

Highlands Subdivision HOA Town Hall Meeting
August 13, 2019 -- 7:00-8:00 PM – 900 W. Gordon Pike -- Bloomington, IN 47403
Minutes of the Meeting

I. Call to Order

President Kevin Campbell called the meeting to order at 7:00 pm. Directors present were Kevin Campbell, Erin Ryan, Anna Bragin, Phil Argenti, and Cindi Livingston.

II. Welcome and Introduction

President Kevin Campbell spoke, welcoming homeowners to the meeting and thanking them for their time in attending. Each Board Member briefly introduced themselves.

III. Statement from the Board

Vice-President Erin Ryan gave a statement from the Board including a brief history of the current Board, including inception as currently active following 2017 special meeting to avoid receivership possibility. She discussed the history, process, and need for the CCRs to be updated. She noted that the currently active CCR document was still in effect, and would remain in effect even if the proposed document does not achieve approval. Erin also took a homeowner tally; asking one member of each household in attendance to raise their hand. Seventeen households were represented, some by more than one resident.

IV. Meeting Goals and Priorities.

Erin Ryan stated that the goals for this Town Hall meeting were to get feedback, suggestions, and concerns from interested homeowners regarding the proposed CCRs. She noted that the Board is open to editing/clarifying points within the restrictions. She asked that homeowners take turns and be respectful when speaking, and that if a concern has already been addressed, please leave time for other questions that have not yet been brought up. All questions will be noted and we will collect tallies of those who share the concern. She asked that specific individual complaints if any be held and submitted via observation form which will keep the meeting moving forward with its intended purpose and allow the Board to review and address observations as needed at the upcoming regular Board meeting.

V. Open Q & A/Feedback Session.

The floor was opened to homeowners to bring up concerns, questions/concerns/suggestions were as follows (in no particular order).

Questions:

Can individual restrictions be voted on or approved? No, legally the document must be reviewed, approved, and filed in its entirety.

How are restrictions enforced? Kevin Campbell went over the Enforcement Policy and showed where it could be reviewed on the website. He repeated that the aims Board are not to penalize or target homeowners, but that a main function of the HOA and HOA Board is to ensure homeowners are in compliance with the overall mission of the HOA, which is to provide a pleasant and safe community for all while maintaining home and property values. As such it is necessary to enforce the CCRs and address violations. He also noted that the Board has no intention or capability of patrolling or seeking out violations, but must address when the Board becomes aware of them.

What costs are associated with the Enforcement Policy? Are there fines? Costs to the HOA-initial costs of enforcement are minimal, such as mailing and supply costs. If a violation persists to the point the Board must take legal action and/or correct the violation themselves (example, have excessive growth mowed), there is an up-front cost to the HOA; however, as per both the existing and proposed CCRs, these costs become the responsibility of the homeowner if legal action proceeds and may be recouped by the HOA. Costs to the Homeowner-The homeowner is responsible for legal fees and/or service completion fees if the violation persists to the point the Board must take legal or physical action. Fines-there are not and will not be any other fines or penalties associated with violations.

Who is responsible for overgrowth along the sidewalks on Wickens St.?

Homeowners are responsible for growth/landscaping on any of their property up to the sidewalk, even if it outside their fence line, as this is still their property. The County is responsible for growth/issues from the sidewalk to the street. The HOA cannot legally provide mowing/landscaping services to any property except designated common areas. The Board suggests contacting the County with concerns on any items that are County property; this has had success in the past.

Concerns/Suggestions:

Signage Restriction.

1. Current CCRs allow only realtor signage, and with size limitations. Proposed signage adds political signage in specific times around election dates, with no size limitations. Suggested edit to have political sign size limitations mirror realtor signs. Also suggestion to allow security related signs (example ADT) as these can be an effective criminal deterrent.

2. Suggested clarification needed to allow decorative/garden type signs. Possible size restrictions?

3. Signs at front entrance and other places on the property (common area, at intersections). While mainly realtor signs, other solicitations and advertisements appear from time to time. Suggested edits to cover this type of sign. The Board also indicated that they generally did not address realtor signs at this time, but other solicitations have been removed when noticed, especially near the front entrance.

Weeds/Unsightly Growth Restriction.

1. Clarification needed for type/standards of growth. Suggested removal of the word weeds specifically, suggested that due to stylistic differences the key should be whether growth is maintained and whether it is a possible hazard (example, visibility, attracts rodents).

Domestic Pet Restriction.

1. Current CCRs list a limit of 2 domestic pets per household. Proposed CCRs removed wording of any limit. Suggested edit to be somewhere in between 2 and no limit. It was discussed that the city limits pets to 19, the county has no limit. Further suggestions included restrictions of when pets could be outside unattended even when secured.

Pool Restriction.

1. In-ground pools. The current CCRs do not exclude in-ground pools. Proposed CCRs prohibit in-ground pools. It was discussed that the Board's reasoning on this is due to several concerns: most lots are not large enough or of a layout that can support a pool in accordance with county regulations; drains and drainage would not allow installation on many properties; most lots have little to no easy access for installation equipment without damage to property and/or encroachment on neighboring properties; our utilities are all buried, resulting in many places a pool could not be installed; pools may present a safety hazard; pools may be used in such a manner that disturbs neighboring properties.

2. Above-ground pools. The current CCRs prohibit above-ground pools. It was suggested that this be revised to clarify types/sizes of pools that are or are not allowed, due to many types of semi-permanent above ground pools now available.

3. Kiddie pools/wading pools. The Board stated they did not consider small splash/wading style kiddie pools to be an issue. It was suggested that this be clarified as well.

Leasing Restriction.

- 1. Clarify how the Hardship Allowance works. It is mentioned, but not specific procedure. Suggest adding Military exclusion clause so that there are no restrictions on leasing due to deployments/postings.
- 2. Suggestion of removing clause altogether and editing wording of Board composition and voting clauses to only allow ‘owner occupant’
- 3. Single Family Homes is already a restriction. Suggestion research city/county restrictions and add guidelines on unrelated adults, etc. to prevent excessive student rentals.
- 4. Suggestion to add clause/wording that limits restrictions to apply only to leasing companies/entities owning more than one property; no restrictions on single family homeowner leasing to single family homeowner

VI. Closing Statement/Next Steps.

Erin Ryan noted that the Board is generally in agreement with clarifying/further defining all of the discussed restrictions, and will additionally be reviewing all restrictions to add clarification as needed. Erin thanked everyone for coming and emphasized that we value the homeowner feedback and will be taking it all into consideration, along with legal advice as appropriate. The Board’s next steps will be to review and edit the proposed document again, then post it for homeowner review, as well as prepare and send a mailing to begin the approval process. If enough approvals are not obtained, next steps such as door to door follow ups will begin. The goal of the Board is to have this finalized by the end of the year.

VII. Dismissal.

Kevin Campbell officially dismissed the meeting, thanking homeowners for their time and feedback. Erin Ryan noted that the back of the agenda had space for additional comment/suggestions if anyone would like to submit anything, and that anyone could also email the contact@bloomingtonhighlands.com email. He also stated the regular Board meeting for August was moved to Thursday, 8/15 to accommodate the Town Hall, and it is as always open for homeowner attendance as well.

Minutes submitted by: Cindi Livingston

DATE: 08/14/2019

Minutes approved by: Kevin Campbell Erin Ryan

DATE: 08/15/2019

Phil Argenti

Anna Bragin