



## Minutes of the Membership Meeting

March 16, 2017

Cross of Christ Lutheran Church

109<sup>th</sup> & County Line Rd.

Crown Point, IN 46307

Meeting called to order by President, Don Plumb at 6:00 p.m.

**Members Present:** Don Plumb, Ed Kulchar, Sherri Cullom, Craig Paden, Deb Mann and attorney Ted Fitzgerald.

### **Approval of Minutes**

**Don** asked for a motion to accept the Membership Meeting Minutes of November 17, 2016 as written. Craig made the motion, Sherri seconded-vote taken; all in favor, none opposed, motion carried.

### **Election Results-Board Member Appointments**

Don explained the fact that since the only people who submitted their intent to serve on the board, for the three open positions, they were in fact the three people currently on the board. Don entertained the motion to appoint Craig Paden and Sherri Cullom to new three year terms on the board, and Ed Kulchar to serve out the remaining two years of his predecessor's term. Deb made that motion, Don seconded-vote taken; all in favor, none opposed-motion carried.

Craig Paden made a motion to retain all members in their current positions-Don Plumb-President, Sherri Cullom-Vice President, Ed Kulchar-Assistant Vice President, Craig Paden-Treasurer, and Deb Mann-Secretary, Sherri seconded-vote taken; all in favor, none opposed-motion carried.

### **New Residents:**

Deb reported on the 2 new residents to the community. In the audience was: Danny Groenendyke, at 741 Cirque Drive. The other new residents are Patrick & Stacey McCulligan who reside at 54 Annetto Ct. who were not in attendance.



### **New Developer Report:**

Brian Woodward, representing Dave Austgen gave us an update on progress being made in the subdivision. They have been clearing and beautifying the North end, putting up all the lot signs and the large one at the South Entrance. He mentioned the light fixtures on the wall, as we told him before that we were considering replacing them all. The budget did not allow that at this time and he suggested maybe they could help. He suggested the possibility of placing a grouping of two or three at each end, and then capping the open ones and figuring out a way to add more in the middle instead of having to replace all 27 fixtures at this time. It would certainly enhance the entrance. Don explained that when we had investigated the possibility of replacing all the lights on the wall last year, the price quoted was for 110 volt lights. We were then informed that due to the length of wall, we had an existing 220 volt circuit and the price for replacements dramatically increased. We determined that we would not pursue that until a later time. As we pursue this, Don asked Brian that if lots begin to be sold and the development moves forward, maybe the developer would be willing to help in replacing the current lights. Craig mentioned that there may be an issue of wiring costs to reconfigure the location of lights that Brian suggested. Brian said he would get us pricing for a couple of options. A resident asked if we had considered more street lighting, and Craig said that it was definitely a possibility to add one more streetlight on the west side of the entrance to help illuminate the gates and entrance. Brian also informed us that some landscaping work would begin at the North end, as soon as weather permits.

### **Covenant Review Update:**

Sherri reported that the main concern from residents at the meeting was that of the square footage. One resident had copies of wording from other neighborhood covenants-which in fact some were smaller requirements than Falling Waters. So Sherri and the group are going to make specific changes in the wording to be implemented before approval being made for the construction process. Changing of the Covenants is a huge endeavor, and this option would let us move much quicker to implement a new "Policy" which the builders would have to adhere to.

### **Grievance Committee Report:**



Craig explained a regulation that the State of Indiana put into effect regarding grievances between neighbors in a HOA community and how it was to be dealt with legally. It was an extremely confusing worded document and has since been retracted. However, there is still a need to have a Grievance Committee in order to resolve potential disputes between HOA members and the board of directors. We now have a committee that consists of Cheryl Ivetic, John Konrady and Omar Estrada to serve if needed to hear an objection to a fine, or a situation you feel is unfair. We are asking for two additional volunteers to be able to have 5 members, to assure that there would be three members present in situations of vacation, work commitments, etc. Additional information on the grievance process will be posted on the website in the near future.

#### **Legal Report:**

Ted Fitzgerald reported that at the current time, there is no acting litigation happening, his office is keeping up with collections, and things seem to be doing very well. He recommended the Grievance Committee-and how it has been helpful in other communities, and a worthy effort to volunteer for your neighborhood. He also informed us that Porter County imposed a \$10.00 drainage tax for all parcels of Porter County. Due to having a conservancy district, we are exempt from this tax.

#### **Budget**

Craig reported the current financial information as of today

Total income received YTD	\$9,158.08
Total expenses YTD	\$12,821.46
Income less expenses YTD	(\$3,663.38)
Checkbook balance	\$137,465.86
Road fund balance (included in checkbook balance)	\$42,841.28
Total outstanding HOA invoice balance	\$42,516.75

Craig then illustrated all financial reports on the overhead projector, and explained the 2017 budget. Craig informed us that the 2016 U.S. Income Tax Return for the HOA has been filed.



Don explained why legal fees were so high this past month. There was an issue with a resident with many unpaid dues/assessments-along with other fines that were not paid-as a result we filed a lien on the property. It went to Sherriff's sale and we obtained the property on the amount owed FWHOA. There is an outstanding mortgage on the property-and will be foreclosed by the bank as a result. Don explained that the property involved had several issues that were non-compliant with the Covenants-hence more fines. The residents were evicted and no longer in the neighborhood. The HOA Board has decided to have the pool and tennis court removed, in order to be compliant with the Covenants. The Board feels very strongly that this issue is worth the expense to have resolved. There seems to be interest by someone to purchase the property, and we could possibly recover some costs if the Bank involved would consider a "Short Sale"

#### **Open Forum:**

A resident asked about the random placement of sidewalks in the development, and would new builders be required to install them? Don explained that the former developer did expect people to install sidewalks/carriage walks on the opposite side of the water lines. However, they did not have an actual plan for this purpose, nor was it in the Covenants. The Board who took over from the developer in 2009-decided since this was not in the covenants, that it would not be required to have them.

Another resident inquired of repair work on the driveway/curb area of their home. We recommended going to the website to download the necessary form to fill out for any external repairs/changes they request and submit to the board for approval.

Another resident voiced concern about the very similar design and appearance of the last 3 or 4 homes built in the neighborhood. The reason they chose our development was the fact that all the homes were all individual in style, and that was very appealing to them. The Architectural Control Committee will make an effort to keep too many of them so similar. The hope that new builders will have bigger and more original plans and will help sell more of these homes and the prices will go up and smaller homes will not be desired as much.

Deb expressed a special Thank you for Marcia and John Early for their continued effort in picking up garbage in the neighborhood, as well as the area across the street from the entrance. They do this voluntarily, and we are very appreciative!



Ed made a motion to adjourn at 7:20 p.m.-Sherri seconded; vote taken-all in favor, none opposed-motion carried.

Respectfully Submitted,

Deb Mann, Secretary