

PRESIDENT'S MESSAGE

Dale Wood

A MESSAGE FROM THE BOARD OF DIRECTORS

Several changes have occurred on the Board of your Homeowners' Association. Additionally, a couple of "hotly" discussed issues have been taken up by past and present Board members that require clarification.

The purpose of this message is twofold. The first is to provide the general membership with the details surrounding these subjects. The second is to reiterate the Board's commitment to continue working to maintain and improve conditions in Eden Isles.

With regards to changes on the Board, Jim Cunningham and Carol Hopson have resigned from the Board. These vacancies have been filled and the Board has elected new officers. The new Board is as follows:

President - Dale Wood
Senior Vice President - Ray Miller
Programs Vice President - Sheila Barger
Fund Raising Vice President - Colin Normand
Secretary - Christie Stubbs
Treasurer - Don Tesdell
Director - Tony Accardo
Director - Gary Carter
Director - Tom Thompson

With regards to the issues requiring clarification, the Board has been discussing the lawsuit that the Association is involved in and the Article in the Association's By-laws dealing with an Audit Committee.

CHANGES IN THE BOARD

For some time, members of the Board and the Advisory Committee have been concerned about vacancies on the Board.

Article V of the Association's Articles of Incorporation call for a Board of:

" ... not less than nine (9) members to be elected at a general meeting of the members ... "

Article 4 - A of the Association's By-laws states that the Board:

" ... shall consist of nine (9) Members in good standing elected by the General Membership ... "

Article 5 - G - 9 of the Association's By-laws states that:

" ... a vacancy on the Board of Directors shall be filled by appointment of the Board ... "

!!! DAN MILHAM IS COMING !!!

WDSU Channel 6 Weather personality, Dan Milham will be the guest speaker at the Homeowner's meeting on July 30. Dan will give us our hurricane update for this season and be available to answer your weather questions.

HOMEOWNERS

MEETING

Tuesday, July 30, 2002

Tammany Yacht Club

7:00 PM

These provisions were brought to the attention of the Association's former President, Jim Cunningham, on several occasions. However, at a special Board meeting held on May 22, 2002, Jim suggested that the vacancies that existed at that date not be filled. In paraphrasing Mr. Cunningham's comments, the minutes from that meeting, state that "... it is probably better to wait until later in the year to fill these vacancies"

This action was in clear violation of the Association's Articles of Incorporation and By-laws. Although the Board has a great deal of discretion in managing the affairs of the Association, it cannot overtly choose to violate the rules that govern the Association. The Association's Articles of Incorporation and By-laws are our "Constitution." The Board and the membership should make every attempt to interpret it correctly and to follow its provisions.

It should be noted that there are provisions in Louisiana law that provide a means for the Board to conduct Association business with less than nine members. These provisions are to be followed on an interim basis. They are not a substitute for the nine-member mandate in the Association's Articles of Incorporation and By-laws.

At the May 28 general membership meeting, Louis Pendarvis, a former Association President, moved to have the Board positions filled. This was simply an effort to bring the Board into compliance with the nine-member mandate. The minutes for that meeting describe the event as follows:

"Louis Pendarvis ASKED PERMISSION (emphasis added) to offer some new business. He talked about two vacancies on the board and said the new the board had lost two members, Ann Courrege, who has moved and Lee Laurent. At that point he nominated Colin Normand for one position. Then another gentlemen immediately nominated Dale Wood who had resigned as President in January. Tom Thompson asked Dale Wood if he would accept a nomination and Dale Wood responded that he certainly would. Jim Cunningham asked if there were other nominees at this time. There were none Cunningham said he would invite these nominees to visit our next Board meeting on June 3."

For those that were not in attendance at the May 28 meeting, it should be noted that the minutes make no mention of the fact that the general membership voted by acclamation to accept the two nominees and make them members of the Board.

At the June 3rd Board meeting, Dale Wood made an attempt to put a motion on the floor which was objected to by Tom Thompson. Tom declared that Colin Normand and Dale Wood were not members of the Board until they were accepted by the Board. However, later in the meeting, a vote was taken by the Board to accept the vote of the general membership and fill the vacancies on the Board. In any event, the two vacancies on the Board were filled and the nine-member mandate expressed in the Association's Articles of Incorporation and By-laws was complied with.

At the Board's July 1 meeting, Jim and the Association's Secretary, Carol Hopson, resigned. Jim reviewed his resignation letter at the meeting. He cited a "split" in the Board initiated by Dale Wood as being his reason for resigning. He indicated in his resignation letter that "... Dale is using the striping of the south lane of Eden Isles Boulevard as his main issue in splitting the board ... " and that he did not "... need this harassment from Dale Wood" Carol announced her resignation following Jim's announcement.

