

Windridge Co-Owners Association, Inc.
www.windridgecondos.com/
Board of Directors Meeting Minutes #2016 – 4
March 21, 2016

The regular meeting of the Board of Directors of Windridge Co-Owners Association, Inc. was held on March 21, 2016 in the Community Room of Windridge Office, Indianapolis, Indiana. Board President, Rick Alexander, presiding; Eleanor Keppler serving as Secretary.

ATTENDANCE

Directors Present:

Class of 2016	X <u>Tom Eggers, Treas.</u>	X <u>Marion Dunson</u>	X <u>Karen Friss</u>
Class of 2017	X <u>Rick Alexander, Pres.</u>	X <u>Eleanor Keppler, Secty.</u>	X <u>Jane Loiselle</u>
Class of 2018	X <u>Vicki Eident</u>	X <u>Bill Pert, V. Pres.</u>	X <u>Eileen Scott</u>
Staff Present:	X <u>Doug Beyers, Prop. Mgr.</u>	X <u>Darcy Heyerdahl, Office Mgr.</u>	

CALL TO ORDER

President Alexander called the meeting to order at 7:00 PM, and asked for adoption of the agenda. The agenda was approved as printed.

Alexander asked for approval that the Minutes of the February 15, 2016 Board Meeting and Eggers moved that they be approved as distributed. The motion carried.

ACKNOWLEDGEMENT OF PREVIOUS BOARD ACTIONS

- The Board approved the architectural request recommended by Pert for Owners to replace two sliding glass doors at 5409 Greenwillow Road.
- The Board approved the architectural request for window and door replacement at 5220 Windridge Drive with the stipulation that the garage windows will be painted to match the replacement windows.
- In executive session the Board took the following actions:
 - Accepted the resignation of Ron Renner.
 - Elected Bill Pert to serve as Board Vice President.
 - Recommended that Karen Friss be asked to serve the remainder of Renner’s term.

Loiselle moved and Scott seconded that all of the above Board actions be accepted. The motion carried unanimously.

OFFICERS’ REPORTS

President’s Report – Rick Alexander.

In recent weeks I have observed and have received an increasing number of complaints from residents concerning covenant violations taking place involving on street parking, trash can storage, pets, and inoperable and oversized vehicles parked in the community.

Tonight, the Board will begin a process of strictly enforcing our By-laws and Rules and Regulations with a resolution that will be published in the Minutes and on the Windridge website. When we moved into Windridge, we received a copy of our By-laws and Rules and Regulations. It is the responsibility of each us to follow these covenants for the betterment and enjoyment of our neighborhood.

Due to the resignation of Ron Renner, the Board has selected Karen Friss to serve on the Board for the remainder of this year. Ron has served the Windridge board admirably for nearly four years, and we will certainly miss his wisdom, business background, and networking contacts. Bill Pert has agreed to serve as Vice President of the Board for the remainder of this year.

Welcome, Karen, to the Board!

Treasurer's Report – Tom Eggers. A copy of the written report is included with these Minutes. Eggers explained that the report shows that we are under budget in salaries and wages, however when seasonal help is employed for the summer months those funds will be used.

Manager's Report - Doug Beyers. Beyers emphasized that Owners, who pay fees by a bank's bill paying service, must call the bank and change the office address. The new address is **Windridge Community Building, 5105 Hawks Point Road, Indianapolis, IN 46226**. Failure to do so results in a 2 week delay in Windridge receiving your payment. **Please read the detailed written report which is included with these Minutes.**

Mayor's Liaison – Gary Loveless. Loveless encouraged residents to participate in the city clean-up day on Saturday, April 9th, sponsored by Keep Indianapolis Beautiful (KIB). Individuals may work in any location to pick up debris or join other groups working on projects. Loveless continues meeting with residents from the area neighborhoods on Wednesdays from 10 to noon at Lincoln Pancake House. If you have concerns, Gary welcomes your visit. If you would like receive information from the city, contact Gary.Loveless@indy.gov and he will add you to the list.

COMMITTEE REPORTS

Architectural – Bill Pert. Pert recommends approval of a request to replace two sliding glass patio doors at 5220 Fawn Hill Terrace. Loisel moved and Friss seconded that the request be approved. The motion carried.

Insurance – Bill Pert. Pert reported that a committee of Ron Renner, Tom Ulsas, Tom McNulty, Dave Schermerhorn, and Vicki Eident met to discuss extending association's insurance coverage. The committee recommended to not pursue the concept extending our coverage to include the interior structure.

Kepler moved that the ad hoc committee investigate insurance coverages and to advise Owners on how they can be certain that they have adequate coverage for betterments. Loisel seconded the motion which carried. Pert will replace Renner as the liaison for the committee.

