

Indigo Springs Homeowners' Association
Board Meeting Minutes
Thursday, October 30th, 2008, 7:00 pm
Grace Banquet Hall, 1547 E Main St, Greenfield, IN 46140

Board Members Present: Steve Forsyth President, Steve Immink Treasurer, Lisa Davis Secretary, Francis Hull Committee Manager, Michael Trabel Community Enhancement Coordinator, Larry Wheat Government Liaison

Absent: N/A
Quorum present? Yes

Others present: 20 Indigo Springs' residents.

Proceedings:

Meeting called to order at 7:02 pm by President Steve Forsyth. Steve welcomes everyone and indicated he was glad to see first timers present. He indicated the meeting would be run by the Robert's Rules of Order and questions from the floor would be held until the close of the formal meeting. He indicated there was paper and pencil on the tables for people to notate their questions.

President's Report – presented by Steve Forsyth

The deadline has expired for filing an application to run for the board of directors at the next election. The only indications of running again were from five of the current board members. Lisa Davis has decided not to run again for the board due to her schedule and she made that clear from the beginning. There will still be an opening for two positions so if you're still interested in being on the board, let the board know as we can appoint two additional people to the board after January 1st, 2009.

The playground project, fencing, cameras, etc. is still in the works to start in the spring. When we go to do our budget we'll be transferring some money into a fund to start the project in the spring.

We have received several inquiries for the bids for the contracts for the mowing & landscaping. We will be making a decision in the next couple of weeks on who we'll be picking for those contracts for the common areas.

We have hired a tree company to come and remove the tree back in the common area and there was a tree that was blown over by the storm by the east entrance (by Kim Beasley's house) that will be removed. This should be done in the next week or two.

We received a letter from the IRS about a week and a half ago informing us that no taxes had been filed for 2007. This letter came with fines added. We contacted the IRS and explained the situation and they have given us an extension. We have spoken to Kemper

Group and they will do the taxes for the HOA. We do not want to have our own people doing the taxes, that way we can avoid the fines of them being done incorrectly as in the past. We feel it is well worth the money. If there is a mistake the accountant who does the taxes will be responsible for the fines, not the HOA.

As far as talk of doing away with the HOA, it is not an option. We met with the mayor (last summer) and he stated we are required to have an HOA. We also now have paperwork to support this from the City of Greenfield Planning Division in the subdivision codes.

Secretary’s Report – presented by Lisa Davis

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 Larry Wheat to approve the minutes as read with no amendments. Frances Hull seconded that motion and the previous meeting minutes were approved as read.

Treasurer’s Report – presented by Steve Immink

BALANCE 9/23/08		9674.42
9/25/08	1259 Radio Shack	Office Expenses:Office Equipment:Audio Equipment -54.54
9/25/08	1260 Home Depot	Misc:Community Beautification Day -309.16
9/27/08	1261 Home Depot	Misc:Community Beautification Day -103.76
9/27/08	1262 Home Depot	Misc:Community Beautification Day -117.70
9/28/08	1263 Jim Clark	Misc:Community Beautification Day -80.04
10/3/08	1264 Office Depot	Office Expenses:Office Supplies -214.98
10/3/08	1265 FedEx Kinkos	Office Expenses:Printing Expenses -261.67
10/4/08	1266 US PostMaster	Postage -316.00
10/4/08	1267 JRs U-Store-It	Operation Expenses:Storage Expenses -116.00
10/14/08	1268 Lisa Davis	Reimbursement -139.02
10/15/08	DEP Deposit	--SPLIT-- 720.80
10/22/08	DEP Deposit	--SPLIT-- 631.20.
10/22/08	1269 Smith & Blue, LLC	Attorney Fees -249.00
10/22/08	1270 Greenfield Utilities	Utilities:Storm Water -22.00
10/22/08	1271 Fiano Lawn & Landscaping	Common Area Maintenance:Lawn Care -1155.00
TOTAL 9/24/08 - 10/30/08		-1786.87
BALANCE 10/30/08		7887.55
TOTAL INFLOWS		1352.00
TOTAL OUTFLOWS		-3138.87

#1259 – check made to Radio Shack for 2 microphones and a connector to better record the meetings.

#1260 - #1262 to Home Depot was used to purchase materials for the Community Beautification Day.

233 out of 321 Homeowners have paid their dues (73%). A list of those still outstanding at the end of the month will be sent to the Attorney for further action.

Anyone who wishes to see an accounting of the books or has any questions can call 641-2419 or email treasurer@indigospringshoa.com to set up an appointment.

