



HOMEOWNERS ASSOCIATION
P.O. BOX 1133 SLIDELL, LA 70459
CGHA.WILDAPRICOT.ORG
MYCROSSGATES@GMAIL.COM

THANK YOU TO OUR NEWSLETTER SPONSORS!!!

Buying or Selling A Home???
WE ARE YOUR LOUISIANA HOME SELLING TEAM

Closing Fee Special!
\$350 FLAT FEE

(with purchase of title insurance plus recording)



Linda K. Larkin
(985)705-7127
lindalarkin@pattitle.com



PATRIOT TITLE, LLC

Bay St. Louis - Slidell - Mandeville - Chalmette

Want more \$\$\$
When You Sell Your Home?

My FREE Staging Can Help You Get 8-12% MORE!

Kerri Lawless
Realtor

985-960-3777



Licensed in Louisiana

504-513-3019

WWW.KERRILAWLESS.COM



May 2021 Rooster newsletter

A WORD FROM YOUR PRESIDENT

It has been an incredibly long year for all of us and I hope this letter finds you and your family well. We appreciate every one of the 415 members that reached into their pockets to support this great subdivision this fiscal year.

I am happy to report we have finished rebuilding all 6-**entrance signs**. The signs were rebuilt with low maintenance materials. The top caps are Hardie Board, the deck boards are composite, the letters are made from vinyl, the screws are ceramic coated, and the roosters are aluminum. We hope you will enjoy them for many years to come!

We also plan to move forward with quality permanent **entrance lighting** to make our entrances more visible for homeowners and visitors. There will be associated costs with installation of service as well as a monthly cost to run the system. Having power at our entrances will also allow us to expand on holiday lighting decor and possibly irrigation control boxes.

As I have mentioned in past newsletters, we have been trying to work with St. Tammany Parish Government on many fronts, including but not limited to **Parish ordinances and enforcement of those ordinances, dead trees in the median, and water usage at our entrances**. Since I have been President, dealing with these issues has also provided opportunities to identify other problems and discuss cooperative ways to correct them in the subdivision.

PARISH ORDINANCE ENFORCEMENT Cross Gates' primary ordinance violation problems are **unlawful parking, speeding, blighted property, nuisances, and abandoned vehicles**. These issues plague our subdivision as well as others throughout the Parish. These issues also cost us in HOA membership when some homeowners wrongly believe that not supporting the HOA will help fix the problems. I have met with our Councilman Mike Smith, our Justice of the Peace (JOP) Michael Tassin, our Constable Lloyd Thrasher, and held phone conversations with the Parish Code Enforcement office. These discussions were initiated to, hopefully, find ways for these local government entities to work together to resolve the issues in our subdivision. The state passed legislation well over two years ago making it possible for parishes to contract out ordinance violation enforcement. For a portion of the fines, the Constable could issue citations for violations and the JOP could collect the fines for the Parish. This option is bogged down somewhere in Parish government, likely due to the unwillingness to share fines. (Sharing 50% of fines actually collected versus keeping 100% of uncollected fines seems a no-brainer to me.)

Ultimately, I found that the primary obstacles to changes in ordinance enforcement are inadequate funding and staffing of Parish agencies (only 2 code inspectors for the entire parish) and their excuse of using discretionary authority. Taxpayers are not served when clear, recurring violations are not addressed with even an official notice. I have often been told incorrectly that certain violations are HOA problems. Further, I have submitted violations with 10

homeowner signatures asking for enforcement and met with no solution. Therefore, I've decided to publish these ordinances below for you to read and decide for yourself what should be handled by your Parish government.

Sec. 24-30. - Parking for over 24 hours within parish council districts (district 13).

It shall be unlawful for any person or entity to park or abandon boats with trailers, trailers of any kind, motor homes and/or vehicles in excess of six feet in width for a period of over 24 hours.

It shall be unlawful for any person or entity to park any vehicle in a roadway or parish right-of-way that hampers the flow of traffic or creates a traffic hazard whereby a moving vehicle must enter the oncoming traffic lane in order to pass; or in any way obstructs the vision of moving traffic or sight triangle of an intersection.

- **Sec. 24-29. - Parking for over 48 hours.**

It shall be unlawful for any person or entity to park or abandon a vehicle on any public street, highway or roadway for longer than 48 consecutive hours.

Vehicles parked or abandoned in excess of 48 consecutive hours shall be removed from the street, highway or roadway by authorized personnel of the parish or the sheriff's office and stored in accordance with the provisions of ch. 16 of title 32 of the Louisiana Revised Statutes (Louisiana Towing and Storage Act—R.S. 32:1711 et seq.).

