

Meeting Minutes
Greenbriar Place Officers and Architectural Committee
2 p.m., Saturday, June 1, 2024
Phelps Community Center
2200 Rock Quarry Drive, Tuscaloosa, Al 35406

Attendees

Officers

Shane Merritt-President
Connie Stewart-Vice President
Pat Goff-Secretary

Architectural Committee

James Bates
Charlain Fondren
Todd Nodine

The meeting was called to order at 2:10 p.m. by Shane Merritt

1. Discussion Regarding Covenant Adherence

Shane began the discussion. Over the last few years, concerns have been expressed at our Homeowners Association Annual Meetings that some homes are not being maintained based on the Covenants that homeowners signed when they purchased their property. It was agreed that it would be helpful for the Greenbriar Place HOA Officers and the Architectural Control Committee to meet to set more specific guidelines for property maintenance and appearance based on the Covenants. Shane noted that we want to preserve home values for the whole neighborhood.

He handed out a copy of the HOA Covenants in which he had highlighted the most relevant areas to aid discussion. Shane noted that the Covenants clearly spell out some restrictions where there is no room for interpretation whereas, in other cases, just the opposite is true.

Shane said common problems typically observed include such things as mailboxes that need painting, are bent, posts leaning, etc. He noted that this item was easy to remedy. [Discussion returned to mailboxes later in the meeting.] Other items not in keeping with the Covenants that had been brought to Shane's attention: garage doors bent significantly (possibly requiring replacement) or in need of painting ; empty flowerpots and multiple planters/pots in the front yard; front doors that need refinishing; dingy driveways, sidewalks and gutters that need power washing; blow-up decorations that are deflated during holidays; multiple flags in yards or signs in yards; garage doors open all day.

The overarching objective for the HOA is to follow the Covenants for the front yards so that, when you drive through, you could objectively answer yes to the question "Does this look like a tasteful neighborhood that maintains and increases in value over time?".

2. Need for Developing Guidelines for the Neighborhood

Shane pointed out that the Covenants state that the Architectural Committee is charged with developing design, maintenance, and appearance guidelines for the neighborhood and for approving or disallowing requests for exceptions. He suggested that it might be helpful for the Architectural Committee to develop quantitative or concrete examples, to be posted on our website, of things that are clearly not suitable, not candidates for review, and would not be approved. Examples: number of flowerpots in the front yard, blow-up holiday decorations, and time frame for removal of holiday decorations.

Another example Shane offered: When Greenbriar Place was developed, all houses had mahogany, stained front doors. Over the years, some owners have painted them in colors that might not be in keeping with the architectural harmony of the neighborhood. Our website could have a statement that says the preferred thing would be to refinish doors in the original style. Painting, however, may be an alternative if it blends in with the neighborhood. If such statements are on the website and if people know this guidance up front that this is the standard of the neighborhood, it will make it easier for homeowners to follow the Covenants. Likewise, the Covenants state specifically that the Architectural Committee has the final say on whether a house needs, for example, to be painted. Having these specificities on the website would set expectations in advance and make it easier for the Architectural Committee to review matters and make decisions.

There was considerable discussion regarding the need for the Architectural Committee and Officers to set specific standards for our front yards and for all of us to share in keeping the neighborhood attractive, yet to be respectful of each other and to present the Covenant standards and Architectural Committee guidelines in a respectful way. Shane noted, of course, that the HOA needs input from the membership. The minutes and conclusions of this meeting will be shared with all owners and their opinions solicited.

3. Importance of Keeping Records of Architectural Reviews and Decisions

Shane noted that historically, the Greenbriar Place HOA did not keep records of actions by the Architectural Control Committee. Typically, someone would advise a neighbor that a fence or alteration was or was not OK without any documentation. When Shane became President, he asked that records be kept of requests and decisions as is typically done in other covenanted neighborhoods, so that standards could be applied consistently.

Future Housekeeping item: When the Covenants list the Architectural Committee, it says the committee shall be Hunter Plott, Bill Trick, and Billy Boyd [original developers] and at such time as the declarants have divested themselves of their interest, the neighborhood may, through a dually executed, written instrument, appoint an Architectural Committee as it sees fit. We do not have an updated instrument filed in Probate Court that describes our current process for selecting the Architectural Committee at our annual meetings. This is a housekeeping measure we need to put on a future Annual Meeting Agenda.

4. Enforcement of Covenants

Shane said the idea of hiring a management company to deal with covenant enforcement was presented previously to the HOA and almost universally opposed, including by him. Shane said the bottom line is: We either govern ourselves, pay someone to govern us, or let everything descend into chaos. Shane pointed out that, at the same time, the Covenants, which were signed by all homeowners as part of their property purchase, is binding and enforceable. Covenant number 10 states “If any person shall violate or attempt to violate any of the Covenants herein, it shall be lawful for any other person or entity owning any real property situated in the Subdivision and/or the Greenbriar Place Homeowners Association to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him, or them, from so doing by injunctive relief or to recover damages for such violation.” There was full agreement among all present that there is a legal obligation to follow the Covenants and a necessity to put into place guidelines and procedures to administer the Covenants.

