

I'On Assembly Board of Trustees Meeting
November 20, 2014

Members Present: Deborah Bedell, Tom O'Brien, Bob Davis, Anne Register, Chad Besenfelder, Tony Woody, Stephen Wood, Martha Morgan

SCS: Mike Parades and Jessica Gosnell

Guests: Dave Rosengren, Lea Ann Adkins, Rick Anderson, Erik Calonius, Francine LaPointe, Austin and Mercedes Stone, Brenda Uttaro, Amy Sage, Marilyn Felix, Phil Helmstetter, Johann Von Asten, Stan Cohen

Homeowner Forum began at 6:07 pm

Homeowner Forum: Lea Ann Adkins thanked the Board for supporting the neighborhood by going above and beyond normal HOA Board duties with the Creek Club lawsuit.

Rick Anderson asked about the status of the proposed church. Deborah replied that the Board is still trying to gather more information, and any new developments will be relayed to residents.

Francine LaPointe wanted to explain that she pruned the trees in the right of way in front of her house because of a squirrel infestation. She hired a certified arborist to trim her trees, she was not trying to break any rules, and she did not realize that she was breaking any rules by having the trees pruned since the branches were crossing over on to her property.

Tony responded that the only pruning done on the street trees has been to lift the canopies so that emergency and other vehicles can pass without hitting the limbs. Over the course of the next three years, beginning in January, the Assembly will begin thinning the canopies of the trees.

The concern is that some people may do a poor or inconsistent job in trimming their trees. The Landscape Committee wants to be notified about any tree pruning to ensure that the work is being done correctly. If homeowners trim the trees responsibly, then the Assembly pays less to have the trees pruned, but there need to be some quality controls put in place to ensure that trees are being properly trimmed if the homeowner is taking on that task. There have to be quality controls in place so that the work is always done properly.

Austin Stone raised concerns regarding the handicapped space in front of his house. He and other neighbors felt that it is inappropriate that one neighbor has a reserved on-street parking space when he has off-street parking on his property. Austin has spoken to the Town and is now bringing the issue to

the Board to help him resolve the problem. Tony and Mike agreed to help Austin try to resolve the issue by speaking with the homeowner and the Town after Thanksgiving.

Brenda Uttaro informed the Board on the status of the proposed dog park as well as the progress that the Dog Park Committee is making on the project.

Marilyn Felix said she felt that the proposed church on lot CV-9 would cause a traffic problem if approved and built in l'On. Marilyn also commented that she is concerned about poor cell service in the neighborhood. She asked if the HOA, as a group, can do something to help get better cell service into the neighborhood.

Phillip Helmstetter thanked the Board for its quick correspondence regarding the proposed church on lot CV-9. He asked what the Board is going to do going forward in trying to stop any kind of facility from being built on this site that generates anything other than foot traffic. Deborah commented that the Board is currently doing research, but until something is formally submitted to the Town, the Assembly will not have anything to respond to directly.

Deborah confirmed that the Board is opposed to any kind of civic building being built on the lot. Phillip asked what the parking requirements are that the church would have to abide by. Chad responded that parking requirements for churches used to be one space for every 100 square feet of main hall space. However, recently, the Town changed the requirement to three to five parking spaces per every 100 square feet of main hall space. Deborah asked Phillip to inform the Board about their meeting with the developer scheduled for the following day.

Johann said he opposes a church being built on lot CV-9. He felt that the developer charged a premium price for the lots in the back of the neighborhood because of their location in a quiet area surrounded by parks and green space. He asked if there is anything legally that the HOA can do to work with the homeowners on the civil side to tell the developer that he can't do this, not only because of parking issues, but because of representations to buyers that the area would remain a quiet, undeveloped green space. Johann pointed out that the church could be used for weddings and special occasions creating even more traffic and noise on days other than Sunday. Deborah commented that the Board intends to do as much as possible to stop this development, and the Board is currently doing research to find grounds to stop any kind of civic building from being built on this lot. Again, at this time the Board lacks adequate information to act.

Deborah made a technical point that legal options for homeowners may differ from those open to the Assembly. Buyers allegedly received a misrepresentation, thus giving rise to a legal cause of action. The Assembly was not a buyer, so the Assembly never received such misrepresentations.

Stan Cohen shared his concerns with the cell phone service issue in l'On. He asked the Board to work to help improve the cell service in the neighborhood and surrounding areas since it is very patchy. Chad explained that there is bad service in the area because the cell tower that services the area is behind the

water tower on Mathis Ferry Rd., creating a triangular area that includes I'On with poor service. A company approached the I'On Company asking to install a cell tower on Club property. The tower looks like an 80 ft flag pole and would improve cellular service in I'On. The I'On Company spent time engineering and planning to install the tower; however once the plans were finalized for the cell tower company to proceed with the project, the I'On Company never heard back from the cell company even after several attempts to contact them. It has been about two years now since the I'On Company heard from the cell tower company.

