

SEPTEMBER 2011

BIENVILLE PLACE NEWS



GARAGE SALE

We are scheduling the annual garage sale for Saturday, October 15, from 8:00 am – 12:00 pm.

Signs will be posted at the entrances the week of the garage sale. We'll also advertise in *The Sun Herald* for 2 days. On the morning of the garage sale we'll post directional signs at Hwy 90 & Hanshaw. The feedback from last year's sale was once again positive. Holding it in October makes it a lot cooler for everyone – sellers and shoppers alike.

ANNUAL MEETING

Our annual meeting will be held on Thursday, November 3, at the Ocean Springs Middle School Cafetorium. The meeting will begin at 6:30 pm. If you cannot attend, please complete a Proxy Form and give to your neighbor, or return it via postal service, or give to a Board member. A minimum of 20% of the Association must be present or combined with proxy votes to hold a meeting and conduct business. Your vote and attendance is important. Be involved.

Positions available for the upcoming 2012 calendar year will be President, Vice-President, Secretary, Treasurer or Architectural Review Board member (3 members). Anyone interested in a position is encouraged to contact the President or Vice-President.

COVENANT CHANGE REQUESTED

A change to the Covenants will be voted on at the meeting in November 3. The change is regarding enforcement of covenants. After an out-of-court covenant enforcement settlement, the BPOA was not reimbursed attorney fees because it was not specifically addressed in the covenants.

Consequently, the Board would like to see a change to the Covenants that would read:

“ARTICLE II - General Provisions

Section 2. Enforcement

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages. Failure by the Owners' Association or by any owner to enforce any covenant or restriction in this Protective Covenants shall in no event be deemed a waiver of the right to do so at a later date. Further, in the event that the Owners' Association or any owner shall retain legal counsel to procure enforcement of these Protective Covenants, then said owner or by the offending party for its reasonable costs and attorneys fees incurred in said proceeding.”

The Association cannot afford to enforce covenants violations if the attorney fees are not reimbursable. We need your support to make this change.

SPEED LIMITS & STOP SIGNS



If you sit on the side of the street by most any of the stop signs, you'll see quite a few of the drivers who don't stop – and in a lot of case, don't even slow down. With driving safety in mind – the Speed Limit in Bienville Place is **21 MPH**. We're a family oriented neighborhood and there are a lot of children. Watch out for the kids and let's stay safe!



SPRINKLERS

Occasionally the sprinklers get off their schedule and run too long or run in the middle of the night. There are various reasons for the clocks getting off.

So, if you see a problem, call Bebe Walls at 547-5449 and she'll contact the landscaper to take care of the issue.

VANDALIZED SIGNS

Twice we've had to replace letters on the Cabildo Place entrance sign because of vandalism. Children have been seen climbing and standing on top of the sign and standing on the ground lights. If you see anyone at the signs that should not be there, please call a Board member so they can take appropriate action. Additionally, the sign at the lake was knocked off its post and had to be repaired and mounted again.

'GATOR SIGHTING

As many of you are aware, we had a 7-foot alligator in Lake I'berville earlier in the



summer. Fortunately, the Department of Wildlife and Fisheries sent a 'gator hunter on the same day we called them. He was quick and accurate in his skills to capture and remove the 'gator to the Pascagoula River up in Hurley.

GOLF CARTS & 4-WHEELERS

During the same period of the 'gator, there were golf carts observed on the dam. Golf carts and 4-wheelers are not authorized on public streets – that's the law, not BPOA rules. In particular, the golf carts mentioned above were being driven by children -- nowhere near driving age. The carts had children sitting on the fenders and holding on to the back of the cart as the child driver sped along the streets.

LAKE I'BERVILLE

Please do not tell friends they can come use the lake. It is a private, not public lake. Unless accompanied by a homeowner, non-residents will be asked to leave and could possibly be reported to the police as trespassers.

BPOA residents who do not own property on the lake can fish from the dam. The properties surrounding the lake are private property and are not open for residents to walk around or use to fish

in the lake unless they have permission from the property owner.

CAST NETS

Cast nets cannot be used in fresh water in the state of Mississippi and are against the law. The same rule applies to our lake. Please let your children know this so they don't get into trouble.

PROPERTY CHANGES

As a covenant community, all resident are required to submit exterior home improvement changes to the Architectural Review Board and the changes should be approved by the ARB prior to beginning the project.

Include a brief description of your project, along with materials, and a drawing or contractor's proposal. The ARB will review each proposal on a case-by-case basis and determine if the project conforms to the covenants and meets the general appearance of the community.

Please do not begin any exterior project on your property without first consulting the ARB. The Approval of Plans is covered by Article II, Section 2 of the Covenants.

ARB requests should be submitted to BPOA ARB, PO Box 71, Ocean Springs, MS 39566-0071 or can be given directly to one of the ARB or Board members.

YARD MAINTENANCE

It's not a particularly fun chore for most, but please keep your grass trimmed. Your neighbors will appreciate it.

COPY OF COVENANTS & BY-LAWS

The BPOA Covenants and By-laws are posted at www.neighborhoodlink.com/Bienville_Place/pages where you can click on Bienville Place Covenants or Bienville Place By-Laws. For those of you who do not have access to a computer and need a copy mailed to you, send a written request to our mailing address at BPOA, PO Box 71, Ocean Springs, MS 39566-0071

COVENANTS VIOLATIONS

Covenants and Bylaws violations continue to be a problem. It is the responsibility of every property owner to comply with the Covenants and Bylaws.

Boats, boat trailers, and utility trailers continue to be a problem. Storage of such items and vehicles must be screened from public view, either within the garage or within an approved storage facility. When owners of these items park them in their driveways, in the street, or on the grass in their yards, even for a temporary period of time, visitors or potential homebuyers get the impression that it must be alright to do this and it turns into a domino effect that we keep trying to correct.

When offenders are approached by Board members, it often turns into a discussion of how “others do it so why am I being singled out.” The Board and ARB are working very hard to maintain the integrity of our Covenants and Bylaws, but we need the support of all our Association members. So, please respect your neighbors and abide by the

covenants. It makes for a happier and more aesthetically pleasing neighborhood.

DUES ASSESSEMENTS

According to our Bylaws, the annual dues are per lot and shall be payable in advance and are due on or before 31 January of the dues year. Payment of dues will be prorated for six months or less to one half of the annual dues assessment, due within 30 days of closing.

There was not a meeting scheduled in the fall of 2010 or early in 2011 to establish and approve the dues assessment for 2011. Therefore, no dues have been collected for 2011 from any of our members.

Dues for calendar year 2012 will be voted on at our meeting November 3, 2011.

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