

Brookfield Heights Homeowners' Association
Board Meeting Minutes
February 7, 2023
Best Western on Meijer Drive

Meeting was called to order at 6:30 p.m. by President Ed Butler. In attendance was the entire board: Ed Butler, Jeremy Gibbs, Sharon Byrd, Cecil Shoemaker, Angie Curtis, Matt Curtis, Lamyra Davila and Jo Ellen Horton, as well as Julie Butler, Randy Webber, and Lucy Gibbs.

Discussion of "Reading of the Minutes" resulted in Ed stating that a proofing of the minutes was to be done before the meeting or at the time of the meeting. Angie moved that the minutes of the January 10, 2023 meeting be approved, Jo Ellen seconded the motion. Motion passed unanimously.

Treasurer's Report

The General Checking Account has \$60,898.97 with the exception of some checks received since the report. The Money Market account, also known as the Reserve account has \$40,530.15. Total 2023 assessments collected to date are \$31,560.00 representing 263 homeowners with 34 paid by PayPal. This represents 87% of all homeowners.

A question relating to the Treasurer's spreadsheet included Angie asking about a \$13 miscellaneous posting. This was due to a written check problem and remediation by the check writer. Cecil moved for the acceptance of the Treasurer's Report with Matt seconding the motion. Motion passed unanimously.

Treasurer also submitted a written report concerning past dues assessments. On February 1, 2023 the 3 homes that are behind 2 years, were each sent a final notice by certified registered mail. 18% Interest for 2022 was added to the dues letters making the total amount due \$249.80. A payment plan was offered. The mail person was unable to get a signature at the 3 homes, so a notice was placed on the door, and the letter returned to the post office on February 4th. Only one of the 3 residents has picked up the letter from the post office.

The homes that are delinquent for 2023 will receive notices at 30 days past due by email or postal mail if we have no email on file. The treasurer always checks for property ownership on Beacon prior to sending past due notices. A final notice will be sent at 60 days by certified registered mail. In the final notice a payment plan can be offered.

Report of Officers

Ed submitted a receipt for reimbursement for preparation of keys and locks for the board. Ed distributed keys to all board members except for Angie. Jim Everett also has keys. Ed received a call from the previous president concerning a statement in the December minutes inferring that he had deleted emails sent to the Brookfield Heights email address and did not share passwords.

Jeremy brought up a covenant violation. Matt stated that these will be addressed at a later date. All of the emails sent to the Brookfield Heights email address have been found since 2014. Ed responded to a number of them. Discussion occurred concerning problems monitoring the neighborhood email address. Ed stated that the password had been changed and was available to any board member upon request. Concern was stated about the perception that emails had been deleted. Angie, Jeremy, Ed, and Matt were able to find all emails, and none were deleted. Ed would like to be the point person for checking and responding to neighborhood emails, insuring that everyone stays in the loop.

Cecil proposed changing the minutes from the December meeting due to some misperceptions. At this time, Sharon became ill and was aided by Lamyra. The remainder of the meeting was conducted with Sharon and Lamyra in absentia. Some concerns with continuing and approving anything without entire board present were voiced, but the remaining board members decided to continue. Our previous president offered the following rebuttal to the December 2022 meeting:

Related to the December 2022 meeting minutes, Leo Melle, while President, categorically denied deleting any emails, and he always provided the passwords to any board members on request.

After some discussion it was decided not to approve any revision to any past minutes already approved by the board. Jeremy did not feel it necessary to make any changes. Angie reminded the board that we had the opportunity to respond to the minutes with any changes. No one offered any changes during the time frame requested before the subsequent board meeting.

Cecil presented information concerning the proper way of creating the minutes by quoting and presenting copies of pages 28-31 from the Eads Murray and Pugh handbook. He apologized for mistakenly reporting that the Complaint for Injunctive Relief needed board approval in the January minutes. He discovered that this had been done previously by the board during the October meeting, so the letter had been sent to the homeowner, legally and within Board guidelines. He also reported that for any Board action to be taken by email, ALL board members must approve of the action for the action to be valid.

Cecil also recommended that we move the Audience Comments from the end of the agenda to the beginning of the agenda. After consideration, Ed felt it was advantageous to the board to have homeowners with concerns be present for the entire board meeting in order to see the actions of the board, and perhaps have their concern addressed during the meeting. This would be a positive representation to our homeowners of the board's effectiveness. Jeremy and Ed both felt that it would be best for a public meeting to be held where homeowners can comment at the end of the meeting. Cecil likes a structured printed agenda.

