



Condominium Association

Newsletter

"A self-managed and run community composed of a volunteer Board that works to keep costs low while striving to enhance property values and provide efficient leadership through open and honest communication."

May 2024

BIRCH POINTE ANNUAL 2024 HOA MEETING

The Annual Meeting of the Homeowners Association of Birch Pointe was held on Saturday April 27th, in the lower level chapel of Skyline United Methodist Church. There were 50 Owners present for this "in person" meeting.

Secretary Donald H. McFarland called the meeting to order and introduced the members of the Community Council (aka Board of Directors) for 2023-2024.

President Cheryl McDonough reviewed issues that had arisen in the Birch Pointe community over the last year including:

1. Backflow preventers begin required by the State of Delaware
2. New Building Doors to be installed on a street-by-street basis (probably starting on Diana Drive)
3. Updating intercom systems in all buildings – parts to repair the present units are no longer available.
4. Improved street lighting – replacing incandescent lamps with brighter LED lamps.
5. Crime in the community – most reported incidences have been "domestic" in nature. There have been a minimal number of calls to New Castle County Police. She further reminded those present that our streets are "public" thoroughfares (a decision that allowed the cost of street maintenance to be paid by the State) and that traffic incidents in Birch Pointe are strictly between the drivers and their insurance companies. Further, she reiterated that Delaware is an "open carry" state in which it is legal for someone to openly carry a firearm in public. As long as the firearm is not being used to commit a crime, or concealed with the proper permit to do so, it is allowed by Delaware statute.
6. The source of many complaints in the community have been the result of issues with rental units. Complaints about parking issues and pet issues as well as domestic disputes have been the primary source of concern. Owner-landlords are promptly contacted if an issue involving a rental unit is brought to the attention of the Board.
7. Social Media postings on various platforms should be considerate and modest with regard to incidences or issues in the Birch Pointe community. It is never appropriate to make statements that are not based on facts and in many cases, have caused emotional distress to families who were affected by the incident(s) being commented on.

State Representative Mike Ramone was presented and spoke briefly about issues that have been of concern in Birch Pointe.

1. The community has been "victimized" by erosion due to water run-off from the former golf course. Through his efforts on behalf of Birch Pointe, the State of Delaware has funded a project to remediate the slopes of the community to prevent further damage. Due to the approval for the construction of 60 new homes along Skyline Drive, on property that was the Three Little Bakers golf course, the work in Birch Pointe must be held until the developer's plan for handling water run-off is approved and accomplished.
2. New lighting on Fairmont Drive, leading into Birch Pointe, has been approved and funded by the state.
3. Stoney Batter Road and Mill Creek Road intersection will reopen on 4/29/2024 with a new "roundabout" traffic circle replacing the confusing intersection.
4. The State Legislature is in recess at this time so that committees can prepare bills to support capital improvements and funding for current and future projects.
5. Mike said to please call him anytime there is a need for his help; "my job is to help the communities I serve."

Donald McFarland – Assistant Treasurer for Receivables, reviewed the Finances of Birch Pointe for 2023 and the 1st quarter of 2024 with the following highlights:

Closing Balances as of 12/31/2023 were:

- Operating Fund = \$184,068.67
- Operational Reserve = \$5,490.96
- Reserve Fund = \$464,378.92

In general, 2023 was as expected in terms of income and expenses. There were savings due to the lack of snow removal expenses. Due to unplanned expenditures, a hold was placed on capital improvements that had been planned for the year.

Moving into 2024, income has been as expected but there are some challenges in budgeted items:

1. Snow Removal expenses were over budget by \$7,525.00.
2. Sewer Charges were slightly under budget at 98% of planned expense. Other utility costs to date show that Water is at 37% of the budget and Electric is at 41% of budget.
3. Pest control expenses are now at 59% of the budget.

The Finance team is carefully monitoring these expenses versus the budget. These are costs that impact the monthly HOA fees and could impact the budget planning for 2025.

The Finance Team worked with M&T Bank to achieve increased interest earning on the Reserve Fund. That fund is now earning 4% interest, paid monthly. Additionally, any invoiced charges for services that can be paid via the BP-Business Credit Card result in "cash-back" savings also.

The Board hopes to support capital improvements in 2024 by moving forward with building door replacements and intercom system upgrades. The renewal of decks will continue and two decks are being done on Claremont in an "experimental project" to do the work from the inside of the unit. (Due to the steep cliff behind units on Claremont, the deck work must be done by the crew working from inside the unit.) More details on this effort will be reported soon.

