

I'On Assembly Board of Trustees Meeting
July 23, 2015

Members Present: Tom O'Brien, Anne Register, Lori Feehan, Chad Besenfelder, Tony Woody, Adam Robinovitz

SCS: Mike Parades

Guests: Pam Bishop, 138 W. Shipyard; Amy Sage, 63 Joggling; Deborah Bedell, 179 E. Shipyard; Ed and Jo Clem, 167 E. Shipyard; George and Mary Jane Toole, 130 W. Shipyard.

Homeowner Forum: George Toole thanked the board for being adamantly involved in meeting with the Town's Planning Commission as well as other Town Committees regarding the B&B issue in I'On. Mary Jane Toole asked for the Board to support and pass the rule restricting short-term rentals that are less than 28 days.

Pam Bishop expressed that she was in attendance to support the decision to pass the rule prohibiting short-term rentals.

Deborah Bedell expressed her concerns with eliminating rule D-103. She feared that the Assembly would have no grounds to stand on if there is a satellite dish issue after we eliminate this rule, as we have no ability to enforce federal laws.

Ed and Jo Clem attended in order to show their support to the Board regarding the proposed short-term rental rule.

Call to Order: 6:15 pm by Tom O'Brien in Bob Davis' absence.

Approval of Minutes

Motion to approve the June 25, 2015 Board Meeting minutes. Motion seconded. All in favor. Motion passed.

President's Report: Tom, on behalf of Bob Davis, discussed the Creek Club litigation updates regarding the courts recent decision. The Grahams appealed the motion, so that appeal will likely delay the final resolution. The Assembly's attorney is ensuring that we are doing everything we need to be doing at this point.

Tony made a motion to allow the Olde Park residents to use the boat dock and landing through the end of the current boating season, which ends 4/30/16. Their use would cease after this date. Motion seconded. All in favor. Motion approved.

Tom reported that Bob has talked to the owners of the Montessori school. There are 5 bids out for the property; each prospective purchaser would maintain the civic use of the property.

Tony provided an update stating that we received notice of an application for speed humps, this time on Sowell St. The application states that it is simply an acknowledgement that someone is applying to the Town for speed humps, and that by signing the document it does not mean that the association supports or does not support the speed humps, it simply acknowledges that we are aware of the application.

Tony's concern was that the Town may use this against the Assembly and say that signing the acknowledgement means that we are in acceptance of the speed humps. He recommended that we not sign anything, even acknowledgement notices just to ensure it cannot be used against us. Mike mentioned the application to Gary Ponder, and Gary advised Mike that there have actually been several inquiries made to the Town regarding speed humps in l'On, and it is likely that more applications will be received.

Manager's Report: Mike reported on boater registration; he sent an email out to the 2014 registered boater list stating that anyone that has not registered by 7/31 may not use the docks. Anyone that is caught sharing the key will be fined.

The Covenants Committee had Mike send out letters to everyone that have boats/trailers stored in their driveways. The letters reminded homeowners of the rules, giving them a week to make other arrangements, if the boats/trailers are not removed, these homeowners will be fined. There are only about five homeowners right now that have boats parked in their driveways.

Regarding Creek Club closings, we are ahead of budget; we are up to 52 events thus far this year.

Mike reported on the alleys, he met with a contractor that has a system called liquid road. Mike has given him a lot of information on the alleys and this contractor is working on getting a price to redo the alleys.

Covenants Report: Lori remarked on the work hours policy. The Covenants Committee wants to make the work hours more visible to owners. The policy speaks mainly to construction hours, it doesn't speak to a contractor, landscaper, or homeowners doing work, and therefore Lori wanted to know how the Board felt about posting this policy, or rewording it to include landscapers or homeowners doing work themselves. Discussion followed. Mike is going to look into rules that other communities enforce, and then the Covenants Committee will discuss and bring something formally back to the Board.

The proposed rule changes regarding the short-term rental rule, and the elimination of rule D-103 were distributed to all homeowners. Lori reported that we received a number of comments, and most of the comments received were in support of the short-term rental rule. Several actually asked if we could look at extending the rental term to 60 or 90 days. One comment recommended that we have no restriction on rentals; this was the only comment received that did not support a rental regulation.

Lori asked the Board if there was any appetite to extend the rule beyond the proposed 28 days. Lori reported that she found a 28-day rental option on AirBNB; it simply has a different cancellation policy than other shorter rentals. This prompted her to consider that the 28 days would allow for some loopholes. Discussion follows on enforcement, enforcement issues, adding the requirement to show a lease upon request, and potential extension of the rental term.

