I'On Board of Trustees Meeting
May 22, 2014

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

Member Absent: Martha Morgan

SCS: Mike Parades and Jessica Gosnell

Guests: Dave Rosengren, Ed Clem, John Powers, Laurie Thornhill, Melinda Armstrong, Jeff Meyer, Winn Kellett, Libby Eble, Janet Stuchlak, Elisabeth Nesbitt, Merritt Kellett, Dr. Penny Cralle, and Vince Graham

Homeowner Forum called to order 7:27 pm:

The homeowner forum consisted of many homeowners voicing their concerns with neighborhood rule enforcement. They felt that the neighborhood is being policed too strongly and that there is too much rules enforcement.

Board Meeting Called to Order: 8:07 pm:

Motion to approve the April 24, 2014, Board Meeting Minutes. Motion seconded. All in favor. Motion passed.

Trust Report: No report.

Landscape Report: Tony reported that the Perseverance Park tree project is making great progress.
Deborah mentioned a concern with a contract that was recently signed by Mike with Lawn-O-Green to maintain the boat dock parking lot. Mike explained that the committees approved the contract before he signed it, however he has since alerted Lawn-O-Green that they may have to cancel the contract and create a new one that a board member will sign.

Infrastructure Report: Deborah inquired on the status of the loading zone at the Creek Club. Tony confirmed that they will have a budget for getting a survey done next month and then they will bring a design for the Creek Club loading zone as well as names of contractors for Mike to contact.

Treasurer Report:
Anne reported that the 2013 financial summary compilation by the CPA needs to be voted on before being posted on the website

Motion made to approve compilation. Motion seconded. All in favor. Motion passed

Tony asked if the compilation is an appropriate gauge of the financials for an organization the size of I'On. Mike replied that according to the bylaws a compilation is a sufficient gauge of the financial standing. Anne replied that the finance committee will be taking a look at the expense of having an audit done as well as research the frequency that an official audit should be done.

Deborah raised a question regarding the Creek Club billing that is specified in the recreational easement for the I'On Club to contribute to the expenses to operate and maintain the docks and the Creek Club parking lot and to a reserve fund. It appeared that this has not yet been done and Deborah questioned the Finance Committee's suggestion to not to bill the I'On Club for the amount it should have been funding the reserves with. Anne replied that the Finance Committee thought it was uncollectable at this point, which is why they made that recommendation.

Motion for finance committee to revisit the reserve fund to determine if the I'On Club should pay its share that has not been paid over the years.

Stephen asked if the I'On Assembly was billed for its share. According to the easement, the owner of the Creek Club is responsible for billing, and it did not bill for these funds. Stephen also inquired if the Assembly would be responsible for back paying on these unbilled charges, and Deborah replied that the Assembly would not be billed as it already has sufficient reserves.

Ed Clem commented that at the end of 2012 when they became aware of the lack of reserve funds for the Creek Club and docks, Mike Russo sent a bill for $170,000 to the Assembly. I'On Assembly responded that it would not pay this as it has plenty of reserves built up to pay or help pay for any issues that arise with the Creek Club.

Motion to have the finance committee calculate and bill the I'On Club for the amount it should have been funding the reserve. Motion seconded. All in favor. (Chad recused himself.) Motion passed.

Deborah reported that an RFP was provided to three insurance companies or brokers to bring proposals for Risk Management. Once this report has been prepared it will then drive the re-examination of the Reserve Study, for which we will create a RFP to send to reserve study companies.

Anne reported that through today the transfer fees collected have been $42,992.60 against an annual budget of $77,500. She also reported that through today, the Assembly was down to $48,536.16 in delinquent accounts.

Covenants Committee: Bob reported that the Covenants Committee has discussed ADUs at length due to the issue with parking. He commented that they have discovered that over the past years there have been many ADUs built without permission from the IDC and many these ADUs do not have the required off street parking.

