

**Brookfield Heights Homeowners Association**  
**Board Meeting**  
**Tuesday, December 6, 2022**  
**5030 Britannia Court, residence of Cecil Shoemaker**

The meeting was called to order at 6:31 p.m. by President Ed Butler. All board members were present: Ed Butler, Sharon Byrd, Angie Curtis, Matt Curtis, Lamyra Davila, Jeremy Gibbs, Jo Ellen Horton, and Cecil Shoemaker.

Ed explained he didn't want to confuse anyone with the promise of a short meeting. He wanted to do some housekeeping and prepare for the new year. He thanked Cecil for hosting meeting, and Jo Ellen for Christmas gifts to all Board members. He had a list of things that he wanted to hear our opinions on. His is one of 8 opinions. His first request was for the decorum at board meetings to be friendly, pleasant and appropriate. He asked for help from all board members. Another concern was the importance of having decisions made by the board and not by individual members going off and doing their own thing. He stated that this was probably necessary as we began to rebuild the board this past year. Since the board would vote on any new ideas, we would have the back of each other as we complete our duties. He expressed the need for transparency, Ed wants our neighborhood to know what's going on. Board members are the most important resource for dispelling rumors created by others in the neighborhood. Lamyra wanted Ed to elaborate more on the issue of transparency. Since much of the business of the board may be observed by other homeowners, he felt that it was in our best interest to share decisions and information with other homeowners if asked. Members of the board chimed in with problems with information concerning past officers and legal firm issues. Ed stated that that is all water under the bridge. Lamyra suggested that everything be shared so issues could be clarified with other homeowners. Committee work needs to be reported at monthly board meetings or more frequently if necessary, as well as actions with the law firm.

Ed mentioned the printed agenda which he distributed at the beginning of the meeting. He asked us to review the printed agenda that he presented. One of the major additions to the agenda was the "Report of Committees." If a committee was active for any given month, then a representative of that committee would make a report to the board at the very next board meeting. Examples were given. Committee will need to ask permission before the board before they implement any new ideas. He then mentioned the remainder of the items on the agenda, including "Old Business, New Business, Questions & Comments from Audience, and Next Meeting." He then went back and mentioned item IV. Report of Officers and Board members. Angie asked about the final name of the "Covenants Infraction Committee." Lamyra and Matt didn't like the term "Covenant Monitor," so we decided to change it to "Covenant Infractions Committee."

Cecil reminded the Board members that transparency also is limited by discretion in revealing personal information or street address information to others. Ed explained that the explanation to a homeowner of something that happened as recorded in the minutes was fair game for board members to clarify. Lamyra felt this privacy only related to individuals who were behind in their annual assessment payments. Matt felt we could reveal a homeowners street address but not their name. Cecil explained that he did not feel comfortable recording an homeowner's name or street address, but only record a street name to confirm that certain issues in the neighborhood were being addressed. Jeremy agreed with this idea of limited transparency but private.

After the above discussion, Ed assigned Lamyra to come up with a list of 5-10 items of legal requirements and guidelines related to privacy and other information the board should be aware of. If necessary to discuss specific names and addresses, the board would need to meet in executive session before or after the board meeting. Ed would prefer for executive sessions to occur in person and not by email. Matt concurred with this idea. Lamyra confirmed Ed's idea.

### Annual Assessment Payment Discussion

The topic of discussion then turned to the procedure for the annual assessments. Sharon stated that the 3 delinquent assessments for 2022 will show on the 2023 assessments to these 3 homeowners. All dues are due by January 31, 2023 by covenant. These 3 will probably be given another 30 days to make payment, but she will state that the lawyers will become involved in their collection after this grace period. Sharon stated that the dues letters for everybody were to have been mailed on Monday, December 5th. Sharon stated that she would continue to receive payment in later months, however, Lamyra stated that Andrew of our law firm stated that after 30 days, any delinquent payments should be turned over to collections and a lien would be placed on their home. We can choose to abide by our covenant requirement of 30 days, or we can veer off of our covenants as we have in past years. Ed gave Sharon some homework for our next meeting: provide the Board with her recommendation concerning collection of delinquent dues. Sharon stated that a lot of payments trickle in throughout the month of February because the homeowner may have misplaced the first statement. Jeremy and Lamyra both stated their belief that we should not be waiting that long to receive payment because it sets a bad precedent. Lamyra stated that we need that money to do our job in paying our expenses for the neighborhood. We need to decide the procedure of whether to send another letter or not. We can decide at our next meeting what this procedure will be going forward. Jeremy suggested that we send the notice of dues out at the beginning of November to improve collection of dues by January. Sharon stated that when she served as Treasurer before, statements were sent out around the time of the annual meeting. Sharon used to receive payments at the annual meeting, recording them and writing receipts for any cash received at that time. Angie inquired when the amount of the annual assessment is determined. Sharon stated that this is usually determined at the October board meeting. Sharon also shared an anecdote about a homeowner who could not pay the assessment due to medical bills. Sharon made arrangements with this homeowner and eventually received payment of 2 years of assessments. Ed suggested a slush fund to pay late assessments.