Receipts of all checks are available for inspection.

A couple of additional notes on the transaction report:

The check that was made out to Jim Clark was for reimbursement for the rental of the paint sprayer to paint the front fence.

Also Lisa Davis got a check to reimburse her for fronting the money to place the ads for the contract bids and also fronting the money to record the By-laws with the County Recorder's office.

Government Liaison Report – presented by Larry Wheat

Larry indicated that there was no Government Liaison report this month.

Community Enhancement Coordinator's Report – presented by Michael Trabel

Michael indicated that there was no Community Enhancement Coordinator's report this month.

Committee Manager's Report – presented by Frances Hull

This has been a busy month for several of the committees. There has been no report submitted for the Welcome Committee or the Events Committee. The Arch Committee has been working on determining which homes have infractions. To cover all the homes each active committee member has been given a section. A total of 92 lots have been sent infraction letters, although, not all homes have been inspected yet. Mistakes can happen as we are human, if there is a question as to a letter that was sent please call the HOA phone number or email the Arch committee chair or a member of the board. In most infraction cases all that needs to be done is filling out an architectural form and mailing it in with the other required paperwork. Most of the infractions were locations of satellite dishes.

The Violations Committee has covered over 1/3 of all the homes. Less than 2 dozen official notices of non-compliance have been sent out. If further non-compliance continues, official violation notices with fines and sanctions will follow. Progress in covering the neighborhood has been slower than expected due to the fact that the task has been greater than anticipated and the available time for all committee members have been at a premium. The most common violations are boats, utility trailers, trash cans improperly stored, unkempt properties and basketball goals at or near the street. All homes will be inspected and notice will be given to those who are not in compliance. Please continue to have patience as everyone is brought to compliance to the Covenants that we all agreed to.

Old Business

We are carrying over the playground project until next year.

We continue to work on the bids for the contracts for maintenance.

New Business

There was no new business to report at this time.

Motion to Close

A motion to close the meeting was made by Michael Trabel, seconded by Steve Immink. The meeting was closed at 7:19 pm.

Respectfully prepared and submitted by

Lisa Davis, Secretary
11/05/08

Q & A/Comments from Residents

****Rachelle Hills asks if we have received any bids for the pond maintenance or if we have checked with other HOAs regarding who does their ponds since some of the other ponds look so good?*

Steve F. answers that yes, we have received a bid from Hoosier Aquatics who is currently maintaining the ponds and we have contacted some other HOA's and are waiting to hear back from them at this time.

****Jon Gross has a question about the Covenants, if the Covenants have changed since CP Morgan no longer has control of the addition, why didn't everyone get a copy of the changed covenants (not everyone has online access)? He also wants to know what the protocol is to change the covenants?*

Steve F. indicates that anyone can request a copy of the covenants from the board at any time. The reason why the "changed" covenants have not been mailed out is that they were voted in incorrectly with only 14 votes. According to the rules, in order to change the covenants it requires a ballot and 75% vote of eligible homeowners. The board is currently preparing the changes, then the ballots with a control number will be mailed out. The issue will carry over from meeting to meeting under Old Business until we get enough votes to change the covenants. We'll probably end up going door to door to get the number of votes needed. We do not want to mail out 321 copies of the current covenants due to the expense and then have to mail out another set when the newer ones come out. The board is meeting a week from Sunday to finish the job of going through the covenants and hope to have this done soon.

Lisa Davis interjects that our HOA attorney advised us, that even though only 14 people were filed as having voted to change the covenants and that is an illegal procedure, that because the changes were recorded with the County Recorder it was advised we go by the changed Covenants. The attorney suggested we review and amend the covenants with the proper amount of votes as soon as possible.

****Kellie Pollard asks if in respect to talk of going ahead with a playground project, has there has been any recent vandalism to the playground since she has seen nothing recent on the Yahoo group posts regarding any?*

Steve F. responds that yes, there has been some recent vandalism but we have asked people not to post about it on the Yahoo group since that seemed to be fueling the problem, that's why she has not heard about it. There has been some vandalism and it has been cleaned up by residents. The cooler weather & school starting might have curtailed some of this also.

****Kellie Pollard also asks if we could consider, when doing the new budget next year, doing something for the playground besides the mulch that is in there now, (maybe like rubber mulch?) since the current mulch produces splinters for the kids if fallen on?*

Steve F. responds that we will soon be making a new budget which will allow for playground updates and we could consider rubber mulch. This will be something that we will have to address be done by whoever wins the landscaping bid.