The Board believes that Jim's resignation was a reaction to a letter dated June 20. The letter was sent to Jim by A MAJORITY OF THE BOARD - not just Dale. The letter stated, in part:

"The purpose of this letter is to express the concern of A MAJORITY (emphasis added) of the Association's Board members that you have, on several occasions, exceeded your authority as the President of the Association."

"WE (emphasis added) note that several decisions have been made without the approval or even consulting a majority of the Board. This is in direct conflict with the Association's Articles of Incorporation and By-laws."

For Jim's convenience, the June 20 letter recited portions of the Association's Articles of Incorporation (Article V) and By-laws (Article 4 - B). These documents clearly point out that the management of the Association is the responsibility of the Board of Directors and not that of the Association's President.

In drafting the June 20 letter, the MAJORITY that signed the letter did not want to belabor all of the examples where it felt that Jim had usurped the Board's management responsibilities. Instead, the MAJORITY that signed the letter opted to give a single example. The letter states:

"BY WAY OF EXAMPLE (emphasis added), it has come to our attention that you negotiated the striping of Eden Isles Boulevard with Parish officials. This was undertaken without a consensus from a majority of the Board as to how the Boulevard was to be striped."

Jim and Carol's resignations left the Board short two members. The Board was also lacking a President and a Secretary. To rectify this situation as quickly as possible, a majority of the Board consulted with each other. Of primary concern was the fact that the loss of the President and the Secretary precluded the Board from paying its bills.

Article 5 - F - 4 of the Association's By-laws states that the Association's Treasurer "... shall sign all checks drawn for Association business after approval by the Board of Directors and countersigned by the President or Secretary." In essence, two signatures are required on every check. The only remaining signatory was the Association's Treasurer, Sheila Barger. (Note - Sheila became responsible for the Association's Secretarial duties upon Carol's resignation. Subject to being replaced by a majority vote of the Board, her assumption of the Secretary's duties is mandated by Article 5 - F - 6 of the By-laws.)

A majority of the Board attempted to formally meet to resolve this issue promptly. The earliest possible date to meet was the Monday following the 4th of July holiday weekend. Sheila (the Association's acting Secretary) was asked by a majority of the Board to e-mail the Board members requesting an emergency meeting on July 8. Affirmative responses were received from all except Gary Carter and Tom Thompson.

On July 8, Gary sent an e-mail to Sheila apologizing for not responding earlier to the request for a meeting. In his e-mail, Gary declared that "... in accordance with Article 5, Paragraph B of the bylaws ... " that he was "... President of the Eden Isles Homeowner's Association." He further declared that "... in accordance with Article 1, Paragraph C of the bylaws, the President is the only member authorized to call a special meeting and then only after the approval of the majority of the board members."

Gary was not aware that a majority of the Board had indeed asked for a meeting. He assumed that only Sheila was requesting a meeting because the e-mail calling for the meeting was sent by her. Additionally, Article 1 - C to which he referred deals with calling special meetings of the general membership. It does NOT apply to meetings of the Board of Directors. Furthermore, due to Jim's resignation, the position of President became subject to a "replacement" clause in the By-laws.

Article 5 - B - 2 of the By-laws articulates the replacement clause. That Article states:

"In the absence of the President, his/her duties, powers, and responsibilities shall be passed to the Senior Vice President (the position that Gary held when Jim resigned) until the President returns OR IS REPLACED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS (emphasis added)."

There are similar provisions for all of the elected offices mentioned in the Association's By-laws.

On July 8, a majority of the Board gathered and discussed Gary's e-mail. In accordance with Article 5 - B - 2 of the By-laws, a majority of the Board voted to replace Gary with Dale. This action was taken for several reasons:

- 1 - In May, Jim Cunningham initially announced his desire to resign the Presidency of the Association. At that time, Gary did not have a desire to be the President.
- 2 - A majority of the Board was concerned about Gary's health and his ability to carry out the functions of the President. The Association had already been through two Presidents this year.
- 3 - The Board was well behind in accomplishing its goals for the year and was seeking to accomplish the goals set forth in the Association's budget.
- 4 - A majority of the Board felt urgency in being able to carry out the affairs of the Association in a prompt and professional manner.

The Association's new President, Dale Wood, promptly called a special meeting of the Board on July 9. The meeting was called with the consent of a majority of the Board. The purpose of the meeting was to fill the vacant positions on the Board in accordance with Article 5 - G - 9 of the Association's By-laws. At that meeting, three potential nominees to the Board were discussed. After some discussion, Tony Accardo and Don Tesdell were elected to the Board.