The 3 delinquent homeowners have not reached out to Sharon to pay assessment. Lamyra stated that we have attempted to reach out by certified letter with no results. Some humorous discussion occurred about the use of PayPal to pay assessments. The amount charged was different for two of our members. Lamyra stated that we cannot charge late fees, but we can legally charge 18% interest which is in the covenants if payment is delayed.

### Committee Assignment Discussion

Discussion proceeded involving committees. Angie inquired if there should be a website/IT committee. Ed sought guidance from Angie concerning our communications. Jeremy discussed the possibility of creating a private group on Facebook. Jo Ellen stated that she posts broadly on Facebook because of our food trucks in the summer. We have 98 Brookfield Heights homeowners reached by Facebook. Ed wants to avoid posts on NextDoor Neighbor because of its wide network and the frequent complaining nature of the posts. Lamyra was confused about how the Facebook Private Group related to Facebook page postings. Jeremy felt that the private group on Facebook would become a forum for Brookfield Heights homeowners that would not be seen by everyone on Facebook.

Ed stated that not everyone needed to see the minutes on Facebook, but neighborhood activities such as food truck scheduling and Recycle Saturday would be appropriate for global posting. Can we have one account for Private Group and another for Global Group? There might be some issues doing this. Jo Ellen posted information about the mulch at the park with the song, "Get Happy." Ed felt that this should go wide to encourage future homeowners to consider our neighborhood. Angie could look into the possibility of separating the business end of the HOA and the fun side of our neighborhood activities. Ed assigned Angie to investigate this possibility. Jo Ellen suggested that our Light Up the Park event be sent out with the annual dues notification letter to let our neighborhood know of this expanded event for next November. Lamyra stated we could also place a notification letter on our neighborhood's mailboxes at we did with Recycle Saturday. Ed was confused about the posting of our newsletter on our website, although this could be done in the future. We could also send it as an attachment to an email to our neighbors (although not all homeowners have an email address). He shared his story of sharing a newsletter on a website, and having those with web access to request a hard copy mailed to them. Cecil shared his information included in the pending newsletter related to email addresses. Ed wants us to state that we are

not going to send it out by mail unless the homeowner notifies us that they would like a hard copy. Cecil stated that we have sent out other information by email and mailed the information to those homeowners without a valid email. He believes that anyone who pays dues should receive all notifications, either by email or snail mail. He believes it would not be effective to have homeowners to contact us if they would like to receive any documents for the board. How would they know what they are missing? If it is posted on our website, it presupposes that the homeowner checks our website for this information. Sharon stated that this information is requested on the annual assessment. She checks for email accuracy. Jeremy stated that the median age of our homeowners is 43 years of age, so most would have access to email and web sites. We could easily post it to our Facebook page. Jeremy says that private communications cannot be shared unless we have a private Facebook group. Lamyra brought up the problem with leaf collection on NextDoor Neighbor. NextDoor neighbor defaults to posting all surrounding neighborhoods. This creates a forum for inaccurate information to be shared concerning the difference between city and county services. There appears to be a great deal of discussion concerning the best way to communicate with all of our neighbors: email, website, snail mail, Facebook global, Facebook Private Group. Jeremy wants to have a private forum for the sharing of thoughts and ideas with the Brookfield Heights community only. It seems to boil down to the type of information we wish to disseminate or request input from. Jeremy thinks by creating a private group on Facebook, we would open up the opportunity for people to express themselves. Angie stated that it would need a moderator. The need for a moderator could be requested through our website.

Angie suggested a Park Oversight Committee. Lamyra stated that Federer Lawn Service knows our expectations for the common areas. Ed suggested Jim Everertt be on this committee &/or Chuck Cochran. This would allow others to pull weeds at the park besides Lamyra. This includes around the neighborhood signs. Some questions surrounding the spraying for weeds around the sign was brought up. Lamyra stated that Federer Lawn Service will care for the area around the signs, along 26 East and the park. Weeds in the park should not be sprayed but pulled by volunteers. Lamyra volunteered to be on this committee. Ed stated he would like to be on this committee along with Jim and, possibly, Chuck Cochran.