The "Backflow Preventer" requirement by State code enforcement of the Safe Drinking Water Act and monitored by Artesian Water Company, will be met shortly by Birch Pointe. 20 backflow preventers, designed and installed to prevent sewage from entering the drinking water system, has been contracted with PipePros Plumbing and Jetting Company – a certified plumbing contractor approved by Artesian. The cost of the project is \$44,278.80 and will begin on or about May 8. This work was an unplanned expense that will be paid by the 5-01-2024

Reserve Fund.

An audit of all HOA Accounts is underway. The timely payment of HOA fees is critical to the life of the Birch Pointe community and the work paid for by those fees improves and protects the quality of life and value of owner investments in their units. The audit of all accounts is necessary to provide an accurate statement for all owners of their account status and will result in continuing efforts by the Financial Team to recover all overdue amounts. Recognizing that there may be events in an owners' life that impacts their personal finances, it is recommended that an owner contact either Don McFarland or Debbie Hook (Assistant Treasurer for Payables) and make them aware of any issue that causes financial difficulty. The team is willing to help find solutions that do not require legal recovery actions. Without information or communication, we must proceed to guard against income shortfalls by following through with legal action to recover unpaid fees.

Operating Accounts as of 4/27/2024 are:

Operating Fund - \$123,245.44

Operational Reserve - \$5,491.24

Reserve Fund - \$569,725.67

REAL ESTATE MARKET – BRIEF 20223 REVIEW

For 2023, there were 31 units sold in Birch Pointe. As of 4/27/2024, only 2 units have been sold. A unit on Haley may be coming on the market as of 4/28/2024.

Open Floor for Q&A

The floor was then opened for general questions by owners attending.

1. What will be done about water erosion?

Most likely there will be retaining walls built to secure steep hillsides. Beyond that, the project is under the control of the State of Delaware.

2. "Bug" Issues (pest control) – a unit owner on Birch Circle brought a peculiar problem to the attention of the community. The Board will have the pest control contractor investigate a solution.
3. Parking Concerns on the lower end of Birch Circle – there appear to be fewer guest spaces than previously. The Board will investigate.
4. Tree concerns – our grounds-keeping contractor annually inspects the community for preventing trees from impacting buildings and makes recommendations regarding their findings. Generally, the Board will quickly approve those recommendations.
5. There was a question regarding the 2023 Annual Meeting approval of a motion to offer Officers and Members-at-Large a discount on their HOA fees while serving the Birch Pointe HOA. That motion was presented, discussed, amended and approved unanimously by those attending the 2023 Annual Meeting and the report of that meeting included notice of the approval of the motion. This discussion was concluded with a further approval by the majority of members of the Birch Pointe HOA in attendance.
6. There was a lengthy discussion of the investigation of security cameras for Birch Pointe. After a presentation and explanation by Taylor Rapuano, those in attendance expressed their desire to NOT have security cameras at this time.

This was followed by the announcement of election results for 2024-2025.

Elected for 2024-2025 were:

Cheryl McDonough, John Taylor, Donald McFarland, Debra Hook, Susan Yeatman, Lee Long and Taylor Rapuano. Mary Sklar and Ali Henkle were elected to be "Juried Alternates."

The Annual Meeting was adjourned at 12:00 PM.

Officers Serving Birch Pointe HOA Board of Directors for 2024-25

| | |
|------------------|---|
| Cheryl McDonough | President |
| John Taylor | Vice President |
| Don McFarland | Secretary/Asst. Treasurer for Receivables |
| Debbie Hook | Assistant Treasurer for Paybles |
| Susan Yeatman | M-a-L, Welcome Liaison |
| Lee Long | M-a-L |
| Taylor Rapuano | M-a-L |
| Mary Sklar | Juried Alternate |
| Ali Henkle | Juried Alternate |

BACKFLOW PREVENTERS BEING INSTALLED

The State required installation of Backflow Preventers on all Building water-inlets in Birch Pointe will begin on Wednesday, May 8, 2024 at 8:00 AM.

5/8/2024 - Starting on Haley Court at 8:00 AM - 4:00 PM. Work will proceed building-by-building with water being shut off for approximately 2.0 hours at any time. There will be 2 crews on site, each working on two buildings at one time (ex. Crew 1 at 3300-3400 Haley and Crew 2 at 3500-3600 Haley). The project-work will continue onto each succeeding street in the community – moving from Haley Court to Birch Circle and then progressing to Diana Drive and finally, Claremont Court. A similar schedule will be followed for Thursday, May 9 and Friday, May 10.