Numerous related items were discussed:

- **Mailbox Maintenance.** The question was raised if homeowners responsible for maintaining their mailbox? Shane said yes, it is the homeowners. It might have been nice if the mailboxes had been the HOA’s responsibility, but that is not the case. It may be possible at some homeowners are not aware of this responsibility. It might be nice if the HOA formalized responsibility for maintaining mailboxes. Shane said this would be an area where the whole membership would need to vote on taking on this responsibility since the mailboxes are, in fact, the property of the owners. He also noted that property owners also appreciate it when the HOA identifies companies that come into the neighborhood to make uniform repairs at one time and then bill the owners individually. It is viewed as a value-added service of the HOA for owners who are busy and do not have time to track service companies down individually. At some time in the past the HOA, as a service, replaced mailboxes, painted posts, and replaced numbers and was then reimbursed by the homeowners. The HOA might consider organizing this service again. As part of the discussion, agreement was reached to do the develop a standard mailbox to present to homeowners.
- **Empty pots, too many pots, plastic ornamentals in front yards.** There was discussion as to how many pots are too many in the front yard whether we should recommend a limit to the number of pots in the front yard, and whether plastic pots and ornamentations and empty pots are unsightly? During the discussion Shane pointed out that while the Covenants do not specify a suitable number of pots or ornamental flags, it does say that what you have in the front yard cannot detract from the overall blending of the neighborhood. There was consensus among meeting participants that many pots and empty pots lying on their sides do detract.
- **Garage doors left open.** Some felt that leaving the garage door open all day turns the front drive into a carport. The Covenants state that garage doors should stay closed unless

in use for entry or exit. How do you inform a neighbor respectfully that they are not following Covenant standards?

- **Checklist.** Shane passed out a draft of a homeowner's checklist that reflects the guidelines in the Covenants. He discussed the possibility of sharing this annually with homeowners to encourage self-governance to the Covenants. The checklist can be edited to reflect today's recommendations. Likewise, the Architectural Committee and Board of Directors can assess the neighborhood based on the checklist and the finalized guidelines and refer any needed action to the Board of Directors.
- **Fines.** Shane also noted that the HOA already has governance actions in place. On our website, there is a list of violations of the Restrictive Covenants of the Greenbriar Place HOA and established fines (\$50 for every 30 days for each violation) that may be imposed for non-compliance. The group also agreed that non-compliance notifications, fines or other actions would be rare if the Covenant restrictions and maintenance concerns were communicated regularly and respectfully to the neighborhood. We all understand the need to keep our homes architecturally consistent and attractive for the benefit of all.

5. **Recommendations for standards.** The Officers and Architectural Committee unanimously agreed on the following:

- **Front door finishes:** Originally, all front doors in Greenbriar Place were stained and varnished. In keeping with the harmonious architectural style of the neighborhood, the HOA prefers that front doors be refinished in the original style. Painting, however, may be an alternative if it blends in with the neighborhood and is approved by the Architectural Committee.
- **Garage doors** must remain closed unless a vehicle is being moved in or out. (Stated in the Covenants.)
- **Mailboxes:** The Architectural Committee will finalize a standard for mailboxes that will be in keeping with recent USPS new size recommendations that accommodate packages (see James Bates' and Bill and Karen Swartz's mailbox). The new standard will include brass letters on top, no stenciling on the side, and a standard black color for box and post. If existing mailboxes are still in good condition, no immediate change will be necessary. For those in disrepair, the expectation is that they will be repaired and painted according to the standard or replaced with a new standard mailbox. James Bates will investigate details for larger mailboxes. Charlain Fondren will draft the language for the new standards. An email will go out to homeowners.
- **Seasonal decorations** should be taken down preferably two days after the holiday but no more than 10 days after the holiday. Inflated plastic "balloon" type decorations are discouraged. But if they are used, they are limited to three per yard, should not be taller than the eave/gutter level of the house, and must remain inflated or be removed.

- Front yards should have no more than four pots/planters. The pots/planters should be non-plastic and contain living plants. Empty/unused pots should be removed.
 - Signs and Flags: Signs are prohibited by the Covenants (small security signs and “for sale” signs are allowed). Flags are limited to hanging an American flag in good condition and respectfully according to the U.S. Flag Code. Flags should not be hung in front windows. Other flags and signs (sports, organizational, decorative/seasonal, or political) are inappropriate and not permitted.
 - Recreational vehicles, boats and trailers are not permitted in driveways unless for temporary loading and unloading.
 - Plastic items should not be visible from the street. This includes, but is not limited to, plastic utility covers not installed by the utility company, plastic chairs, and plastic pots, and other decorative plastic items.
6. **Rental questions.** There was a brief discussion regarding how many individuals may occupy a rented home and the appropriateness of short-term rentals in Greenbriar Place. Shane said these topics need to be monitored and any regulations regarding this must go before the Association. The HOA Covenants do not currently address these issues, although City Ordinances may apply at least in the number of unrelated individuals occupying a single-family residence.

Shane adjourned the meeting at 4:12 p.m.