

WINDERMERE HOMEOWNERS' ASSOCIATION BOARD MEETING

Board Meeting Minutes

APPROVED AUGUST 15, 2022

July 18, 2022 / 7:00 pm / via Zoom online meeting

1. Windermere Neighbor Discussions

- Judy Vigus – Tennis Court Access, Pool, & Rental Properties
 - Tennis Court is seeing some vandalism, assumed to be from non-Windermere individual. Center net straps were cut (replacements on order). Is some form of access control feasible? Enhanced security? Similar issues with basketball courts.
 - Advised board a step is missing from one ladder in the swimming pool. Ladder identified in the meeting, prompt repair to be made.
 - Maintenance and upkeep of rental properties is a concern, asked if HOA Board has considered taking action to limit rental properties via Covenants and/or other restrictions.
 - **ACTION:** Tennis court access control is available with coded lock box. To be implemented in coming weeks.
- Jeremy Stewart – 106th & Windermere Blvd. Roundabout
 - Renderings of project on Fishers planning pages seem to suggest potential encroachment on HOA property and monument walls. Suggested review of project details with City to assure HOA and resident interests are protected.
 - Reviewed detailed drawings with Jeremy (as provided to HOA Board a year or so ago), which do not indicate apparent interference with monument walls. HOA has heard from and will work with residents and city to assure interests are considered and protected accordingly.
 - **ACTION:** KMC will reach out to City to confirm plans and advise if any concerns.

2. Call to Order

Following discussion with resident, meeting called to order at 7:20 p.m. Quorum requirement met.

Directors present included:

Don Wyatt – President (term 01/01/2021 - 01/01/2023)

Chad Ertel, Kirkpatrick Management Company (KMC) Community Manager

Greg Estell – Member at Large (term 18/01/2021 - 01/01/2023)

Erica Wise – Member at Large (term 11/01/2022 - 01/01/2024)

Directors not present:

Brian Butler – Secretary (term 01/01/2022 – 01/01/2024)

Mike Brown - Treasurer (term 01/01/2021 - 01/01/2023)

Jason Luebke, Member at Large (term 01/01/2021 - 01/01/2023)

3. Review June Minutes

- June 20, 2022 minutes were approved with minor amendment to violations section.

4. Treasurer's Report:

- Delinquency Report: Reviewed delinquency report – six properties are now in legal action/collections process for past due HOA fees, with no voluntary payment arrangements (four resolved in the past month).
- Receivables report – \$12,491.15 due as of 16 July, 2022
 - Past 90 days: \$7,827.48
 - 60-89 days: \$0.00
 - 30-59 days: 4103.67
 - Current: \$560.00
 - In collections: 6161.48
- Past due HOA Fee Issues:
 - Balroyal Court property – Small claims court action is in process.
 - Small dollar amounts (not generating final notice/legal action) remaining will be included in 2023 HOA dues statements. Residents will receive monthly notices.
 - Pool memberships not available to residents with unpaid HOA accounts of any amount (nor to residents with unaddressed HOA violations). Other services may also be suspended (e.g., trash collection).
 - KMC confirms late fees are assessed when payment is received after due date. A check dated before but received after due date (even if postmarked before due date) is considered late. On-line payment option is available to avoid late fees due to mail service.

5. Management/Vendor Report:

- **Landscaping**
 - 96th St. & Woodmont Entrance RFP
 - Distributed to 3 vendors
 - **ACTION:** Erica and Jason to review site and plan, will advise if any changes required and coordinate with KMC to communicate changes to vendors.
 - Plan is to confirm decision in August, supporting September/October completion if possible.
 - Street sign knocked down – Windward Pass: NO UPDATE.
 - Irrigation system: Damaged valve handles: NO UPDATE
 - Triangle/evergreen area on golf course not being managed by Encore: NO UPDATE.
- **Pool**
 - Bathroom remodel completed.
 - Staffing and testing/chlorine levels: No issues reported.
 - Pool surface will need to be replastered for next season.
 - RFQs sent to three vendors by KMC.

- May require vendor inspection of facilities before bidding. Don asked to be included in any vendor visits.
- **Playground & Recreation Courts**
 - **Playground equipment:**
 - Expanded metal platform repairs seem to be holding up well. OK for now, to be monitored.
 - Full review of long term playground equipment needs, design and replacement costs needs to be completed. Resident input required.
 - ACTION:** Brian Butler and Jason Luebke asked to lead playground equipment advisory committee. Joe Paulson (previously active with suggestions) to be invited to participate, and other residents are welcome to join. Purpose is to define community requirements by end of August if possible. Goal is to support decision making in fall and execution in early 2023, in time for spring/summer.
 - **Pickleball/Tennis and basketball courts:** Sealing/painting of tennis and basketball courts to be completed in October – best timing available from supplier (Leslie Coatings).
 - **Signage:** Signs noting recreation/park facilities are for Windermere residents only installed. Additional signs considered for basketball court area.
 - **Security:** Significant concern about ongoing and regular basketball court use by non-residents, including informal “league” action. Will address with WHOA security contractor.
- **Pond Treatment & Animal Control**
 - Canada Goose roundup: 42 geese removed from WHOA property in June.
 - Muskrat damage on HOA property around ponds: Seems only reasonable way to address is with rip-rap installation. **ACTION:** Chad/KMC to review costs.
- **Violation report**
 - 27 Windermere properties have unaddressed violations that are now at the “legal action” stage. Board will review this list at next meeting to determine next steps. Most prevalent issues include:
 - Boulevard trees.
 - Mailboxes
 - Poor condition of home or landscaping/repairs required.
 - Architectural changes not approved/unauthorized and require change.
 - Boulevard Trees: Research with arborists confirms trees properly planted and watered should be able to readily thrive in areas between sidewalks and street. Residents are responsible for proper planting, care and maintenance. Board will continue to enforce requirements as mandated by covenants, unless City denies planting permits.

6. New Business

- Resident concern: Fencing on south end of Parkway Drive near Windermere Blvd., backing Lakeland Drive. To be reviewed, will determine if fence needs to be more

securely attached to posts, or if posts are rotted. If posts rotted, plan is to replace fence with landscaping.

- Resident trespassing on Ironwood Golf Course. HOA will remind residents near Independence Day that golf course is private property, not to be used for resident fireworks displays or other activities. Trespassers are subject to arrest or other legal action by golf course owner. Board will explore appropriate options to cooperate with golf course owner to prevent trespassing.
- Architectural review process. Clarification of resident requirements with regard to elevation changes, review of completed work, and drainage requirements was discussed. A number of issues have arisen over the past few years with potential and realized harm to neighbors and property resulting from various projects (pools, landscaping, etc.). The board agreed unanimously that the architectural review process will be updated to include notice and enforcement regarding:
 - Timely start and completion of work after ARC approval (start within 90 days, complete within 180 days of approval).
 - Projects subject to HOA inspection to assure adherence to approved plans.
 - Elevation changes in soil, solid surfaces, pools, etc.
 - Drainage plans must assure no impact on neighboring properties.
- ARC appeal: Denial of playhouse construction.
 - Board reviewed plans for playhouse that had been denied by ARC, as requested by home owner.
 - Based on size, height, impact on neighboring site lines and easy conversion to a shed or shed-like structure, the board affirmed ARC's denial of permission to erect the structure.

7. Next Meeting & Adjournment

Next Board of Directors Meeting will be Monday, August 15, 2022 at 7:00 pm. Unless otherwise noted on the Windermere website, the meeting will be via teleconference.

Meeting adjourned meeting at 8:40 pm.

Submitted: Greg Estell, Acting Secretary
Windermere Homeowners' Association