Another special meeting of the Board was called by Dale Wood on the following day (July 10). The meeting was called with the consent of a majority of the Board. The purpose of this meeting was organizational in nature. In accordance with Article 6 - I of the Association's By-laws, two-thirds of the Board members concurred in reassigning the positions of the Board members. The new assignments are those shown at the very beginning of this message.

On Friday, July 12 Board resolutions and signature cards were sent to the Association's bank (Bank One). These documents authorized the Association's newly-elected President, Secretary and Treasurer to sign on the Association's bank accounts. In accordance with Article 5 - F - 4 of the Association's By-laws, the rule requiring two signatures on Association checks was left in place.

On Monday, July 15 checks that had been prepared by the Association's administrator at the beginning of the month were countersigned by the Association's Secretary and Treasurer. The checks were mailed.

Additionally, on July 15, the Association's Treasurer met with the Association's Administrator to discuss the Association's accounting systems. The Association's Treasurer was given a copy of the latest financial statements for the Association.

In taking the steps that led to the current make up of the Board, a majority of the Board believes that it has acted promptly and in compliance with the Association's Articles and By-laws. Article 5 of the Association's Articles of Incorporation states that:

" ... the corporate powers and management of this corporation shall be vested in, and exercised by ... " the Association's Board of Directors.

If the Board's actions have offended anyone, this was not intended. The responsibility for managing the Association is recognized by the Board and is not taken lightly.

ISSUES REQUIRING CLARIFICATION

ISSUE 1 - THE LAWSUIT

The Association is involved in a lawsuit. The other parties to the lawsuit are St. Tammany Parish and the Oak Harbor developers. The Association has been involved in this lawsuit since January 2001. At present, a ruling not allowing the Association to intervene in the lawsuit is on appeal with Louisiana's First Circuit Court of Appeals.

The Association has attempted to raise funds to help pay for legal fees associated with the lawsuit. A separate and distinct legal fund was created last year for this purpose. The legal fund was incorporated into the Association's budget for this year.

With one exception, ONLY FUNDS SEPARATELY ACCOUNTED FOR in the Association's legal fund have been applied to costs associated with this case. The exception was the cost of paying the Clerk of Court for copying records that needed to be sent to the First Circuit Court of Appeals. At the July 31, 2001 general membership meeting, the membership decided to pay for these copies out of the general fund. The minutes for that meeting state:

"Dale discussed with the membership about the lawsuit which Eden Isles Homeowners had intervened in with Oak Harbor and St. Tammany Parish. The cost to the Clerk of Court is \$2100.00." A motion was made, seconded, and PASSED (emphasis added) to spend the \$2100.00 TO GO AHEAD WITH THE SUIT (emphasis added)."

The attorney who is representing the Association is Clem Perschall. Quite generously, he has agreed to accept whatever the Association can raise to pay his fees. In return, we must make a concerted effort to raise money for him to continue. Thus, a separate legal fund was created.

Mr. Perschall sent a "STATEMENT OF BILLING" to the Association dated April 30, 2002. This statement says that he has done \$25,289.04 worth of work as of that date. It also states that the Association has paid him \$5,483.00 as of that date. As pointed out earlier, these funds came entirely from a separate and distinct legal fund that has been budgeted for by the Association.

Some Board members have questioned whether there has been adequate disclosure to the general membership regarding the lawsuit. They have implied that members of the Board have tried to hide something from the general membership. They have raised this issue despite:

- 1 - The lawsuit having been the subject of the President's Message in the January/February 2001 issue of the Eden Islander.
- 2 - The lawsuit having been discussed at three of the six general membership meetings last year.

- 3 - A separate and distinct legal fund having been created and budgeted for in the Association's budget. The budget was voted on and accepted at last year's November general membership meeting.
- 4 - Flyers having been distributed through the neighborhood last year asking for contributions to the legal fund.
- 5 - Repeated requests for donations to the legal fund in every Eden Islander since January of last year.
- 6 - Requests for donations being incorporated into the Association's billings for dues and Greenforce fees this year.

Concern has been expressed over the agreement with Clem Perschall having not been reduced to writing.

In an effort to resolve this concern, Dale Wood, Sheila Barger and Clem Perschall met for lunch on June 17. The purpose of the meeting was twofold. The first was for Sheila to gain some first-hand knowledge about the lawsuit. She was going to assist in educating the newer Board members about the lawsuit. The second was to request that the fee arrangement be put in writing.

