

Indigo Springs Homeowners' Association
Board Meeting Minutes
Thursday, July 31st, 2008, 7:00 pm
Grace Banquet Hall, 1547 E Main St, Greenfield, IN 46140

Board Members:

Present: Steve Forsyth, President, Steve Immink, Treasurer and Lisa Davis, Secretary
Absent: N/A
Quorum present? Yes

Others present: 26 Indigo Springs' residents and 1 future resident closing on a house soon.

Proceedings:

Meeting called to order at 7:01 pm by President Steve Forsyth. Steve F. indicated that the only people allowed to speak during the actual meeting were the officers according to Robert's Rule of order and whereas we want everyone's input, we will wait until the close of the meeting for questions as that is the way a proper business meeting is conducted at a board meeting. Paper and pencil was provided on each table so that all questions could be held until the end of the meeting and the person would be asked to step forward, be recognized, state their name and their question so that all questions can be picked up on the voice recorder for accountability purposes. New homeowners and those who were attending a board meeting for the first time were recognized by raising of hands. It was noted that we had some new homeowner's in the group and that was encouraging, Steve F. thanked everyone for coming out. The Board members (as stated above) introduced themselves.

President's Report – presented by Steve Forsyth, President

- We finally were able to meet with Karin Blue about three weeks ago and secure her as the HOA attorney. We had chosen her over a month ago but due to personal family matters she had been out of town for the better part of half a month. She has agreed to be our HOA attorney and has not requested a retainer fee, but will bill us as expenses incur.
- Last Friday (which was the deadline for the old board to turn over assets) we were able to pick up some of the assets from Sandy Davis, former board member. While everything that they had listed as assets (the list they gave to attorney Thomas Cone) was there, we have proof of many other things they purchased that were not turned over. We will be making an updated list of assets that were not turned over so we can give them to the attorney Karin Blue and to Judge Culver (as he court ordered it to be done). We have copies of their expense reports and receipts that show they bought these items.

- Sandy bought some new items to replace items she did not want to disconnect from her home office (Multi-function printer, USB cable, and duplex phone jack and phone line, a new shredder to replace Mistie's shredder). We did not see a need in having these items (except the shredder which we kept) so we returned the items to Wal-Mart. Since we did not have a receipt they would only give us a gift card. We reimbursed me with the gift card for expenses I had previously paid while waiting for the checking account to be turned over to us. Steve Immink will have more details of this in his Treasurer's report.
- We purchased a small business copy machine that is property of the HOA. With the cost of printing and knowing we will be having several things to print and copy in the near future (amended By-Laws, ballot to amend/correct the covenants, fliers for upcoming events etc.) the board determined it was more cost effective (less than half the expense than if done by Fed-Ex/Kinkos) to buy a quality copier that will do double sided printing versus using Fed-Ex/Kinkos for all of our copying. The copier is located at my house and will be available for all committees to use either by stopping by my house or by emailing me the items to be printed.
- We have had several homes purchased/or moved into recently (approximately 7 homes in the last six weeks), it is encouraging to see some of these homes being purchased. If you know of new people moving in, contact the Welcoming Committee to let them know. The Welcoming Committee will start going out this Sunday to make first visits.
- We are encouraging people to get involved. Most of the committees are up and running. There are still positions open on all committees. If you would like to be on a committee please let a board member know. The more people on committees and the more input, the better things will run.

