

GEIST HARBOURS PROPERTY OWNERS ASSOCIATION, INC.  
BOARD MEETING  
July 20, 2009

Fall Creek Trustee's Office

**In Attendance:**

Directors:

David Hennessy, Admirals Pointe  
Jonathan West, Admirals Sound (Board President)  
Terry Fulk, Feather Cove II (Board Vice President)  
Russ Desserich, Masthead I (Board Secretary)  
Elise Montoya, Masthead II

Non-Board Members:

Barry Howard, Developmental Control Committee  
Dr. John Moore, Grounds Committee  
Ken Yale, Board Treasurer  
Jane Scully, Community Association Services of Indiana  
Wendy Blake, Community Association Services of Indiana  
Mike Johnson, Neighborhood Patrol  
Scott Brent, Green Touch Services  
Eric Green, Green Touch Services  
2 Masthead I Owners

**Absent:**

Sandy Bryant Willis, Admirals Bay  
Ed Paulus, Admirals Woods  
Mike Harris, Beamreach  
Tom Britt, Crossing South  
William Longardner, Diamond Pointe  
Jay Martin, Feather Cove I  
Vicky Thompson, Feather Cove III

**Call to Order**

President West called the meeting to order at 7:02PM.

**Security Report**

Two Masthead I owners spoke to the Board about problems with over night fishing, camping, fires, and trash on the new Geist Trail. The park is closed at dusk and vehicles are not allowed. A letter from another neighbor in area was also distributed. The owners noted that the Indianapolis Parks Department, DNR and IMPD have been ineffective in controlling the usage of the area. West noted that another neighbor in the community is working with Indy Parks to get appropriate signage at the entrance, and that GHPOA has no direct jurisdiction over the area. Johnson of Neighborhood Patrol noted that they have contacted the Indianapolis Water Company to obtain the authority to ask people to leave the area. The owners present gave Neighborhood Patrol the authority to access their property when there is a problem. West asked that Neighborhood Patrol follow-up with the appropriate parties and report back to the Board at our next meeting.

Johnson of Neighborhood Patrol distributed the run log for the past month. He noted that they have had some vandalism reports and some theft in the Admirals Sound neighborhood. This case has been turned over to Metro and they are developing a case. There are juveniles involved with the theft that may also be linked to the graffiti. Johnson noted that current law is very lenient to juveniles.

### **Green Touch Services**

Brent and Green distributed a proposed landscaping contract for 2010-2012. The proposed contract provides for no increase in price from 2009 to 2010, and then 4% in 2011 and 2012. They reviewed the current contract, which expires at the end of 2009, and also provided a quote to provide Holiday lighting and décor for all of the neighborhoods of GHPOA. Fulk noted that since the economy is bad they should not have any price increase included in the next 3 yr contract. Green Touch felt that their pricing was fair, but did say they would review the contract to see if there was anything that could be done. Green Touch to relay that information to the management company for the next Board meeting. After Brent and Green left the meeting the board discussed the contract. Montoya noted 3 additional locations to the Holiday proposal. Scully will request that Green Touch add these additional locations to the bid. West noted that the Holiday lighting price was very good and that uniformity for the association would look nice. Fulk noted that they should tell Green Touch that if they were unable to accept no increase then the Board would bid out the contract.

### **Covenant Study Project**

Montoya noted that she and West met with legal council to discuss questions the committee has with regards to different options they view as possible. Murray, legal council, suggested the association have the DCC guidelines recorded after they have updated the document. He noted that the current aesthetics clause is very similar and in line with other neighborhoods' aesthetics clause. Murray further noted that this clause should be used as a reason to deny applications that are not expressly written into the guidelines and covenants. Murray did not feel that the association could require a specific type of mailbox, but that they could and should set minimum standards. The Committee feels that based on their conversation with Murray that the board should try for the attorney fee amendment to the covenants again, but to allow only the Association to recover its attorney fees if it is successful enforcing covenant violations. Unlike the prior proposed amendment, attorney fees could not be recovered by the winner in a neighbor versus neighbor case. A neighbor appeal process to the Board will also be considered. The Committee will draft the amendment and bring it to the next Board meeting for review.

### **Developmental Control Committee**

Howard of the committee distributed the most up to date DCC log. He noted that there are not records available prior to 1995. Howard noted that he had not heard from any of the directors on unapproved 6' fences.

The DCC is sent a letter to the owner on Canoe Court advising them to contact the water company, DNR and/or their personal attorney regarding the size of the dock in the cove.

Howard passed out a picture of a BP Gas Station and noted that he had been contacted about the gas station Fox Rd. & Oaklandon Rd. The owners are planning to renovate the gas station and want to know if there is any input from the association. Howard to give the contact information to West and he will follow up asking for better landscaping, no third party vendor signage, and no vehicles or equipment in the lot offered for sale.

Howard has been copying directors and the management company when an application is received and when it has been approved or denied.

## **June Meeting Minutes**

The June meeting minutes were approved by those in attendance.

## **Report of Property Manager**

Scully of the management company handed out a program that they can provide as a way to contact homeowners with emails and text messages. Due to time further discussion was tabled until the next meeting.

Fulk noted that the association should be more aggressive with homeowners who have not paid their dues. Scully noted that the older accounts are still with the previous collection attorney and that she will work with the new collection attorney to get them released and turned over to the new collection attorney for action. Hennessy felt this would only require a letter from the association president. The Board authorized West to provide needed items to the collection attorney in order to get the old accounts turned over. Fulk noted that proceeding supplementals can be filed to collect association dues after a collection judgment is entered. This process does not require a foreclosure of the lot.

## **Treasurer Report**

Association treasurer Yale noted that as of June 30, 2009 the association had approximately \$517,000 in their banking accounts. The projected year end cash balance is approximately \$106,000. The association is operating to the good in expenses and in income. Year to date the association has spent approximately \$18,000 in reserve type expenditures.

## **Grounds Committee**

Dr. Moore of the grounds committee distributed the monthly grounds committee report. The directors present agreed to pay 25% of the costs to re-landscape two islands at the Feather Cove II / Windsong entrance.

The contractor who was going to move the 96<sup>th</sup> Street sign was unable to obtain insurance to indemnify against loss, and was unable to obtain a professional engineer who endorsed the relocation of the sign. GHPOA sent written notification to Hamilton County as response to the findings. The committee also sent, at the request of Hamilton County, a cost to cure the area in preparation for a new sign. The costs included landscaping, electrical, and sign costs. The association is now waiting to hear from Hamilton County as to what their final offer will be for the roundabout project.

## **Other Items**

Other items on the agenda were tabled until the next meeting. The next meeting is Monday, August 17, 2009.

West adjourned the meeting at 9:20PM.