- **ARTICLE II. - ABANDONED OR INOPERATIVE VEHICLES ON PUBLIC OR PRIVATE PROPERTY** ^[2]

The accumulation of abandoned, inoperative, dismantled or wrecked vehicles on public and/or private property are also found to create a condition tending to reduce the value of property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects, and to be injurious to the health, safety and general welfare.

C.

Further, an abandoned, inoperative, dismantled or wrecked vehicle on public property, particularly on a street, shoulder, sidewalk, neutral ground or right-of-way constitutes a traffic hazard and imminent threat to public safety.

Sec. 26-10. - Unhealthful materials, weeds, grass, debris.

any weeds, grass or deleterious, unhealthful growths over 15 inches in height, trash, debris, refuse, discarded or noxious matter, that may be growing, lying or located thereon.

I am weary of arguing about what I believe to be obvious, and I think it's time for other homeowners to jump on board to address these issues with your Parish government. If you would like to express your own concerns to **Parish Code Enforcement**, you can reach them at **(985)898-5214**.

HAZARDOUS TREES IN MEDIAN Two years ago we were contacted by the St. Tammany Parish Public Works area leader and our Councilman at that time. We were emailed a list of trees that were considered hazards throughout the subdivision. The Parish requested we hire an arborist to give us a roadmap to remove and clean up the hazardous trees. They cited concern for public safety and recommended we use CGHOA funds to cover the costs. In an effort to get a clear picture of our own responsibilities, we secured an abstractor to pull the plats for the entire subdivision where one can find the dedication from the subdivision developer to St. Tammany Parish for the uses of a public right of way. (These plats can be viewed on our CGHOA website.) The median and the streets are public right of way for provision of roads. This dedication by the developer makes St. Tammany Parish the owner of the median as well as the streets and, therefore, responsible for safety maintenance of the trees in the median. Accordingly, we returned to Parish Public Works the same list of trees they had previously sent to us and requested that they handle the hazards ASAP. (Full disclosure: many public officials were unaware that the CGHOA does not own the medians and therefore is not primarily responsible for their upkeep.) In the past, CGHOA has at times expended THOUSANDS OF DOLLARS for arborists to prune and remove trees and for stump grinding; but as long as I am President, this will NO LONGER HAPPEN. The Parish has a responsibility to its citizens and your tax dollars should work for you closest to your home. If they cannot provide that service then there is a problem. If you want to reach **Parish Public Works** to report hazards in the median you can reach them at **(985)898-2557** or by email at **dpw@stpgov.org**.

IRRIGATION FOR MEDIAN Because CGHOA members strongly desire the entrances and medians be maintained for esthetic beauty, pride-of-ownership, and property value reasons, we must dedicate over 70% of our members' dues to regularly mow, trim shrubbery, add landscaping and maintain signage, and maintaining all landscaping requires water. Originally, Cross Gate's developer Pat Miramon owned the water/sewer company serving the subdivision, and for decades, the water company provided unmetered service to Cross Gates for all medians as Pat intended for landscaping maintenance and general upkeep. Sometime after completion of the subdivision, Pat sold the water/sewer company to the Parish, and it was renamed Tammany Utilities (TU) East. The Parish now declines to continue providing unmetered water for the medians, citing state law. We understand that position.

Within the past 3 years, the main water line for the median in new Cross Gates was broken and then preemptively capped by the Parish, and that action stopped all water to the median in new Cross Gates. The Parish has also shut off median water taps in old Cross Gates. Without water for the entrances, the subdivision has lost THOUSANDS OF DOLLARS of landscaping previously planted and paid for by the HOA membership.

I have talked multiple times with our Councilman and TU East about getting water service back only at our entrances and on several major endcaps in the subdivision. Tim Brown, the director of TU East, has been more than accommodating and helpful in our discussions, but he is limited by Parish ordinances to what terms he can provide for fees associated with water usage, and the best he could offer us was the minimum business rate for metered water at each location and the lowest allowable installation of service charge (including meters). The on-going monthly cost of even minimum business-rate bills for multiple separately-metered locations would be a substantial burden on the HOA.

I attempted to make our case directly to Parish President, Mike Cooper, since his office oversees the operations of Tammany Utilities. My email to him and the Parish's response are provided below for your information:

Email to Parish President, Mike Cooper, from CGHOA President, Phillip Leitz

Mr. Cooper,

My name is Phillip Leitz, and I am president of the Cross Gates Homeowners Association (CGHOA) in Slidell. I am reaching out to you regarding water usage in the median for our subdivision. I have had discussions on the subject over many months with former councilman Gene Bellisario and current councilman Mike Smith, as well as director of Tammany Utilities, Tim Brown. In my limited understanding, I am under the impression that you have oversight over director Brown and the utility company. With that being said, I would like to include you in the conversation.