Treasurer's Report – presented by Steve Immink, Treasurer

BALANCE 6/26/08			11,999.66
7/2/08	Deposit	--SPLIT--	814.60
7/2/08	1228 Greenfield Utilities	Utilities:Storm Water	-20.00
7/2/08	1229 Fiano Lawn & Landscaping	Common Area Maintenance:Lawn Care	-1,540.00
7/10/08	1230 Tony Gaver	WebSite Design and Maintenance	-450.00
7/10/08	1231 Grace Banquet Hall	Board Meeting Location	-50.00
7/10/08	1232 Grace Banquet Hall	Board Meeting Location	-75.00
7/10/08	1233 Hoosier Aquatic Care	Common Area Maintenance:Pond Treatment	-2,450.00
7/15/08	1234 US PostMaster	Postage	-86.67
7/15/08	1235 FedEx Kinkos	Office Expenses:Printing Expenses	-54.00
7/15/08	1236 C Thomas Cone	Attorney Fees	-350.00

7/17/08		Deposit	--SPLIT--	1,487.64
7/26/08		Deposit	--SPLIT--	1,147.50
7/26/08	1237	JRs U-Store-It	Operation Expenses:Storage Expenses	-54.70
7/29/08	1238	Lisa Davis	Reimbursement	-25.00
7/29/08	1239	Office Depot	--SPLIT--	-678.95
7/29/08	1240	Greenfield Daily Reporter	Classified Ad	-37.00
TOTAL 6/27/08 - 7/31/08				-2,421.58
BALANCE 7/31/08				9,578.08
TOTAL INFLOWS				3,449.74
TOTAL OUTFLOWS				-5,871.32
NET TOTAL				-2,421.58

1) The gift card from WalMart was in the amount of \$133.15, Steve F. had expenses totaling \$131.00 for items: portfolios for Steve F and Steve I, envelopes, Fed-Ex/Kinkos (2 printings). He also had a couple more expenses that we did not add into this, so he'll still get more reimbursement above and beyond the gift card for the business entity registration with State of Indiana that has to be renewed annually (approx \$7.00) and the Magic Jack phone expenses (approx \$47.00) for the HOA phone communications.

2) Currently as of today the balance in the account is \$9578.08. Some of the items I want to make mention of are Hoosier Aquatic Care \$2450.00, that bill is considered paid in full for their contract so we should not be getting another bill from them this year. The other entity that is paid in full is Thompson Lawn Care. Tony Gaver is the current webmaster and the individual who updates the web pages, he had a bill for \$450.00 in arrears from the beginning of the year that was not paid so we paid him for that. The item second from the bottom for Office Depot is for the copier we bought last night. The \$678 includes the copier \$439.00 plus \$60 for 2 year extended warranty, additional toner cartridge, inkjet cartridge for the printer Steve I is using and a case of paper (5000 sheets) and a ream of colored paper for advertising flyers and other miscellaneous office supplies.

3) If you have any additional questions on this, please write them down I will be happy to go over the budget or the account after the meeting. Or if you want to go over the account or budget at a different time you can email me at simmink@indigospringshoa.com or call me at 641-2419 to set up an appointment. Everyone is welcome to see what is being spent.

4) Steve F points out one error on Steve I's report, Library "reservation" should be listed as "room rental". Lisa D. had paid for the room rental and has been reimbursed for that.

Secretary's Report – presented by Lisa Davis, Secretary

The previous board meeting minutes were read in their entirety excluding Q & A from residents. It was indicated that the meeting minutes with the Q & A are out on the website if anyone would like to view it in its entirety. A motion was made by Steve Forsyth to approve the minutes as read with no amendments. Steve Immink seconded that motion and the previous meeting minutes were approved.

Steve F. gave an update on a couple of items mentioned in the previous minutes: 1) 60% or 191 out of 321 lots have now paid their dues per Steve I's records and 2) today (July 31st, 2008) was the deadline for the dues so now late fees will apply to dues not paid.

Old Business:

1) We have most of the committees up and running. A fair share of them has met already. The Architectural committee has been meeting pretty regularly to try to resolve several "messes" and we ask people's cooperation as we get things righted. Committee Chairs were asked to introduce themselves, Legenia and John Kennedy... Welcoming Committee, Jim Clark... Arch committee, Mark Salvadori... Election Committee, Kim Beasley... Event Planning Committee, Don Hull... Violations Committee. Christi Hawkins chair of Safety Committee was not present. The board wants to schedule a meeting with the board and all the chair people so we can get to know each other and find a way to interact effectively. We will meet after the meeting to set up a time.