Motion to approve the minimum rental rule that states; "No lot nor portion of any lot including but not limited to the structures or any portion of the structures located thereon shall be leased for any period of time that is less than 28 consecutive days defined as the minimum rental term. The minimum rental term shall apply to any and all occupancy and or use in exchange for consideration and shall include but not be limited to leases, sub leases, licenses, tenancies. The minimum rental term shall not apply to extension periods of terms that initially complied with the minimum rental term. A copy of the lease shall be provided to the management company upon request. Motion seconded.

Discussion followed.

All in favor. None opposed. Motion passed.

Leadership Development Report: Deborah Bedell reported on recommendations from the Leadership Development Committee to change the date of the annual meeting.

Motion to set the 2015 annual meeting date as December 9th making the notice deadline for the mailing Nov 28th. November 30th is cutoff for eligibility and December 4th is the cutoff for return for proxies. Motion seconded. All in favor. Motion passed.

The Leadership development committee is also recommending changing the terms of the Board seats from two years to three years, and imposing an eligibility requirement on candidates that they be in good standing at the time they submit their questionnaire, when the candidate period closes, and when they are elected.

Motion to amend the bylaws to change the Board seat terms from two years to three years. Motion seconded. All in favor. Motion passed.

Motion to amend the bylaws to require that candidates be in good standing at the time they submit their questionnaire, when the period closes, and when they are elected to the Board.

Discussion follows if there should be a requirement that candidates live in l'On for at least a year before running on the Board. Many do not understand the time commitment involved in serving on the Board. Discussion followed and it was decided that this requirement may not be a good idea, but properly educating potential candidates on the l'On way and time commitment involved would be beneficial.

Motion seconded. All in favor. Motion passed.

The Leadership development Committee also recommended moving the annual meeting to January beginning in 2017. They felt it would make life easier on the staff and board not having everything crowded around the holidays. This would mean that the 2016 mid-year meeting would have to be an official annual meeting since the bylaws require an annual meeting every year.

Motion to move the annual meeting to January beginning in 2017. Motion seconded. All in favor. Motion passed.

Deborah reported that the Leadership Development Committee will now be working on candidate questionnaires. They also put a blurb in the August newsletter encouraging potential candidates to begin attending Board meetings.

IDC Report: Steve Degnan reported that for the month of July, the IDC reviewed 17 submittals. Steve reported that they are getting a lot of good response from the neighbors and not many problems.

Steve reported that of the two homeowners that were fined for missing IDC deadlines last month, one is starting to cooperate. The other did not remove their shed by the 15th as outlined in the notice they received. The shed was removed two days later. The IDC has been working on this for months if not a year. Since they did not comply and remove the shed by the 15th, the IDC recommends enforcing the \$25.00 per day fine that the homeowner was warned of in the notice they received.

Motion to fine the Ponsbury titleholder \$50.00, \$25.00 per day for each day that the shed remained on their property after the date it was required to be removed. Motion seconded.

Discussion followed.

One approved. Five opposed. Motion does not pass.

Steve reported on another IDC violation issue. There was a carport that was not built to the specifications as approved by the IDC. The owner cut several corners and needed to follow the original plans that were approved. The homeowner was already given a deadline to submit plans and he missed it. He now has a deadline of August 11th, and if his plans are not submitted by that date, then the IDC is recommending fines of \$25.00 per day, beginning on August 12th. If the plans are submitted by the 11th, then they will be reviewed at the August 18th IDC meeting. If approved at August 18th IDC meeting, the project must be completed by September 21st.

Motion to approve a \$25.00 per day fine if carport plans are not submitted to the IDC by August 11th. Motion seconded. All in favor. Motion passed.

Steve reported on a screened in front porch on North Shelmore. The IDC identified the issue with the current owner and gave them a deadline of July 20th to submit an application for the screened porch. The deadline passed with no response at all. The

IDC is proposing to send out a letter giving the owner until August 3rd to resubmit the application or a fine would be imposed of \$25.00 per day for 30 days, after which the fine increases to \$50.00 per day. Discussion followed.

Motion to fine the North Shelmore titleholder \$25.00 per day for 30 days, after which the fine will increase to \$50.00 per day for each day that the IDC does not receive an application for the unapproved screened porch.

Trust Report: Amy Sage thanked Tony and Mike for helping with the trash pick-up logistics after the 4th of July event.

Amy commented on the lecture series that the Trust has been asked to support for the I'On Group. Amy reported that the Trust has decided that they are going to support the lecture series. The series is to discuss planning developments, how I'On was planned, what the vision was and how it started twenty years ago.

Landscape Report: Tony reported that we continue to have trouble with the flowers; Mike is on top of the issue. Irrigation has been checked and that is not the problem, so they are working to find what else could be causing the issue.

Regarding the Krier Parking project, Mike is going to set up a meeting with neighbors in this area the week of August 10th to find out if they really want this project to happen or not.

Tony reported that the Landscape Committee is meeting August 5th at 8 am to walk the marsh trails to determine areas that need to be enhanced; specifically some of the sitting areas that have fallen by the wayside. Tony will report back on their findings at the next Board meeting.

