
GRANDE HILLS ESTATES

Volume 17, Issue 3

P. O. Box 395, Bush, LA 70431

www.grandehills.org

August 2014



SECOND MEMBERSHIP MEETING FOR 2014

MARK YOUR CALENDAR, SATURDAY, AUGUST 16, 2014 at 10:00 A.M., there will be a membership meeting for Grande Hills Estates Homeowners Association, Inc. The meeting will be held at the Bush Fire Station on Hwy. 21. As always, the Board values your time and will try to do our best to make the meeting quick, clear and concise to the critical points of discussion. We look forward to your attendance and feedback.

A big welcome to all of our newcomers. We look forward to meeting you at our upcoming meeting.

Our guest speaker will be Mr. Todd Kraft, candidate for constable. He requested the opportunity to speak at one of our meetings.

AGENDA ITEMS

Any items for discussion to be placed on the agenda for the membership meeting can be forwarded to the website or mailed to the Association by **AUGUST 14, 2014**.

ASSOCIATION'S BOOKS

The Association's official books will be available for inspection one hour before the meeting. Board Members will also remain after the meeting for any additional review as necessary.

STATUS OF LAWSUIT

See Attachment

LAKE USE

It has been brought to the attention of the Board of individuals, who are not association members, fishing at the lake. Any guest(s) you wish to invite, to make use of the lake, must be accompanied by the inviting association member. This is necessary due to our lake rules and insurance.

The board is looking into placing additional signs at the boat launch and the dam to remind and advise members and guests of this rule.

Please remember there is no parking on the dam, as per the posted signs. Access to the boat launch and lake parking requires a key. This key is non-transferable. Please do not give your key to others and do not pass it to new members. Please turn the key in when no longer needed.

Keys can be obtained by contacting A.J. Ostarly at 504-258-7626. A \$10.00 deposit is required, which is refundable when you turn in your key. Keys are not to be given to anyone not living in our subdivision. Please note that your key is numbered, assigned to you only, and cannot be duplicated. Please remember this is a voluntary position, so please allow sufficient lead time to obtain a key and timely consideration when calling.

Your cooperation with these matters is sincerely appreciated.

LAKE RULES

The following are specific requirements for use and conduct pertaining to the 55 acre Grande Hills Estates Lake.

1. 4.2.4 No jet skis or boats powered by gas or diesel combustion motors shall be allowed on the lake at any time. Boats with electric trolling motors only will be allowed.
2. 4.2.5 Only members, their families, and their accompanied guests shall be allowed to use the 55 acre lake in Grande Hills Estates.
3. 4.2.6 All of those not covered above in Section 4.2.5 will be considered trespassers.
4. 4.2.7 All children under the age of 12 years old shall be accompanied by an adult.
5. 4.2.8 Life jackets are required when on the water.
6. 4.2.9 Fish are to be taken by hook and line only.
7. 4.2.10 Swimming is at your own risk.
8. 4.2.11 No littering.
9. 4.2.12 Hours of use are from daybreak to sundown.

Thank you for your cooperation in following these rules.

CRAWFISHMAN TRIATHLON

Sunday, May 4th was a beautiful spring day in Southeast Louisiana and the date for the 31st edition of the Crawfishman Triathlon produced and directed by Mark Salvetti. The race consists of a 1,000 yard swim, an 18 mile bike ride and a 4 mile run, and nearly 360 athletes competed in this

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year's event. The event is held inside of the Grande Hills Estates subdivision north of Covington in Bush, Louisiana. Mark's friends come together to help him every year, this year there were a few Sterling Properties volunteers out on the water or on the land giving help to the athletes as they swam/biked and ran their way to the finish line.

Every year the race proceeds are donated to two main organizations, Have a Heart Thru Art and the Mary Bird Perkins Cancer Research Center. Each of those groups as well as many of the sponsors of the race come out race day to take part, cheer, hand out water and just have a great time. Donations this year are expected to be similar in past years where upwards of \$10,000 or more have been donated in any given year. Since the inception of the race over \$100,000 in donations have been made to individuals in need as well as many local organizations. Next year's date is Sunday, May 3, 2015 which is the second Sunday of Jazz Fest.

Mark Salvetti

SPEEDING

There was an incident in the subdivision where a homeowner was nearly hit by a vehicle while cycling. Please take caution and abide by the speed limit signs as many folks walk, jog and cycle in our subdivision.

GRASS CUTTING

Members have brought it to the Board's attention that some members, when cutting their grass, are leaving grass cuttings in the street which can become a safety issue when cycling, jogging and walking. The members have requested that you please blow the grass cuttings off the street.

