



Trustee Meetings  
Second Tuesday of each Month  
Holy Cross Lutheran Church, 13014 Olive Blvd.  
Corner of Fernview and Olive Blvd. Please enter at rear of church  
7:30 p.m. - 9:00 pm.

### **PRESIDENT'S MESSAGE**

Dear Friends and Neighbors,

The leaves are almost gone and we've gorged ourselves on turkey and trimmings. As 2010 comes to a close, it is good to take a moment give thanks and to reflect on all that has transpired this year.

In addition to the subdivision's normal activities, the Trustee's have been busy with a couple of special projects this year including:

- Missouri-American Water Easement
- Great Rivers Greenway Bike Trail and Quiet Title Lawsuit
- Flyers regarding Parkway's Solid Waste Recycling
- Parkway License Agreement
- Directors & Officers Insurance

You will find articles elsewhere in this Gazette detailing the license agreement signed with Parkway School District and the Quiet Title lawsuit.

I'm sure you've noticed the work along Olive Boulevard just East of Highway 141 where the new intersection will be located. This work necessitated that Missouri American Water move a large water main. As a result, they needed to pass over the piece of our common ground that the gazebo sits on at the entrance to the subdivision. Last spring, the Trustees granted the easement that was requested. The main was installed last summer, but our electrical wiring was slightly damaged in the process. Thanks to the diligence of Larry Jackson, Missouri American has fixed and upgraded the wiring.

Last spring, flyers were circulated to some homes in OFE suggesting that Parkway intended to move their solid waste recycling facility from the campus at Parkway Central to the Fern Ridge property next to OFE. We discussed the matter with Parkway and received their assurances that they have no plans to move the recycling facility to Fern Ridge. Most likely, they would shut it down before moving it.

I'm glad to report a positive resolution to the crisis that was brewing last spring regarding our Directors & Officers (D&O) insurance. This insurance defends the Trustees from lawsuits and protects the homeowner's association in the event Trustees are sued. Due to the expenses incurred defending a lawsuit filed in 2008 by three homeowners, our carrier declined to renew the policy. OFE has had to spend only \$2,500 (the deductible) to-date on this lawsuit because of this policy. Frankly, I can't imagine anyone volunteering to serve the subdivision as a Trustee or in any capacity without this insurance in place. Fortunately, we found a new policy with acceptable terms before the old policy expired.

I want to take this opportunity to express my thanks to all those who make Old Farm Estates a wonderful place to live. Thank you to everyone who makes his or her home look attractive. A special thanks to those who answered my request and made improvements to the exterior their homes in 2010. If you couldn't do it in 2010, we'll watch to see what you can do in 2011.

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Thank you to everyone who volunteered for the subdivision-wide events sponsored by Joy Fisher and her committee. These events are the icing on the cake that is OFE. And finally, thank you to each of the Trustees for your dedication to making Old Farm Estates a premier place to live and raise a family. It is my privilege to serve with each of you.

Best regards, Sam Craig

### **BIKE TRAIL LAWSUIT**

If you've lived in the subdivision for any amount of time, you undoubtedly remember discussions of the bike trail that Great Rivers Greenway wants to build through our common ground down near the pool. This project has been going on for over five years. You may have heard about a lawsuit that the Trustees initiated. It was resolved in May, 2010 and here is an explanation of what took place.

Before the Trustees could negotiate the granting of an easement for the bike trail, the parcels of land it was to be built on had to be appraised. During this process in the spring of 2009, the Trustees learned that a couple of the parcels were not deeded properly to the Trustees. In fact, one was still deeded to the original developer's corporation that had been dissolved for 30 years. The only way to clear the titles, such that we could issue easements, was to file a Quiet Title lawsuit asking the court to make the correction.

The Trustees approved a resolution to undertake this lawsuit thinking that this had been a clerical error and that we would need to just go through the motions required by the court. Unfortunately, Mr. Kodner, the subdivision's developer, decided to challenge our lawsuit to the fullest extent.

As a result, the process that we thought would take two to three months actually took almost a year.

In the end, we negotiated a settlement with Mr. Kodner paying him \$5,000 to properly deed all of the parcels in question to the Trustees as OFE common ground.

We have resumed negotiations with GRG trying to finalize a value for the requested easements. You should know that this process has stalled. GRG has an appraisal as do the Trustees. There is a significant difference between them. We made a counter offer to GRG last spring and they have yet to respond. We will keep you apprised as the situation develops.