Cecil clarified the issue of trespassing from the December meeting. Lamyra had responded to the December meeting minutes to Cecil in writing that it is not considered trespassing if the backyard of an offending homeowner is viewed from a consenting neighbor's backyard.

Committee Reports

Mary Corwin of the Welcoming Committee reported that baskets were prepared for \$45/basket, less than the board approved amount of \$50 per basket, including a candle and some edible items, covenants and contact information. A new homeowner from Michigan and another family were welcomed to the neighborhood. Sharon has reported another new homeowner to Mary and will be taken care of by another committee member. Ed requested that a picture be taken to be included in future newsletters if the homeowners are willing.

Property Improvement chair, Jeremy reported that a person had inquired about metal roofs. Jeremy told the homeowner that according to covenants, metal roofs were not allowed in the neighborhood. Ed stated he will not be present for next month's meeting, but wants to develop some sort of procedure for requesting property improvement.

Jo Ellen, Social Activities chair, reported that she will be meeting with her committee on February 23rd and will need some time at our next board meeting to report on the planning and needs for Easter Egg hunt as well as a rundown on the Food Trucks among other items. Ed requested that the Google calendar show more info on the Summer Food Trucks.

Matt reported for the Covenant Infractions Committee. Ed recommended that Randy Webber be added to this committee. Ed feels he should also be on this committee. Ed wants to have a procedure adopted by this committee. Cecil recommended that no more than 2 people go to the door. Matt stated that some issues are easier to address face to face than through a letter. Matt presented to the board a printed copy of most common Covenant Violations which include Lawn issues, Fences, Recreational Vehicles and Trailers, and appearance of the Exterior of Homes. He also presented to the board a copy of a template of a sample letter to be sent to homeowners concerning a covenant violation which is dated, addressed, makes reference to our covenants on the website and includes space to document date of inspection, violation, action needed, and required compliance date. We could add contact information. Easements are the responsibility of the property owner just as the space between the street and sidewalk.

Jeremy requested that this be recorded in an executive session for a corporate record for legal reasons.

Cost savings were discussed concerning badge with lanyard. These could be created on a color printer and inserted into a plastic sleeve for wearing when approaching an homeowner.

Ed requested a motion to approve new committee assignments. Matt made the motion, seconded by Angie. Motion was approved unanimously.

Ed reported for the Park Oversight Committee that he would be taking down the snowflakes and lights at the park and will store in the shed. Jeremy reported that a trip hazard existed at the water fountain area and installed a flush mount to prevent tripping. He also requested the replacement of the sign near the basketball court for the purchase and creation of a new sign for \$90 from Blumling Design Group. Cecil moved to prepare this sign, seconded by Matt. Motion was approved unanimously. It was mentioned that something needed to be done about the "No Soliciting" sign that is propped up on the Brookfield Heights brick sign at both entrances to the neighborhood.

Angie reported as the IT/Webmaster that the "Pay HOA dues" page jumped into the top 3 pages for January. Usually, Minutes, Events, and Neighborhood Info/Covenants are at the top with BHHA Board, Pay HOA dues, Minutes, and

Contact Us being the top pages in the last 30 days. We had 6,399 view for the past year. She also made several recommendations for website updates including Committee information and Newsletter, reconfiguring some of the items on the web page. She asked for input from the board as she moves forward. The board was amenable to all of the recommendations.

Cecil recommended that we send a print newsletter by mail once a year, but other newsletters sent by email. Ed would like to stipulate that if they would like a print newsletter they should contact a board member. However, he reported incorrectly about the cost of the print newsletter. The cost was actually \$728.60 which was double the cost of sending out dues letters. Angie requested that board members respond with any changes or additions to newsletter by a certain date. Cecil concurred.

Old business

Concerning the proposed amendments, Ed was concerned about the differences in the two sets of proposed amendments as they relate to Phase I, II, and III. Cecil reported that he and Lamyra are both confused about what to do with the Proposed Amendments, and they would like to schedule an hour meeting with EMP to discuss them with Andrew. Ed stated that he would like for all of the board to be a part of this meeting, and we should schedule this meeting in Lafayette for sometime in April. Cecil concurred with this idea and will ask Lamyra to call Andrew to propose 3 dates and times in April to do this. We will report back to the board next month and nail this down. We tabled this business until April. Jeremy was concerned about the Quorum amendment. Ed felt that past practice should be a cautionary tale of reducing quorums.

Ed wants to discuss what our privacy issues are with our law firm. He feels it is very gray and wants it to be black and white moving forward.

