

**8/26/2022**

**Fellow Residents,**

**As our Summer winds down, the Board wanted to do give a brief update on a couple of key decisions we made for our neighborhood.**

**Financial Update:** As communicated in our last update, we are current on all past and present assessment dues. The lone exception is lot #6 which is still in the foreclosure process. We will keep you updated as this process continues.

**Covenants/Bylaws Cleanup:** Our POA is currently under the Illinois Not for Profit Corporation Act. Based on legal advice, the Board voted unanimously to have our POA be governed by the Illinois Common Interest Community Association Act (ICICAA). The main reasons for this change is it places our POA on stronger legal footing and creates greater transparency and rights for all members. It requires specific financial record keeping, meetings open to all members, required communication, and certain limitations on the Board's ability to raise or adopt assessments without approval of the owners. This allows us to update our Bylaws and Covenants to align them with the ICICAA and to get rid of the outdated developer language etc. Since the changes are only removing outdated language and adding language required for the governance under the ICICAA, the Board is able to implement these changes with an affirmative vote. As of 1/1/2023, we will have the updated documents in place and be under the ICICAA. The Board believes this is a very positive change for all members.

**Sidewalk Maintenance:** After researching with Kane County, Campton Township, and the Village, the Board confirmed our POA is responsible for repair of our sidewalks. We have approved the contracts on replacing badly cracked ones and mud jacking those that need it. Based on our budget and capital fund, the Board unanimously approved to complete the majority of these repairs this year. Over the next couple of weeks, we will be communicating with those neighbors who will be having the repairs done. We ask

everyone to be patient as this will cause some inconvenience when our children are going to school and walking our dogs. In 2023, we will again address those areas which still may be in need of repair.

**Tree Replacement:** We also plan on planting some replacement trees.

If anyone is planning any year-end updates or changes to your landscape, patios, or home, we encourage you to review the Architectural Review Board's guidelines on our website ([hoafxocreek.com](http://hoafxocreek.com)). The ARB needs to approve all plans. Please forward any questions or plans to [HOAfoxcreek@gmail.com](mailto:HOAfoxcreek@gmail.com) and the ARB will respond quickly back to you.

Wishing everyone a safe Labor Day weekend and please feel free to contact us at our email address listed above or to any of our individual emails listed below. We are confident by continually working together, we can maintain our beautiful neighborhood.

Sincerely - Your Fox Creek Board,

**Jim McKelvie - President**  
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