



Homeowners Association
Newsletter

November 2015
Vol. 3 Issue 6

A Warm Welcome to Newcomers and Returnees

November swells the ranks of homeowners in Wisteria Park and this year is no exception. Welcome back everyone!

And a special welcome to the newcomers who have moved to Wisteria Park over the past few months. We hope you enjoy the neighborhood as much as we do.



2015 Calendar of Events

November 23 (Monday) – 7:00 pm – Board
December 28 (Monday) – 7:00 pm – Board

(ARC meetings on an 'as required' basis)

Board and committee meetings are held at Christ Episcopal Church, 4030 Manatee Avenue West, Meeting Room #1.

All meeting notices and agendas are posted on the Argus website and on the Wisteria Park notice board at the community pool a minimum of 48 hours in advance.

Housekeeping Needs Linger from the Neal Era 'Adjacent Areas'

A question from one of our residents recently prompted a detailed review of Article 7.02 of our *Declaration of Covenants, Conditions and Restrictions for Wisteria Park*. This Article outlines owners' responsibility for maintaining their own landscaping and landscaping on so-called 'Adjacent Areas'.

The problematic part of this Article concerns the Adjacent Areas found at the rear lot line of homes that back onto 17th Avenue and 21st Avenue and the side lot lines of lots 1 and 70 on 88th Court and 87 Street NW, respectively. The Association owns a strip of land (Common Property) inside the fences on these lots. The purpose is to allow the Association access to the fences for repair purposes. However, Article 7.02 makes the adjacent owner responsible for maintaining the landscaping on these strips of Common Property/Adjacent Areas. The landscaping consists mostly of hedges of various types. If you get a headache from trying to understand all this, you are not alone!

With some help from our lawyers it was found that Article 7.02 was poorly drafted and currently could be construed to mean that Adjacent Areas actually extend from Owners' rear lot lines all the way to the edge of 17th or 21st avenues, making homeowners responsible for all the formal Common Property landscaping which distinguishes Wisteria Park!

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Adjacent Areas

It was also found that the Neal-directed Association continued to trim Adjacent Area hedges for West Side owners following the sale of these lots. This was intended to maintain a uniform and tidy presentation of the exterior of Wisteria Park. The practice has continued to this day. In fact, maintenance costs for West Side hedges have always been covered by the Common Property budget while in contrast, maintenance of identical hedges on the East Side has been covered under the East Side supplementary budget.

To rectify and regularize these problems the Board has resolved to formally assume full landscaping responsibility as provided for in Article 7.02 for all the Adjacent Areas that lie on Common Property at the rear of the lots that back onto 17th and 21st avenues, and at the side lot lines of two other lots at the 17th Avenue and 21st Avenue entrances. Since all of these hedges will now be considered to be Common Property, and to overcome the current inconsistency in funding, the cost of treating East Side hedges will be moved to the Common Property budget. The new policy is outlined below.

If you want to take a “deep dive” into this subject you can find a full report on this issue. Look for the Wisteria Park page on the Argus Web site under “Other Documents” (<http://www.argusmgmt.com>).

Policy on Adjacent Areas Landscape Maintenance

To overcome the confusion that has arisen in the interpretation of Article 7.02 of the Declaration as outlined on page one and above, and as permitted by the same Article, effective November 1, 2015 the Wisteria Park Homeowners Association will take over responsibility for landscape maintenance for Adjacent Areas which lie on Common Property, at standards consistent with its maintenance of other Common Property in Wisteria Park.

This change in landscape responsibilities will entail a change in cost allocation between the Common Budget for all of Wisteria Park and the Supplemental Landscape Budget for the maintenance-free (East Side) portion of Wisteria Park that will include:

- The cost of trimming hedges on the West Side, already a part of the Common Property landscape budget; and
- The cost of maintaining hedges on the East Side, is currently a part of the Supplementary Budget.

