



# Forest Murmurs

September 2017

## UPCOMING DATES

- \* September 4:  
**CANCELLED**  
Labor Day Picnic
- \* September 5:  
Doggie Swim (details on page 15)
- \* September 11: 7pm  
Members' Meeting  
at Forest Ridge Baptist Church
- \* September 16:  
Campout & Bonfire  
(details on back)
- \* September 18:  
Trustees' Meeting

## MEMBERS' MEETING

- \* New Bylaws adoption vote
- \* Trustee elections
- \* Committee Updates

## President's Message

It's that time of year again.: time for the fall semi-annual meeting of the association members. Before I discuss that I am pleased to announce that the board approved the funding of the replacement of both basketball goals near the pool with new state-of-the-art regulation goals. The pool basketball court is one of Forest Ridge's most heavily utilized amenities and the facility is due for a refresh. The new equipment will be ordered by the time you read this and we'll be looking for volunteers to help with the installation. We're also planning to have a 3v3 basketball tournament to raise funds for this effort and subsequent improvements to the court. If you are willing to help with either of these tasks, please contact me.

Regarding the upcoming meeting, here are the basics but read through this entire issue for more details. The meeting begins at 7pm on September 11th at the Forest Ridge Baptist Church on Union Schoolhouse Road and childcare will be provided. Polls will open at 4pm for residents to vote on the new bylaws and to elect all nine trustees. We're looking for three volunteer Inspectors of Election to supervise the election and tabulate results. A committee consisting of four board members and three residents have met for the past nine months and their proposed changes to the bylaws are included in this month's Murmurs. If you misplaced your copy of the current bylaws please contact Kristyn Funner for a replacement. Lastly, thanks to a generous City of Dayton Community Engagement Grant and the work of the activities committee, a delicious Italian dinner will be provided by Deroma Italian beginning at 6pm. Come out for dinner, cast your vote, and stay for the meeting!

Chris

Current bylaws may be viewed at: <http://forestridgeassociation.org/proposed-updated-bylaws/>  
If you've misplaced your current bylaws and need a paper copy, please call Kristyn at 305-2538

Does your family have someone to brag about in 2017? Tell us about your new graduate, retiree, or other honor for our December tributes! Email details and a small picture (if desired) to [murmurs@forestridgeassociation.org](mailto:murmurs@forestridgeassociation.org) or send it to Forest Murmurs, 4720 Strathaven Dr., Dayton , OH 45424. call

## Forest Ridge Association, Board of Trustees Regular Meeting : July 17, 2017

**Trustees Present:** Chris Hummer, Kristyn Funner, Rick Schaub, Michael Milisits, and Chris Hoopes,

**Trustees Absent:** Lacey Soriero, Shelton Monger, Elizabeth Burke, and Jake Bontatibus

Chris Hummer called the meeting to order at 7:04 p.m.

**Police Report:** Officer Toscani from the City of Riverside reported a couple thefts from unlocked vehicles, several traffic stops, and one instance of vandalism to a vehicle. He advised that Riverside has initiated a new program called Community Oriented Policing (COP) where residents can report areas of concern and officers will target patrols. It can be accessed by calling the non-emergency line or posting to the Riverside Facebook page.

Officer Rudy from the City of Dayton reported there were minimal calls in our area, including one theft from a vehicle. Larry Ford stated he has requested police presence at Silver Oak and Amberwood and Silver Oak and Quail Bush and hasn't seen any yet. Chris Hummer further advised that FRA has recently invested in the park in that area and increased patrols would be appreciated. Officer Rudy reported that there hasn't been much policing in our neighborhood because there haven't been many complaints but that he will request increased patrols in those areas. Youssef Elzein requested that the Board and the City of Dayton reassess the option of speed bumps.

**Minutes:** Michael Milisits moved to accept the minutes from the previous month. Rick Schaub seconded.

### Vote 5-0

**Visitors and Open Forum for Association Members:** Many residents were present to observe and discuss neighborhood issues. A Slipperywood resident reported a concern regarding business activity at a neighboring home, Chris Hummer stated he will follow up. Virgil Sparks of Sweetleaf reported that 2 FRA trees fell onto the power lines near his home and he was without power for 2 days. The resident reported that there are 2 other trees that are dead which he fears will fall soon and cause more problems. Chris Tooley reported he has inspected the area but is unsure if he will be able to safely remove the trees, he stated he will need to look at the area again. He said that if it can be done by his crew he will put it to the top of the list. Another resident reported a tree on Union Schoolhouse near Elmhaven that has grown into the power lines. Chris Tooley said he is not able to trim the tree when it is in the power line. Rick Schaub will contact DP&L, Mike Milisits will call Arbor Experts, and Chris Hummer will ask Jake Bontatibus to call the tree removal contractor he works with. Chris Tooley said he would be willing to be more aggressive with tree removal and trimming if the Association supplies the equipment and training. Chris Tooley stated he will follow up.

