

I'On Board of Trustees Meeting
September 25, 2014

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

Member Present via Conference Call: Martha Morgan

SCS: Mike Parades and Jessica Gosnell

Guests: Wesley Haynes, Rick Wood, Joe Fordney, David Beckman, George Perrotta, Michael and Mary Lou Korizno, Denise Iannatuono, Antonia and Athan Fokas, Mandy Williams, Janet Stitchler, Leanne and Jack Harvey, Ed Clem, Jack Hamilton

Homeowner Forum: Comments were made both for and against amending the rules to allow chickens in I'On. Other issues raised were for better signage on one-way streets, the parking across from O'Brien's in the Square, concerns about drivers going too fast on the curve between East Shipyard and Eastlake Road, and several comments against a dog park, especially on the Soccer Field.

Call to Order: 6:32 pm

Approval of Minutes

Motion to approve the August 28, 2014, Board Meeting Minutes. Motion seconded. All in favor. Motion passed.

Motion to amend the minutes of the June 26th Board Meeting adding the boldfaced wording which is the approval of the credit card that took place at the June 26th meeting. Motion seconded. All in favor. Motion passed.

Rule D-102

Motion to amend Rule D-102 as written in the notice. Motion seconded.

Discussion followed. Tony commented that the Board has used a good process in order to get the opinions of the community on the subject of chickens in I'On. He also mentioned how difficult this issue has been to tackle since the original rule did not define household pets

Tony noted that I'On is not an isolated community and should not be a separate community from the town of Mt. Pleasant. Mt. Pleasant allows chickens and has criteria in its ordinance to deal with chickens being a nuisance. Further, none of the areas that abide by this rule suffer from a loss of home value due to the presence of chickens. Tony strongly believes that I'On should simply comply with the Town's ordinance on chickens.

Tom commented that dogs and cats carry just as many diseases and actually create more of a nuisance than chickens would. Tom stated that as a committee, they strove to get to a reasonable point with the proposed language that makes sense.

Martha said the USDA's bio-safety guidelines for raising chickens require open space and strict sanitation for maintenance of their coops. . They have identified 15 different diseases that have been transmitted from poultry to humans. The American Vet Association refers to chickens as farm animals and recommends very high standards for keeping chickens and their handlers healthy. As for dogs and cats, they are by definition household pets that can be contained in the house. Martha said the Board would be creating a public health risk by allowing farm animals in I'On's close urban environment.

She also asked how would the HOA enforce cleanliness or keep chickens from being a nuisance to neighbors? Is it up to the neighbor to report problems to the Town, which will then simply say that it isn't in their jurisdiction? Martha felt that we are setting ourselves up to police each other.

Anne mentioned that since this past June, the Board has given homeowners several outlets to voice what they like and don't like about the neighborhood. She said it is clear from the data that many more homeowners oppose chickens in I'On than support having chickens in I'On. Anne feels that as Board members, we have to take this information into consideration and let it guide our-decision making.

Bob summarized that he first dealt with the issue of chickens in I'On in his role as the chair of the Covenants Committee. Then, he worked as a member of the sub-committee created by the Board to study a possible change of the pet rule to allow chickens. He offered his opinion that if it is the desire of I'On as a community to allow chickens, the proposal under consideration tonight is an effective amendment. But he explained that he must now consider this issue as a member of the Board of Trustees. He reiterated Anne's point that the Board members are elected to represent all Titleholders. The rule amendment, whether voted up or down, is not about the two specific chickens that are already in the neighborhood; it is a much larger issue about what the I'On as a whole wants to allow chickens to be kept in the community. Bob said

that the many responses generated by the mailing of the proposed rule change clearly communicate that more Titleholders oppose than support chickens being kept in I'On. Based upon this, he expressed his intention to vote against the amendment.

Chad agreed with Tony that I'On is a part of Mt. Pleasant and should follow Mt. Pleasant's rules that elected officials and planning staff have created. Chad commented that the committee that created the rule amendment has listened to as many people as they could and created a good solution.

