

MINUTES
Brookfield Heights Homeowners Association
Tuesday, January 10, 2023 @ 6:30 p.m.
Best Western Hotel, Meeting Room 312
Meier Drive, Lafayette, IN 47905

Meeting was called to order at 6:30 p.m by President Butler. In attendance were all 8 members of the board: Ed Butler, Jeremy Gibbs, Cecil Shoemaker, Sharon Byrd, Lamyra Davila, Angie Curtis, Matt Curtis and Jo Ellen Horton. In addition to the full board, Mary Corwin, Kim Carlson, and Diane Adams of the Welcoming Committee were present, as well as Julie Butler, Randy Webber, and a few other members of the neighborhood.

The minutes from December 2022 meeting were read and approved. Angie Cripe moved for their adoption, and Jo Ellen seconded the motion. Vote in favor was unanimous.

Sharon submitted the Treasurer's Report in writing. Our General Checking account has \$48,538.42, and our Money Market (Reserve) account has \$40,529.46. Total assessments collected to date are \$16,080.00. This represents 134 homes paid with 17 of those using PayPal to pay.

Sharon submitted Invoice #151527 from EADS MURRAY & PUGH, P.C. in the amount of \$391.00 reflecting charges for December 2022 for response to questions and next steps (\$46.00), as well as draft preparation of a Complaint for Injunctive Relief (\$345.00). Lamyra explained, and Sharon concurred, that the BHHOA has to pay this amount (\$345.00) up front as the cost of doing business. There will be an additional \$185 charge as a filing fee for Tippecanoe County; however, these amounts (\$345 + \$185 = \$530) should be returned to us when the case is settled in court, and the judge orders reimbursement. Lamyra has a copy of the letter to be sent to homeowner from the law firm upon Board approval. The letter will be sent as followup for lack of action to previous attempts for remediation. Lamyra stated that there is another homeowner going through this process. Since Lamyra recently had surgery and wasn't expecting to attend this meeting, she did not bring the letter to the meeting for Board approval to be sent which will be done at a later date.

REPORTS OF OFFICERS

President Ed offered his apology to any Board member if they were offended by his comment concerning transparency of the Board to the homeowners. His intent is to be sure all homeowners are aware of HOA business and able to provide feedback to the Board throughout the year.

Vice President Jeremy introduced Randy Webber to the Board as a member of the Property Improvements Committee. He will join Vice President Jeremy and homeowner Paul Felkey as members of this committee.

Secretary Cecil commented that he likes his job and volunteered to be on the Facebook forum team.

REPORT OF COMMITTEES

President Ed presented an updated Committee Assignment list. Lamyra has been added to the Activity Committee along with homeowner Steve Sanders and continuing chair Jo Ellen Horton. President Ed asked for a motion to approve the current committee assignments. Sharon made the motion, Jo Ellen seconded the motion, and motion was approved unanimously by the Board. Ed explained that other members may still volunteer to be on any of these committees as space permits.

All four members of the Welcoming Committee were present and ready to report. Current members Mary Corwin, Kim Carlson, Diane Adams and Sharon Byrd were present. Kim Carlson made a recommendation to prepare Welcome Baskets for a total cost of \$50.00 when needed. Diane Adams described the Welcome Basket she received. Many ideas were discussed concerning cost savings and preparations. Secretary Cecil reminded the Committee to include a copy of the covenants and, hopefully, a copy of a directory of our homeowners. Ed wants to assess the level of privacy board members wish. Discussion ensued concerning what information should be included in this directory. Jo Ellen brought up the idea of BH "Angie's list" to list homeowners who may have businesses that our neighbors might be served by. Sharon shared the idea about including gift certificates to local businesses. Lamyra stated that this encourages other homeowners to patronize these businesses. President Ed called for a motion to set a dollar amount for welcome baskets. Sharon has budgeted \$1200 for the year. Sharon stated that last year we had 14 new homeowners. A motion to spend up to \$50 per welcome basket was made by Angie and seconded by Jo Ellen. Motion passed unanimously. Angie brought up the fact that items for baskets could be stored in our storage shed. Sharon reported we had a new homeowner on Marble Archway and one at Mike Patel's old home.

Jeremy had no actions to report for the Property Improvements Committee except to report that he will be assisted on this committee by homeowners Paul Felkey and Randy Webber.

Jo Ellen reported that the Activity Committee is working through the Food Truck schedule for this summer with one new vendor possible. Food trucks begin on May 18, 2023. Steve Sanders will assist with food truck help and has been added to this committee.