Investment – Tom Eggers. Eggers reported that the committee of Eileen Scott, Karen Friss, Lowell Lumley, Tom McNulty, and Jon McKinley will meet next week to discuss the C.D. investment of the \$16,500 designated for the community building. The committee will also begin the process of identifying an investment manager.

Landscaping – Jane Loisel. A Garden Club chaired by Kathleen Roman, including Marion Dunson, Vicki Eident, Francie Weber, and Sally Sullivan is preparing for the selection and maintenance of flowers and plants in the common areas.

The front gate landscaping project has been temporarily put on hold due to regular spring projects but remains the number one landscaping priority for the year.

Long Range Advisory Planning – Eileen Scott. Scott is researching committee charters with the possibility of using the concept for the investment committee and the board of directors.

Marketing/Communications – Victoria Eident.

The "residents" area of the website is password protected. Residents will be informed of the password by email, and you can call into the office to get it. The *Architectural/Landscape* request form and the *Contact Us* form are both dynamic. Information can be entered directly on the form and emailed to the office at any time of the day or night. This process automatically generates a work order if one is requested and maintains a log in the data base. Residents will continue to have the option of filling out the old form and sending it to the office. However, use of the dynamic form on the website is more efficient.

The possibility of using a newsletter type program, that is available on computer, tablet or smartphone, is being explored. It would be exclusively for the use of residents of Windridge.

Rules & Regulations – Eleanor Keppler. Keppler reviewed the Grievance Resolution Procedures that are attached to these minutes. Templates for letters to be sent to Owners when Covenant Violations have been reported were distributed to the board members for review.

Keppler moved and Loiselle seconded that the procedures be adopted. The motion carried. The resolution will be filed with the state and added to the Association’s Rules and Regulations.

Alexander commented that residents who are in violation of covenants may expect notice of the legal process within 30 days.

Security – Marion Dunson. Dunson reported that over the weekend he walked the property line between Cathedral and Windridge and observed the removal of undergrowth that potentially provides hiding places that jeopardize security. He also reported that the improved lighting at the gate key pad makes it easier to for visitors to see to use the access codes at night.

Loiselle inquired for the Neighborhood Watch Captain about the status of additional of lighting at the front gate. Beyers reported that the original idea of attaching lights to the existing posts is not practical. The board recommended that funds be budgeted for security to be used to add additional lighting to the area.

Improved fencing is being investigated for the Windridge/Cathedral property line to enhance security and provide privacy.

A discussion of changing gate codes resulted in the conclusion that educating residents about how to use codes is more important than changing everyone’s code. **Please see the attached resident memo regarding gate codes and take action to make Windridge more secure.**

Social – Victoria Eident.

As a result of generous donations at several of the community events the Social Committee was able to help furnish the community room in the new building. We now have four new card tables and sixteen folding chairs in addition to the long tables. Residents are encouraged to use the community room. A copy of the guidelines for using the room, as well as a calendar to sign up for specific times, is located in the room.

OLD BUSINESS

A. Cathedral Drainage issue: Alexander reported that a settlement with Cathedral is not progressing as hoped. Attorneys have talked and agreed upon a mediator. However, Cathedral’s attorney has asked for a delay. There is a meeting with the attorneys and representatives from both sides scheduled for April 15. If this meeting does not result in movement towards correcting the problem, the Board recommends that Windridge request a summary judgment.

B. Millersville Neighborhood Association: Eggers reported on the March 1st, annual meeting. The numerous actions of this association include: planting flowers, obtaining a grant to purchase a sculpture to be displayed near the pond and working with the city for the Emerson Street project all for the improvement of the appearance and marketability of our neighborhoods.

Eggers moved and Loiselle seconded that Windridge donate \$1,000 to the Millersville Neighborhood Association. After debate, Pert moved and Alexander seconded that the motion be amended to change the donation to \$500. The amendment failed. The motion that Windridge donate \$1,000 carried.

If people want to receive the Millersville newsletter they should email Kim Robertson at kgrobertson@sbcglobal.net and ask to be added.

C. Work Order Committee: The committee of Ron Renner, Tom McNulty, Tom Ulsas and Eident has worked with Beyers to develop a plan to improve communication regarding work orders. **Please read the detailed report is that is attached.**

D. Brick Fence Inventory: Beyers has begun identifying brick walls throughout the property. Later each will be evaluated to determine if it is part of the original structure or was added. Eident is working through the architectural requests. Due to time priorities, the inventory report will not be available until later in the summer.