Deborah felt that the Board's job is to represent the best interest of the community, while balancing as many interests as they can. Deborah had the impression that there were a substantial number of people in I'On that did not want chickens. This was confirmed from the comments and feedback that the Board received, therefore she is not able to support the amendment going forward.

Motion to approve amending Rule D-102. Motion Seconded. Three in favor. Five opposed. Amendment does not pass.

President's Report: Deborah reported that she received an e-mail from the attorney stating that there is still no ruling from the judge on post trial motions regarding the Creek Club.

Deborah mentioned that last month 148 Civitas asked the Assembly to sign a copy of a document related to an application for a new mortgage on the Creek Club; however, when the document was presented, it was actually the mortgage documentation itself, and she had concerns over signing it. Per the Board's decision last month, Deborah referred the document to legal counsel. Counsel advised against the Assembly's signing that document. Now, 148 Civitas has agreed to come up with a new agreement form. One of the stipulations is that 148 Civitas will be responsible for paying legal fees that the Assembly has incurred in determining proper protocol in responding to their request.

Motion to authorize Deborah to sign the new document once the attorney advises that it is acceptable. In Deborah's absence then the Vice President may sign, in the Vice President's absence, then the Treasurer may sign the document after it gets back from counsel's review. Motion seconded. All in Favor. Motion Passed.

Outside counsel and Deborah have spent a lot of time on the SCS Management Contract. Deborah sent the contract back to SCS last night with minor revisions. Once she receives the

signed contract back from SCS, she will circulate it to the Board to review before she signs on behalf of the Assembly.

Motion to reimburse Anne for printing and laminating mailbox flyers that were created for announcing the neighborhood survey. Anne recused herself. The other members voted in favor. Motion passed.

Manager's Report: Mike reported that he has taken care of all of the priority items that he was given at the last meeting. Fieldwork for the reserve study was done. The boat ramp extension is being done. The 2015 budget draft is done and will be reviewed by the Finance Committee on October 6th. Survey work for the loading zone project at the Creek Club is done. Mike has also met and talked with the Town regarding street parking, street/speed limit signage, as well as discussions regarding turning Saturday Road into a one way street.

Mike informed the Board that he has received a quote for remarking the parking spaces in I'On. He has counted 727 parking spaces in I'On. After removal of approximately five spaces that block driveways, and once designated spots are put in on Duany, Jane Jacobs, and Robert Mills, then he expects to have around 800 designated parking spaces in I'On. Duany, Jane Jacobs, and Robert Mills have never had designated spaces, as the Town did not want to designate spaces with so many vacant lots. Now that these lots have been built up, it is the appropriate time to add marked spaces.

Tom asked how much it would be to just repaint, and Mike replied that he has not gotten a price on painting but will obtain a quote. Deborah and Tom both shared their concerns that the Town should be paying for at least part of this project since these are their roads, and I'On residents pay a fair share of taxes that covers the maintenance of these roads.

Bob raised the concern of whether, after we pay to remark all of the parking spots, the Town might come in and repave over our remarking. Mike said he would find out where I'On is in the repaving cycle with the Town.

Tony said the Town is not necessarily going to maintain the roads to the level that we want. He asked if the HOA wants to spend the money to do something that the Town may eventually get to, that may not be to our satisfaction?

Landscape Report: The Town arborist has decided the Ponsbury tree does not need to come down. The work to remove the dangerous limb that hangs over the road, and to supplement

the tree with nutrients, will cost around \$2,000. These steps will make the tree safe and healthy long term.

Motion to spend up to \$2,000 to take steps to make the Ponsbury tree safe and healthy. Motion seconded.

Stephen asked if this was really necessary to spend this money. Tony replied that since we have been advised that the limb is dangerous, for liability reasons it is completely necessary to spend this money to make the tree safe. Since the Town said the tree is healthy and cannot be removed, we cannot remove the tree, so cutting down the tree completely is not even an option.

The vote was then taken on the motion to approve an amount not to exceed \$2,000 for the Ponsbury tree action plan. All in favor. Motion passed.