Two neighbors reported that they have witnessed drug and alcohol activity, littering, and late-night noise at the basketball courts on Willow Branch. They said the issue has been occurring for many years. They suggested that the basketball court not be replaced upon damage and said that one net is down. Chris Hummer said that net is low on the priority list for replacement as it has recently been done. He also said he has requested

additional patrols in the area, and Officer Toscani said that he will add this to his list of

frequent patrols. Officer Toscani requested that they make a report to the police each time so that the police may intervene. Chris Hummer asked Officer Toscani how other parks in our area deal with this; he said they use security cameras. Chris Hummer stated the preference would not be to eliminate an amenity if possible and that he will follow up regarding costs for security cameras.

Youssef Elzein discussed his concerns regarding the commercial marijuana farm that is being proposed on Kittridge Road in Huber Heights. Mike Milisits reported that the facility will have security to protect their property. Rick Schaub said that he does not feel the location is ideal. Another resident said that he feels it is inappropriate for the Board to act without knowing all the members' opinions. Chris Hummer said that he will follow up regarding data on how the facility will impact property values.

**Treasurer:** Dan Freeman, Treasurer was not present. Chris Hummer said that the Treasurers' report is always available to members. The balance of the general fund is \$144,192.67. The balance of the replacement reserve is \$67,825.86. There were 21 full and no partial assessments received in June. There are 62 full and 2 partial assessments still open. Rick Schaub noted that the lifeguard salary is missing from the Profit and Loss statement, Chris Hummer states he will follow up with Mr. Freeman.

### Vote tabled pending corrections

**By-laws:** Chris Hummer reported that we have received a bylaw redline from the lawyer, but that we have had it for less than 24 hours.

### Vote tabled pending time to review.

**Assets and Maintenance:** Chris Hummer discussed the shed updates. He has been in contact with the engineering technician from Montgomery County regarding the water lines to install a water closet. Rick Schaub said he would still like to discuss the possibility of a port-a-pot. Chris Hummer advised that he has already contacted the Regional OSHA representative who has stated that a port-a-pot is not acceptable to meet the requirement.

Chris Hummer has been researching the basketball court by the pool. The poles will not be able to be reused as they are not level, so the poles and backboards will need to be replaced.

**Activities/Recreation:** Kristyn Funner reported she met with Jake Bontatibus and Lacey Soriero last week. The next event is the Flick and Float at the pool on the evening of August 19<sup>th</sup> and the movie will be Jaws. She stated that Jake will clear the date with the pool and follow up with Mike Milisits regarding technical details. Kristyn also reported that the Labor Day Picnic is scheduled for Monday September 4<sup>th</sup> at 4pm. Jake will be coordinating meat from Rudy's Smokehouse and soliciting donations of side dishes and desserts from attendees.

**Communication:** Kristyn Funner said the August issue of the Murmurs is coming together. Larry Ford inquired regarding the submission deadline and stated he will send something regarding

Kristyn Funner said she is also working on the updated welcome packets. She presented a community resources list and asked the Board for feedback. She also discussed including a map.

**Greens Areas:** Mike Milisits reported that the cleanup at the trails at Lawson's went well.

He presented a map of the street lights near the pool. He suggests we keep the 9 near the pool and playground, but turn off 7 near and in the tree line. Rick Schaub said he would like to keep the one at the end. Mike Milisits said that he is unsure if it will be able to be kept due to the feed lines but that he will ask them.

Chris Tooley, Green Area Manager, submitted the following report:

Projects this month:

- Fix belt and tires on commercial mowers

Property:

- Mulched playgrounds

- Sprayed weeds

- Clean up trails and woods lines

- Clean up Misc. storm damage

To Do:

- Install swings in playgrounds

Chris Tooley thanked the residents who have donated bottled water to his crew.

**Pool:** Chris Hummer presented a report from the pool manager.

The first season of swim lessons went well and the second session including 24 children is underway. There have been two pool parties and three more are scheduled.

Chris Hummer said that there was a pool party scheduled by a non-resident and that he has reviewed party rules with the pool manager. The pool party in question was being hosted by a nightclub with armed private security and was shut down by Chris Hummer and Jake Bontatibus. He said the pool manager will now be present at every party and that she or the supervisors will be the only ones booking parties. There were also signs installed at the pool stating no firearms are permitted.

Rick Schaub said some residents contacted him regarding pool concerns in the men's restroom and water quality in the L-shaped pool. He inspected the situation and found several concerns regarding cleanliness and maintenance. Chris Hummer said that he will follow up with the pool manager.

**Old Business:** Kristyn Funner said the ribbon cutting ceremony the playground was a success. She further reported that the application that Jake Bontatibus submitted for the installation of a pavilion was awarded and fundraising efforts are already underway.