#### Location of Future Board Meetings

Ed was grateful for Cecil hosting the meeting, but he is going to ask Mike Patel about using a meeting room at one of his hotels. If he won't accept payment, we could make a donation on his behalf to his favorite charity which helps Stray Dogs in India, according to Lamyra. We need a larger place to accommodate any additional homeowners who wish attend and give us longer access to the meeting space. Faith has been closing at 8:00 p.m. which has not allowed us time to complete board business. Ed will text us where the next meeting will be. It will not be contractual. We can always add more committees if needed. Ed stated that the buyer of Mike Patel's house is involved in IT. Perhaps he could be on the IT committee.

Lamyra brought up whether a board member should be on all committees, specifically the Welcoming Committee. Ed would like to have a non-board member be encouraged to make a report to the board. Sharon tends to be the contact on new homeowners to the neighborhood due to the titling companies contacting her about dues assessment. Discussion ensued considering the requirements and duties of the Welcoming Committee. Ideas concerning what should be in the basket were discussed. Jo Ellen shared what she put in the baskets. Ed is going to contact Mary Corwan to report at our next meeting concerning needs of the Welcoming Committee.

#### Keys to the Park: storage shed and electrical boxes

After asking board members who would like keys to the storage shed and electrical boxes at the park, Ed decided that he would create a set of keys for all board members to insure that no one was left out.

#### Approach to Homeowners for Covenant Violations

Ed suggested that we create some sort of procedure for approaching homeowners regarding covenant violations, in order to remain within the law and to protect those who might need protecting when approaching a homeowner. Lamyra discussed the need for credentials or pictures to identify Matt and

Lamyra when visiting homeowners. A badge was suggested. Ed would like to have 6 committee members. Lamyra objected to the number of 6. Angie reiterated the need for at least 2 people to approach a homeowners address. Matt felt that 4 on the committee was more manageable. Lamyra felt the need to vet any members who would like to serve on this committee. Jeremy tried to ascertain the procedure to approaching the homeowners. Matt and Lamyra approach homeowners on Tuesdays and Thursdays as needed as seen on their walks or driving around. Ed has seen a big difference. Lamyra has concerns about the fences. Ed assigned members of the board to consider additional members of the covenant violations committee for our next meeting. Matt repeated his request for a badge on a lanyard for identification. Lamyra was told by Cheryl Strong and Kevin Riley that we were allowed to go into other people's yards. Lamyra was uncomfortable entering people's yard. Andrew, our legal rep, stated that it is trespassing to go onto people's property. Matt and Lamyra are going to meet to determine what conditions and properties should be given notice. Discussion on how to give notice was discussed. Ed requested a formal procedure be presented for approval by the board so the board is supporting the violation committee. Matt stated that notes are made, and conditions are monitored to see if it needs a more formal notification. Some hardships were reported concerning trailers at curb, and leniency was encouraged. Lamyra advocated for common courtesy.

Ed requested that any additions to the agenda be submitted to him by phone or text within 10 days, and the agenda would be sent out within 7 days of meeting. He also wanted his phone number published. Cecil stated that these contact numbers and emails are present on the next newsletter which has been delayed.

Ed encouraged all board members to have him contact any homeowner who has a question about the finances, infractions or other HOA business in the event that a board member is uncomfortable answering or cannot answer the question. Then, Ed would phone that homeowner or make a personal face-to-face contact if necessary. Lamyra questioned whether we could take the middle man out of the equation. Ed disagreed with Lamyra, stating that the buck should stop with him. If Lamyra can't deal with it, Ed stated that he is available to deal with any issues.

Jeremy asked about who takes care of the Brookfield Heights email. Lamyra stated that she does (or Ed and she do). Sharon responds to questions sent to the treasurer's email. Jeremy stated that a neighbor had written to the Brookfield Heights email and had no response after the annual meeting. Lamyra stated that Leo still had access to that email address at that time, and Leo had allegedly deleted everything sent to that email address. Angie stated that she was unable to change access until 3 days after the meeting, and she was unaware that she was responsible for taking care of this transition. A lot of discussion erupted concerning the password for the email.