When the Cross Gates subdivision was developed by Pat Miramon, who also owned the utility company at the time, the medians were plumbed with the intentions of supplying water necessary to maintain landscaping. When Mr. Miramon sold the utility company to the Parish, there was no discussion or understanding made for continued water usage by the subdivision. We use less than 2000 gallons a month at all locations combined during summer, which I would like to add, is the capped usage per household as per the utility company.

The issue at hand is that we have 2.5 miles of median to be maintained in our subdivision, and it has been determined by the Parish to be part of the Parish ROW. We (the CGHOA) are merely maintaining the Parish ROW for everyone's benefit. The location of the water lines serving the median are unknown by the utility company. We speculate there are several feeds down the boulevard on one side of Military Road, while, on the other side, the feed is looped in every single median. The utility company has cut off half of the water lines and said that they must install meters and bill us for any water use going forward. To meter each of these locations is not cost effective, feasible, or fair to the taxpaying residents of this subdivision and CGHOA.

CGHOA spends \$20,000 annually mowing and maintaining the green space in these medians. We have lost over \$10,000 of landscaping due to lack of access to water to maintain our entrance beds. We have also paid substantial amounts for trimming and removing trees, as well as grinding stumps. The HOA has maintained all this Parish ROW (with very limited tree cutting by the Parish) for decades at no cost to the Parish. Because less than half the 855 homes in the subdivision opt to participate (pay dues) in the HOA every year, the responsibility to pay for the median maintenance has fallen on the shoulders of the 400 HOA-member households whose only wish is to maintain the appearance of the subdivision we live in.

We would like to come to an understanding with the Parish and utility company that allows the subdivision water usage without charge at the entrances. We propose allowing us access to water at the entrances with the installation of backflow preventers which we are willing to maintain in line with the state requirements. I cannot stress enough that CGHOA does not own the median. We are merely maintaining the Parish ROW for everyone's benefit. Charging the HOA for water to do this would be ludicrous.

We would like to resolve this in a manner that is fair to the taxpaying citizens and members of our Association. This should fall under a cooperative endeavor agreement between the HOA and the Parish. Your time and help are appreciated. Thank you very much for both.

Phillip Leitz, President- CGHOA

THE PARISH RESPONSE:

Thank you for reaching out to us with your request. I am responding on behalf of the President's office.

We understand that the developer installed the irrigation lines without meters because he owned the utility company at the time, but according to Louisiana law, the Louisiana Attorney General, and the District Attorney Civil Division, since St. Tammany Parish Government now owns the utility company, the water we provide is considered Parish property, and as such, it is prohibited to donate it. If the HOA would like to have water meters installed at the entrances, we can develop costs of installation and service for them. Please contact Mr. Tim Brown at **(985)898-2535** or **tbrown@stpgov.org** to discuss.

SUMMARY For water quality safety and in order to properly care for our entrances, we can accept metered and backflow-protected services. In good faith as a nonprofit organization maintaining public right of way, we are asking the Parish to be reasonable and at the least provide us an option to consolidate all locations into one monthly bill for our total water usage instead of billing for minimum usage at each meter location. We would also like for them to own the meters as not to burden the HOA with uninsured assets. Most governing bodies lack incentive to change until the people make them. If you would like to express your own concerns to your **Parish President Mike Cooper**, you can reach him at **(985)898-2362** or by email at **president@stpgov.org** .

COVENANTS

When going through issues with the parish we had discovered that the executor of our covenants was still the developer's family. I had made a point to try and acquire the covenants so that we may have authority to extend, amend, and enforce them. It has taken well over 6 months dealing with attorneys as well as paperwork to finally get it done. We now own the rights to our covenants and will be implementing the below-mentioned actions of enforcement and amendments. You will find in this letter an explanation of what covenants are and a brief description of most of them. I believe these to be beneficial to subdivision. Please read over them carefully.

This letter is a simple reminder that the Cross Gates subdivision is bound to a covenants put in place by the developer when the subdivision began being built in the late 1970s. Covenants are crucial to our subdivision and are the best no-cost investment we can make. The main goal of covenants is protecting our most precious commodity, our homes, through preservation and uniformity.