Bob stated that the Covenants Committee decided that it will not go back in time and pursue ADUs that may already be in existence without the required off street parking space. However, moving forward, the only ADUs that will be approved by the IDC are ADUs that provide the additional off street parking space in their plans. The Covenants Committee and the IDC will make sure that owners adhere to the approved plans and ensure that the additional parking space is constructed. Otherwise the owner will be brought before the Covenants Committee for a plan violation. Bob restated that the parking issue is purely the reason behind the Covenants Committee's focus on ADUs.

Tony raised the question as to why the Covenants Committee even began looking at the ADU issue. Bob replied that it came about after a homeowner raised a question of being required to get ADU approval from the town of Mt. Pleasant, which has an ordinance that requires one off street parking space in connection with a town-approved ADU.

Bob explained that the Covenants Committee is only going to be involved with ADU's in the case that they do not build per the plans that were approved for having the off street parking spot for the ADU tenant.

Chad objected to the portion of the April Covenants Committee meeting minutes where it states that the IDC, while under the control of the Founder, allowed people to build ADUs that did not meet the Town of Mt. Pleasant requirements concerning parking space. Chad stated that anything that went through the IDC was built up to code and not approved if it was not up to code. He requested the minutes of the Covenants Committee change that language.

Bob reported that several other topics were discussed at the Covenants Committee meeting such as boat storage, boat parking, and trailer parking, as well as homes falling into disrepair. Bob commented that management is addressing these issues and sending letters in regards to these items.

Bob informed the Board that Bill Settlemeyer resigned from the Board of Appeals, so now there is an open seat. Brady Anderson has expressed a willingness to serve on the Board of Appeals.

Motion made to appoint Brady Anderson to fill the open spot on the Board of Appeals. Motion seconded. All in favor. Motion passed.

IDC REPORT:
Stephen reported that the IDC is meeting twice a month with about five hours of meetings split between two days. He commented that there is a lot more activity based around landscaping and additions rather than new home construction.

Stephen reported that the design fees are covering the costs for the architects, an average of $1,500/month.

Stephen mentioned that Marty Schulken, who served on the IDC for many years, expressed his intent and desire to leave the committee. Therefore the IDC interviewed Bill Huey, who lives in Olde Park and has a practice downtown. Bill served on Olde Park's IDC equivalent for several years and he has agreed to join the I'On IDC to serve in the architect role.

Motion made that Marty Schulken's resignation be accepted and Bill Huey be appointed to the IDC. Motion seconded. All in favor. Motion passed.

Amenities: Tom reported that there are now 43 residents who have registered their boats. He commented that the vast majority of boats that are at the docks do have a decal.

Tom informed the Board that Scott Bidwell has asked to join the boating committee.

Tom moved to appoint Scott Bidwell to be on the boating committee. Motion seconded. All in favor. Motion passed.

The boating committee plans to install no wake signs and a ladder at the dock.

Mike informed the Board that he is meeting with American Dock and Marine to look into fixing damaged areas at the docks. He also said Mike Russo asked that boaters not put their trash in his trash cans under the Creek Club.

Deborah remarked that we will be keeping a running report on the 2014 events, to be provided by Mike Russo to be sure he does not go over the agreed upon 120 per year. Mike Parades will be looking into how many events he has had and how many are on the upcoming schedule.

Communications Report: Anne mentioned that we need a timekeeper for the June Town Hall. She stated that the main agenda item for the upcoming Communication Committee meeting is going to be preparing the logistical plan for the June Town Hall.

Deborah instructed Jessica and Mike to work with Mike Russo and Nelson from the Creek Club to set up tables and chairs for the meeting.

The Board discussed planning to have the potluck starting at 6:00 pm with Town Hall starting at 7:00, and trying to wrap things up by 8:30, with an option to end at 9 at the latest in order to give everyone that wishes to speak a chance to do so.

Deborah stated that the Town Hall is not an "official Board meeting," does not require a quorum and there is nothing that will be voted on. So rather than have the Board give reports at the meeting or have reports sent in by June 2nd, there will be no mid-year reports and homeowners can look online at the posted agendas and committee reports on the website.