Bob and Tony reported on the mitigation plan to reforest the area in the Rookery that was cleared without authorization.

Motion to assess the homeowner who cleared vegetation from the Rookery without authorization the cost of the reforesting the area that was cleared, plus a penalty of \$500. In addition, after 10 business days following delivery of the bill to the resident, if the resident has not paid, then on the 11th business day a per diem fine of \$100 per calendar day begins to accrue until payment is made, or until the resident requests a hearing. Motion seconded. All in favor. None opposed.

Tony reported on the geese issue. We can call DNR to come remove the geese at no cost to the Assembly, but he does not know what will happen to the geese after DNR takes them away. Tony asked if the Board is in favor of him calling DNR to come out and remove the nuisance geese. Consensus is that it is ok to do this.

Trust Report: Nothing to report.

Infrastructure Report: Tony commented that if we do not change Saturday Road to one way, then the Infrastructure Committee would like to at least have a double yellow line painted on the road. Therefore he would like to request that a double yellow line on Saturday Road be added into the parking space repainting project.

Motion to remark the current parking spaces, add new parking spaces for the recently constructed areas, and add a double yellow line on Saturday Road with a budget not to exceed \$7,700. Motion seconded.

Anne asked to amend the motion to include obtaining a price for repainting the parking spaces. Motion seconded.

Tom asked that Mike also go back to the Town and tell them that we are doing this remarking because this is a safety issue and we would like them to financially contribute because the current parking situation is not being properly taken care of with the tax dollars that this neighborhood is contributing.

Motion to approve Anne's amendment. All in favor. Motion passed.

Motion as amended is that we approve a sum not to exceed \$7,700 for re-marking our parking spaces and adding a double yellow line down Saturday Road using paint or Thermoplast, which will be determined depending on the cost and longevity of each product.

The Infrastructure Committee wanted to improve the holiday lights that are put in the Square at Christmas time. They want to add power at the base of each tree on both sides of the road as you come into the neighborhood. The lighting would take place right before Thanksgiving so that we could enjoy the lights from Thanksgiving through the New Year. Tony said they are going to ask the businesses to contribute, but they do not want to base the decision to do this on whether the Square's merchants contribute funds or not.

Mike stated that the price would be approximately \$5,805 for one side of the Square to have the electrician and LOG do the work.

Tom questioned spending money on Christmas lights when the soccer field is in need of repair and attention. Anne shared the same sentiments; she mentioned that it seemed like a lot of money to spend on a once a year item when there are so many other things like the soccer field, the dog park proposal, and directories that this money could be spent on.

Tom asked to postpone this discussion until a later part of the meeting.

Covenants Report: Bob provided a preliminary report on the results of the neighborhood Covenants Survey. The Covenants Committee was very pleased with the level of the response rate.

Bob will provide the Board with access to the results of the Survey so that members can view all of the data that was received.

Tom suggested doing a larger multi-question survey, like what was just done, once a year, and then have the option to do smaller one question surveys when needed. Perhaps this could be done when there is a major issue that affects many homeowners.

Moving to the next issue in the Covenants Committee report, Bob reminded the Board that both the fine previously assessed against a Titleholder for keeping two chickens in l'On as well as the order that the chickens be removed had been stayed while the Board studied and decided whether to amend the pet rule. Since that amendment was considered and rejected at tonight's meeting, Bob moved that the stay be lifted. He also explained that, given this action, it is the recommendation of the Covenants Committee's to grandfather these two existing chickens and take no further enforcement action against them. However, no additional chickens would be allowed, the existing chickens could not be replaced and the chicken coop would have to be submitted to the IDC within 10 days for review and approval.

Motion to have the stay lifted and to grandfather the two existing chickens, as described above. Motion seconded.

Discussion followed. Several Board members expressed their struggle with accepting this motion when it goes against the vote that was just taken to not amend Rule D-102 to allow chickens in l'On.

Deborah commented that she did not want to set the precedent that homeowners can do as they want and then ask for forgiveness later when it comes to breaking Assembly rules. The consensus is that grandfathering the chickens would be the same as amending the rule, actually worse as the rule would still be undefined.