**Adjournment:** Michael Milisits moved to adjourn the meeting. Chris Hummer seconded.

**Vote 5-0**

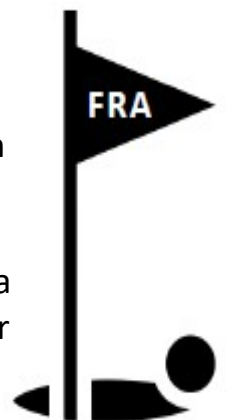
Meeting ended at 8:54.

# First Annual Golf Tournament

Forest Ridge Association is hosting our First Annual Golf Outing on Friday, October 13 (Chucky might be there) at Locust Hills Golf Course. This will be an 8:30AM shotgun start on the Locust Course. There will be doughnuts, coffee and juice available to all golfers and volunteers. Golfers will have free range balls. Lunch will include pork loin and ¼ chicken with cole-slaw to include soda, chips, baked beans and desert. Cost for this fun filled day will be \$65 per golfer. Extras will include 3 mulligans per person for \$5 a person, 12 inches of string per team at \$10, a chance of money for a Hole-in-One on a par 3 and door prizes. Beer, soda and water will be available on the course. If there will be any special needs for drinks and/or food please let us know as soon as possible to see if we can make arrangements.

Proceeds will directly fund the Little Jeep Park Upgrades to improve our recreational space on Silver Oak Street.

If you are interested in playing or can volunteer, please email Larry Ford at [golfingfra@gmail.com](mailto:golfingfra@gmail.com). Golfer money is due by September 1 and payable to Forest Ridge Association.





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Have you had a chance to look at the Reserve Study? This independent assessment of our facilities was prepared by a consultant commissioned by the Board of Trustees. In the analyst's words, "the Study includes a general view of the condition of these items and an effective financial plan to fund projected periodic replacements." Please take the time to check out the report at the link below or attend a monthly meeting to see a printed copy.

<http://forestridgeassociation.org/2017-reserve-report/>

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Monday - Wednesday: 8:00AM - 5:00PM  
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**AMENDED  
CODE OF REGULATIONS  
OF  
THE FOREST RIDGE ASSOCIATION**

RECITALS:

WHEREAS, the Declaration \_\_\_\_\_ was recorded at Montgomery County Records [insert recording information] (the “Declaration”);

WHEREAS, to the extent this instrument conflicts with any provision of the Declaration, the provisions of this instrument shall control;

WHEREAS, this instrument has been duly adopted by the Members of the Association and supersedes and replaces all prior Code of Regulations/bylaws of The Forest Ridge Association, an Ohio non-profit corporation (“corporation” or “Association”);

WHEREAS, the real property subject to this instrument is described on **Exhibit A** attached hereto (which is owned by The Forest Ridge Association), as well as all Lots in the Forest Ridge plats [insert recording information], as set forth in the Declaration;

**ARTICLE I  
NAME**

The name of this corporation shall be THE FOREST RIDGE ASSOCIATION.

**ARTICLE II  
PURPOSE**

This corporation is formed to promote the health, safety and general welfare of its members, and in pursuance thereof to own, acquire, build, operate and maintain recreation parks, playgrounds, swimming pools, commons, streets, footways, open areas and other common facilities, including buildings, structures and personal property incident thereto; to plan and arrange athletic, social and recreational activities; to own, improve and hold real estate and personal property for the accommodation, convenience and entertainment of its members; and to do all other things necessary or convenient to the achievement of the ends above set forth.

**ARTICLE III  
MEMBERSHIP AND VOTING RIGHTS**

**Section 1. Membership.** Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject by covenants of record to assignment by the Association shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association. Ownership of such Lot shall be the sole qualification for membership.

A Member shall consist of the property owner(s) of record and any family members in permanent residence at the property. The Board of Trustees shall have sole power to determine status of family members under this section.

**Section 2. Voting Rights.** An Active Member shall be a Member who is current in the payment of operating dues and/or assessments. Active Members have voting rights and activity privileges and are eligible to hold office in the Association. When more than one person holds such interest or interests in any Lot, all such persons shall be members, and the vote for such lot shall be exercised as they among themselves determine but in no event shall more than one vote be cast with respect to any such Lot.

An Inactive member shall be one who is in default for more than thirty (30) days in the payment of any annual or special assessment levied by the Association. Voting rights and right to use the recreational facilities of Inactive Members will be suspended by the Board of Trustees until such assessment has been paid.

**ARTICLE IV**  
**PROPERTY RIGHTS, RIGHTS OF ENJOYMENT**

Each Active Member shall be entitled to the use and enjoyment of the Green Areas, Swimming Club and Recreation Area, and facilities of the Association. Any Active Member may delegate their rights of enjoyment thereof to the members of their family, tenants or contract purchasers who reside on the property. Such member shall notify the Secretary in writing of the name of any such delegee. For this purpose, "in writing" shall include notification by electronic mail or other means acceptable to the Board of Trustees. The Board of Trustees may, at its sole discretion, accept documentation such as a current, signed lease or contract as evidence of assumed delegation. The rights and privileges of such delegee are subject to suspension to the same extent as those of the Members.