Sam Craig

### **OWNER COMMENTS AT TRUSTEE MEETING**

As you know, the Trustees meet regularly to transact the business of the subdivision. It has been common practice to allocate some time at that meeting for homeowners to make comments and to ask questions. We called this portion of the agenda Good and Welfare.

Unfortunately, the intention behind Good & Welfare seemed to have been lost on those participating the last couple of years. Rather than making a positive contribution to the subdivision, it had degenerated into arguing, tension, and a lack of civility. As a result, I suspended it for a couple of months. However, there was a general consensus amongst Trustees that we need to provide an opportunity for homeowners to address the Trustees in a public forum and to get questions answered.

After doing some research, we borrowed a page from the Parkway School District Board meetings to re-instate a question and comment period at Trustee meetings. The new agenda item is called Homeowner Statements. Rather than being at the end of the meeting as it was, Homeowner Statements is now near the beginning for ten minutes. That is enough time for five two minute statements.

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Owner Comments At Trustee Meeting

In addition to being presented orally, all statements and questions must be presented to the Secretary in writing. If a question is asked, a Trustee will respond in writing to that homeowner. This way, homeowners have an opportunity to publicly make a statement or ask a question and there is no confusion about what question was asked.

We have been using the new rules for a couple of months and they seem to be working. As a reminder, all homeowners are welcome to attend Trustee meetings. They are held the 2<sup>nd</sup> Tuesday of each month at Holy Cross Lutheran Church in the basement. See you there!

Sam Craig

### **TIME WAITS FOR NO ONE**

The holiday season is upon us. It's crammed full of happy family life, sharing, love, good deeds, time to count blessings and so much more. As I write this, I know the speed with which Thanksgiving, Christmas, Chanukah, and New Years will come and go ---faster this year than last, and last faster than the year before. The speed with which time goes by almost makes me dizzy.

In the last four years my Dad (91), my Mom (87) and my two good friend's next door (88 and 97) have passed away. In the five years before that, I lost a 5 month old grandchild, my father-in-law (88) and a younger sister (43) on Christmas Day. The gaps they all left permeate my life like holes in Swiss cheese. It seems like only yesterday they were here --- a cliché but a fact.

Time is precious, and as my mother used to quote, "Time waits for no one." TODAY comes just today. This hour, just once.

This minute, just once. And each is a gift that once past never returns. Some of us get only 5 months of minutes, others 97 years. How we use the time given us is ultimately our choice. We can choose to be unhappy and work to make everyone else unhappy or we can choose to assertively look for ways to make the best of our problems and to help others to do the same.

I am the eldest of ten children and we own a business together. I use that last word – together – rather loosely. If we ever really worked 'together' we would be millionaires, but sadly, some of my brothers have chosen to work only for themselves. They want to be in charge, to be in power. They want to be "the successful one." Instead of working with their siblings for the betterment of the whole, their actions say they would rather miss out if it means depriving someone else of power or success. Those men define compromise as something the *other* siblings need to do. And time ticks on by . . .opportunities disappear, relationships dissolve.

This story of my family is an analogy for what is happening in our country, in our state and cities, and now, even in our wonderful neighborhood. I was a trustee about six years ago but had to resign because I had to go out of state to run that family business. Since I was commuting back and forth a couple of times a month, I did not have time even to read the Gazette much less get involved. I have now been back full time for about a year and when the opportunity to serve as a trustee came up, I was eager.

Now to the point of this discussion ---- tension and confrontational back and forth statements between trustees and OFE residents dominated my first few meetings back as a trustee. I became aware that a group of OFE residents not only had sued the trustees but also seemed to be intent on antagonizing the trustees at meetings.

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Though the verbal confrontations have virtually ceased due to a policy put in place by Sam Craig, the President of the Trustees, the tension and hard feelings still prevail. Some of those residents were my friends; some live close to me. I am mystified and sad.

Life is so short. Minutes are counted out for each of us. As the world heaves with financial crises and we stoop over with the burdens of just trying to keep our lives together and sometimes see the grandchildren and children, I challenge myself and my friends and neighbors to think about how best to spend the minutes of our lives. Just like our money, our time will run out. What do we want as our legacies? There really is enough happiness for everyone in the world, so let's work together. Maybe the spirit of these wonderful holidays can carry over to 2011.