E. Open House: The Community Building Open House will coincide with the neighborhood picnic on June 11. More information will be posted on the website.

F. Digitizing Records: Beyers reported that having records digitized will help make the office more efficient by reducing files and making information easier to access. The board recommends that Beyers go forward with this process.

NEW BUSINESS:

A. ACH payments: Eggers stated a concern about the quantity of time required for the officer manager to process either personal or bank checks. It is much more efficient for Owners to pay by having the Windridge office automatic withdrawal (ACH) from their bank to pay assessments.

Scott moved and Loiselle seconded that Windridge adopt the policy that new Owners be expected to pay assessments by ACH. The motion carried.

An ad hoc committee of Eggers, Friss and Loiselle was formed to consult with Darcy Heyerdahl to develop a plan to encourage current Owners to use ACH for payment of assessments.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned by Alexander at 10:07 PM.

NEXT MEETING

The next regularly scheduled meeting of the Windridge Board of Directors will be held at 7:00 PM on Monday, April 18, 2016 in the Community Room of the Windridge Office, Indianapolis, Indiana.

Respectfully submitted,

Eleanor Keppler

Eleanor Keppler, Board Secretary

TREASURER'S REPORT

FEBRUARY 2016

K = Thousands
() = Negative Numbers

Community Building

Total Cost through February \$ 218.6 K

February Month Expenses compared with Budget

Grounds Maintenance	4.9 K	Over Budget Sewer/Lift Station 4.7 over
Building Maintenance	(5.1) K	Under Budget - all lines under
Major Repairs/Replacements	\$ 0.4 K	Over Budget
Salaries & Wages	(3.4) K	Under Budget
Water & Sewer	2.1 K	Over Budget
Others (net)	<u>1.7 K</u>	Over Budget
Month Total	<u>\$ 0.6 K</u>	Over Budget

February Year-to-date Expenses compared with Budget

Grounds Maintenance	3.4 K	Over Budget Sewer/Lift Station 3.6 over
Building Maintenance	(3.3) K	Under Budget Foundation/Crawl Space (2.5) under
Major Repairs/Replacement	1.5 K	Over Budget Driveway Replacement 2.7 over
Salaries & Wages	(6.5) K	Under Budget
Water & Sewer	(0.9) K	Under Budget
Others (net)	<u>(0.4) K</u>	Under Budget
YTD Total	<u>\$ (6.2) K</u>	Under Budget

Manager's Report

Doug Beyers
March 21, 2016

Community Building- The Community Building address is 5105 Hawks Point Road, Indianapolis, Indiana 46226. Residents can drop letters and payments in our street mailbox. The mail box has "Office" on the front door of the box. When you open the front door of the mail box there is a second slotted locked door. Please slip information through the slot. Our phone number remains the same 251-7861. If you use bill pay as your payment method please notify your bank of our change of address.

Removal of dead ash trees continues.

The majority of the brush has been removed along the East Windridge and Cathedral fence line. We will be developing and plan to improve the area now that the brush has been removed.

Please notify the office concerning any trees that may pose a danger to your home.

Sidewalk replacement and driveway replacement – We will continue to replace drives and walks as the weather permits. One shared drive and two single drives have been replaced in 2016. Twelve walks have been replaced so far in 2016.

5206 Fawn Hill Court and 5210 Fawn Hill Court – The sidewalk and a section of drive has been replaced at 5206 Fawn Hill Ct. The large stump in the front yard was removed. We are waiting for the ground to dry out to do final grading and seeding. This project was to prevent water from enter the home at 5206 Fawn Hill Ct.

We are in the process of developing the siding replacement/repair for 2016 painting. Residents that are scheduled to be painted have been notified. Paint selection letters will go out in late April.

We are heading into the busy spring lawn season. We have four major landscape projects that will take priority. 5314 through 5322 Windridge, 5220 Greenwillow, 5206 Fawn Hill Ct. and the final grade and landscape of the community building. Please be patient while we finish these areas.

Work Order Policy System Improvements

We are improving the communication with our residents concerning work order request.

Work Order Request can be made by the following methods.

1. Request made through windridgecondos.com web page.
2. Request made by emailing windridgecondos@gmail.com.
3. Phone call to The Windridge Office 317-251-7861.
4. Written request dropped at The Windridge Office or Windridge Office Mail Box.

After you have made your request a copy of the work order will be emailed to you for your review.

1. The work order includes your address.
2. The date submitted to the office.
3. Priority of the work to be scheduled.
4. A brief description of the work to be done.