The meeting's purposes were accomplished. Mr. Perschall explained the intricacies of the lawsuit to Sheila. He also agreed to provide a writing of the agreement between himself and the Association.

Dale and Sheila were trying to get the writing from Mr. Perschall prior to July's Board meeting. Unfortunately, Mr. Perschall indicated that he was extremely busy and would be unable to generate a writing by the date of the meeting. Therefore, just prior to the Board meeting, Dale faxed a letter to Mr. Perschall that described the agreement. The fax asked Mr. Perschall to sign the letter indicating his agreement with the content of the letter.

The pertinent language in the letter is as follows:

"When I was president of the Association, I represented to the Board and the general membership that we had a 'pay what you can afford' arrangement. I told them that you and I discussed this matter over lunch; that you were made aware that the Association had little or no funds for the suit; that I would begin an effort to raise funds for the suit; that upon raising those funds that they would be applied to your billings; that you were aware that we were a Homeowners' Association with little funds and that you would accept what we could afford to pay; that your billing rate would be \$200 per hour."

Mr. Perschall signed the letter and added some additional comments just above his signature. Those comments were:

"It is also my recollection that I could expect payments on the bill. It was never my intent that this is to be a free case. In fact, the Association has made payments. I recognize the Association's position and I understand with all small clients I need to make payment arrangements as the situation requires."

It is the opinion of the majority of the Board that we are quite lucky to have found Mr. Perschall. Mr. Perschall is performing legal services for the Association and is willing to be dependent on our capacity to raise funds to pay his bills. He is an accomplished appellate attorney with an impressive clientele.

Unfortunately, we have done nothing to thank Mr. Perschall for his efforts. In fact, two prior members of the Board made an appointment with him and did not bother to keep or cancel the appointment! Should we not find a way to applaud Mr. Perschall for his efforts instead of taking up his valuable and clearly under-compensated time?

ISSUE 2 - AN AUDIT COMMITTEE

Article 8 of the Association's By-laws is entitled - AUDITING COMMITTEE. The Article states:

"WITH THE APPROVAL OF THE BOARD OF DIRECTORS, THE ASSOCIATION PRESIDENT (emphasis added) shall appoint an AUDITING COMMITTEE (emphasis added) or an outside Accounting Firm to examine the financial records of the Association no less than annually, and make a written report available to the General Membership at the March Membership meeting. If an Auditing Committee is appointed the Committee shall consist of one or more Members in-good-standing who are not Directors."

The Board members that resigned and a current Board member have expressed a belief that this Article mandates a CPA firm being hired to examine the Association's books annually. The language in the Article is clear and unambiguous. The belief of those prior and current Board members is simply incorrect.

It has been the Association's practice to engage the services of an administrator to maintain the financial records of the Association. This practice was started when Sid Menard was President of the Association and has continued through this date.

As many of you are aware, the Association had some difficulties with the administrator last year. Therefore, the Board opted to tighten its internal accounting controls and to hire a non-resident administrator.

The Association's non-resident administrator is Jimmy Thomas. He is the owner of JWT Services, Inc. JWT Services is a Jackson, Mississippi accounting firm.

Jimmy is a long-time friend of Dale and Donna Wood. In fact, when Donna became ill, Jimmy agreed to help Dale and Donna with their accounting practice. In that effort he has commuted from his home in Jackson on a weekly basis for seven months!

As the Association's administrator, Jimmy has provided financial statements for EVERY Board meeting and EVERY general membership meeting. He is also maintaining our membership records. In a nutshell, a majority of the Board is extremely pleased with his competence, promptness, efficiency and pleasant manner.

The use of an administrator was budgeted for last year. An audit by a CPA firm was not. This question has inappropriately and unnecessarily consumed the Board's time and is clearly out of order. For those former and present Board members that are now insisting that the By-laws REQUIRE an audit by a CPA firm, the current Board has three questions for you:

- 1 - Why didn't you insist on an audit being done during your term on the Board or Advisory Committee?
- 2 - Why did you wait until well after the March deadline indicated in the By-laws to raise this issue?
- 3 - Doesn't a budget approved by the general membership incorporate what the general membership expects of the Board?

The Board is currently discussing the possibility of having the administrator's work reviewed by non-Board members. Two people are being considered for this task. Additionally, further tightening of internal controls is being discussed. The Board hopes to finalize these matters at its next monthly meeting.

In closing, the previously-mentioned, June 20 letter sent to Jim Cunningham expresses the commitment that a majority of the Board has to Eden Isles. The letter states:

"We believe that as members of the Board we have a fiduciary responsibility to all residents in Eden Isles. Therefore, we must make every effort to uphold and maintain our neighborhood rules. We may not completely agree with all of them but there are mechanisms in place whereby a majority can change the rules to their liking if they desire."