Such rights of a Member may also be suspended, after notice and hearing before the Board of Trustees, for a period not to exceed ninety (90) days, for violation of any rules and regulations established by the Board of Trustees governing the use of the property and facilities of the Association. Willful damage may be prosecuted and damages sought in an amount agreed by the Board of Trustees.

Such membership shall be appurtenant to and pass with the title to every assessed Lot, subject to the following provisions:

- a) The right of the Association to limit the number of guests of members;
- (b) The right of the Association to dedicate or transfer all or any part of the green area to any public agency or authority for such purposes and subject to such conditions as may be agreed to by the affirmative vote of a two-thirds majority, polling to be achieved as described in Article X, Sections 3 and 4.

**ARTICLE V**  
**BOARD OF TRUSTEES**

The affairs of this Association shall be managed by a Board of nine (9) Trustees who must be active Members of the Association. Each trustee is elected for a term of three (3) years, one third of the Board having terms expire in a single year. Trustee elections are to be held at each fall annual meeting. Each Active Member present at the meeting may vote for up to three candidates to serve terms of three years. The three candidates with the greatest number of votes shall be declared the winners. If a quorum is not present at the meeting the three candidates with the greatest number of votes shall be considered to have been appointed through acclamation of the membership and shall serve the 3 year terms as though elected. Election of any Board Member at a meeting where a quorum is not present may be challenged within 30 days of the election by a petition signed by at least 51 Active Members.

Any Trustee may be removed from the Board with or without cause, by a majority vote of the Active Members of the Association or by a vote of at least seven (7) of the Trustees. In the event of death, resignation or removal of a Trustee, their successor shall be selected by the remaining members of the Board and shall serve the unexpired term of office.

No Trustee shall receive compensation for any service they may render to the Association. However, any Trustee may be reimbursed for actual expenses incurred in the performance of their duties.

The Trustees shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the Trustees. Approval via electronic mail or electronic communication shall be considered to be written for this purpose. Any action so approved shall have the same effect as though taken at a meeting of the Trustees and shall be recorded in the minutes of the next regularly scheduled meeting.

The Trustees may hold a meeting by any method of communication, including electronic or telephonic communication, provided that each Board Member can hear or read in real time and participate and respond to every other member of the Board.

**ARTICLE VI**  
**MEETINGS OF TRUSTEES**

**Section 1. Regular Meetings.** Regular meetings of the Board of Trustees shall be held monthly at such place and hour as may be fixed from time to time by resolution of the Board.

**Section 2. Special Meetings.** Special meetings of the Board of Trustees shall be held when called by the President of the Association, or by any two Trustees, after not less than three (3) days' notice to each Trustee.

**Section 3. Quorum.** A majority of the number of Trustees shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Trustees present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

## **ARTICLE VII NOMINATION AND ELECTION OF TRUSTEES**

**Section 1. Nomination.** A call for candidates must be issued through any means agreed by the Board including, but not limited to, announcements in the Forest Murmurs, postings to the Forest Ridge web site, or postings to other social media sites dedicated to communication with Forest Ridge membership. An Active Member seeking to be elected to the Board of Trustees shall identify their candidacy to the Board. If announced prior to two (2) weeks before the semi-annual meeting at which the election will occur, the candidate shall be included on the ballot. If the candidacy is announced fewer than two (2) weeks before the semi-annual meeting the candidate shall be considered to be a write-in. Additionally, an Active Member may signify their candidacy at the semi-annual meeting as a floor nomination without previous advanced notice. Such a candidate will be considered to be a write-in.

**Section 2. Election.** Each Active Member shall be entitled to one vote for each seat on the Board of Trustees to be filled. Voting shall be by secret ballot. Voting may be accomplished by attendance at the meeting, by mail (postage paid by Member) postmarked no later than two business days prior to the election, or by other electronic means as they become available.

The Board of Trustees shall appoint three inspectors of election whose duty it shall be to supervise the voting and tabulate the ballots cast. The inspectors of election shall be Active Members who are not holding nor seeking a Board of Trustees seat at the time of the election. In case of a tie vote, one runoff ballot shall be cast. If still tied, the winner shall be declared by random drawing supervised by the inspectors of election.