Please be aware that your water will be shut off, and be off for approximately 2 hours, at some point during this project, as each street in the community will have the required devices installed during the hours of 8:00 am to 4:00pm.

April 2024 Board Meeting

Held virtually on 4-16-2024 via Zoom

The Meeting was called to order by President Cheryl McDonough at 6:30 PM. The following items are the official minutes of the meeting.

1. The meeting opened with a presentation by Chris Wess of Flock Safety regarding a proposal for installation of security cameras at the entrance of Birch Pointe. The Board asked questions and received clarification of the features and capabilities of the proposal. Details of the proposal will be provided via email.

2. Following the Presentation, the board had a lengthy discussion regarding security camera options including a proposal received from Advanced Security. It was decided to present a "big picture" at the upcoming Annual Meeting of the HOA regarding the proposed measure to increase security for the community without going into particulars of the proposals received thus far.

5-01-2024

3. Don McFarland reviewed the finances for March and April, there were no questions regarding the report. Don Further reported that the Ballot Instructions, actual Ballot, and Candidate Bios for the upcoming elections, would be emailed Tuesday evening, 4/16/2024 immediately following the Board meeting.

4. Cheryl McDonough then led a discussion of items to present to the HOA at the Annual Meeting to be held on 4/27/2024 including Intercom upgrading and new building doors to be installed on Diana Drive. Additionally, there will be reminders of the Code of Conduct for Birch Point including pets, parking, window treatments and brighter street lights. Susan Yeatman will have sign up sheets for the Annual meeting and Don will provide an agenda (to be approved by Cheryl) and copies for the meeting as well as additional blank ballots, if needed.

5. The next meeting of the Board will be sometime after the Annual Meeting. Cheryl McDonough will send Zoom invitations for that meeting.

Real Estate Status: Online resources such as Realtor.com, Trulia, Zillow, Estatefy, etc.

(2) Units recently sold, both were on Claremont Court. 1 unit has come on the market on Haley Court.

When moving, PLEASE inform Don McFarland if you are on Birch Pointe's ACH program so that future automatic bank debits can be canceled. Once DUCIOA forms are requested, any scheduled ACH draws should be discontinued if possible. Current owner monthly payments can be made at closing by check, still at the \$300 ACH discounted rate. Contact dmcfarland@birchpointe.net, if there are any questions or concerns.

Note also that **parking hang tags for units being sold are to be returned to Jules**, not handed to new owners directly or to real estate agents. Tag numbers are associated with specific vehicles for security and tracking purposes. If the existing protocol is not followed, confusion may well result regarding undocumented cars and their actual owners if the new information is not provided. **This procedure applies to units which are rentals: tenants moving out should do likewise and turn over their tags.** Remember that replacement fees for reissue of a hang tag is \$50. Your cooperation is most appreciated!

Note:

- Requests for DUCIOA and/or Fannie Mae lender forms needed for property transfer should be directed to Don McFarland. There is a current fee of \$100 for either of these.
- **Birch Pointe has a policy regarding investors to protect the interests of ALL owners which must be disclosed to potential buyers, either directly by the seller or by his/her realtor. The document outlining this policy – established in 2013 – is available on our website.**

Treasurer's Report:

April 2024 Financials

▶ **Operating Account**

Beginning Balance: \$127,405.60
Inflow – Operating Income: \$ 83,580.00
Inflow – One-time Transfers (from ORA*): \$ 0.00
Outflow – Operating Expenditure: \$ 87,057.08
Outflow – Capital Expenditure: \$ 0.00
Outflow – One-Time Transfer (to RA*): \$ 0.00
Ending Balance: \$ 123,729.52

▶ **Operational Reserve Account (ORA)**

Beginning Balance: \$ 5,491.24
Inflow – Periodic Transfers: \$ 0.00
Inflow – Interest: \$ 0.09
Outflow – Periodic Transfers*: \$ 0.00
Ending Balance: \$ 5,491.33

► **Reserve Account (RA)**

Beginning Balance: \$ 569,725.67
Inflow – Periodic Transfers: \$ 0.00
Inflow – Interest: \$ 1,128.64
Outflow – Periodic Transfers: \$ 0.00
Outflow – One-time Transfers: \$ 0.00
Ending Balance: \$570,854.31

