

IRF HOA Board Meeting Minutes  
April 9, 2019

Board members present: Diana Merciez, Jim Smith and Sun Betancourt  
Don Darcy emailed that he would be late and arrived @ 6:46  
Members absent with notice: Mike Boungiorno

UPA manager Jennifer Copeland present

6:32 Call meeting to order

Reviewed Roberts Rules of Order as it pertains to homeowner's forum

Motion to accept minutes from March and waive reading. Diana, Jim 2<sup>nd</sup>.

6:33: Motion to open **Homeowners Forum** Diana, Jim 2<sup>nd</sup>

1. Homeowner voiced concern about how the trees along the sidewalks are causing issues by disrupting the sidewalks but also with the debris that can make its way into the BMP. Homeowner asked who had authority over the maintenance of the trees.
2. Homeowner voiced concern that the island was looking shabby.
3. Homeowner had questions about submitting an application to the ARB.

6:49 Motion to close homeowner forum, Diana, Sun 2<sup>nd</sup>

6:50 **Financial Management reports** given by Jennifer Copeland. No items actionable.

7:12 **Committee Reports**

**ARB report:** Sharolyn Rancour from the ARB Committee was present and gave a summary of the walk through done on March 28 by herself and Diana Merciez.

Several issues noted that need to be addressed with All Things Green. These include grate cleaning, dead bush at front entrance, annuals in the island at the entrance and maintenance on the HOA owned portion

of the small BMP to include the bank as well as the concrete block that houses the pipe.

Also noted that the fence needs to be power washed.

There is a ditch that runs parallel with the property next to the open area that has grown over. Jenn will address with All Things Green, get a bid for power washing the fence and consult with Solitude on what they are under contract to provide for the Kentucky Derby BMP.

ARB received 2 applications and were approved.

**Newsletter:** Articles due by April 14<sup>th</sup>.

**Social Committee:** In lieu of a social committee the board discussed Community Day on May 4<sup>th</sup>. Diana thanked Sharolyn Rancour for stepping in to be a liaison to the vendors on that day. Pollards will be catering, a face painter, Kona Ice truck and a Petting zoo will be available for the kids. Sun Betancourt has arranged for a DJ. There is a possibility of including pony rides and a bounce house but this had not been confirmed by the vendor by the time of the meeting. Diana listed other items that will need to be purchased and or borrowed for the day. Sharolyn Rancour offered to purchase the items and Diana will email her a list. Don Darcy will bring tables.

7:20 Motion to move to **New Business:** Diana, Jim 2<sup>nd</sup>

See ARB Report above for actionable items.

Diana stated that a homeowner volunteered to research adding a dog park to the open area behind the park. This was an idea that was discussed at several meetings but no action was taken. Board discussed the possibility of extending the existing new sidewalk at some point in the future.

Theresa Bell volunteered to head a social committee and was appointed by the board. She asked for a budget for welcome baskets for new homeowners and was given a budget of \$50 per basket. She will bring a sample basket to the next meeting.

7:33 Motion to move to **Unfinished Business**: Diana, Don 2<sup>nd</sup>

BMP update by Jenn. The attorneys held another conference call on April 2<sup>nd</sup> and pressured the city for an answer to their position on who is responsible for the maintenance of the BMP's. The City Attorney said they are inclined to say the HOA is responsible but asked for another month so that they could consult with a land use attorney. The board agreed to wait for the city to respond.

Don Darcy motioned to amend and adopt Rule 11, which is currently suspended. This would be a stop gap for the maintenance on the BMP's until a final resolution is determined. Homeowners would be responsible for the maintenance of the banks on their property. This would be in place until such time as the attorneys and/or the court came to a binding resolution. Sun 2<sup>nd</sup>. The proposed maintenance would include, mowing grass within the city recommended height and feet from water's edge. Removing shrubs and trees with a caliper of 6 inches or less and repairing any erosion. A vote was taken, 2 votes for and 2 against. Motion did not pass based on tie vote. The 2 dissenting votes cited reasons for their vote: 1. No part of Rule 11 is enforceable since the HOA's attorney concluded in their opinion that the HOA is responsible for the maintenance. Until such time as the responsibility is assigned and maintenance guidelines set, a rule change regarding the maintenance cannot be foisted upon homeowners. 2. It is widely accepted among homeowners that the quarterly dues include the cost of maintenance for the BMPs and since these dues are required to continue to be paid while the matter is pending, it would be egregious to expect homeowners to perform the maintenance under threat of violation.

8:12: Motion to adjourn to Executive Session. Diana, Don 2<sup>nd</sup>

8:34: Motion to return to Open Session and adjourn meeting. Diana, Jim 2<sup>nd</sup>.

A handwritten signature in blue ink, appearing to be 'Diana', is located at the bottom right of the page.