2) Last month we made it public that it would be our intent to expand the board to at least five (5) people but no more than seven (7), our covenants state it can't be more than seven and we don't think three is enough. We'll be doing that under New Business tonight.

3) Today was the deadline for the HOA dues, we will be sending out past due notices in the next week. If we have you down as not paying, don't get offended, we are doing the best we can with the records we have been provided. All we need is a canceled check copy to rectify the situation and some homeowner's have already provided that. Those that have not paid need to get their dues paid.

4) When the board officially took over we decided to wait one month before informing people that they were not in compliance with the covenants and by-laws. Those 30 days have passed and as the Violations Committee gets business going they will be contacting people to let them know of the violation before the violation is served. If the person is willing to work with us to get things corrected, we will work with them. If their attitude is unwilling then the violation immediately comes in effect. We will work with you if you work with us.

5) We do have control of the check book and the account. Everything is in our control and the Treasurer is taking care of the check book as needed.

- 6) We have opened a business account at Greenfield Office Supply
- 7) Fedex/Kinkos denied our application for a business account but now that we have our own copier this should not be an issue.
- 8) We have 60% of the homeowner's dues paid and will try to work with the homeowner's who say they have paid to show proof or make arrangement for payment to those who have not.
- 6) The court did release Thomas Cone as the receiver so now it is the current board with Karin Blue as our attorney and no one else is involved. We paid Thomas Cone approx. \$5400.00 through all this and so now we should have less expenses moving forward.

New Business:

- 1) We're planning on by October giving public notice that we are open for bids for contracts. It will be a sealed bid; people will not be told what others are bidding so they can under bid it. The board will not be reviewing the bids, it will be going through the Common Area Committee and none of the bids will be opened until the deadline. The lowest bid will not necessarily be accepted but the bid of who can properly do the job for the money will be awarded the contract. If you know of anyone who does pond maintenance, common area maintenance, mowing, etc. feel free to let them know. It will be put in the Daily Reporter so everyone has a fair chance to bid.
- 2) The board will be working on updating the By-laws. It is our intent to have this done by the next board meeting and have a copy of the updated By-laws ready. According to the By-laws they are updated strictly by the board. They are not updated by homeowners but if you want your input of what you would like to see in the By-laws let the board know. We can't let homeowners vote on the By-laws because someone could challenge it and then they are no good and invalid. That is what happened with the previous changes in the covenants which were voted on incorrectly and now we have to straighten that out and come up with a solution to resolve that. The By-laws have to be voted and approved by the board of directors. Stuff like parking and all that is the covenants and our intent is to have a ballot prepared and mailed out before the next board meeting of items to vote on for the covenants. We only have proof that 14 people voted to amend the covenants last time. Each ballot was numbered that the old board turned over to us. You have to have 75% of eligible homeowners to vote in order for the covenants to be changed. If only fourteen voted then that means that only 21 homeowners were eligible to vote at that time and we don't think that is correct. We talked to Karin Blue when we met with her on how this now needs to be handled. The new By-laws were also cut and pasted and the fonts were different sizes, according to the new covenants you can't be out of your yard without a leash, they forgot the "dog" part out of it. We have severe issues with the covenants and by-laws. In order to get the covenants changed we have to have 75% of eligible homeowners to vote. We're going to have a mailing out of ballots with control numbers on each of the ballots, we'll give 14 days to get those ballots turned in,

and then we might have to go door to door to get the rest to vote until we get our 75%. It might take a few months or even a year, but it depends on the homeowners. Until then we have issues, especially with the violations committee because do we go by the old covenants or the new covenants? 80% of the covenants are the same but 20% of it is different and what we do about those, neither we, nor the lawyer, knows. We don't know which one we should go by so we need the homeowners' help by voting. Even those ineligible homeowners will receive a voting ballot, but with it we will send a bill for dues and any fines letting them know that if they pay their dues/fines/late fees with the ballot then their vote will count. Then they also can't say that they didn't have a chance to vote.