Ed reiterated Sharon's recommendations for sending dues assessments (see above). She felt that the assessment should be set by the Board in October and announced with an opportunity to pay the assessment at the Annual Meeting. Then, on February 1st a delinquency letter requesting immediate payment of dues no later than February 28th. On March 1st a certified letter would be sent to all delinquent homeowners that legal action would begin if dues were not received immediately. Ed entertained a motion to approve the recommendations made by Sharon. Angie made the motion, Matt seconded the motion. Motion was approved unanimously.

New Business

Concerning "Communication to Residents," Jo Ellen, Jeremy and Cecil met to come up with a plan to begin a new Facebook page, after Jo Ellen reported that she had been experiencing a lot of issues with the new Meta Facebook. She also has no password to change anything. She was prepared to dump the Facebook when Jeremy suggested that we launch a new one. Jeremy stated that we would announce on our old FB page that we would be moving to a new page which would require vetting to insure new friends would be private group in our neighborhood and stating our policies for use to prevent any liability issues in the future. Jeremy, after researching a great many YouTube presentations on HOAs and Facebook, stated that although board members can reply to questions on Facebook, if a post complains upon a certain issue in the neighborhood, it is absolutely imperative that the board back away from these posts and inform other board members of the nature of the posts. This creates a tremendous liability issue for the individual board member. He suspects this is why our legal representation does not recommend using Facebook. As a board member, beware of what you write on Facebook. Let our neighbors discuss issues amongst themselves through FB, but take care when replying! Cecil moved that we maintain our current Facebook page until March 31st and inform our neighborhood that we will be moving to a new FB Private Forum soon. Angie seconded the motion. Motion was approved unanimously. Additionally, two signs will be created to announce our new Facebook Forum with a QR code to send our neighbors to this site. The signs will be made of Aluminum Composite material for a cost of \$150 per sign and will be posted on the south and east sides of the southeast corner of the tennis courts. These signs will be created for us by Blumling Design Group.

Jeremy is concerned about transparency and the ability to transfer all of our information to other future board members "super duper fast." This new Facebook Page will be tied directly to our current email address: Brookfield Heights@gmail.com, so all board members have access to it. He will use this email address as primary contact with BrookfieldHeightsPresident@gmail.com as recovery email.

Jeremy presented the need to create new email addresses for each board member that can be easily transferred to any new board members, i.e. BrookfieldHeightsPresident@gmail.com, BrookfieldHeightsSecretary@gmail.com. Ed repeated his objection to conducting any board business by email. He feels that our neighbors need to see and hear the discussion, as well as other board members. Discussions by email are difficult. We don't see emotions or facial expressions. Jeremy further stated his concerns that any email communications made with our legal representation should not be made through

private email address, but through an official Brookfield Heights officer email. This information is owned by the Board and needs to be easily transferred or shared with current or future Board members.

Ed quoted \$3.50 per plastic lanyard sleeve from Staples. He would like the design to be created for approval by the Board in March.

Our next Board meeting will be at the Comfort Suites, 31 Frontage Road, due to size of room and number of chairs. Mike Patel recommended the Comfort Suites, and Ed spoke to the manager. The cost is also \$50/meeting, and the room is twice as large. Ed has scheduled this room for every first Tuesday of the month, except for July which will be on July 11 and November (due to the annual meeting).

Meeting with Eads Murray & Pugh in April will be in Executive Session in April.

Questions from Audience

A newsletter committee was suggested. After some discussion, it was suggested that information concerning highlights of Board action be included. The newsletter needs to migrate to a digital copy because of our multiple avenues to communicate that include the new Facebook page, the website, and ability to send information it by email.

Lucy Gibbs suggested that an Easter bunny be present at our Easter Egg Hunt, and we announce sledding day at the park by way of our new Facebook page on days when appropriate.

Evan Gibbs' name has been withdrawn from the IT committee. Jeremy and Ed offered to help on any other committee as needed especially Covenant Infractions Committee. Angie requested confirmation of revision to committees and determination of Brookfield Heights Board emails: BrookfieldHeightsLegal@gmail.com, BrookfieldHeightsInfractions@gmail.com.

Our next meeting will be at the Comfort Suites, 31 Frontage Road on Tuesday, March 7, 2023 at 6:30 p.m. Motion to adjourn was made by Jo Ellen, seconded by Angie. Motion passed unanimously. Meeting adjourned at 8:30 p.m.

Respectfully submitted,
Cecil Shoemaker, secretary
Brookfield Heights Homeowners' Association