Board Meeting Called to Order: 7:26 pm

Approval of Minutes

Motion to approve the October 23, 2014, Board Meeting Minutes. Motion seconded. All in favor. Motion passed.

Anne mentioned that the practice of posting draft minutes before they are approved by the Board is not a best practice for organizations as information may not be totally accurate or complete. Deborah commented that the goal was to have the Board minutes drafted within two weeks of the meeting, and then the draft copy is circulated to the Board for preliminary approval before posting them in the Board packet on the website. This month was a unique month due to timing and workload with Mike's being out.

The reason the process of posting draft minutes even began was in response to homeowners complaining about the Board's not getting information out to the community in a timely manner.

Anne suggested that the draft go out and all Board members make necessary edits in a timely manner. Then a vote can be taken via email in order to approve the minutes. This will ensure that it is not a draft copy that is being posted. Deborah responded that this is what we are currently doing; voting to approve them at the Board meeting is essentially a ratification of previously approved minutes approved via email.

President's Report: Deborah commented on the significant level of community concern regarding the proposed church on lot CV-9. The Board has already met with the Town and does not have a specific proposal to react to at this time. She asked if the Board has any interest in making a general statement to the neighborhood on this issue to let homeowners know how the Board plans to approach the issue.

Tony expressed his opinion that if the church is an allowed use for this lot, and if the church is built in accordance with I'On standards, then he does not feel the Assembly should tell the property owner what they can and cannot do with their property if it is indeed an allowed use for the lot. He felt that this stance would have the effect of voting against someone's property rights.

Anne commented that as elected representatives of the community, it is the Board's duty to address this issue that many homeowners so strongly oppose.

Tony commented that he personally does not think that a church is appropriate for the property, but he does not want to support a resolution that says to the developer you should not build a church because the Board does not think that you should do this.

Deborah commented that a statement that the Board opposed constructing a public building on CV-9 was not a vote against property rights and that just because something may be legally permissible doesn't mean it's advisable or desirable.

After further discussion, the Board agreed to vote on a resolution.

Based on homeowner input against the proposed church on lot CV-9, the Board wishes to express its opinion that a public building on this lot is not in the best interest of the neighborhood. Accordingly, the Board authorizes legal and other research be done to identify the options available to the Assembly. Motion seconded. Six in favor. One opposed. Chad abstained. Motion passed.

An email blast will be sent out on Monday November 24, 2014 to report on this action by the Board.

In regards to homeowner complaints about the patchy cell service in the community, Deborah asked the Infrastructure Committee to take on the task of helping to improve cell service in I'On by working with Chad and trying to contact the company that initially approached the I'On Company about installing a cell tower at the I'On Club.

Deborah mentioned Anne's suggestion to have an informal wrap-up Board meeting in order to discuss priorities for next year and wrap up issues from the current year. Such a meeting would help to create an agenda for goals and tasks that need to be addressed next year. The Board agreed to meet on Tuesday December 2nd at 4:00 PM in Tony's office conference room.

Deborah discussed Annual Meeting preparations. She confirmed that packets are out, and the meeting notice was given in time. The main goal is to have a very efficient annual meeting.

Trust Report: Amy updated the Board on participation in the Giving Lights fundraiser. She reported that so far the Trust has raised \$12,000 with 555 kits sold and 375 households participating.

Trust Liaison's Report: Martha expressed her opinion that matter of financial support for the Trust is a Board Policy, not a Finance Committee policy. Anne responded that it was never intended to be a Finance Committee policy. The committee recommendations would come to the Board for approval; it would not be just a Finance Committee decision. The Trust has asked for more time to iron out the details of the proposed policy, so this will be continued in January.

Infrastructure Report: Deborah inquired about the status of the loading zone project progress. Tony mentioned that we may need to hire a consultant since he has not been able to make as much progress as he had planned to do himself as a gift to the Assembly. He will get a price from the same group that helped the Assembly with the crosswalks.

Finance Report: Anne clarified that the version of the 2015 budget sent out in the Board packet was incomplete. She will provide the final document to Jessica to update in the Board packet on the website.

Covenants Committee: Bob provided the Board with a three page summary of the neighborhood survey. He identified all topics that crossed the 70% threshold in the very important/important categories. The remaining two and a half pages summarized all of the comments made on the survey.

Bob commented that this information will be a good tool to use moving forward because it makes the items that each committee is responsible for obvious.

IDC Report: Stephen reported that Pam Gabriel has expressed some concern regarding the compliance issues that start with the IDC not getting a good loop back to the IDC once they are passed on to management to address. He indicated he had suggested that Mike and Pam sit down and discuss what they can each do to complement each other's roles.