Motion that we lift the stay that was put in place regarding the two chickens that are already present in l'On. Motion seconded. Six in favor. One opposed. Motion passed Motion to grandfather in the two chickens that are currently in l'On. The chickens would not be allowed to be added to nor replaced. The coop's specifications would have to be submitted within 10 days for IDC approval. If the resident does not submit the coop for review and gain approval from the

IDC for the coop, then enforcement action would recommence. Motion seconded. One in favor. Six opposed. Motion failed.

Motion to ratify the fine against the titleholders of \$50.00 for failure to submit coop plans to the IDC. Motion seconded. Two opposed. Four in favor. (Bob abstained) Motion passed.

Bob confirmed that he and Mike will draft a letter to the titleholders. The letter will explain the process that was followed, and the decision that was reached.

Treasurer's Report: Anne reported on the current delinquency total of \$48,119 related to past due assessments that still needs to be collected; \$25,009 of the amount is mortgage foreclosure situations. The Finance Committee has discussed changing the annual assessment payment plan back to one lump sum due in January rather than having it split into the semi-annual assessment as was done for 2014. Anne has found that with the two installments, a number of the same names came up as delinquent for both portions of the assessment. This ends up being very costly in time and in administrative work.

Anne reported that after Mike met with McCabe, Trotter, and Beverly to discuss some of the specific issues that we have had with their collection procedures, there is now a system in place that will help with the issue of the manager's being able to talk directly with delinquent homeowners before a lien is placed.

Anne said she planned to meet with Margaret Summers and Amy Sage to discuss the Trust budget request for 2015.

Deborah explained that the Trust used to be a membership organization and while some residents would join it, even more people would attend the events without providing financial support so there was a lot of "freeloading" going on and not enough funds coming in to support the organization. Because the Trust is a neighborhood asset, the Board felt it was part of community governance to support their effort. The Trust asked for \$20,000 in 2011 to support their endeavors. This \$20,000 is paid on a quarterly basis in increments of \$5,000. The same amount was requested for 2012, 2013, and 2014. In 2011 and 2013, only \$15,000 was requested for payment. The Trust also receives funds from transfer fees that were set up in the original I'On CCR's; however, this amount fluctuates from year to year and is difficult to budget.

Discussion continued regarding continuing support of the Trust with a fixed amount. It is suggested that there be an agreement written that the Assembly will support the Trust, but not

necessarily commit to \$20,000 per year, especially in years, when they are far ahead of their yearly budget due to high transfer fee revenue.

Anne confirmed that the Finance Committee will continue its due diligence in regards to this matter.

IDC Report: Stephen reported that the IDC voted on Tuesday to approve the Little Library structure.

Regarding the notion of signage being mounted in front of homes that are in the IDC process, both the design coordinator and another committee member were against this idea. Their feeling was that the issue that brought up this idea was a unique lot situation that would likely not occur again.

Their greater concern is that once you post this public notice, this could be interpreted to mean that a neighbor gets to see the home plans that someone has paid for and have a say on those plans. They IDC felt that implementing this kind of procedure would be an over-reaction to a one-time situation. The committee said this process would cause more issues and create disharmony in the neighborhood.

The IDC has decided that Pam will get out and look for potential issues and deal with issues directly rather than putting a public notice in front of homes in the IDC process.

Anne asked that something be drafted for the newsletter in order to let neighbors know that the IDC is going to take extra steps when reviewing plans in order to see the bigger picture.

Amenities Report: Tom reported on his meeting with homeowners regarding the soccer field. Their point of view was passionate that this soccer field is an amenity and one of the reasons they wanted to buy in l'On. The field has not been well maintained; the well stopped functioning several years ago and it was never replaced, nor has the turf on the field been cared for. The homeowners felt that the athletic field is an amenity, and they questioned why we do not treat it the way that we treat our other amenities.

Tom reported that the field has an irrigation system, which is powered by the well, so if we get the well repaired and/or replaced, we can start irrigating the field and getting it back into good shape. Tom will research this further.

