in the Rozman area. It was unique because its water wheel was horizontal (vertical centerline) rather than the usual vertical (horizontal centerline).

Jim's sense of humor revealed itself when he "fibbed" to question about his age by a Parks survey person. Later with a little smile he confessed "I may understated that a little bit".

Sidewalks

Notice those stakes along Haywood Road (191)? Those stakes mark the outboard edge of a side walk system to be installed by the city of Hendersonville. The project consists of approximately 7200 linear feet of sidewalk, curbing and storm water control and will run from Brookside Development along 191 into town ending at 25 North. Project schedule is Spring/Summer 2011 with a projected cost of \$570,000.

Upon completion, the right of way obtained by the City will be transferred to NC State DOT (Department of Transportation). This is a point of contention with some parties because it is viewed as a "foot in the door" to the widening of 191. Not

likely because statements from the City's' chief engineer to Dellwoods Brian Kowald that the widening of 191 is on hold and will not be considered for 10-15 years.

There will be some construction inconveniences to Dellwood residents but these will be temporary. This same engineer also stated that the sidewalk will not impact the Dellwood signs, no big trees will be cut down, etc. Huh???? One might wonder if this engineer has noted trees at the corner of Haywood and Blythe.

This project addresses one of the City's priority pedestrian plans.

Glen's' Tips

When my wife and I first moved to Rutherfordton; just prior to moving here; we decided to open a nursery (plants, trees etc.) Not knowing anything about plant characteristics, or what plants grew well with others or what plants repel insects and/or animals, we were forced into learning facts rapidly.

Anyway, to make a long story short, we made up several lists to help us, as well as answer questions that people might have. So, what I have done, is created a "partial" list of different plants which repel insects, which I hope your many readers find helpful.

If you have any questions, please do not hesitate to contact me.

Glenn Bagby (glenniejane@gmail.com)

Here's a sample. .

POWDERY MILDEW, FUNGUS INFECTIONS:

The best spray we have found to control these types of diseases is a spray of half milk, half water. It seems that milk has natural disease fighters that can kill mold and mildew. This can be cows milk, or goats milk, but should be diluted. Pasteurized milk may not be as effective.

Watch for more in the next issue. Go to the DHA website at www.dellwoodhoa.org

For Sale in Dellwood

Here's a summary of houses for sale in Dellwood. Pictured are houses as listed on April 23, 2011.

Here is 108 N Woodlawn Lane (Sharpe residence) listed by Keller Williams for \$199,900.



Pictured above is 113 Britton Ave. House is listed for \$228,900. Current residents are Austin and Mellissa Star-nes who are relocating to live closer to family.

Below is 840 Greenwood Drive former home of Jim McCall. This residence is not on the market at this time (See article Page 4).



Above is 101 Britton Avenue listed for \$219,000. Residence is unoccupied.



Above is Lot 22 situated at the upper end of Delphi Terrace. It's listed for \$28,000 by Hendersonville Realty. The owner is Mr. Glenn Schmalder of Mt Pleasant, NC



This 720 Greenwood Drive residence is listed by Prudential for \$239,000 and is currently unoccupied.

**Dellwood Homeowners
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Flag Day June 14, 2011.
Decoration Day May 30, 2011
Show your colors

From the Editor

I have agreed to take on the task of producing the Associations newsletter for the 2011/2012 year. While the task is not difficult, material for publication is in short supply. **You can help.** Pictures, articles of interest, letters, pictures, etc are welcome. Write or email me at dick@lauxhome.com.

Dick

Dellwood Association Web Site

Please keep note of DHA's web site at www.dellwoodhoa.org. Check it out. Brian Kowald is the web master and invites items you may want placed in the site. Brian can be contacted at bkowald@gmail.com

DHA Planner

Mark your Calendars

18 August: Board meets
17 September: Picnic
24 September: Garage Sale
01 October: Garage sale rain date
29 March 2012: Board meets
19 April 2012: Annual Dinner
26 April 2012: New board meets
Dates subject to change.