Currently, the Covenant Infractions Committee consists of Lamyra and Matt. Lamyra hopes to have 1 or 2 more homeowners to assist on this committee. Ed and Lamyra stated that they would like to have a minimum of 2 more members on the Infractions Committee. Lamyra and Matt recommended that they vet these members to insure they new the responsibilities and restrictions needed.

The current Park Oversight Committee consists of Jim Everett, Jeremy Gibbs, Lamyra Davila and Ed Butler. It was reported that the water was shut off in the Park for the winter months. Ed stated that he is getting ready to shut the Christmas lights off at the Park in the next week. Lamyra, assisted by others, will take them down after that time when weather permits. Lamyra also shared that Jim Everett approached her at the annual meeting concerning the installation of a solar panel to provide electricity to the park shed. Jim had recently done this at another home and was confident he could do this himself. Ed called for a motion to fund such purchase &/or installation. Jim had submitted a receipt to Lamyra. Lamyra moved to reimburse Jim Everett for the purchase and installation of the solar panel & light in the shed. Cecil seconded the motion. Motion was approved unanimously. Ed wanted to invite Chuck Cochran to be on this committee. He also entertained a motion to pay for the rekeying the locks on the electrical panels and payment for buying necessary equipment. Cecil moved that we do this. Jo Ellen seconded the motion. Motion passed unanimously.

The current IT Committee consists of Angie Curtis, Jeremy Gibbs and Evan Gibbs with Cecil volunteering to assist on this committee. Angie responded to concerns of the Board to password protect certain items on the website. Vista provides this service. It is possible to password protect any of the information on the website by creating one password for all Board members. Cecil stated that we already have a great deal of information on the website and suggested that the website should be the place for any homeowner to go for information about the neighborhood including contact information for the Board. He expressed concern about limiting access to any items on the website. Angie stated that contact information is accessible for the website including email addresses. All board members gave permission to Angie to include their email addresses and phone numbers, except Angie, who requested that only her email address be posted. Angie has also posted a calendar on the website to mark neighborhood events. Ed felt that we needed to have a private forum for Brookfield Heights homeowners to discuss concerns such as a Facebook forum. Cecil did not feel this was needed since we have the contact information on our website, and the Board meeting serves this function. Jeremy stated that we needed a tighter group/forum for our members to discuss concerns between themselves. He felt NextDoor Neighbor is too broad. Angie felt that a Facebook forum would allow for private neighbor conversations to occur more easily, i.e. if a neighbor had surgery and needed help to clear snow or mow lawn. At this time, Ed appointed Jeremy to the IT committee, and Jeremy proposed Evan to also be a member, and Cecil volunteered to assist with Facebook Forum implementation. We would get the neighbors' consent, then we could share information about specific issues in our neighborhood concerning mail theft, robbery or ornery kids. Jeremy appears to know a lot about the Facebook Forum.

OLD BUSINESS

There was some confusion regarding previous actions pertaining to the tennis court. Although the 2022 Board had already received bids for the repair of the courts, Ed was unaware of the bids and proposed having a retired friend from Milestone Construction look at the courts and give him a guesstimate. Additionally, there was some confusion regarding the material of the court: concrete or asphalt. This difference would make a big difference in the final bid for repair of the courts. Last year's board had solicited bids from 3 different sources; however, only two responded with \$19,000 and \$50,000. There is a line item of \$20,000 for repair of the tennis courts. More discussion needs to occur in the next 2 months, in order to prepare for Spring repair. President Ed seems to be at odds with previous Board action and intentions. The previous Board was ready to renovate and repair the tennis court with the purchase of a new net and both pickle ball and tennis court linings. Its goal was to begin in Spring 2023. Cecil expressed the desire to move faster, and Lamyra stated that the Reserve Account has enough to cover any extra expense. After Jeremy expressed concern about the disparity in the earlier bids, Lamyra stated that she had spoken to Mike Patel about creating another set of bids, but Mike felt that due to the skyrocketing costs and supply issues with concrete, the project might need to be postponed until these costs become lower.

Angie inquired whether the Brookfield Heights email was still being monitored for any activity. Lamyra stated that she was monitoring the email box. Instead, Ed would like to have control of the email box in order to answer questions with answers regarding the appropriate contact person. His main concern was answering any correspondence which might be derogatory to other members of the Board and neighborhood. Some questions regarding Auto Response were asked.