Homeowners were very against a dog park being installed at the end of the athletic field as it would cut the field down even more, and make the field too small for even a 12-and-under field.

Tom's recommendation is that we begin treating the soccer field as an amenity and get it back into good condition.

In regards to the agreement with Cainhoy Soccer, the accountant advised that if we take the \$5,000 from the Cainhoy contract and put it towards a dog park, we would have to pay 40% tax on the money. If we take the \$5,000 and put it directly into repairing the field, it would be a direct write-off and the Assembly would not have to pay taxes.

Tony asked if the agreement with Cainhoy would keep I'On residents from using the soccer field for a birthday party on a Saturday if they wanted to. Tom replied that they were not planning to use the field that many Saturdays, and if someone requests to use the field, we would simply contact Cainhoy and see if they would be using the field on that particular Saturday. It would possibly be one Saturday a month that the field is being used.

Stephen asked about parking on Eastlake during practices and games. Deborah stated that she had the attorneys enter a clause into the contract stating that Cainhoy has to abide by Exhibit A, our athletic field use policy. A big part of the policy outlines that it is the user's responsibility to enforce and abide by the I'On parking rules and regulations.

Tom is going to try to assemble a soccer committee to deal with the athletic field and everything that we will try to get accomplished there.

Motion to have Deborah sign the Cainhoy soccer agreement. Motion seconded. All in favor. Motion approved.

Anne commented that many people did not seem to understand what was envisioned for the dog park, and that it was never intended to take over the whole athletic field.

Tom recommended that we do not put the dog park on the soccer field, but perhaps design a dog park in the new phase 11, or when the school sells, perhaps on the parcel of land where the temporary school buildings are located.

Communications Report: Anne reported that we currently do not have enough money to create the 2015 directories. Last year only 700 copies were printed and this year, extras had to be ordered as an additional 200 were needed. This order cut into the total budget allotment for the year.

Tom asked if there was any way we could put the directory on an app. Anne stated that many people in l'On like the printed directories and she does not want to do away with them by going to an app or only having the online directory. She indicated that if this action was to be taken, more research would need to be done into the community's preferences for the directory format.

The Communications Committee had recommended changing to small binders instead of the spiral-bound books. These binders would be reused and new inserts would be printed each year. The binders would be more expensive initially, but being able to use them for future years would decrease costs by approximately \$1,600 each year. Unfortunately, we do not currently have enough money in the budget for either option.

Deborah asked if homeowners could place an order for a printed directory when they order luminaries, but Anne replied that it would not give the printer enough time to print the directories. She indicated that she felt an addition of \$3,000 to be added to what was left in the budget would allow for the directories to be produced.

Motion for \$3,000 additional dollars to supplement the directory fund. Motion Seconded. All in favor. Motion passed.

Deborah summarized expenditures that were discussed during the meeting. We discussed funding a dog park out of contingency/excess transfer fee funds; we discussed funding the athletic field refurbishment largely using the Cainhoy fund; and we have decided that we will find \$3000 to cover the 2015 directory.

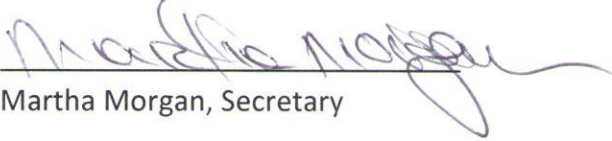
She then went back to the request to spend money on electrical outlets and holiday lights for the Square. The proposal would cover installing conduits and lights on the trees lining the O'Brian's side of the street, lights in the island trees, and installation of a conduit and lights for the large oak tree. The plan is to light the trees on the Grace Salon side next year.

Motion to approve \$5,900 to light the Square and install lights and conduits in the Square. Motion Seconded. All in favor. Motion passed

Mike's Priorities for the next month:

- Reserve Study Work
- Parking
- Soccer Field
- Refurbishment Costs

Meeting Adjourned at 10:20 pm



Martha Morgan, Secretary