"Our neighbors have placed their trust in us and rely on that trust. It is our duty to act in good faith and with due regard for their interests. Guidelines for those interests are expressed in our Articles of Incorporation, By-laws and the neighborhood's various covenants. We cannot ignore those guidelines and expect to continue in or be respected for our fiduciary positions."

The above is an expression of a majority of the Board. That majority would appreciate the support of the general membership in the task of accomplishing the goals the Association set forth in last year's budget.

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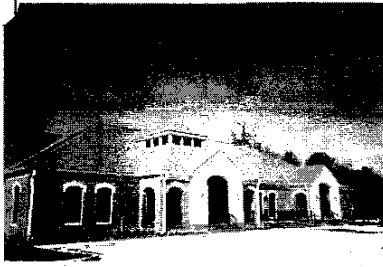
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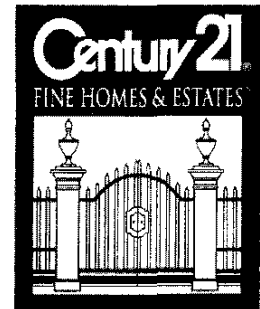
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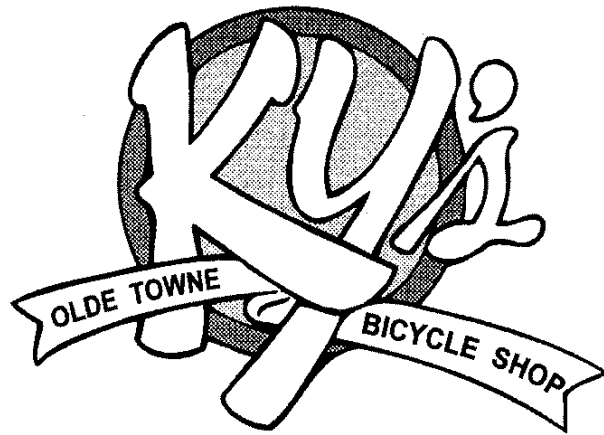
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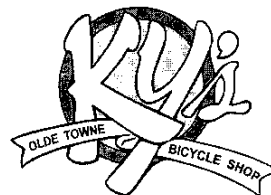
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You can win a complimentary paid membership in the Homeowners Association and a refund of your Greenforce fees just for attending the Association's general membership meeting and bringing your EDEN ISLANDER with you.

Your Eden Islander is coded (see back cover). We will randomly select a valid code just prior to the Association's general membership meeting on July 28.

If you are present at the meeting, have the winning copy of the Eden Islander in your possession AND have PAID your MEMBERSHIP and GREENFORCE fees - You Win! The Association will refund you \$55 for the fees and dues that you paid this year.

PHONE BOOK UPDATE

The phone book is out!!! If you note any errors in the phone book, please call the HOTLINE (781-0091). We will publish corrections in the next edition of the EDEN ISLANDER.

MAIL BOXES

Want to save a stamp when mailing in your dues? Want to save a stamp on that petition? Want to make a suggestion to the Association? DROP IT IN ONE OF THE MAIL BOXES AT THE ENTRANCE TO THE NEIGHBORHOOD!! At the Marina Drive entrance, the mail box is on the Eden Isles sign as you are entering the neighborhood. At the Hwy. 11 entrance, the mail box is attached to the community billboard.

TAX TIP by

M. Dale Wood, Jr., CPA, MS*
(*-in Taxation)

Most people have heard of the "child-care" tax credit and assume that the credit only applies to children. NOT TRUE! You may qualify to take the credit for a dependent that is physically or mentally incapable of taking care of himself regardless of age. Consult your tax advisor for complete details.

ARTICLES

THIS IS YOUR NEWSLETTER! If you would like for the Association to publish your article in the newsletter, call the HOTLINE at 781-0091.

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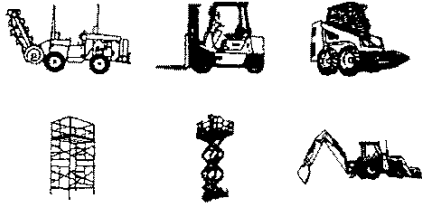
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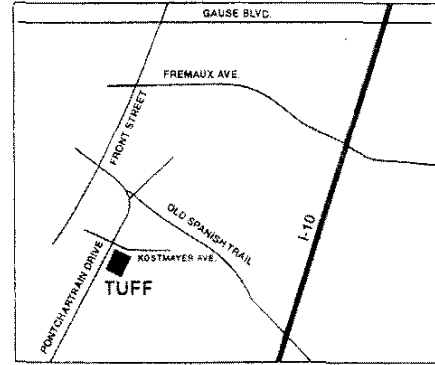
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Garden Club

by June Collins

Welcome to summer in southern Louisiana! Is it hot and dry enough for you? In winter I long for the warmth, and in summer I hate the heat and humidity. Wish it could be April/May and September/October weather all year long. Wouldn't we call that paradise?