3) We had decided to expand the board to seven (7) members but one of the people has not made any of the meetings or communicated with us why he could not make the meetings so we do not feel comfortable adding him at this time. Instead of seven (7) members we will carry business with six (6) board members through the end of the year. There is no sense adding another one in a month or two because there will be elections at the end of the year anyway in December but right now we need more than three people making decisions. We now recognize Frances Hull, Michael Trable and Larry Wheat. Steve I. motioned to expand the board to six (6) people and Lisa D seconded that motion. The three new board members were than asked to come up front and take their seats at the board's table. Steve F. commented that everyone now has six that people they can grill!

Motion to Close:

Larry Wheat makes a motion to close the meeting and Frances Hull seconded that motion. The meeting was closed at 7:40 pm.

Q & A:

At this point questions were accepted from the floor. Steve F. commented that if questions could not be answered at the present time then we will get the answer and give it at the next board meeting.

****Resident Paul Bell has two questions...1) he asks if the new lawyer is not "retained" is she being paid hourly? And what is her fee per hour?*

Steve I and Steve F answer that although they cannot remember her exact fee per hour it was reasonable as compared to other attorneys we checked with.

****Paul Bell also asks why he has seen no ad in the paper regarding the community garage sale?*

Steve I. states a check has been written to cover the cost of the ad. Kim Beasley (Event Planning Committee) answers that the add will be in the Daily Reporter on Aug. 9th, 14th, 15th and 16th with the sale running on the 15th and 16th. She also adds that a flyer will be printed up and distributed to every house in the neighborhood this weekend hopefully giving three weeks notice to those needing to get prepared. Also we have banners that will be placed at the front entrances the Sunday or Monday prior to the sale for advertisement. We'll be asking for volunteers to pass out the flyers so that we don't have to pay for postage and to cut costs where we can.

****Larry Wheat asks if we'll have any signs put up at the corner of McKenzie and Blue?*

Kim Beasley answers that she'll check with Mindy across the street from her about people making poster boards to be hung at that corner and also US 40 and Blue Rd.

****Larry Wheat then comments that he did not see the garage sale advertised on the HOA's website?*

Steve F. answers that the problem with the website is that you can only load one new event as a new item at a time and that the board meeting was more important than the garage sale.

****Paul Bell asks if there will be a rain date for the neighborhood garage sale?*

Kim Beasley answers that the rain date will be the 22nd and 23rd of Aug and that will be advertised in the paper also.

****John Leisure, new resident to 953 Runnymede as of last Friday asks that we give him time to work on his yard as he works full time and goes to school full time. He wanted to introduce himself and also wants to inquire about approval for a shed? He had sent a letter to the arch committee but has not received a response.*

Steve F. answers that storage sheds are a problem we are currently trying to figure out how to take care of because the new covenants say you can have them but the old covenants say you can't. We have to allow them but are trying to figure out how to do it where no one can challenge it. He advised John to go ahead and submit request for approval and hopefully we'll come to some kind of interim conclusion until the covenants get updated.

****Steve I. asks if there is any time limit or expiration if he gets approval now.*

Jim Clark (Arch Committee) answers that no there is no expiration and they try to have all approvals done in thirty days.

****John Leisure also wants to address something else. He has read the blog and offers advice about the vandalism in the park and under the bridge. He feels these are children who obviously need attention and are not criminals. He feels we should not be calling*

the police but talking to the children themselves and/or their parents before calling the police.

Several residents answer that we agree with him and this has been tried in several cases.