Infrastructure Report: Tony reported that the Creek Club loading zone and parking project is moving slower than he would like it to, but it is still in the works.

The Infrastructure Committee is working on creating a pedestrian safety plan, the committee is identifying areas within the neighborhood that would get the most pedestrian activity and then identify the routes that people take to get to those areas. Once that is done they will investigate if it is a pedestrian friendly environment and pedestrian safe.

They have identified the areas that receive the most pedestrian activity; the next step is to verify the routes people take to get to these identified areas. This began after a suggestion from the Town's traffic engineer when he said we should focus our energy on pedestrian safety.

Tony reported on the turnover of the canals from the developer. He said this process should soon be wrapped up. The l'On Company has asked the Assembly to take care of replacing and moving the pumps around. They have agreed to pay for that cost ahead of us doing the work. Once we receive the check from them, then we will get the work done. Tony commented that the Infrastructure Committee plans to establish a yearly maintenance calendar for Infrastructure and refer to that calendar at each Board meeting.

Amenities Report: Tom reported that once Barb returns, he plans to get a group together to plan a survey asking l'On homeowners what amenities they would want to add to l'On. Tom would like to get data on what the community at large would like to have added to l'On in order to make it an even better place to live.

Tom reported on the Friendship Garden. He had 6 people sign up to take on this amenity and turn it into a meditation garden. The Friendship Garden was an existing amenity that was underutilized and somewhat forgotten about. The committee plans to make it a more useful feature, which would include installing benches, planting different plantings, trimming tree limbs, and cleaning up the existing structure. The 1st phase of the project is creating a design for the garden. The committee has requested \$2,000 for a design budget in order to bring in a designer to help them plot a meditation garden in the space. They also need funds to trim the trees in the garden, for which they have received two bids. Anne asked to take this to the Finance Committee to discuss before a formal Board vote is taken to approve these expenditures.

Aging in Place: Anne reported that the committee was very pleased with the participation and results of the survey. They will be posting the survey results on the website for everyone to review.

Missed Items: Lori asked to Board to vote on eliminating rule D-103 in regards to satellite dishes; she forgot to make this motion during her earlier report.

Motion to eliminate rule D-103. Motion seconded. All in favor. Motion passed.

Tom reported on the pavilion dock and the issue with people jumping off the dock, even in some instances getting ladders to jump off of the roof of the dock. We were advised on the risk report on what we should do; the dock committee is recommending placing signage that states jumping and diving at own risk. They are not recommending signage that states no jumping or diving, as there would be an enforceability issue.

Motion to install signage at the dock stating jumping and diving at own risk. Motion seconded. All in favor. Motion passed.

Treasurer Report: Mike reported that we were running behind on transfer fees. July however was a busy month; so far for July, we collected just under \$19,000 in transfer fees. This puts us ahead of budget for the year.


Board of Appeals: Mike reported there was one Board of Appeals hearing regarding the lonsborough carport. The Board of Appeals upheld the decision of the IDC.

Manager Priorities:

- Send notice to Olde Park residents regarding use of boat/dock facilities.
- Research/find info on N. Shelmore screened porch and send to the Board.
- Mail notice of rental rule approval to all owners and send out an email blast.
- Order sign for dock head saying "Jumping and Diving at Own Risk"
- Set up meeting the week of August 10th with owners impacted by proposed Krier parking project.
- Check status of cross walk projects and amenity field survey.

There being no further business to come before the Board of Trustees, the meeting was adjourned at 8:15 pm

Respectfully submitted,



Adam Robinovitz, Secretary



I'On Rules

Preamble

The most effective and desirable means of regulation enforcement is voluntary compliance. Common courtesy and concern for others goes a long way to maintaining a harmonious community. Therefore, when a neighbor objects to a condition, action or event caused by another neighbor's actions or inactions, the initial step to resolve the matter(s) should be between both parties leading to resolution.

However, when deemed necessary, any owner aware of a violation of the Association's rules and regulations may notify, in writing, the Board of Directors concerning the violation. This written notice may be by letter, fax or email to the Community Manager, who will either handle the issue directly, or bring the concern to the Board for action.

If Board action becomes necessary, the following procedures will be followed:

- a) The Board will review the matter, and if agreed by simple majority, a Board member or the Community Manager will be selected to discuss the matter with the owner to obtain corrective action.
- b) If an owner fails to take corrective action, the Community Manager will bring the matter to the Covenants Committee. The Covenants Committee will determine whether assessment of a penalty against the owner should be recommended to the Board.
- c) If the Board decides to assess a penalty, the Board will notify the owner in writing by email and regular mail of the proposed penalty, not to exceed \$100 per day (except in the event of extraordinary circumstances, as determined by the Board.) Any such penalty assessed shall constitute a lien upon the owner's lot.
- d) The owner may request a hearing before the Covenants Committee (per Article VII of the I'On Bylaws).
- e) The owner may appeal any adverse decision by the Covenants Committee to the Board of Appeals.