In my last column, I neglected to mention that the club installed a terrific new group of officers at our May meeting, held at Benedict's Restaurant in Mandeville. The 2002-2003 officers are President Ann Courrege, 1st Vice President Linda Triay, 2nd Vice President Norma Hastings, Treasurer Nunny Levis, and Secretary Linda Cunningham. These ladies are hard at work this summer, planning the club's programs for next year.

And while the Garden Club ladies take a break from their meetings during the summer months, some activities continue all the same. One of those is the judging for Yard of the Month, despite what was said in my last column. Our Yard Judging Committee, consisting of members Norma Hastings (chairperson), Janet Giroir, Marion Frosio, Phyllis Mitts, Beverly Chauffe, Yvon Molinary and Hilda Vaughn, head out the first week of each month to scope out the yards in the subdivision. Criteria for the judging include (1) curb appeal--the yard appealing enough for them to take a closer look; (2) landscape design--color, balance, and use of area is appropriate to the size and shape of the yard; (3) lawn appearance--grass is regularly cut and edged and is free of disease; (4) shrub maintenance--shrubs are neatly trimmed and flower beds are weeded; and (5) flowering plants--yard exhibits a seasonal display of color.

The Yard of the Month for June was 109 Rampage Loop, home of Ed and Beverly Chauffe. Beds of Asian Jasmine ground cover accented with sunny yellow marigolds, purple Lily of the Nile (*Agapanthus*), and yellow African Iris (*Diets*) added beauty to the well-maintained lawn. Second place was awarded to 111 Sirius Lane, and third place went to 173 Pebble Beach Drive.

The Yard of the Month for July was 110 Sirius Lane, home of Walter and Hilda Vaughn. A backdrop of Japanese yews and dwarf yaupon shrubs across the front of the house are fronted by colorful caladiums, white vinca, and purple dwarf Mexican petunias. Other beds and a beautiful wheelbarrow in the yard are bright with vinca, portulaca, and yellow marigolds. And on either side of the garage door, beautiful pink bougainvillea in pots draw your eye. Second place was 202 Gretel Cove, and third 140 Pebble Beach Drive.

I do have another error from my last column to correct. I want to give credit where credit is due, and in this case, much credit is due! The club was very active

in the Flower Show this year, and did wonderfully in the design segment of the show. But I mistakenly identified the winner of the two blue ribbons for the duo-design--the designer and blue ribbon winner was Myrlene Robinson. So congratulations to her, and to all our other blue ribbon designers.

In mid-May, our ladies were treated to a tour of the home gardens of 6 of their fellow club members. The gardens toured belonged to Pam White, Nell Forstall, Beverly Chauffe, Linda Hoth, Edwana Bourgeois, and Juanita Gibbs. It was amazing to see the variety of garden styles and types of plants that can be used to wonderful effect here in our area. Many thanks to those ladies for allowing us to view the results of their vision and hard work. And after the tour, everyone retired to the home of new president Ann Courrege for a Pot Luck lunch. Thanks to Ann for opening her home to us, and to all the ladies for the wonderful food they supplied. As you know if you read these articles on a regular basis, we love our food!

As busy as our ladies stay with Garden Club activities, many members are involved with other projects going on in our community. Our new President Ann Courrege just completed a long stint on the board of the Eden Isles Homeowners' Association, and in their May meeting she was awarded a plaque in appreciation of her hard work and service to the community (including her work on the new Eden Isles phone directory). Our club can also boast of 4 Louisiana Master Gardeners in our midst. In addition to being useful sources of information, they have adopted as an on-going project the Rehab Garden at Slidell Memorial.

A quick "heads-up" mark on your calendars for October 3-6 for the St. Tammany Parish Fair, which is held annually at the Covington Fairgrounds. The next newsletter will have more information on this event.