****Karen Geer has a statement...her car was broken into three weeks ago but they did not steal anything. The kid across the street from her also had his car broken into and they did steal stuff. The kid told her that the house in back of the Geer's was broken into and she knew who did it and she was asking who she thought did it to give her back her stereo and the kid said, "which one" and gave her back her stereo. She asked why and the kid said it was for drug money. The kid across the street made a police report about his break in but when she called the police, they took her information over the phone but no one ever came out.*

Steve F. asks if anyone has any idea who did it?

****Karen says the kid across the street thinks he knows who did it and was going to contact someone he knew at the police department. But like she said no one ever came out about her break in.*

Steve F. answers that maybe the Safety Committee can look into it.

****Kim Beasley states she has access to free fill dirt to fill in the east lot common area and wants to know if anyone contacted the city to find out about the variance for that and what we can do with that area (possible flood plain)?*

Steve F. answers that once we get the Common Area Committee going the Government Liaison can check into that.

****Kim Beasley says the dirt is being dumped at Johnson's and so she wants us to contact the homeowner's on Springside Ct to see if there can be an easement of gravel established to carry the dirt back there.*

Steve F. answers that we will need to contact the city to make sure they don't have that lot graded that way for a specific reason as far as rainwater drainage. We can get the fill dirt free but will have to pay for grading; we'll also have to purchase stone to make a drive for the dump trucks to handle this. We will need to check with the homeowners back there to make sure they don't have a problem with the truck traffic and make sure we don't get a 50 foot mound of dirt back there that we then can't do anything with because the city won't let us.

****Steve I. asks about the other thing we also have to look into is that particular stretch where the stones will be laid, is that going to be a permanent fixture so when we possibly enhance back there in the future with a playground or basketball courts it is accessible?*

Kim Beasley answers that if we don't want to use that as a drive or entrance that her people that will bring the fill dirt will also pick those stones back up (#2 stones, big) and she has a place to dispose of them.

Steve F. interjects that we want to make people aware that we have looked into this and want to make a usable area back there if we can.

Lisa Davis comments that there is no need to have vehicle access to back there even if we make it a usable area, because there is no parking anyway.

Steve F. replies that when we say "usable area" we just want to make it safe so no one twists an ankle or anything like that.

****Kim Beasley reports that they are trying to get a Harvest Festival for possibly Oct. 18th with hayrides, apple bobbing, pumpkin carving contest, etc. She has access to tables and chairs for free, access to moon bouncer for free and can get all that stuff together. So in September she will need volunteers to get that organized if anyone is interested in that.*

Additional comments from Steve Forsyth, President:

Although the formal board meeting was closed and Steve states he'll bring this up at the next board meeting also, he did want to mention that when they picked up the assets (popcorn popper, popcorn stand, hotdog cooker, snow cone machine, etc.) they did not want to store them in anyone's garage so they rented a storage unit for \$29.00 a month so there is no question about where the items are. The point is, when the old board was trying to come up with an explanation of what their "consultant fees" were, they listed under Sandy's fees "tax preparation" which she did wrong and we ended up paying \$400 plus in penalties for that error. We feel she should pay back both the tax preparation fee and the penalty amount. Plus, to make the \$1000 "consultant fee" jive, they listed that we paid her \$50.00 per month to store the assets mentioned above in her garage and \$5.00 per month for frozen hot dogs two years out of date in her freezer which we ended up having to throw away. Point is, our \$29.00 per month storage shed is the smallest one you can rent and is not even 1/5 full. We were paying her twice that. We also will have to dispose of the snow cone syrup which is also expired.

****Don Hull then asks what taxes we would be paying since we are a non for profit organization?*

Steve F. responds that we are a non-profit (not non-taxed) organization (not a charity) so there is income that we do pay taxes on.

At approximately 7:52 pm the meeting was dismissed and the chairs of committees were asked to come forward so we could set up the aforementioned meeting.

Respectfully submitted,

Lisa Davis, Secretary
Prepared August 3rd, 2008