Stephen suggested having Deborah touch on a few items at the beginning of the meeting to talk about big accomplishments, mention how many new homeowners have moved in, update the status of litigation, and perhaps a quick report on some of the big issues.

Anne suggested that Jessica take notes at the meeting so that the board can address questions or items that homeowners raise. She also suggested having a sign-up sheet for attendance as well as another sign-up sheet for speakers.

Stephen proposed not having a table for the board to sit at, with the intention of removing the divider between the board and the audience. Anne commented that a table would be nice for taking notes and having something for the microphone to sit on. The decision was made to allow the Communications Committee to decide the most efficient and welcoming way to set up the meeting.

Anne informed the board that the Newsletter received a request from the I'On Club to put something in the June Newsletter about a preview party for The Porch at I'On. She commented that this is a bit controversial because of the recent litigation and new lawsuit that has been filed by the Club against the Assembly. She asked the Board if it wished to have the newsletter deny the request due to the current litigation.

Motion made to not accommodate the request because of the other circumstances (i.e. litigation). Motion seconded.

Stephen stated that due to the most recent litigation filed recently; he does not feel that the Assembly should be inclined to give the Club free advertising.

Tony noted that although it is upsetting that the Club has brought suit against the Assembly, he felt that we should honor the request since he sees the I'On Club as an amenity. He said that he believes we should look at what is beneficial to the majority of the neighborhood and he felt that the I'On Club being successful is beneficial to the whole community.

Deborah disagreed with classifying the Club as an amenity since it is privately owned and not part of the Assembly. Bob commented that if any other privately owned company was suing the Assembly we would not offer free advertising to them either.

Chad commented that a lot of neighbors are members of the I'On Club and may be interested to know about this. Anne responded that all members already received a notice from the Club and the notice would only be reaching non-club members.

Motion made to not post I'On Club advertisement in the newsletter. (Chad recused himself.) Five in favor. One opposed. Motion passed.

Tony brought up the recent discussion group post that was posted on the I'On Community website regarding an anonymous letter that was sent to an I'On neighbor. Tony felt that by calling the ladies coffee group "a bunch of anonymous cowardly gossips," the post violated the website use agreement. Tony read from the regulations governing the use of the website where it stated, "we will not allow threatening, offensive or abusive language." Tony said that he felt that the last statement in the post constitutes abusive language. He commented that the post seemed like a bullying notice, and he asked that that the Communications Committee look at the post and decide if it should be removed from the website.

Several board members fully supported the critique of the letter's anonymity, as well as the suggestion to have the Communication Committee consider whether the term "cowardly gossips" is offensive language qualifying for removal of the post.

Secretary's Report: In her report, Martha proposed an amendment to the Board Committee Policy, which was created for committees that are appointed by the Board to define their role within the community.

Deborah explained that this amendment was sparked from committee members making comments in public forums, thus creating the appearance that their opinions represented the opinion of the Board. In the past committee members have posted opinions on items that were under consideration of the Board and/or subsequent committees, and the opinions or comments do not necessarily reflect the opinions of the committee or the Board, so to prevent this from recurring, Martha has updated the policy.

Motion to add the sentence "Consistent with Board member communications, no committee member may post or comment on topics under consideration by the Board and its committees" to the end of the Board committee policy. Motion seconded.

Motion made to amend wording to insert the word "publicly" after the sentence stating "no committee member may post or comment." Motion seconded.

Motion made to amend the statement to add "that are or may be under consideration by the board or one of its committees" after the word topic.

Chad inquired whether this rule means that a committee member cannot discuss any topic in public, even just in conversation with neighbors. Bob replied that the issue is if something is actively before the Board or a committee, members cannot go onto their computers and publicly communicate their personal views in public on the issue that is going to be decided. He explained that the point is to show impartiality about items that are being deliberated by the Board or a Committee.

Deborah responded that the idea is to have committees follow similar guidelines to what the Board abides by, which is to not post or discuss items in public forum, on bulletin boards, etc., showing any kind of opinion other than during open Board meetings.