Happy Holidays, Mary Ann Speck

### VOLUNTEERS

The Trustees would like to recognize and thank the many non-Trustee volunteers that are seldom mentioned in the Gazette. It's not only the Trustees that hold the fabric of our subdivision together; we have the assistance of the following residents:

- Common Grounds Maintenance
  - Jerry Lehman
- Street Cleanup along Common Ground:
  - Gerald Burmeister, Larry Chervitz, Bill Irwin, Bruce Mayberry, Mark Schonhoff
- Neighborhood Heritage Preservation
  - Larry Chervitz
- Pool Recreation
  - Chris Hester and Deb Nicolson
  - Joyce and Jerry Lehman, Wayne Hause Michelle and Ron Tisher, Skip Hart The families of Laura Manion, Sue Kreutz Bader, Amy Ortman, Julie Campbell, Nancy Martin, Alycia Paden, Patti Zwick, Barb Dobbert, Debbie Nicholson, Christine Hester, Warren Pottinger

### PRESIDENT

Sam Craig 576-1514 samcraig@mbemail.com

### DISTRICT TRUSTEES

- 1 Luke Bader 514-9652 lukewbader@aol.com
- 2 Mike Davis 434-4572 davism@jainamericas.com
- 3 Vacant
- 4 Sam Craig 576-1514 samcraig677@gmail.com
- 5 Dan Bellows 469-8087 dan.bellows@bunge.com
- 6 Larry Jackson 878-4068 lgjackson@sbcglobal.net
- 7 Ed Shimamoto 205-1990 eshima@yahoo.com

### AT-LARGE TRUSTEES

- Ted Campbell 542-0727 cambellted12@yahoo.com
- Joy Fisher 579-9370 joyfisher@live.com
- Les Shenberg 514-0280 lshenberg@hotmail.com
- David Voeller 878-3178 dvoeller@hunter.com
- Jerry Goldberg 434-2566 jerryfrang@sbcglobal.net
- Kathy Schweitzer 576-5891 choicesfcu@yahoo.com
- Mary Anne Speck 469-1760 speck.ma@yahoo.com

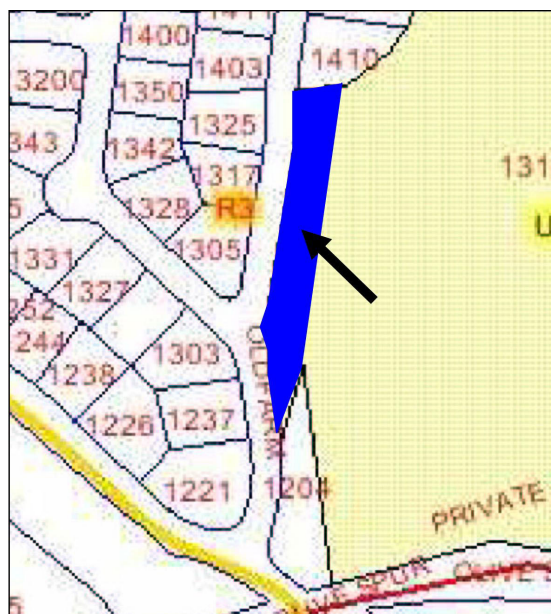
### Officers, Committee Chairs and Committee Members

- Pool**
- Long Range Planning**
- Long Range Planning
- Vice President, Common Grounds Welcome Wagon, Neighborhood Watch**
- Treasurer, Pool Recreation**
- Neighborhood Watch**
- Secretary, Internet Editor,**
- Neighborhood Heritage Preservation**
- Long Range Planning**
- Architectural Review Committee**

## PARKWAY LICENSE AGREEMENT APPROVED

There is a small strip of land near the entrance to the subdivision running along Old Farm Drive (see the map) that most homeowners assume is OFE common ground. In fact, it is a part of Parkway's Fern Ridge property. At the November 9<sup>th</sup> meeting, the Trustees approved a resolution authorizing the President to enter into a License Agreement with the Parkway School District granting the Trustees permission to enter upon the property and maintain it. The agreement will now go before the Parkway Board of Education for its approval.

Understanding that the property is not OFE common ground, the Trustees have felt that it is important that this property be maintained at a level commensurate with the caliber of our homes. The Trustees have felt that the maintenance of this property qualifies as a matter that could reasonably be expected to have an effect on property values (see article III, section K of the Indenture) because it makes an immediate impression on visitors to OFE. Accordingly, they have been maintaining this area for over 20 years.