The covenants are legally bound to the properties and we each entered an agreement to adhere to said covenants when we purchased our homes. The restrictions topics are as follows:

- 1. Land use and building type:** Residential only. Single family dwellings.
- 2. Building location:** Specific by Phase restrictions. (See website)
- 3. Dwelling point:** minimum cost and size of homes being built
- 4. Easements:** Parish and Utility companies reserve right to maintenance
- 5. Nuisances:** No noxious or offensive activity

6. **Temporary structures:** NONE, such as trailers, mobile homes, tents, shacks, garage, barn or outbuilding.
7. **Signs:** NONE other than advertising the property for sale
8. **Oil and mining operations:** (see website)
9. **Garbage and refuse disposal:** no rubbish, trash, garbage or waste, sanitary containers only. Should be removed from the curb promptly after service.
10. **Livestock and poultry:** no animals or livestock shall be raised or kept on lots.
11. **Sight lines:** at intersections in regards to fence lines, walls, hedges, or shrubs blocking line of sight
12. **Term:** 25 years renewing every 10 years thereafter
13. **Fences:** 6 ft ONLY. Specific details see Phase Covenants on website.
14. **Parking of vehicles:** No parking on the lot Infront of the front building line overnight.
15. **Enforcement:** Cross Gates Homeowners Association all rights and enforcement
16. **Model homes:** N/A
17. **Driveways:** must be concrete or asphalt
18. **Severability:** invalidation by court of one covenant does not invalidate others.
19. **New construction:** Must apply for parish permit and plans must be approved by HOA on all new construction.
20. **Maintenance and median areas:** (see website)
21. **Architectural control:** reserved to Cross Gates homeowner's association
22. **Parish of St Tammany building codes and ordinances:** in event covenants and ordinances conflict, the ordinance shall govern.

These covenants and their unwavering enforcement are granted by the state of Louisiana.

Each phase of our subdivision has its own individual set of covenants. You can find them on our website at <https://cgha.wildapricot.org/Covenants>. Look up your home address in the master index and you can find your corresponding phase's covenants. If you have any questions or concerns, please do not hesitate to contact us at mycrossgates@gmail.com or cgha.wildapricot.org. We appreciate you, your time, and your home. Thank you for your support and compliance.

The 48 homes in 5F2 and 5F3 will be receiving an initial notice included with this newsletter. The letter will inform them of a certified mail ballot to vote on their phase's extension. Please follow the instructions and timelines carefully as this is a one-shot deal.

MY CLOSING POINT

If you want a return on your investment and it to be a tangible thing you can see daily, invest in your subdivision and support your HOA. We fight every day to make this subdivision a great place to live, and it is incredibly difficult to do with minimal support (**415/855 homes - 48.5% participation**). If you want to see something being done that isn't, contact me personally or come to a Board meeting. We always need motivated individuals that want to make a difference in THEIR community. We all have demanding jobs and busy lifestyles, but regardless, we are here to make a difference. You have a great Board of volunteers. I can promise you this subdivision is better with an active HOA.

Phillip Leitz, President

**CROSS GATES HOMEOWNERS' ASSOCIATION MEMBERSHIP FORM
FISCAL YEAR OF (JULY 2020-JUNE 2021)**

Where do your annual dues go?

- The majority of homeowner dues are spent on median and entrance maintenance which includes grass cutting, bush trimming, trimming low tree branches, entrance and street sign maintenance and replacement, and limited landscaping. This maintenance is crucial to our home values and the subdivision's general appearance and curb appeal.
- Christmas luminaries and seasonal decorations for entrances.
- Printing and mailing newsletters, dues notices and other important information pertaining to the subdivision
- Covenants correspondence and enforcement, legal representation and related fees.
- Website and member portal
- Liability insurance
- Storage space for Association records, decorations, signs and luminary supplies.
- Representation with Parish concerns

The Association benefits all homeowners and rental residents with a clean, well-maintained, safe subdivision. It is crucial we all support our subdivision for healthy growth and maintenance. The Association holds general membership meetings semiannually in May and October for reporting, information sharing, elections, community questions, concerns and suggestions.

Investing in the general welfare of your home and subdivision is only \$75 a year.

We are hoping to add entrance lighting, irrigation, and landscaping, each of which come with monthly associated bills and maintenance costs. We make all decisions on improvements to have low costs to implement and keep, but none of this is possible without monetary support.

Name: _____ Spouse: _____

Address: _____ Phone#: _____

Dues: \$75 per year _____ Donation _____ Cell #: _____

Mail to: Cross Gates HOA
P.O. box 1133
Slidell, La 70459

**MAY GENERAL MEMBERSHIP MEETING/ ANNUAL BOARD ELECTION/ PHASE 5F2
& 5F3 COVENANTS RENEWAL:**

WHEN: Tuesday, May 25, 2021 @ 7:00 pm

WHERE: Saint Luke Catholic Church
910 Cross Gates Blvd