## **ARTICLE VIII POWERS AND DUTIES OF THE BOARD OF TRUSTEES**

**Section 1. Powers.** The Board of Trustees shall have power:

- (a) To adopt, publish and enforce rules and regulations governing the use of the property and facilities of the Association, and the personal conduct of the members or their guests thereon, and to establish penalties for the infraction thereof;
- (b) To adopt, publish and enforce rules and regulations governing the maintenance, repairs, replacement, modification and appearance of the property and facilities of the Association;
- (c) To exercise for the Association all powers, duties and authority vested in or delegated to this Association not reserved to the membership by other provisions of this Code of Regulations, the Articles of Incorporation, or the Declaration;
- (d) To declare the office of a member of the Board of Trustees to be vacant in the event such member shall be absent without cause, as determined by the remaining members of the Board, from three (3) consecutive regular meetings of the Board of Trustees;
- (e) To employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties;
- (f) To enter into contracts and incur liabilities relating to the operation and maintenance of the property and facilities.

**Section 2. Duties.** It shall be the duty of the Board of Trustees:

- (a) To cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the semi-annual meetings of the Members;
- (b) To maintain a record of names and addresses of all members;
- (c) To supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;
- (d) As more fully provided herein and in the Declaration;



(1) to fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period, as hereinafter provided, and;

(2) to send notice of each assessment to every Member subject thereto at least thirty days in advance of the due date of the assessment, and to collect such assessments.

(e) To issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. Such certificate shall be conclusive evidence of any assessment therein stated to have been paid;

(f) To procure and maintain adequate liability insurance for Board Members and Association assets and to procure adequate hazard insurance on property owned by the Association;

(g) To cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;

(h) To procure and maintain adequate directors and officers liability insurance;

(i) To annually adopt and amend an estimated budget for revenues and expenditures, to include reserves in an amount adequate to repair and replace major capital items in the normal course of operations without the necessity of special assessments, unless waived by the Members exercising not less than a majority of the voting power of the Association;

(j) To cause the Green Areas to be maintained;

(k) To cause recreation areas to be maintained;

(l) To file reports and submissions as required by Federal and State agencies; and

(m) To review this Code of Regulations for currency and applicability at least every five (5) years or five (5) years from the most recent change, whichever is later.

**Section 3. Compliance.** The Board shall comply with all applicable state and federal laws concerning prohibitions against discrimination on the basis of race, color, religion, sex, military status, national origin, disability, age, or ancestry, including, but not limited to, Chapter 4112 of the Revised Code. No private right of action additional to those conferred by the applicable state and federal anti-discrimination laws is conferred on any aggrieved individual by the preceding sentence.

## **ARTICLE IX COMMITTEES**

**Section 1.** The Board of Trustees shall appoint such committees as deemed appropriate to carry out its purposes. Committee members need not be Board Members but committee chairs will be appointed by the Board of Trustees. Examples of such committees are:

1. A Pool and Outdoor Recreation Committee which shall advise the Board of Trustees on all matters pertaining to pool operations and maintenance, the recreational program and activities of the Association and shall perform such other functions as the Board, in its discretion, determines;

2. A Maintenance and Green Areas Committee which shall advise the Board of Trustees on all matters pertaining to the maintenance, repair or improvement of the properties, and shall perform such other functions as the Board in its discretion, determines;

3. A Communications Committee which shall inform the members of all activities and functions of the Association and shall, after consulting with the Board of Trustees, make such public releases and announcements as are in the best interests of the Association;

4. An Audit Committee which shall supervise the annual audit of the Association's books and present the annual budget and statement of income and expenditures, as approved by the full Board of Trustees, to the membership at its regular Spring annual meeting. The Treasurer shall be an ex officio member of the Committee; and

5. An Activities Committee which shall advise the Board of Trustees on all matters and initiatives pertaining to neighborhood social and community events and activities, and shall perform such other functions as the Board in its discretion determines.

**Section 2.** It shall be the duty of each committee to receive complaints from members on any matter involving Association functions, duties, and activities within its field of responsibility. It shall dispose of such complaints as it deems appropriate or refer them to such other committee or officer of the Association as is further concerned with the matter presented.

## **ARTICLE X MEETINGS OF MEMBERS**

**Section 1. Semi-Annual Meetings.** There shall be two meetings of the members held annually. These meetings are to be designated the Spring semi-annual meeting and the Fall semi-annual meeting. The Fall semi-annual meeting of the members shall be held on the second Monday of September of each year and the Spring semi-annual meeting shall be held on the first Monday of March of each year.

**Section 2. Special Meetings.** Special meetings of the members may be called at any time by the President or by the Board of Trustees, or upon written request of one-tenth (1/10) of the membership who are entitled to vote. Written request shall be interpreted to include electronic mail or other electronic communications medium.

**Section 3. Notice of Meetings.** At least ten (10) but no more than sixty (60) days' notice of each meeting of the members shall be given to each member entitled to vote thereat by, or at the direction of, the Secretary or person authorized to call the meeting using any of the following methods as authorized by the membership: mailing a copy of such notice; electronic notification (e.g. e-mail, web site announcements, announcements on social media sites dedicated to communication with Forest Ridge membership, etc.); signage posted prominently throughout the neighborhood; or other means as approved by the membership. Such notice shall specify the place, day and hour of the meeting and, in the case of a special meeting, the purpose of the meeting.