D-101 Vehicles. Except for temporary guests and visitors, only standard private passenger vehicles, including passenger vans, pickup trucks, golf carts, and other neighborhood electric vehicles, are permitted to be parked at the front of a Lot or on thoroughfares.

All other vehicles, including motorcycles, boats and other watercraft, campers, recreational vehicles, and trailers shall be parked at the rear of a Lot behind a home, and adequately screened to be visible only from the service lane, not from the thoroughfare.

If the rear of a Lot faces a thoroughfare, then such vehicles shall be adequately screened from view with architectural and/or landscape enhancements in a matter approved pursuant to Article IV of the Declaration.

As defined in the I'On code, a building's "frontage" is considered to be elevation facing the primary thoroughfare unless the building is adjacent to water or marsh, in which case the frontage is the side of the building facing the water or marsh. A Thoroughfare is a public street (not a service lane) carrying vehicular traffic.

D-102 Pets. Household pets may be kept provided they do not cause a disturbance or become a nuisance to Titleholders and occupants of other Lots in I'On. Each pet owner shall be responsible for immediately collecting and properly disposing of the wastes of his or her pet. Pets shall be under leash or voice control at all times when walked or exercised outside the confines of a Lot.

Rule D-103: Antennas and Satellite Dishes is hereby eliminated. Federal Communications Commission OTARD rules supersede our I'On provisions.

D-104 Trash and Refuse. Trash and refuse containers shall be stored inside of the dwelling or garage on a lot or otherwise at the rear or side of the lot and adequately screened with architectural and/or landscape elements in a manner approved pursuant to Article IV of the Declaration. Each Titleholder shall keep all parts of his or her lot in good order and repair, and free from debris.

D-105 Signs.

- (a) Each Lot may have posted, prior to initial occupancy, one sign setting forth the names of the Titleholder, builder and architect, and, in the case of a Lot owned by Founder or a builder that is a member of the I'On Guild, and such other signs as the Founder may approve; provided, any such sign(s) shall be removed not later than the time of initial occupancy of the Lot. The materials, size, location, lettering and manner of installation shall conform to such rules as Founder may establish.
- (b) In addition to signs authorized under subsection (a), each Lot that is offered for sale may have one sign posted on the Lot advertising the Lot for sale, subject to such limitations on materials, size, location, lettering and manner of installation as may be set forth in architectural standards adopted by founder to supplement the I'On Code.



- (c) No other signs, except those required by law, may be posted on any Lot so as to be plainly visible from outside the Lot.

D-106 Fences and Hedges. No person shall construct or install a fence, hedge or similar structure on any Lot in such a location or manner as to interfere with or obstruct access to utility meters or sewer cleanouts on the lot by any utility company or public works employees or agents. In the event of a violation of this provision, the Founder, the Association, the Commissioners of Public works of the town of Mount Pleasant, or the affected utility company shall be entitled to enter upon the Lot and remove the fence, hedge, or other obstruction and recover all costs incurred from the owner of the Lot.

D-108 Landscaping of Premises. Within 30 days after occupancy or closing on any residence in I'On, the owner of said property shall complete the landscaping of the premises in accordance with a landscape plan approved by the I'On Design Committee (IDC). Failure to complete the landscaping in accordance with an IDC approved plan shall result in a \$250.00 fine for every month in which the property remains out of compliance. Owners of currently occupied homes shall have until January 1, 2009 to bring their premises into compliance with this rule.

D-109 Common Area Use. The Commons are a great natural asset for I'On residents. These lands were permanently set aside to benefit current and future residents, and provide an educational area for those interested in plants and wildlife. The preservation of these areas depends primarily on the cooperation of I'On residents. Our investment in the Commons can be enhanced and maintenance costs kept at a reasonable level if certain rules are followed. Therefore:

- a) Planting, cultivating, harvesting or removing vegetation on common grounds without first obtaining written approval from the I'On Assembly is not permitted.
- b) Personal structures or the storage of personal equipment are not permitted on the Commons.
- c) Discarding refuse is not permitted on the Commons.

Rule D-110: Minimum Rental Term. "No Lot, nor portion of any Lot, including but not limited to the structures or any portion of the structures located thereon, shall be leased for any period of time that is less than 28 consecutive days (the "Minimum Rental Term").

The Minimum Rental Term shall apply to any and all occupancy and/or use in exchange for consideration, and shall include but not be limited to leases, subleases, licenses and tenancies.

The Minimum Rental Term shall not apply to extension periods of terms that initially complied with the Minimum Rental Term."

Titleholders shall provide a copy of the lease to the Management Company upon request.