**Parkway School District property**

A small group of homeowners learned that this property was not a part of OFE common ground and questioned our maintaining it. While explaining why we felt this was the right thing to do, it became apparent that we should have a more formal arrangement with Parkway. We approached Parkway and entered into discussions about this property and its maintenance. We learned that Parkway would maintain it, but only to a basic level meaning no irrigation, mulching, or new plantings. We broached ideas such as purchasing the strip, but Parkway was not open to them at this time. Consequently, we negotiated a license agreement with Parkway which will formally allow the Trustees to maintain the hill along Old Farm Drive. Once approved by the Parkway Board, the Trustees will assume maintenance responsibility.

Sam Craig

## UTILITY POLE ADVERTISING SIGNS

AmerenUE does not permit the placement of signs on their poles. When signs are observed, call 800 552 7583 with the street location and pole number, usually a tag about 12 feet from the ground. AmerenUE will call the offending company for removal of the sign. Jerry Goldberg

## TRUSTEE ELECTION RESULTS

This past May, an election was held for eight at-large Trustees. Per the Indenture, Old Farm Estates holds an election for Trustees every 18 months, alternating between district Trustees and at-large Trustees. Elected in May were (number of votes): Ted Campbell (126), Joy Fisher (128), Jerry Goldberg (129), Shane Neifert (126), Kathy Schweitzer (132), Les Shenberg (120), Mary Anne Speck (115), and Dave Voeller (131). These Trustees will serve until May, 2013, a three year term. The next election will be in November, 2011 for the seven district Trustees. Sam Craig

## COMMON GROUNDS

This past spring, Missouri American Water cut the underground electrical line to the entrance area. After much negotiation, they agreed to fix it and the power has been restored. New under ground wiring was run from the pole in front of the gate house and the service was redone and brought up to code. We should have no more problems in the future. There was no cost to Old Farm.

The hiking/biking trail from the pool area to Creve Coeur Mill Rd. has had new rock applied this November. It may take awhile for it to compact completely (please be patient).

Larry Jackson

## WELCOME WAGON

Old Farm Estates welcomes nineteen new residents in late 2009 until 2010 (current). This is a relatively low turn over rate for a subdivision of 558 homes. Most of our new neighbors are from nearby St Louis areas. They are familiar with the neighborhoods and wisely chose our subdivision. The quality of education in the Parkway School District is another factor in their home purchase decision. Only a couple of new residents are from out of state. Most of the new residents are younger with children. I see a period of youthful renewal in the future of Old Farm Estates

Ed Shimamoto

### Directory Updates

1328	Benbush Dr	Reginald Rivera	
1620	Hobnail Ct	Michael Foust & Kathryn Foust	443-0316
13281	Hobnail Dr	William T. Stanislaw Sr & Lisa I. Hunt	
1947	Pickfair Dr	Carl Minor & Marilyn J. Minor	542-5620
1973	Pickfair Dr	Brian M. Paden	392-9207
1849	Walnutway Dr	Gary Salmans Jr & Alexis Salmans	425-244-2967
1853	Bookbinder Dr	Patrick O'Neil & Amy Bertel	636-734-3306
1840	Burlewood Dr	Joseph M. Meehan	
1856	Burlewood Dr	Steven P. Thompson & Anna M. Thompson	275-4079
1678	Creve Coeur Mill Rd	Brent Vancil	
13140	Greenbough Dr	Rodney L. Tolliver & Sandra L. Tolliver	275-8507
13087	Greenbough Dr	Michael Kulig & Katherine Kulig	313-8092
13192	Greenbough Dr	Stephen M. Schroeder & Victoria L. Schroeder	317-8899
13130	Old Farm Dr	Ryan Vincent & Suzy Kiska	922-4286
1939	Pickfair Dr	Ying Jun Tan & Chun Yan Han	
1808	Pickfair Dr	Brian Edward Hemmersmeier	
13146	Roundstone Ct	Daniel Perrine Jr & Zoe Perrine	392-9360
13147	Strawberry Way	Christopher M. Moresi & Amy L. Moresi	392-9157
13028	Weatherfield Dr	Michael R. Pauluhn & Rachel S. Pauluhn	317-9080

## YARD WASTE

No doubt, you have witnessed residents raking leaves into the streets and not cleaning up. This action is a violation of St. Louis County Ordinances as explained in an email from the St. Louis County Department of Health.