Amenities: Tom reported on the progress of the proposed dog park. The biggest issue the committee faced was location. Now, thanks to Chad, the committee has identified a very good location on property that belongs to the Assembly. Tom provided a sketch showing a substantial buffer between the park and the two neighboring homes.

The total estimated cost of phase I of the dog park, which covers most all expenses, is \$23,800. Tom commented that this dog park would be adding something positive to the community. He recommended that the Board move forward and designate this space for the dog park. He also requested that Mike speak with the two homeowners whose lots adjoin the dog park to let them know of the plans for the park.

Motion to designate HOA-owned property identified by Chad as the site for a dog park and set a not-to-exceed funding amount of \$25,000 from the excess transfer fee/contingency fund.

Tony asked if the dog park expense was budgeted in the approved 2015 budget. Anne stated that funding for the dog park was discussed as coming from the contingency fund. However, cautions were raised in the Finance Committee meeting because we don't know the outcome of the Creek Club litigation judgment for recovery funds. Some Finance Committee members felt we should not be spending contingency money if we still need to be paying back reserves for what the Creek Club purchase cost us.

Tony wanted to know how the dog park would affect the budget. Anne commented that it was contingency funds (excess transfer fees) that were initially proposed to be used to pay for the dog park.

Tom pointed out that there is now an approved budgeted line item for \$15,000 in the 2015 Budget that was supposed to go to the Trust in 2015. The Trust has announced in their Board packet report that they will decline this funding in 2015 and will instead spend down some of their reserves to cover their budget needs next year. The Board was planning to pay the Trust this \$15,000 during 2015, so these funds could potentially help pay for the new dog park.

Martha mentioned that it is premature to approve the funding for the dog park tonight. Tom clarified that he is just asking for approval for the necessary funds and not for approval of specifically where the funds will come from.

Martha asked what do we have in contingency funds? Anne informed the Board that we have \$139,421 in a contingency fund. Martha requested the board to officially create a Contingency Fund Policy so we can plan responsibly. Anne indicated that the Finance Committee is working on this policy.

A discussion ensued about retaining contingency funds until the conclusion of the litigation appeals to ensure that we would be able to build our reserves back up after the Creek Club purchase.

Tony suggested that we go ahead and allocate the excess transfer fees for the dog park since we have not committed these funds to anything else yet.

Chad asked if the I'On Trust would want to name the park the I'On Trust Dog Park, and donate money. Anne mentioned that the Trust did not favor this type of idea as it did not fit into their mission and they didn't want to be associated with something that could be potentially controversial.

Stephen pointed out that he has heard from many people who don't want a dog park. He said they have a fear of outsiders using the dog park, creating parking problems, as well as a feeling that there are too many dogs in the community already and that a dog park is an inappropriate use of the property.

Tom confirmed that the dog park would have key fobs issued to dog owners who register their pets and pay the fees and is not intended for use by anyone outside of the community. There would be a registration process similar to what is used for the docks, and there have been no issues of outsiders using the docks. Moreover, when the dog park was put in the newsletter, no one objected to the concept; the only objection was to the location when it was proposed to be at the end of the athletic field.

Martha asked if this park would be open to all dogs. Tom replied that it would be, but they may have to schedule it by the hour, to keep big and small dogs separated. The goal would be a Phase II with an expanded area allowing space for both a large and small dog park.

Vote on the motion. Seven in favor. One opposed. Motion passed.

Mike, Anne, and Tom will speak to the neighbors near the proposed park to inform them of the dog park and respond to any concerns they may raise. Tom and Mike will also explore parking options.

Communications Report: Anne reported on the new 2015 directories. Steve Degnen was responsible for the cover art and rewriting the first few pages to make them sound friendlier. Directories are being delivered with the luminaries, and the Ambassadors are committed to delivering directories to the homeowners who did not order luminaries during the first week in December. Anne reported that we did not use all of the additional \$3,000 that was approved by the Board to spend on directories. We only needed approximately \$900 more than what remained in the budget for directories because of ad revenue of \$1,000 helping to offset the additional costs.

Secretary's Report: Martha reported that for the Board Elections, there will be three colored ballots to help simplify and expedite the vote count. She plans to be in the office with Jessica for two days before the meeting to help with meeting preparations. SCS will have four additional employees available to help with registration at the Annual Meeting.

Martha proposed a change to the Athletic Field Reservation Policy in response to experiences that Jessica has had with reservation requests. As the policy currently reads, it seems that the rules on this policy only apply to groups with 50% or fewer I'On residents, when in fact, portions of the policy apply to any group that is using the field on a recurring basis.

It is decided that Jessica and Tom will work on redrafting the policy for January.

Mike's Priorities for December

1. Annual Meeting and election
2. Dog park follow-up with neighbors
3. Tree trimming policy
4. Loading zone project
5. Addressing handicapped spaces on Ponsbury and on Mobile Street

With no further business, the meeting was adjourned at: 8:56 pm.



Elissa Nauful, Secretary