And finally, a few quick garden tips. Tip #1--it is never too late to mulch. Why mulch? Well, it conserves soil moisture, insulates the soil, and minimizes temperature fluctuations during the winter (yes I did say winter! You do remember that it does get cold here, don't you?) Mulches also keep weed growth suppressed, improves the look of the landscape, and adds organic matter to the soil as it decomposes. According to the LSU Ag Center newsletter, one cubic yard of mulch will cover 324 square feet of a landscape bed with one inch of mulch. You actually need to apply the mulch thicker than one inch deep, but you can do the calculations from here. Tip #2--for color in the yard, you can continue to plant warm-season bedding plants. These include coleus, cockscomb (*celosia*), periwinkle (*vinca*), blue daze (*evolvulus*), fanflower (*scaevola*), zinna, melampodium, portulaca, and begonia.

DIRECTORY

I hope each of you have received your new Eden Isles, Oak Harbor, Lakeview, and Clipper Estates Telephone Directory, which your Homeowner's Association sold ads and put together for you in order for the Homeowner's Association to raise money.

A very special thanks to all of the people who helped make this directory possible: Dianne Romano, Ben Mathews, Dale Wood, Louis Pendarvis, Ray Miller, Ralph Kastner, Scott and June Collins, Tom Thompson, Gary Carter and to all of the advertisers who purchased ads in the Directory.

Also I would like to thank the following for helping to distribute the books: Jim Cunningham, Louis Pendarvis, Dale Wood, Tom Thompson, Colin Normand, Ray Miller, Christie Stubbs, Shiela Barger, and the ladies of the Garden Club, June Collins, Kathy Schrieffer, Yvon Molinary, Marie Perret, Linda Cunningham, Norma Hastings, Nunny Levis, Gayle Smith, Hilda Vaughn, Beverly Chauffe and my friend Harriet Toups.

I hope you enjoy the book.

Ann Courrege

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Bring your family and join your Eden Isles Homeowner's Association

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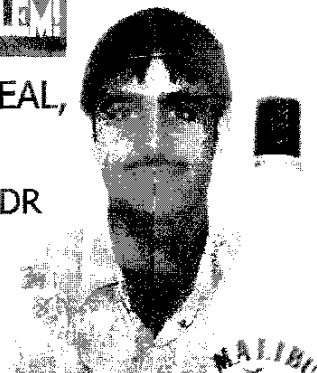
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Prologue to Tom Thompson's Article

At Mr/ Thompson's insistence, the article entitled "Oak Harbor Lawsuit Update" is being printed in the Eden Islander.

A majority of the Board of Directors notes that this "update" is NOT factual. Many statements in it are NOT accurate. The article is the sole opinion of Mr. thompson.

OAK HARBOR LAWSUIT UPDATE BY TOM THOMPSON

In January 2001, Dale Wood formed a coalition to intervene in the lawsuit between the developer of Oak Harbor and the parish. The coalition consisted of Eden Isles Homeowner's Association, the Lakeview Homeowners' Association, the North Shore Beach Homeowners' Association, the Save St. Tammany group and the owners of the GK's parcel.

Dale Wood said he had an attorney that would handle the intervention for "near pro bono" accepting donations as payment. Your Eden Isles Board met with the other coalition representatives and agreed that it was important to intervene into the lawsuit and it was agreed to hold fundraisers in order to raise funds for the intervention.

A fundraising flyer was sent out to all homeowners in February 2001, explaining the merits of intervening into the lawsuit and asking for funds to support the intervention.

In April, 2001, the board was shown a statement from the attorney for \$16,900. Dale Wood told the board not to worry about the statement; he reminded the board about the agreement he had with the attorney that the work would be done on a "near pro bono" bases accepting donations as payment. I asked if the agreement was in writing and Dale Wood said he would take care of it. Despite my repeated requests, a formal payment agreement was never produced. The year ended without any additional statements from the attorney being shown to the board.

In February, 2002, when Jim Cunningham became president, after Dale Wood resigned, I told Jim and the new board members about the April 2001, statement for \$16,900, and Dale's agreement with the attorney. Jim along with the new board members Gary Carter, and Carol Hobson agreed with me that any such payment agreement should be in writing and asked Dale Wood to obtain his payment agreement with the attorney in writing.

On April 30, 2002, the board was made aware of another statement from the attorney for \$25,289 giving credit for \$5483 paid to date, with an outstanding balance of \$19,806. There was no mention of any expenses being forgiven.

After seeing this statement, Jim Cunningham made repeated requests to Dale Wood to get his agreement in writing. Jim Cunningham finally sent a letter to the attorney asking for clarification on the payment agreement made with Dale Wood. The Attorney did not respond to Jim's letter, but at the July 1, 2002, board meeting Dale Wood read a note from the attorney stating that **he expected to be paid**, but he is willing to accept payments, as funds become available. The attorney's note did not state that he is willing to forgive any unpaid balance.