Cecil, then, requested that the minutes be approved from the last meeting (annual meeting) as listed as the second item on the printed agenda and a standard formality at the subsequent board meeting. Lamyra immediately stated that she couldn't approve the minutes because she didn't think we were going to discuss the minutes. Cecil questioned Lamyra about the ability to post them on the website without board approval, which is standard board procedure. She said she had stuff to say about the minutes. Cecil stated that he just needed to have the document approved by the board. Lamyra stated that we did not have an agenda before the meeting began. Cecil stated that he had two items to be approved: the minutes from the annual meeting and a revised set of minutes from the October meeting that he felt needed revisited because of an email that had been received from the former treasurer concerning the a false statement made in them and a clarification of the issue with the lawn service before our October meeting. He strongly stated that these minutes needed to be approved at this meeting, following standard board procedure. Ed had spoken to Joann Ferris. Ed asked whether there were any objections to approving the revised October minutes. Lamyra raised an objection. However, upon further clarification, she approved of the revision of the October minutes. After Angie made the motion to accept the October minutes with Matt's second, the October minutes were approved unanimously. What Lamyra objected to was accepting the November annual meeting minutes because she wanted to add more information, and because she believed that this wasn't an official board meeting. Cecil retorted with "then why are we here." Cecil

interrupted Ed to question why anyone would think that we would not be following standard board procedure even without a printed agenda before hand. Ed presented an agenda at the beginning of the meeting which had "Approval of Minutes" as the second item on it, after the Call to Order. Cecil stated that he felt like his work was being delayed again by Lamyra, after all the board members were given the chance to read the draft of the minutes before the meeting except by Lamyra. This happened with the October minutes, and Cecil revised those to include Lamyra's thoughts. Since no one had responded to the previous draft of the minutes sent out on December 3rd, he assumed that they represented what had occurred at the last meeting and were ready for approval. Lamyra thought that there were things that could have been elaborated on in the minutes. She tried to backpedal by stating that minutes are brought to the table for discussion and revisions at the time of the meeting, which can be unwieldy at the least and inaccurate at the worst, hence sending them out for review and revision before the meeting. Cecil stated that once again Lamyra was attempting to set the agenda. Ed tried to make everyone happy, and Cecil stated that once again if Lamyra wasn't happy, no one should be happy. Lamyra seemed to think that we should bring the minutes back a second time for approval. Ed corrected her by stating that it is standard board procedure to accept the minutes from the previous board meeting at the subsequent board meeting. Jeremy and Matt both stated that they didn't see anything that needed to be changed. Cecil stated, "So we're holding it all up because you did not read the minutes." Cecil asked, "Then why haven't you responded to them?" Lamyra stated "because I didn't think I was supposed to respond to them until I came to this meeting." Cecil stated, "Well, here we are." Lamyra responded, "I thought everyone was in a big hurry to get out of here." Cecil responded "because Ed skipped this item on the agenda." Cecil stated that he had patiently sat through an hour and a half waiting for this item to be addressed. He felt that the work that he prepared for this meeting almost went without action, and that he has been a secretary for many organizations, and he knows how things are done. Ed apologized for skipping over the agenda item in approving the minutes, so he asked everyone to review the minutes and was giving the board a few minutes to review them since Cecil had provided everyone with a printed copy of the minutes. Lamyra stated, "Just post them." Ed asked Lamyra if there was something that needed to be changed. Lamyra stated, "No, if we took a vote it would pass. If that's going to make him happy, then let's do it." Ed once again asked Lamyra if she had anything she would like to add to the minutes. She stated that there were some things the Matt had said at the meeting that were not recorded. Matt had spoken to the things he had done on the Violations Committee. Lamyra stated they were just small things. Cecil stated, "Well that's the point. For me to write these small things down to include in the minutes." Angie interjected that she understood that Cecil made a draft and sent it out to all board members with the intention of correcting the small things before the meeting. Other board members concurred with her interjection. Ed stated that if the minutes are sent him with 7 days of the meeting, then it should make things smoother. Cecil stated that that is exactly what he does. He stated that is why he sent them out 4 weeks ago, and Lamyra has had this amount of time to respond. But she didn't. Cecil stated that everyone usually gets back to him, but at the time of the meeting Lamyra asks for more time. Discussion revolved around the inclusion of the tally in the November meeting. Ed asked for a motion to accept the minutes. It was made and seconded. All approved with the exception of Lamyra.

Cecil recommended that we open the gift from Jo Ellen. While opening the gifts, Angie discussed the ability to post a calendar on the website. Everyone approved of Angie pursuing her options.

Next meeting will be on Tuesday, January 10, 2023 at 6:30 p.m. Place to be announced by Ed upon confirmation from Mike Patel.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,  
Cecil Shoemaker, secretary  
Brookfield Heights Homeowners Association