ASSESSMENTS

Thanks to all for submitting your yearly assessment and for the most part on

time. A few reminders had to be sent, but for the first year in a while it was not necessary to take any to small claims court. We received through the bankruptcy court one of the two assessments that was in bankruptcy. As of this date we are current on all assessments with the exception of one bankruptcy settlement still pending.

As a reminder for 2015 assessments, please remit on time as every time we have to send out reminder notices it costs your association more money.

Thanks again.

SANITATION COMPANIES

The sanitation companies that currently service our subdivision are:

Progressive Waste Solutions of LA, Inc., 310 Howze Beach Ln, Slidell, LA (985) 781-3171

The following sanitation company will service our area if they receive requests from at least 50 customers:

Pontchartrain Waste Services, P. O. Box 1975, Covington, LA 70434, (985) 892-0569. If interested, call Brandon Sharp, Owner.

DEED RESTRICTIONS UPDATE

The Articles of Incorporation, By-Laws, and Architectural Rules and Regulations have all been amended and declared valid by Judge Knight. Our Deed Restrictions are from 1984, when Grande Hills Estates was first developed. This document is the last of our legal set of documents that need to be reviewed to make sure our community is everything it needs to be. The Association would like your input on updating the Deed Restrictions for Grande Hills Estates. It was requested at the January meeting that members please review the deed restrictions found on the GHEHA website and give input on any

changes that the membership would like to vote on. Some suggestions received from members, in particular, are raising the minimum living square footage from 1500 sq. ft. to 2200 sq. ft.; changes to animal requirements; retribution of lawsuit costs.

The Act Creating Deed Restrictions states that any provision of the Deed Restrictions may be amended by 51% in land area in order for the provision to be amended. It is important for the members to participate in the voting process. Let's strive for 100% participation in deciding how this document should be amended.

You may send an email to the website or mail suggestions to the Association. We welcome your input. This subject will be discussed at our next membership meeting, on August 16, 2014.

VOLUNTEERS NEEDED

We are always looking for volunteers to assist on many of the committees. If you are interested in volunteering a little time and meeting new friends in your community, please call one of your Board of Managers so we may add you to the list of volunteers. We need your help in our community.

Committees:

Architectural Committee
Landscape and Maintenance Committee
Welcome Committee
Lake Committee
Liaison Committee

GHEHA ARCHITECTURAL CONTROL COMMITTEE

As stated in the Grande Hills Architectural Control Committee Rules and Regulations, all plans for building structures, additions, fences, pools, etc. are to be submitted to Travis and Jessica St. Pierre, Chairpersons, at (985) 886-6038 or (504) 390-2177, to

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the Board through the Association's website or P. O. Box 395, Bush 70431. Once the GHACC receives the required documents and approves the plans, a Certificate to Proceed will be issued.

ST. TAMMANY PARISH BUILDING PERMITS

Please make note that the Parish requires a building permit for any construction over 100 sq. ft.

BOARD OF MANAGER MEETINGS

If any member has a matter that needs to be brought before the Board, please call one of your Board of Managers for the date of the next board meeting so you may attend.

With family commitments, school activities and full-time jobs, it is very difficult to schedule ahead of time monthly board meetings for the year. For this reason, the Board requests that you give us a phone call and we will gladly let you know when the next board meeting is scheduled.

LITTER IN GRANDE HILLS

The Association continues to receive complaints from members about trash being thrown in ditches and on property in Grande Hills.

If you should see anyone littering please report this to Constable Woody Crawford, (985) 886-3439. Please alert any construction workers that may be working on your property to place their trash in a garbage can.

Change of Address?

Please help the Association keep track of new ownership, changes of address, and telephone number changes. Any changes should be directed to Board Member Ron Trupp.

EMAILS TO GHEHA

An email can be sent to the Association by going to www.grandehills.org and selecting "Contact Info." This procedure will avoid any viruses being sent to the Board's email address.

Please use the website for email transmittals and do not send emails from your email address to the Association's website.

Any questions should be directed to your Board of Managers:

Steve Roberts, 985-809-6279

Bonnie Hebert, 985-867-9137

Judy Coker, 985-893-0858

Ron Trupp, 985-809-1180

Susan Chartier, 985-809-1455

STATUS OF LAWSUIT

22ND JUDICIAL DISTRICT COURT FOR THE PARISH OF ST. TAMMANY
STATE OF LOUISIANA

DOCKET NO: 2009-15391

DIVISION: "J"

ERIC J. LOWE, DR. CRAIG GUIDRY, TOM VERMILLION,
MARY LEE OLIPHANT-WOOD, AND BETTY SHACKLEFORD

VERSUS

RONALD TRUPP, JUDY COKER AND GRANDE HILLS ESTATES HOMEOWNER'S
ASSOCIATION, INC.