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HELP IS JUST AROUND THE CORNER

KEEP THE PRESSURE ON OAK HARBOR

BY SHEILA BARGER

The year is 2006, there are now four traffic lights between the I-10 and Eden Isles. The traffic is backed up over the overpass. There are now 50 new businesses along Marina Drive and 500 new apartment units. It reminds you about getting off on Gause Blvd. but now, the Oak Harbor exit is even worse. What happened to the control and building codes in our area? Could this really happen?

Protecting our property values against inappropriate development is certainly a common cause we all can share. Two years ago, the Eden Isles Homeowners' Association voted to stand up for their rights in protecting our neighborhoods. Time has passed and many residents are not aware of what the lawsuit entails. Basically, Oak Harbor signed an agreement with the parish before they were permitted to build. Now, the developers want the right to develop property free of any conditional uses. The Eden Isle's Homeowners' Association entered into a lawsuit adding pressure for the Oak Harbor development to adhere to the original agreement.

Very simple, as long as you have support from the community. Or is it someone else's problem?

Clem Perschall, Jr. the attorney who is handling the case, has been fighting OUR fights for over two years and what have we done to show that we are supporting the cause? Very little.

Mr. Perschall is doing the work while accepting donations as payment and the Association agreed we needed to hold fundraisers in order to raise funds for the intervention. But we haven't kept up our end of the agreement.

How many times did you go to a parish planning meeting last year? Or if you didn't have the time, contribute to the legal fund? Or if you didn't have the money, help raise funds to pay the fees associated with the case? Very few can say they even thought about it. Even less, very few did anything about it.

\$5,743 has been donated to the legal fund this year. The legal fund is a budgeted line item so that dedicated funds are allocated to pay the bills. This is no different than the Greenforce or other line budget items. The Board has to have certain latitude to operate with-in means of the budget.

In 2001, we paid \$1590 and in January 2002, \$3893 was paid to the statement of billing from Mr. Perschall. To date that statement has \$19,806.04 still outstanding. Much of those funds went to copying records and appellant fees, not to Mr. Perschall's time fighting for us.

What is the Homeowner's Association liability over the statement?

But shouldn't we also be concerned with our agreement with him, that we raise funds to help pay the fees? Since no one has raised funds, should the attorney state he is willing to forgive any unpaid balance? Was that the agreement? Certainly not!

The agreement was and is-there has to be an effort on both sides to make this case possible. He is *willing to accept what we offer* but we have to make a concentrated effort to raise funds.

• Should we continue with the lawsuit?

Many residents refuse to see the entire picture when the price tag is shown. We also do not see the storage garages or the over-size neon blinking signs that were suppose to be built at our entrance. But because of the lawsuit, we don't have the eyesores or traffic congestion it would have created. It is easier to stop the project before it is built rather trying to tear down the project later. Are we willing to give up now, then complain when we do not like the results. It is too late to stop the development. What you see being developed now is a small part of the land slated for commercial development. Consider all of the other land around the water tower and along Oak Harbor drive that will someday be commercial.

• How much more is this going to cost and are we going to win the suit?

No one really wins. We are winning now as the buildings being built have the community "common" appearance. We are forcing traffic to go through Oak Harbor rather than Eden Isles Drive. Will we be able to continue to force traffic pattern studies before they erect new buildings? We don't know. We may not win, but if we are successful in making them consider the impact to our community then we didn't lose.

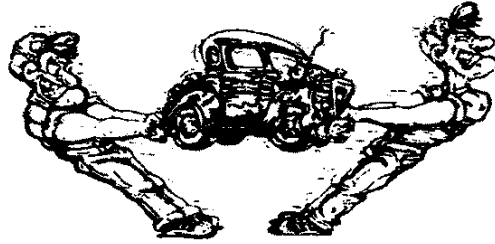
The exit off I-10 is the gateway to our community. It is the first impression. It guides traffic flow. It can increase or decrease our property values. It can increase or reduce criminals using our streets. We are no longer a private small community but a short cut between two major roads that developers keep building. We need to keep the pressure on Oak Harbor to honor their original agreement.

I am asking you to continue supporting the lawsuit, to become involved in fundraising and to give. It is worth \$20 to you not to have a neon sign in your neighborhood. To support Mr. Perschall and his efforts by continuing the lawsuit and paying him what we can offer. The next step is the oral argument for Mr. Perschall later this year or next. Become involved and be heard - keep the pressure on Oak Harbor to keep their agreement.

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President

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THE EDEN ISLANDER

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July/August

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- Message From The Board
- Night Out Against Crime
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