Please be a good neighbor and be considerate for the appearance our subdivision. Thank you,

Jerry Goldberg

The issue of appropriate handling and disposal of leaves is addressed in the Waste Management Code (Code), Chapter 607 of the Saint Louis County Revised Ordinances (SLCRO), which classifies leaves as yard by-product waste.

Yard By-Products are defined in Section 607.040.64 of the Code as *“source separated leaves, grass clippings, yard and garden vegetation, tree limbs six (6) inches or less in diameter, and Christmas trees. The term does not include waste generated in the production of decorative or ceremonial items, stumps, roots or shrubs with intact root balls”*.

Proper disposal of wastes is referenced in Section 607.310.1 of the Code which states, in relevant part, that *“No person shall deposit waste on any real estate or permit waste to be deposited on any real estate for which there is no valid and current license, and, if appropriate, renewal license, for the operation of a landfill, waste processing facility, transfer station, compost facility, or yard by-product compost facility issued by the Director...”*.

With regard to placing leaves in storm drains Section 607.810 of the Code states, in relevant part, that *“No person shall dump or deposit or permit dumping or depositing of any wastes into any stream, spring, body of surface or ground water, whether natural or artificial, within the boundaries of St. Louis County...”*

One of the problems in addressing the issue of leaves has to do with the question of when they actually become a “waste”. When leaves fall from trees and lay on the ground they are not considered a waste. Unless the municipality or subdivision where a residence is located has an ordinance or indenture requiring residents to clean up fallen leaves there is no County ordinance requiring a resident to do so. However, once someone collects the leaves in some fashion (rakes, blows, vacuums etc...) the leaves then fall into the County Code definition of yard by-product waste. The leaves must then be disposed of at a facility licensed to accept yard by-products or they may be composted in the residents’ backyard (Requirements for proper backyard composting are listed in Section 607.1005 of the Code).

The only time it would be permissible to pile leaves at the edge of the street is when a resident has contracted with a hauler that vacuums the leaves into a truck or trailer for transfer to a licensed yard by-product composting facility. The leaves could be placed at the curb no sooner than the evening prior to pickup as stipulated in Section 607.120.1 of the Code which states, in relevant part *...”Waste and recovered material containers and bulky/non-containerized waste shall be placed at the collection point if in front of the premises or on a street not earlier than dusk of the day prior to the regularly scheduled collection day. ...”*

It is never permissible to place leaves in a storm drain.

Thank you for your concern for the environment.

Tom Sampson, Environmental Representative  
Field Services Section  
St. Louis County Department of Health  
4562 Lemay Ferry Rd.  
St. Louis, MO 63129  
TSampson@stlouisco.com  
314-615-8915

**GAZETTE**  
**OLD FARM ESTATES**  
13039 Musket Ct.  
St. Louis, MO 63146

PRESORTED  
STANDARD  
U.S. POSTAGE  
**PAID**  
ST. LOUIS, MO  
PERMIT NO. 5255

### **IT'S POOL TIME**

The summer has come to an end and we are now watching the leaves build up on our lawns. It won't be long before the frigid temperatures move in and we wake up to the first snow of the new winter. A great way to get through the long winter is to day dream about the upcoming summer and the opening of the OFE pool. We had a very successful and enjoyable pool season in 2010 and it won't be long before 2011 is here! Don't let the cold winter make you forget about our biggest asset.

The OFE pool is an asset to the neighborhood and adds to the value of our homes. The pool is owned by all residents of Old Farm Estates, so don't miss out on taking advantage of this great value. In addition to the pool itself, OFE has both Swim and Dive Teams for our children that compete with other pools in the area. Swimming lessons for the kids are also available to all members.

The pool is an enjoyable way to keep cool and a great way to reconnect with old friends and neighbors after the long winter, as well as meeting new friends.

In addition to the main pool, there is a Kidde pool for those families with small children. Several Weber Grills are available for anyone to use, so bring your own food and beverages with you for a summer Bar B-Q with your family and friends. (It also keeps you from heating up the kitchen). It is also a great place to have a Children's Birthday Party or a Family Get-Together.

Mike Davis

### **OFE ASSESSMENT**

Note that assessments must arrive at City and Village no later than December 31. Mail post-marked with a date of December 31 and thus arriving after that date is considered delinquent.

Jerry Goldberg