Stephen noted that this rule would vary depending on the committee, as the topics of some committees are not sensitive or controversial.

Motion made to make amendment to modify rule by insertion of the statement "that are or may be under consideration" after "comment on topics." Motion seconded. Six in favor. One opposed. Motion passed.

Motion made to make amendment to modify the rule to insert the word "publicly" before "comment on topics. Motion seconded. Six in favor. One opposed. Motion passed.

Motion to approve amendment to the Board Committee Policy as amended by the revised language to read "Consistent with board member communications, no committee member may post or publicly comment on topics that are, or may be, under consideration by the Board and its committees." All in favor to approve the amendment as amended. Six in favor. One opposed. Motion passed.

President's Report: Deborah commented that as discussed previously, the Board is appointing a small task force to examine management options for the community going forward. Deborah stated that she and Anne have volunteered to be on the task force. They plan to look for a volunteer from the community, preferably a previous board member, to join the task force to look at community management options.

Motion made to form a community management task force. Motion seconded. All in favor. None opposed.

Deborah provided a Creek Club litigation update where she stated that the judge in the original litigation is up for election by state legislature to the Court of Appeals. She anticipated the election to take place by the end of June; however, regardless of the outcome we will not have a new trial date until that issue is resolved.

Deborah reported that last week she was informed that the I'On Club and I'On Company have filed suit against the Assembly as well as Leann Adkins and Brad Walbeck relating to the Recreational Easement and Agreement to Share Costs. The Club and Company have asked for a declaratory judgment, which is basically asking the court to declare that the current easement as it stands is both perpetual and valid. The Assembly's attorney is being instructed to oppose this suit in conjunction with Ms. Adkins and Mr. Walbeck and their attorney.

Deborah requested a vote for reimbursements for her CAI conference expenses and for Martha's costs for the lights and podium that she purchased for the annual meeting.

Motion is made to reimburse Deborah and Martha for their expenses. Motion moved they be reimbursed. Motion seconded. All in favor. None opposed. (Deborah recused herself.) Motion passed.

Manager's Report: Mike reported that things at the boat dock were going well. He went over the cash basis summary report: the Assembly is ahead on collections, receivables are coming down, expenses are under budget, and delinquent accounts are down.

Mike reported that the 2nd half dues invoices will go out on June 2nd which will also include the invitation to the June 17th Town Hall.

The meeting adjourned at 8:59 p.m. and the Board of Directors was called into executive session at 9 p.m.

Executive session concluded and the business portion of the meeting commenced again at 9:50 p.m.

Bob relayed the Board's decision in regards to the request to review the Board of Appeals decision concerning chickens in I'On.

Motion made that the Board of Trustees decline to review the opinion of the Board of Appeals. Further, the Board of Trustees will appoint a committee to assess Rule D-102, and specifically its applicability to chickens, as expeditiously as possible. During the time period that the committee conducts this assessment, enforcement of the Covenants Committee's decision in regards to the Titleholders' chickens will be stayed.

Motion seconded. All in favor. None opposed. Motion carried.

There being no further business, the meeting adjourned at 9:54 p.m.

Board Secretary: Martha Morgan

Martha Morgan

BOARD COMMITTEES POLICY

The purpose of a Board Committee is to gather information and make recommendations for the area of interest as defined by the Board.

Each committee has a Board member who is also a committee member or liaison to the Board. All committee members are appointed by the Board and need to be property owners in I'On in good standing.

Some (Landscape, Finance, IDC, etc.) are standing committees with rotating members over time.

Other committees are created by the Board for a specific issue in the community (dog run, boat docks, etc.). These members focus on doing research and analysis for formulating a recommendation or proposal to the Board on how to proceed.

Neither the committee nor its individual members represent the opinion of the Board. It is the ultimate responsibility of the Board as to what action is taken on all issues.

Consistent with Board member communications, no committee member may post or comment publicly on topics that are or may be under consideration by the Board or one of its committees.

This is to certify that the Board of Directors adopted this resolution effective May 22nd, 2014 , until such date as it may be modified, rescinded or revoked.