**Section 4. Quorum.** Except as otherwise provided by law or in this Code of Regulations, the participation of members entitled to cast one-tenth (1/10) of the votes shall constitute a quorum for any action. Such Members of the Association may be present in person or by proxy, or cast votes by alternate means (including mail; electronic mail; electronic polls; and other means the membership shall approve in the future).

## **ARTICLE XI OFFICERS AND THEIR DUTIES**

### **Section 1. Officers**

**a. Enumeration of Officers.** The officers of this Association shall be a President and Vice-President who shall at all times be members of the Board of Trustees. The Board may appoint other officers from time to time by resolution. A secretary and a treasurer may be appointed by the Board of Trustees as required. Such appointed officers shall not have voting rights on the Board.

**b. Election of Officers.** The election of officers shall take place at the first meeting of the Board of Trustees following each Fall annual meeting of the members.

**c. Term.** The officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year unless he/she shall sooner resign, or shall be removed, or otherwise be disqualified to serve.

**d. Special Appointments.** The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

**e. Resignation and Removal.** Any officer may be removed from office with or without cause by a majority vote of the entire Board. Any officer may resign at any time by giving written notice to the Board, the president or the vice president. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

**f. Vacancies.** A vacancy in any office may be filled in the manner prescribed for regular election. The officer elected to such vacancy shall serve for the remainder of the term of the officer he/she replaces.

**g. Multiple Offices.** The positions of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to paragraph (d) above.

**h. Duties.** The duties of the officers are as follows:

**(i) PRESIDENT:** The president shall preside at meetings of the Board of Trustees; shall see that orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.

**(ii) VICE-PRESIDENT:** The vice-president shall act in the place and stead of the president in the event of his/her absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required by the Board.

## **Section 2. Staff positions**

**Overview.** Staff may be appointed by the Board as necessary to perform certain tasks. Staff members are considered ex-officio Board Members but have no voting rights.

**Duties.** Duties of staff members are as follows:

**(i) SECRETARY:** The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, and shall perform other duties as required by the Board.

**(ii) TREASURER:** The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Trustees; shall co-sign all checks of the Association; keep proper books of account; shall cause an annual audit of the Association books to be made by a public accountant at the completion of each fiscal year; shall prepare an annual budget as directed by the Board of Trustees and a statement of income and expenditures to be presented to the membership at its regular spring meeting. A copy of such reports shall be delivered to each of the members by methods approved by the Board of Trustees.

**(iii) Others:** Other staff members may be appointed from time to time by the Board as necessary.

## **ARTICLE XII ASSESSMENTS**

**Section 1. Creation of the Lien and Personal Obligation of Assessments.** By the Declaration, each member is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges, and (2) special assessments for capital improvements. The annual and special assessments, together with such interest thereon and costs of collection thereof, as herein provided, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with such interest, costs, and reasonable attorney's fees shall also be the personal obligation of the person who was the Owner of such property at the time when the assessment fell due and shall not pass to his successors in title unless expressly assumed by them.

**Section 2. Purpose of Assessments.** The assessments levied by the Association shall be used exclusively for the purpose of promoting the recreation, health, safety, and welfare of the residents in the Properties and in particular for the improvement and maintenance of the Properties, services and facilities devoted to this purpose and related to the use and enjoyment of the Common Areas.

**Section 3. Annual Assessments.** The annual assessments or charges shall be established by the Board of Trustees in the manner herein set forth. The amount shall be based upon the anticipated operational expense for the ensuing year and any deposit to a replacement reserve fund as the Board of Trustees deems appropriate.

**Section 4. Special Assessments for Capital Improvements.** In addition to the annual assessments authorized above, the Association, with approval by the affirmative vote of a simple majority, polling to be achieved as described in Article X, Sections 3 and 4, may levy a special assessment not to exceed 5 years for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, and/or unexpected repair or replacement of a described capital improvement upon the Properties, including the necessary fixtures and personal property related thereto, in the manner hereinafter set forth.

**Section 5. Uniform Rate.** Both annual and special assessments must be fixed at a uniform rate for all Lots and shall be remitted by a date set by the Board of Trustees. In exceptional cases, such assessments may be collected on a schedule as determined by the Board of Trustees.

**Section 6. Effect of Non-Payment of Assessments: Remedies of the Association.** Any assessments which are not paid when due shall be delinquent and shall incur a late fee as established by the Board of Trustees. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at an interest rate established each year by the Board of Trustees.

not to exceed that allowed by law, the late charge will be applied, and the Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs, and reasonable attorney's fee of any such action shall be added to the amount of such assessment. Returned checks will incur charges as determined by the Board of Trustees. No owner may waive or otherwise escape liability for the assessments provided for herein by nonuse of the Properties or abandonment of their lot.

**Section 7. Subordination of the Lien to Mortgages.** The Lien of the assessments provided for herein shall be subordinate to the lien of any mortgage or mortgages. Sale or transfer of any Lot shall not affect the assessment lien.