BIRCH POINTE DIRECTORY / IMPORTANT NUMBERS

► **GENERAL PROPERTY MANAGEMENT QUESTIONS**

Jules Litchfield – phone: (302) 277-7978; e-mail: jlitchfield@birchpointe.net

► **MAINTENANCE ISSUES AND QUESTIONS**

Maintenance (Jules) – e-mail: maintenance@birchpointe.net

► **ACCOUNT STATEMENTS / HOA FEE OR ACH QUESTIONS**

Don McFarland – e-mail: dmcfarland@birchpointe.net

► **HOA BOARD PRESIDENT**

Cheryl McDonough – e-mail: cmcdonaugh@birchpointe.net

POINTE CONDOMINIUM ASSOCIATION CENSUS FORM

P.O. Box 1195 Hockessin, DE 19707

Unit Address: _____ Number of Persons Residing in Unit: _____

Legal Owner's Name: _____

E-Mail Address: _____

Legal Owner's Mortgage Company: _____

Legal Owner's Vehicle Insurance Company: _____

Legal Owner's Condo/Homeowners Insurance Company: _____

Legal Owner's Phone Number(s): _____
Home Work / Mobile

If Non-Resident, Mailing Address: _____

Tenant(s) Full Name(s) and Phone Numbers:

| Name | Home Number | Work / Mobile |
|-------|-------------|---------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Emergency Contact Info: _____
Name Phone

Vehicle(s) Owned by Occupant(s):

| Year | Make / Model / Color | State & License Plate Number |
|-------|----------------------|------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Pet(s) in Unit: _____
Size / Breed

**** NOTE: Renters are NOT permitted to have pets/animals while residing in Birch Pointe ****

Are you currently in possession of the Rules and Regulations of the Birch Pointe Condominiums? Yes / No

If a unit is a rental, it is the duty and responsibility of the owner/landlord to notify the Management/Board and advise all tenants of the Rules, Regulations and Code of Conduct of Birch Pointe Condominiums

I understand that the above information is for the sole use of Birch Pointe Condominium Association and its authorized agents in maintaining the community and providing emergency services. I also acknowledge that I must notify Birch Pointe Management if there are any changes in this information and/or if my unit is rented or sold.

Direct Payment Plan Overview

A smart and easy way to automate your payment with Direct Payment.

Direct Payment is a repetitive payment between businesses and consumers that enables the service provider to deduct scheduled payments from the customer's checking or savings account. It's a dependable, flexible, and convenient process that does not require the consumer to use a computer or access the internet.

With Direct Payment, you will:

- Save time by having one less check to write
- Reduce postage costs with one less bill to mail
- Eliminate late fees or charges by making payment(s) automatically

How does Direct Payment work?

You (the customer) will authorize regularly scheduled payments to be deducted from your checking or savings account by completing and submitting an authorization form. Payments are originated one business day before the specified day that they are due. Direct Payment is usually a repetitive payment that will remain in effect until the customer terminates the authorization. It's just that simple!

What is ACH?

The Automated ClearingHouse (ACH) Network is a nationwide system that processes electronic payments on behalf of depository financial institutions. The ACH Network was established in the 1970s as an electronic substitute for recurring check disbursements and collections. The ACH system is designed to serve all depository financial institutions, regardless of size, on an equitable basis. The system uses batch processing which costs less than on-line, real time processing systems. This feature makes ACH payments less expensive than other electronic payment methods such as wire transfers, and allows many financial institutions to participate.

Direct Payment Plan Authorization Form

1. Mark the box of the type of account from which payment will be deducted, either a checking or savings account.
2. Fill in your name, unit number/address, financial institution information, and date.
3. Indicate what day of the month funds should be withdrawn and if this is for a monthly or 6-month pre-pay draw.
4. Attach a voided check for verification of all financial institution information.
5. **Be sure to sign the form!**

AUTHORIZATION FOR DIRECT PAYMENT

I authorize Birch Pointe Condominium Association to initiate electronic debit entries to my:
(check ONE)

checking account OR savings account

for payment of my condominium fee(s) on or about the day of the month selected below, as well as any late fees, fines or assessments that are assessed (returned ACH fee, census non-completion fine, general fines, etc.).
This authority will remain in effect until I have canceled it *in writing*.

Processing date **(check ONE)** 1st of month 11th of month 21st of month
(ONLY these dates are available)

Processing schedule **(check ONE)** monthly 6-month pre-pay

Starting month for regular HOA payments

Unit ID (e.g. 5001BC, 4005HC, 5203DD) and phone

Financial Institution / Bank Name

(Please Print Neatly!)

Account Number at Financial Institution

Financial Institution Routing/Transit Number

Financial Institution City and State

Signature _____ Date

PLEASE KEEP A COPY OF THE AUTHORIZATION FOR YOUR RECORDS

Please mail to: Birch Pointe Condominium Association, P.O. Box 1195, Hockessin, DE 19707

Attach Voided Check Here