This matter came before the Court on May 5 and 21, 2014 for bench trial. This suit arises from a dispute between residents of the Grande Hills Estates subdivision in Waldheim, Louisiana and certain named members of the board of Grande Hills Estates Homeowners Association, Inc. While certain matters relative to this litigation were resolved previously by a motion for partial summary judgment, several issues remained for decision by the Court. Those issues are as follows; whether or not the members of the Board of Grande Hills Estates Homeowners Association, Inc. should be enjoined from being re-elected for a period of five years pursuant to LA R.S. 12:224(H); whether the alterations made to the Grande Hills Architectural Control Committee Rules and Regulations should be declared null; whether certain provisions of the Deed Restrictions should be declared unenforceable and whether defendants' request for sanctions against plaintiffs pursuant to LA CCP Article 863 is well-founded. Additionally, defendants urged an exception of prescription on the eve of trial, arguing that specified paragraphs of Plaintiffs' Second Amending and Supplemental Petition alleging acts by the Board were prescribed.¹

A final judgment of this lawsuit was issued by Judge William J. Knight on 7/24/2014.

JUDGMENT

These matters came to be heard on May 5, 7, and 21, 2014 pursuant to prior assignment.

*Present were: William M. Magee, attorney for the defendants
Frank J. DiVittorio, attorney for the plaintiffs*

Considering the foregoing Reasons for Judgment;

IT IS ORDERED, ADJUDGED, AND DECREED that defendants' Motion to Examine Judgment Debtors is denied.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that plaintiffs' claims for removal of members from office for gross abuse of authority and discretion; namely, Bonnie Hebert, Judy Coker, Ronald Trupp and Richard Steve Roberts of the Board of Directors of Grande Hills Estates Homeowners Association and enjoining them from being re-elected are denied.

IT IS ORDERED, ADJUDGED, AND DECREED that plaintiffs' claim for a declaration that the alterations made to the Grande Hills Architectural Control Committee Rules and Regulations by the Board of Managers in 2004 and 2010 are invalid is denied.

¹ Reasons for Judgment, filed 6/11/2014

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that plaintiffs' claim for a declaration that property within the Grande Hills Estates Subdivision is free from any and all restrictions due to abandonment is denied.

IT IS ORDERED, ADJUDGED, AND DECREED that defendants' reconventional demand for sanctions and attorney's fees against the plaintiffs are denied.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that defendants' Exception of Prescription is rendered moot. Each party is to bear their own costs of this proceeding.

JUDGMENT SIGNED in Covington, Louisiana, this 24th day of July, 2014.²

In the first paragraph of this article is a reference to a motion for partial summary judgment. One of the claims in plaintiffs' lawsuit was to declare null and void the 2003 Restated Articles of Incorporation and the 2006 Amendment to the 2003 Restated Articles of Incorporation and the Amended and Restated By-Laws. GHEHA filed a Motion for Partial Summary Judgment attaching ratifications signed by the members covering over 2/3's acres ratifying these amendments. This motion was heard in court on 8/27/2013. Judge Knight granted GHEHA's motion as it pertained to the amended documents declaring the amended Articles and By-Laws as valid and enforceable and dismissed plaintiffs' claims to have these documents null and void at plaintiffs' cost. The plaintiffs filed a Motion for a New Trial (rehearing of the motion) which was denied in a judgment dated 1/27/2014. Since payment for court cost was never recovered from Plaintiffs in this matter, GHEHA had to file a Motion to Examine Judgment Debtor to collect the court cost awarded GHEHA in the judgment rendered 1/27/2014. GHEHA received payment from plaintiffs in the amount of \$926.33 on April 14, 2014, which was before the Motion to Examine Judgment Debtor was scheduled to be heard in court.

Regarding GHEHA's request for sanctions and attorney's fees against the Plaintiffs, the board felt the members should be reimbursed for all of the attorney fees that the Association has had to expend for legal representation due to the lawsuit filed by the Plaintiffs. Judge Knight denied this request. He ruled each party to pay their own costs. Our counsel advised it is rare for a state judge to issue sanctions and attorneys' fees.

The Board of Managers is thankful this lawsuit has concluded. We as residents and association members of Grande Hills Estates are fortunate to have and reside in such a distinctive, wonderful, scenic and people friendly community. We must come together, as association members, and focus on moving forward for the '*betterment of our community*' to protect: our property values, our lifestyle and the aesthetic value of our neighborhood.

The Reasons for Judgment filed 6/11/2014 and the Judgment filed 7/25/2014 can be found on GHEHA's website, www.grandehills.org

² Judgment, filed 7/25/2014