**Section 8. Basis and Maximum Assessments:**

The maximum annual assessment may be increased each year without a vote of the membership in conformance with the rise, if any, of the Consumer Price Index published by the Department of Labor, Washington, D.C.

The maximum annual assessment for the following year may be increased above that established by the Consumer Price Index formula by a vote of the members at either of the semi-annual meetings of the Association as described in Article X, Section 4. A simple majority of those casting an authorized ballot shall constitute acceptance by membership. Notice shall be provided as described in Article X, Section 3. The limitations hereof shall not apply to any change in the maximum and basis of the assessments undertaken as an incident to a merger or consolidation in which the Association is authorized to participate under its Articles of Incorporation.

**ARTICLE XIII  
BOOKS AND RECORDS**

The books, records and papers of the Association shall be open to inspection by any member subject to limitations established by Ohio Revised Code. The Declaration, the Articles of Incorporation and By-Laws of the Association shall be available for inspection by any member and may be published on an Association web site or other Internet location.

**ARTICLE XIV  
AMENDMENTS**

This Code of Regulations, unless otherwise limited herein or by the Declaration, may be amended by the affirmative vote of a simple majority, polling to be achieved as described in Article X, Sections 3 and 4. Approved amendments must be filed with the Montgomery County recorder and/or other entities as required by law before becoming effective.

**ARTICLE XV  
DISSOLUTION**

The Association may be dissolved only with the unanimous written consent of the membership. Upon dissolution of the Association, the assets, both real and personal of the Association shall be dedicated to an appropriate public agency to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Association. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to purposes and uses that would most nearly reflect the purposes and uses to which they were required to be devoted by the Association.

**ARTICLE XVI  
MISCELLANEOUS**

The Association shall indemnify and save harmless any individual against the expense of defense of any action, suit or proceeding in which they are made a party by reason of their being or having been a Trustee, Officer, or duly authorized agent of the Association, except in relation to matters as to which they shall be adjudged in such action, suit or proceedings to be liable for gross negligence or willful misconduct in the performance of their duties. This right shall extend to all such persons, their successors and legal representatives.

**ARTICLE XVII  
COVENANTS AND RESTRICTIONS**



they are amended or terminated by the affirmative vote of a simple majority, polling to be achieved as described in Article X, Sections 3 and 4. Where covenants and restrictions are stricter than those that existed before adoption of the most recent versions, variances may be granted by the Board of Trustees on a case-by-case basis to accommodate exceptions. In any event, these covenants and restrictions shall be considered subordinate to regulatory agencies' rules and regulations should conflicts arise.

2. These covenants and restrictions shall be enforceable by injunction and otherwise by the Association, its successors, or assigns.

3. Invalidation of any one of these covenants and restrictions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

4. All lots within the subdivision shall be known and described as residential lots.

5. No lot shall be subdivided into parcels for additional residential purposes.

6. No structure shall be erected, altered, placed or permitted to remain on any lot other than one detached residential dwelling not to exceed two and one-half stories in height, a private garage for not more than two cars, and a one story utility building/shed not to exceed 150 square feet.

7. No dwelling shall be located closer than eight (8) feet to any side lot line, nor shall the sum of the side yard spaces be less than twenty (20) feet, and said structure shall not be located nearer the front lot line than the indicated set-back lines shown on the record plan. The above covenant does not include steps, eaves or open porches.

8. No trailer, tent, basement, shack, garage, barn or other outbuildings erected in this plat shall at any time be used as a residence, temporarily or permanently, nor shall any residence of a temporary nature be permitted.

9. No fence or hedge shall be permitted nearer the front lot line than the indicated set-back line.

10. No sign or billboard except professional, for sale, or political signs shall be erected on any residential lot in this plat. The size of such signs may be limited by the Board of Trustees with subsequent approval from the membership.

11. No barn, stable or other outbuilding for housing domestic animals or poultry shall be erected on the premises nor shall any domestic animals or poultry except household pets, be permitted.

12. No noxious or offensive trade shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

13. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Any lot area designed for the natural flow of surface water shall at all times be kept free from any obstructions to the natural flow of surface water, and any improvements made on any easement by the property owner are at the risk of the property owner.

14. Any area designated as "Green Area" in the Forest Ridge plats is intended for use by the home owners within the plat together with the homeowners in the various Forest Ridge plats as open areas for recreation and other related activities. Said open areas are not dedicated hereby for use by the general public but are reserved for the common use and enjoyment of the above designated homeowners in the manner set forth in the Declaration, which Declaration is incorporated and made a part of this plat.

15. Easements shown on the plat are for the construction, operation, repair, maintenance, replacement or removal of water, gas, electric, telephone, sewer or other utility lines or services, and for the express privilege of removing any and all trees or other obstructions to the free use of said utilities, and for providing ingress and egress to the property for said purpose and are to be maintained as such forever.