Regarding the discussion of Proposed Amendments, Ed had questions about their whereabouts, Cecil stated that he had only provided a reduced wording of each proposed amendment, Lamyra reminded everyone that the Proposed Amendments are

posted on our website for reading, review or printing. Cecil explained the combining of the Proposed Amendments to address all building development phases (i.e. I, II, III) in our neighborhood, and the fact that the Bylaw Amendment relating to charging a late fee has been removed/cannot be considered because it is against state law. However, we can charge 18% interest on any late payments of dues assessments. Ed decided to table this discussion until he has a better understanding of the Proposed Amendments and the Phases. All agreed. Cecil reminded the Board that a process needs to occur to create a neighborhood consensus on each Proposed Amendment. Cecil listed the various subjects of the Proposed Amendments. Lamyra explained that some of the Proposed Amendments are the result of legal efforts to coordinate all of the Covenants for all Phases of development into one document. Lamyra gave some historical information concerning the creation of the Proposed Amendments, regarding the choice of which amendments to change and which amendments should be put forward for quorum vote for our neighborhood to adopt. Ed and Jeremy just want to be able to review them first before moving forward. Action was tabled until a subsequent meeting to meet this need.

Discussion of Privacy and Legal Requirements was tabled until next meeting.

Discussion of "Delinquent Dues Procedures" was presented in written form by Treasurer Sharon. In her years as a previous Treasurer, she was able to collect all dues by the end of April. Two homes are past due from 2022. A final notice will be sent by certified registered mail by the end of January. Our law firm requires this due diligence before charging an \$80 nonrefundable file set-up fee. However, according to Lamyra, since Sharon does such a great job of due diligence, and a payment check is received in the meantime, the \$80 setup fee by the law firm would be returned to us. Sharon recommends in the final notice a payment plan be offered. Before property manager days, dues assessments were sent after the October Board meeting, and homeowners could pay at the Annual Meeting, where Sharon would accept and write receipts for payment. She recommended that we charge interest on late dues. Sharon recommended that initial letter of dues delinquency be sent out on February 1 with due date February 28. Final certified and registered mail would then be sent to delinquent homeowners informing them that dues collection would be turned over to our law firm on March 1. Jeremy was concerned about the number of homeowners submitted to law firm for dues collections. Cecil felt that April was too long for us to expect dues payments because many people like to game the system. Sharon was concerned that the law firm would expect at least 3 attempts to collect from our HOA before sending a legal request for payment and threatening a lien on the property. Lamyra is going to reach out to Andrew from our law firm to get more clarification concerning due diligence, file setup fees, and final lien/payment letter from law firm. Ed recommended keeping Sharon in the loop with this communication. No action was taken. Sharon stated that her delinquent letter to homeowners will be sent on February 1.

Communications to Residents was covered earlier in the meeting; however, Angie brought up the newsletter. Ed stated this will be covered under New Business.

Covenant Violation Committee needs identification when speaking to homeowners at their property. Ed requested a motion for purchase of photo ids and lanyards for Lamyra and Matt and any others on this committee. Angie moved that we purchase these items. Matt seconded the motion. Motion passed unanimously. Ed would like to see a safer way of approaching homeowners. He suggested a letter to the homeowner addressing the specific violation, then a face to face with homeowner giving the homeowner a specific number of days to comply. Lamyra stated that basically this is what they are doing. She was concerned about sending a letter. Ed requested Matt and Lamyra get together to create a procedure. Lamyra stated that some issues are seasonal, specifically lawn care. Lamyra stated that each violation needed to be handled on a case by case basis. Ed wants the committee to set procedures in writing. Angie was in favor of sending a letter rather than going to the door. Many people do not answer their doors. Cecil was interested in data concerning a correlation between late dues collections and violations. Sharon related an historical incident related to placing a fence on the easement.

NEW BUSINESS

Ed entertained a motion to pay \$50 for meeting space. He mentioned other spaces like the library. Others provided feedback concerning other meeting spaces. It was decided to pay for the meeting space using our credit card which Lamyra had with her. It was paid upon leaving the hotel.

Discussion concerning the newsletter included sharing what is currently in the newsletter. Questions concerning frequency of newsletter, formatting, events and content were asked. Cecil and Angie will get the final copy created in the coming week and sent to The National Group for printing and mailing hopefully by the end of January. Jo Ellen was willing to create a history of our neighborhood. Sharon mentioned Lafayette Copier to copy the newsletter.

Next meeting has been set for Tuesday, February 7, 2023 at Best Western at 6:30 p.m. No changes in meeting space were recommended at this time.

Angie moved for adjournment with a second by Jo Ellen. Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Cecil Shoemaker, secretary, Brookfield Height Homeowners Association