To achieve consistency in cost allocation, and recognizing that these hedges lie on Common Property, this cost will be moved from the Supplementary to the Common Budget. The 2016 Budget will be adjusted to reflect this change.

Landscape Lore

The latest report of the ARC ‘walk around’ team has been posted on the Wisteria Park Web site. A number of items that needed attention have been dealt with and suggestions made for further improvements to keep Wisteria Park beautiful.

Among the many challenges faced in our landscape is ‘brown’ and ‘yellow patch’ in our lawns. Not just a browning of the grass in dry periods that will eventually re-generate, this fungal grass disease is sometimes called ‘fairy rings’. The good news is that it can be treated if spotted early. A comprehensive article on ‘brown patch’ can be found on the University of Florida IFAS Extension Service for Manatee County at

http://manatee.ifas.ufl.edu/lawn_and_garden/master-gardener/gardening-manatee-style/t/turf-brown-patch-season.pdf.



If you see what you think might be a ‘fairy ring’, please alert our Manager, Iris Zieler at 941-927-6464, ext. 128 or send an e-mail to iris@argusmgmt.com

A Word from the Editor Re: the Budget!

I got my property tax bill yesterday and I didn't like it! However, just as taxes are inevitable, it also is that time of the year for the HOA to publicize its plans for 2016.

The proposed budget for 2016 is in the mail today and will be on the Board's agenda for its meeting on Monday, November 23 for final approval. Some of the important features of the 2016 budget include:

- Provision for increased landscape contract costs in both the Common Property and East Side budgets (the shift of some costs from the East Side Budget to the Common Budget, (see Adjacent Areas article on page one) and some cushion should the Board need to renegotiate a landscape contract next year);
- An increase in Brighthouse's cable/internet rates by approximately 4%. Our contract with Brighthouse, which is binding until 2018, allows for rate changes. Our cost is set at 60% of the cost of their basic cable/internet package as currently marketed;
- A reduction in the provisions for legal expenses and contingency funds. Previous Boards had to start out with cautious budgets but with more experience the Board now feels comfortable reducing some of these open-ended provisions;
- More provision for repair and rehabilitation expenses. As our community ages, more of these expenses are likely to emerge (see Reserve Fund notes above right).

Overall, the 2016 budget should continue to provide some surplus for additions to the Association's Reserve and Operating balances.

2015 Architectural Review Committee

Norman Abbott – Chair
Gail Larose – Secretary
Barbara Morsch – Member at large

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Question? - Contact our Community Association Manager

Iris Zieler – iris@argusmgmt.com or 941-927-6464, ext. 128
Visit Argus Management's website at www.argusmgmt.com, click "Client Login", "Wisteria Park", and enter password "wpa" to access meeting agendas, minutes, financial reports, rules, forms and other community information.

Wisteria Park HOA Reserve Fund

The Reserve Fund projection for 2016 anticipates two age-related needs for repair and renewal:

- Painting our street signs in 2014 revealed a sharp contrast to the sun bleached state of our street lamps, stop sign posts, mail box posts and mail boxes; and
- The mechanical equipment (pumps, storage tanks, metering systems, and lighting) and some of the furniture around the pool area needs to be upgraded, and in some cases brought into compliance with local codes.

The Board will keep you posted as work on these areas is planned and completed.

Board Bits

The Board welcomed newcomers to Wisteria Park at its October meeting and were happy to answer a number of questions.

Landscaping issues of all kinds continued to occupy much of the Board's attention. A report on 'Adjacent Areas' (see article on page one) was considered and is available on the Wisteria Park Web site at <http://www.argusmgmt.com>. The report forms the basis of a new policy on Common Property landscape maintenance that has implications for 2016 budget planning.

Notwithstanding the financial implications of this new landscaping maintenance policy, the Board has managed to keep overall budget increases to close to 2%.

2015 Board of Directors

Barbara Morsch – President
Blanca Moscoso – Vice President
Bob Harcourt – Treasurer
Gail Larose – Secretary
Norman Abbott – Member at Large