****Kellie Pollard also indicates she received no mail packet with the information about the Fall Festival, etc. and wonders if we could use the calendar feature on the Yahoo group as well as the ISHOA website to indicate upcoming HOA community events since some people are not going to the ISHOA website due to the previous problems.*

Steve F. explains that there were multiple problems with this last mailing due to running out of toner in the middle of the print, the mailing labels messing up and only printing every other page, and multiple other problems, etc. He did go through everything by hand but unfortunately still some people might have been missed in that mailing. Please let us know on the next mailing if you do not receive it we will research. Steve Immink states we will check into using the calendar feature on the Yahoo group. We might also need to look into putting the Covenants out there also.

Larry Wheat interjects that we should get a feel from Tony Gaver about how many hits we're actually getting on our ISHOA website.

****Kellie Pollard just wants to state that she volunteers to go door to door if we need her to when the voting to change the covenants occurs to help us obtain votes.*

****Jon Gross asks how we reconcile violating people for infractions under the new covenants which he feels some people weren't aware of the changes of what was even in code and what wasn't?*

Larry Wheat addressed by stating that no one received a "violation" or "infraction", the Arch committee merely sent out a letter asking for the situation to be resolved or for paperwork to be turned in. Steve F. stated that there was not a lot not allowed in the old covenants that was allowed in the new, the old covenants were in fact, more stringent. At a certain point, though, there will be "violations" actually handed down.

****Anessa Gross asks how long, once an Arch form is turned in, does it take to approve? They have been awaiting a response on their tree house, and were given a deadline to have it removed, what happens when that deadline has passed? They tried to get approval for such things from the old board and could not get contact back.*

Larry Wheat responds that the Arch committee is in a back-log situation due to all the letters sent out and no one will be fined if the committee has not come to that person's paperwork yet.

Steve F. addressed the tree house situation. He stated because we had complaints about the tree house from other residents that the board had to look into the situation. We are asking for a copy of the plat (which they presented to Larry Wheat) and it was stated that the Arch committee will make the final decision.

****Anessa Gross also asks if we're following the covenants word for word?*

As far as following the covenants to a "T" that is a hard question to answer. Steve F. gives the example of his own satellite dish which was approved by CP Morgan way back when and he even has that letter but Omni group, when they were in charge of the HOA, tried to violate him for it and he produced the letter from CP Morgan to prove it was okayed, but has chosen to take it down because the covenants say it cannot be on the front of the house.

****There was much more discussion about what the city has to do with approving fences, sheds (placement of) etc. It was conveyed by one resident that they felt the city did not care what we did.*

It was explained that the HOA has no control of what the city mandates. The Arch committee just approves the construction thereof and it is up to the homeowner to follow the city mandates if applicable. It was indicated that we know for sure that there have been homeowners in this addition that have been made by the city to move their shed because it was not properly placed in the yard.

****More discussion then ensued about the color of people's trim on their houses and how much work and expense someone might have already spent only to have to change it back now. Also, that it might "look good" and should not be nit-picked on as an infraction...*

Steve F. addresses someone in particular regarding this and it was stated that that resident was talked to very early on in the painting process and was aware that his trim might not be approved to be painted like that and he agreed to hold off and not do any more until the new board was up and running. It is not the boards' job to control the personality of somebody or their taste ("your house looks like crap, but someone else's looks good, etc.) but just to enforce the covenants as they are written, the same for everyone.

****There was then more discussion regarding if people were going to be fined, etc. if they could not get their respective infraction resolved before the deadline (such as, the weather turning colder or a personal situation and can't get the trim painted, etc.)*

Steve F. addresses this by stating that each situation will be addressed reasonably and all requests for help will be on an individual basis if the homeowner just communicates with the Arch committee stating what the situation is, in writing. We could also use some of these situations as an opportunity for community involvement (but first we need to be aware of the situation), say by getting a group of people together to go help that guy paint his trim if he is unable to do it due to personal injury, etc.

****There was more discussion of trim, shutters, vents and doors and the colors they should be, etc.*

Steve F. addresses by stating that all changes in color scheme on the exterior of the home should be approved through the Arch committee.

Steve F. concludes by stating that we understand there are upset people and we knew there would be. One of the reasons for people being upset is change. A lot of it is that you could do your own thing for so long because nobody knew what was going on but now we are trying to run everything properly, be consistent and maintain the integrity of the community and this will in some situations make people mad. We are trying to take care of three years of neglect and we're not saying people didn't have their proper forms before, we're just saying we don't have them now and want to update our records now. But, hopefully in the long run, everyone will look back and say we are a lot better off than we were a year ago.