The priority will determine in which order the work order will be completed. A high priority will typically be something that will affect the habitability of a home or is a safety concern. A medium priority is a maintenance item that should be done to maintain an item at its intended level of use. A low priority is something that we would like to see done. But it is not critical to the home or grounds. Low priority will be scheduled based on available time and funds.

When the Work Request has been completed, it will be emailed to the resident. The work order will be marked as completed and what work has been performed.

In some instances, a work order will not be completed. In a case where the work order has not been completed, an explanation will accompany the request stating why the work order was not completed. Examples of why a work orders may not be completed are: Work is part of a larger project. Work is the responsibility of the home owner to complete.

This communication process will only apply if you have an active email address on file with the office.

WINDRIDGE CO-OWNERS ASSOCIATION, INC.
BOARD RESOLUTION CONCERNING
GRIEVANCE RESOLUTION PROCEDURES

WHEREAS, effective July 1, 2015, Indiana enacted a statute that requires many disputes involving an Indiana homeowners association to be addressed through a grievance resolution procedure before a lawsuit is filed in court: and WHEREAS, to comply with that statute, the Board of Directors of the Windridge Co-Owners Association, Inc. hereby adopts the following grievance resolution procedures:

Section 1. Introduction and Definitions. The Association, members of the Association, the Board of Directors, and all persons subject to the Declaration (individually called “Party” and collectively called “Parties” for purposes of this Article) agree to encourage the amicable resolution of disputes involving the Windridge community and to avoid the emotional and financial costs of litigation if at all possible. Accordingly, each Party is deemed to covenant and agree that the grievance resolution procedures set forth in this Resolution apply to any Claim as hereafter defined. This resolution does not apply to an Exempt Claim (as defined below) unless the Parties agree that this Resolution is applicable to the Exempt Claim. As used in this Resolution only, the following words, when capitalized have the following specified meanings:

- (a) “Claim” refers to any of the following:
 - i. A claim arising out of or relating to the interpretation, application, or enforcement of the Restrictions.
 - ii. A claim relating to the rights and/or duties of the Association or the Board of Directors under the Restrictions.
 - iii. A claim relating to the maintenance of the Property
 - iv. Any other claim, grievance, or dispute among the Parties involving the Property or the Association.
 - v. The term “Claim” does not include an Exempt Claim as defined below.
- (b) “Claimant” means any Party who has a Claim against another Party.
- (c) “Exempt Claims” means any of the following claims or actions:
 - i. A claim by the Association for Assessments and any action by the Association to collect Assessments.
 - ii. An action by a Party to obtain a temporary restraining order or equivalent emergency equitable relief: (A) to maintain the status quo and preserve the Party’s ability to enforce the provisions of the Restrictions; or (B) when an emergency condition exists which jeopardizes the health or safety of any of the residents within the Property.
 - iii. A suit to which and applicable statute of limitations would expire within the notice period of this Resolution, unless a Party against whom the Claim is made agrees to toll the statute of limitations as to the Claim for the period reasonably necessary to comply with this Resolution.
 - iv. A dispute that is subject to alternate dispute resolution – such as mediation or arbitration – by the terms of applicable law or another instrument, such as a contract or warranty agreement.
 - v. A claim that is substantially identical to a Claim: (A) that was previously addressed by the Parties; or (B) which was resolved by a judicial determination in favor of one of the Parties.
- (d) “Legal Proceedings” refers to either (i) an action maintained in a court, or (ii) an administrative proceeding initiated under an applicable law.
- (e) “Respondent” means the Party against whom a Claimant has a Claim.
- (f) “Restrictions” means all restrictions, conditions, and covenants now or hereafter imposed by the provisions of the Declaration of Covenants, the Plats, the By-Laws, the Articles of Incorporation, and any rules and regulations adopted by the Board of Directors of the Association.

Section 2. Mandatory Procedures. A Claimant may not initiate a Legal Proceeding seeking redress or resolution of a Claim until the Claimant has complied with the procedures of this Resolution.

Section 3. Notice. The Claimant must notify Respondent in writing of the Claim (the “Claim Notice”), stating plainly and concisely: (1) the nature of the Claim, including the date, time, location, persons involved, and Respondent’s role in the Claim; (2) the basis of the Claim, including the provision of the Restrictions or other

authority out of which the Claim arises; (3) what Claimant wants Respondent to do or not do to resolve the Claim; (4) that the Respondent has a right to meet with the Claimant, if the Respondent makes a written request for a meeting; and (5) the name and address of the person from whom the Respondent must request such a meeting.