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# Doggie Swim!



*Tuesday, September 5*  
*6-8 pm*

## Advertising Guidelines

### Et Cetera...

#### **FREE for residents:**

- \* Garage Sales
- \* Sale of personal property valued at less than \$1000
- \* Volunteer activities

#### **FREE for residents 18 & under:**

- \* Baby / pet / house sitting
- \* Yard work
- \* Other services

**ALL other ads:** \$3.50 for residents, \$5 for non-residents

Prices are monthly and all ads run for 1 month unless specified

### General Advertising:

1/4 page: \$37 monthly; 1/8 page: \$21 monthly

5% discount for annual contracts paid in full at first billing

### **Submission Deadline for Oct. Issue: Sept. 18**

For Submissions, Contact Kristyn Funner

(937)305-2538

murmurs@forestridgeassociation.org

4720 Strathaven Dr., Dayton, OH 45424

Ad fees are nonrefundable excepting publication error

# HELP!

We are in need of volunteers to assist with collecting votes at the fall members' meeting. If you are available, please contact Chris Hummer at 513-295-5396 or [president@forestridgeassociation.org](mailto:president@forestridgeassociation.org)

### **Attention new residents**

If you haven't received your welcome packet yet, please let us know so we can bring one by! It has some useful information to help you get your bearings a little bit faster. Call Chris Hummer at 513-295-5396.



**Handyman Service:** Neighborhood resident available to perform repairs and maintenance on/in your home. Free quotes. No service charges. Reasonable rates. Have worked in the neighborhood for a few years. Can give references. Doug 937-902-4087

**Lawn Care:** Mowing, edging, and shrub trimming. Aeration and over seeding available. Ask about our 4 step lawn care special going on now. Starting at \$40 per step. We offer professional products with a personal service. Cardinal Lawn care is locally owned and operated. Call Mitch at 937-235-2413.

**Lawn Care:** Professional lawn mowing, trimming, edging, shrub trimming, mulching, seasonal clean-ups and more. Alpha Lawn & Mulch LLC contact Kraigg — 937-829-2318

**Need a night out?** I can watch your kids! Only \$10 an hour. First aid certified, references available upon request. Contact Grace Grosko at 937-367-2908

**General Handyman Services:** Any size job. Many references from the Forest Ridge area available. No job too big or too small. Call Mark at 829-1363.



★ **Monday, Sept. 4th at 4pm** ★

**Green area by the pool**

**Labor Day**

**PICNIC!**

**Games! Bouncy houses! FREE!**

★ **Bring a side dish or dessert to share** ★  
★ **And a chair or blanket to sit on** ★

**CANCELLED**

**September 16**



**Lawson's Park**

**Bring:** camping gear if you want to stay the night, a chair for by the fire, any snacks or beverages you like, insect repellent, & your friends and family!

**Provided:** bonfire wood & marshmallows

## Keep in Touch

Trustees' meeting is 7pm on the 3rd Monday of each month at Forest Ridge Baptist Church, 6890 Union School House Rd. Residents are encouraged to attend and there is an open forum near the beginning of the meeting during which anyone may address the Board.

### Trustees

Chris Hummer, President & Assets Chair	513-295-5396
Elizabeth Burke, Vice President	671-1897
Jake Bontatibus, Activities & Rec Co-chair	974-4424
Kristyn Funner, Communications Chair	305-2538
Chris Hoopes	210-464-5524
Mike Milisits, Greens Chair	554-0040
Shelton Monger, Pool Chair & Bylaws Chair	236-7362
Rick Schaub	321-0257
Lacey Soriero, Activities & Rec Co-chair	657-8721

### Neighborhood Contacts

Maintenance Manager , Chris Tooley	233-8184
Pool Manager , Ellie Monger	369-8387
Pool Office (during pool hours)	236-9691
Treasurer , Dan Freeman	237-7478
Friends of Forest Ridge, Julie Quinn	813-2266
Soccer Chairman, Jesse Morgan	723-9768
Swim Team Coordinator, Tom Groszko	219-1501
Murmurs Editor, Kristyn Funner	305-2538
Boy Scout Troop 169, Mark Jobe	237-3139

### Other Ways to Reach Us

On the web: [www.forestridgeassociation.org](http://www.forestridgeassociation.org)

Snail mail: PO Box 24750, Huber Heights, OH 45424

Find us on 

<https://www.facebook.com/ForestRidgeAssociation/>

 **Nextdoor**

[https://forestridgeoh.nextdoor.com/news\\_feed/](https://forestridgeoh.nextdoor.com/news_feed/)

The printed Forest Murmurs are delivered by Boy Scout Troop 169 and the September edition should be at your home no later than the **Sunday, September 3**. If you do not receive your copy by that date, please contact Troop Leader Mark Jobe at 237-3139 to have one delivered.