****A new discussion line started about garbage containers...some people do not want them in the garage and want to know how to get the covenants changed regarding where they can be stored...and how long will that take?*

Steve F. states the covenants currently state that garbage containers should not be able to be viewed from the road. The Arch committee is now in the process of reviewing this and proposing some Arch approved uniform options (possible three set options) for some type of option at the side of one's home to store the garbage containers out of sight. It will be proposed in the covenants and will need 75% of eligible homeowners to vote to get that changed. How long it will take to get that changed will be up to the homeowners.

****Jim Clark, chair of the Arch committee wants to let everyone know that the Arch letters recently sent out is just attempting to catch up all the paperwork since the changes in the covenants allowing sheds, etc. Everyone is upset that this is happening "all the sudden" but we are now getting into all this and getting it all straightened out. We don't intend to be the bad guys but we are trying to encompass everything for 321 homes. All homes may not have been reviewed yet and the person on the committee that lives in the area does not review homes in the area. We are trying to be as above board, honest and equal as we can. People on the committee do not sign their own approvals, others on the committee have to approve.*

****New discussion was started regarding people's grass, weeds, and how the yards in our neighborhood are an embarrassment because of how they look.*

Steve F. replies that there is nothing in the covenants that states how the grass needs to look, only that it cannot be more than 6 inches high. Others commented that some don't have the money, time or circumstances to "treat" their yards to get optimum grass growth. Others replied that they have seeded their yards, treated, etc. multiple times to no avail. Others even still replied that it doesn't matter how much they do to their yard if they have a vacant home next to them that is mowed only twice a year by the respective mortgage company or bank, it is hard to keep those weeds out of their yard when the grass next door is thigh high.

Steve F. interjects that it would be nice to ultimately have a barter board where people could trade services or knowledge (say regarding lawn upkeep). One thing that was talked about was the HOA paying for a dumpster to be brought in so people could clean up their yards, etc. and then would have no excuse for saying they couldn't get stuff to a dumpster.

****Paul Holtgreve asks about siding missing on houses?*

He was asked to report these addresses to the Arch committee for review.

****Chris Gantt asks if arch committee forms and paperwork can be turned in this evening at this meeting?*

Larry Wheat answers yes, and accepts his paperwork.

****Chris also states the gentleman who owns McKenzie Glen approached him at Home Depot and states that trash is being left on McKenzie Glen property along McKenzie in front of the pond.*

This sparks the continued discussion of the fact that Pope Air field has also informed us that they feel that our residents are dumping trash over the back fence onto Pope's property. Steve F. states we might have to hire someone to remove this trash and do general clean-up, not because it is necessarily all our trash but that it would be good for community relations to show we are willing to do that.

There was then continued discussion about everyone just taking care of the areas around their own homes and helping out as neighbors. There are neighbors who live by the walking path that mow and clean out poison ivy, there are others on the ponds that clean up trash around their ponds, those who live by the playground clean up graffiti and empty the trash cans, etc. Point is, some will go the extra mile, some won't and some go to the other extreme of creating the problem.

****Don Hull, chair of the violations committee wants to make it clear that they are separate from the Arch committee that has sent out the recent letters. He states they have followed the covenants as written and will not just selectively violate the people who have been complained upon but be fair throughout the neighborhood. He states no fines have as yet been assessed by the violations committee. They have only sent out letters and hope that will be enough to get people to comply with the covenants but at some point he will have to assess fines for non-compliance within the time limits given. He does not want to have to resort to that but is only doing the job of enforcing the covenants that were already created. He states that no committee member covers his own area to keep tension down between neighbors. He stated he took this job because no one else wanted to do it and it has to be done. Don asks for help on the committee and if anyone is interested to contact him.*

There was more discussion then about the time limits given and if there was a good reason why it could not be met what one should do. It was stated that if there were any problems to call or contact any board member or committee member with their respective situations, all we ask is for communication. It was also stated that if there are any infractions seen at any board member's home to contact the arch or violations committee just as you would anyone else to get those rectified as we are not above anyone else and are held to the same standards. Steve F. then asks if anyone needs a copy of the "wrongly amended, new, old, need to be changed" covenants (all laughed) and took down those names.

****Jon Gross makes a final comment concerning his tree house in that anyone who wants to use it is more than welcomed; they just need to ask permission before doing so.*

Q & A was closed at 8:30 pm.