Section 4. Meeting. This Section 4 applies if a Respondent has requested a meeting under Section 3 above not later than ten (10) business days after the date of the Claim Notice. The Claimant and the Respondent will meet in person to resolve the Claim by good faith negotiation, at the time and place agreed to by the Claimant and the Respondent. During the meeting the Parties must have full access to the property that is subject to the Claim, for the purpose of inspecting the property. If appropriate or necessary, if the Respondent elects to take corrective action, the Claimant must provide the Respondent and Respondents' agents with full access to the property to take and complete corrective action.

Section 5. Determination of an Impasse; Mediation or Arbitration.

- (a) The parties are considered to be at an impasse if:
 - (i) the Respondent does not request a meeting under Section 3 above;
 - (ii) either Party fails to attend a meeting agreed upon under Section 4 above;
 - or
 - (iii) the Parties are unable to settle the claim at a meeting held under Section 4 above.
- (b) Either Party may, not later than ten (10) days after an impasse is reached, request in writing to the other Party that the other Party submit the Claim to mediation or binding arbitration.
- (c) The Party making the request under subsection (b) is responsible for the costs of the mediator or arbitrator.

Section 6. Legal Proceedings May Commence. If an impasse is reached and:

- (a) neither Party requests mediation or arbitration; or
- (b) mediation or arbitration does not result in a settlement of the claim; the Claimant may begin Legal Proceedings.

Section 7. Enforcement of Settlement Agreement. This Section 7 applies if a Claim is settled through negotiation, mediation, or arbitration. The settlement of the Claim must be documented in a written agreement signed by each of the Parties. If any Party fails to abide by the settlement agreement, then the other Party may begin Legal Proceedings without again complying with the procedures set forth in this Resolution. If a Party who begins Legal Proceedings prevails in those legal proceedings to enforce the settlement agreement, the Party is entitled to recover from the other non-complying Party court costs, attorneys' fees, and all other reasonable costs incurred in enforcing the settlement agreement.

Section 8. General Provisions. A release or discharge of a Respondent from liability to the Claimant with respect to the Claim does not release or discharge the Respondent with respect to any other person who is not a Party to Claim.

Section 9. Settlement Authority. The Board, on behalf of the Association, and without the consent of the members of the Association, may do any of the following:

- (a) Negotiate settlements of Claims of Legal Proceedings under this Resolution; and
- (b) Execute and document related hereto, such as settlement agreements and waiver or release of claims.

Section 10. Allocation of Costs. Except as otherwise provided in this Resolution, each Party shall bear its own costs for application of this Resolution, including attorney's fees.

Adopted by the Board of Directors of Windridge Co-Owners Association, Inc. on _____, 2016.

This instrument prepared by P. Thomas Murray, Jr., EADS MURRAY & PUGH, P.C. Attorneys at Law, 9515 E. 59th Street, Suite B. Indianapolis, IN 46216. Telephone (317) 536-2565. www.Indiana HOALaw.com

Security Gate Codes

Read carefully and keep for future reference

RESIDENT ACCESS:

Gate Remote: **Resident Gate:** Press number 1 to open (Middle)

Exit Gate: Press number 2 to open (Far Left)

(As this is the Exit gate, make sure no vehicles are trying to exit. Use this gate only if the other gates are not operating.)

Resident Personal Code: Visitor Gate: (Far Right)

On the keypad, press the # key plus your 4 digit Resident Personal Code.

Example: #1234

This code will give access 24/7 and should only be used by you and others you completely trust.

NOTE: PLEASE DO NOT GIVE THIS PERSONAL CODE TO ANYONE WHOM YOU WOULD NOT GIVE THE KEY TO YOUR HOUSE. You may call the office to request that a new personal code be issued.

VISITOR ACCESS:

Directory Code: Visitor Gate: (Far Right)

On the keypad, visitors enter your 3 digit Directory Code then press the CALL key.

Example: 123**CALL**

The use of this directory code will create a call to the phone you have designated as your contact number. After identifying the visitor, open the gate by **pressing 9** on your phone. If you do not recognize the caller or wish to deny entry, you may simply hang up.

PLEASE GIVE THIS DIRECTORY CODE TO YOUR GUESTS, DELIVERY SERVICES, REPAIRMEN, AND OTHERS WHO MAY VISIT YOU.

NOTE: If you are having difficulty using this code, please call the office to be certain that you have the correct code and that the phone number you are using is entered into the system.

Service Provider Code: Visitor Gate: (Far Right)

On the keypad, press the # key plus your 4 digit Service Provider Code.

Example: #3333

This code is active from 7:00 AM until 6:00 PM. It is to be used by home health care providers, house keepers and other such services.

Note: New residents will not be issued such a code unless it is requested.

If you are remodeling and need a code for the contractors, request a Temporary Service Provider Code that is active for the duration of the project.