

**AC Attendees:**

Brad DeReamer  
Jim Mervilde  
Jim Miles  
Judy Spears  
Larry Amick  
Larry Raasch  
Lynne Flynn  
Mike Moore  
Terry Reef

**AC Absent:**

**CMS Present:**

John Doehrman  
Cathy Paschen

- I. Call to Order and Introductory Comments – Jim Miles: Jim called the meeting to order.
- II. Adoption of Agenda: Motion to accept agenda by Mike Moore; Amendment to motion to change order of items in agenda; Motion seconded. 9 Votes yes; 0 votes no. Consensus reached to rearrange and amend agenda to move “Villa Building Status” up.
- III. Approval of Minutes of the April 19, 2016 AC Meeting.  
Motion to approve minutes by Jim Mervilde; Seconded. 9 Votes yes.
- IV. Comments
  - A. AC Chair – Jim Miles: No comments.
  - B. Property Manager Report – John Doehrman: Report forwarded (attached)

Jim Miles asked if the 48 work orders are correct for April; John D stated that the correct number is 55 work orders. A meeting with Mike M indicated that some work orders may be redundant.

The Hittle person responsible for trees, Steve Craft, will meet with John D to discuss the quality of trees being planted within the landscaping areas of homes. John will report back to the AC regarding this meeting.

John recognized a need to improve the cleaning service within the chateau, including locker rooms. He stated that there is a possibility of establishing a new contract either with the current company or with a new cleaning company. There may be a need to add to the current 4 nights per week of cleaning.

John stated that he plans on improving the communication with residents regarding city regulations. Landscaping ornamentals is an example of an issue that needs to be communicated more clearly to homeowners.

Brad Bryant will study the relationship of water flow for the fountains to now and eight years ago.

Jim Miles asked about the landscape services for the community. Jim has asked that the AC be involved to the point of seeing the bids received for landscape services.

When asked about the need to park Hittle's landscaping equipment behind the chateau, John stated that he would communicate this concern to Hittle and Pulte.

Landscaping along the Mondavi walking path would be addressed this week in a meeting with Pulte.

C. Lifestyle Director – Cathy Paschen:

A reminder to the community that copies made are charged by the front desk; please let the front desk be made aware of copying needs in advance.

Cathy and the CMS management team have planned an all adult pool day and one all children pool day for the summer; the AC was not advised nor was consent given by the AC regarding these changes in pool hours.

D. CMS Vice President (Lee Clouse): No report.

V. Subcommittee and Ad Hoc Committee Reports

A. Buildings – Lynne Flynn: Report forwarded (attached)

B. Finance – Larry Raasch: Financial reports forwarded; posted to Advisory Committee portal

Lee Clouse stated that Pulte would provide accrual basis statements at the end of 2016.

Fitness revenue has been in the red; likely due to fitness instructors being paid a fixed amount and income depends upon number of residents who buy passes. Financial statements are quarterly and have been posted to the AC portal. Larry R is attempting to better organize past statements and hopes to post a quarterly statement regularly on the website.

Larry A asked if the Pulte numbers are ever audited. Larry R thought the discrepancies are muddled due to when charges are posted. The amount of one third of one percent of the selling price of homes is supposed to go to our reserves. There was some discussion as to who is responsible for collecting this fee.

Mike M asked if there is some legal requirement to do an audit.

C. Reserve Study – Jim Miles: Report forwarded (attached)

D. Communications – Mike Moore: Report forwarded (attached)

When asked, there was little interest from AC members in having their pictures posted on portal.

E. Grounds – Larry Amick: Report forwarded (attached)

Cost of irrigation repairs and maintenance, and fountain repair and replacement is expensive. Perhaps we should consider turning off fountains at night to save on maintenance needs.

Bocce ball needs may be urgent in the future as well as pickleball based upon residents who have registered online for these interest groups. Mike Moore stated that it may be prudent to consider approaching Pulte in the future for possibly adding additional land for future recreational needs.

F. Documents – Judy Spears: An election of AC members' workshop is coming up soon. Copy forthcoming on work previously done on elections. Changes would require votes from current AC.

G. Government Relations – Brad DeReamer: Report forwarded (attached)

Standard & Poors rated Fishers as a AAA bond rating; this represents the highest rating of any city in Indiana. The approval of the installation of a stop light at Kroger and 116<sup>th</sup> was passed when the Kroger building is completed.

H. Legal – Jim Miles: Report forwarded (attached)

I. Transition – Jim Miles:

**Motion of transition plan:**

*I move that the Transition Plan be posted on the portal with the Advisory Committee documents with the following statement:*

*The Britton Falls Transition Plan is a draft of a transition plan that was written by an ad hoc committee of the Advisory Committee. This plan was completed in January 2016.*

*This Plan is being retained as a draft plan for further review and approval by the Advisory Committee as the transition date approaches.*

There was consensus among the AC: all members approved for the above motion.

Mike M suggested that we review the Transition Plan before voting on this motion, and before making it public. It may be usable as an informational document primarily.

Mike moved that it be brought to the AC committee to be reviewed. Jim Mervilde stated that we present the document as one that has been received from an ad hoc committee, not yet reviewed, but reviewed when transition is near.

Gratitude was extended to the ad hoc committee – Gary Patterson, primary author, for completing the transition written plan.

## VI. Unfinished Business

- A. Community Foundations – Larry Amick: An attorney has been contacted regarding the process of proceeding with this tax-exempt program under section 501(c) (3) of the Internal Revenue Code.
- B. Proposed corrections and additions to the Advisory Committee link on the Our Britton Falls portal – Mike Moore: Postponed to next AC meeting as Mike will work with Cathy Paschen on this topic.
- C. Villa Building Status – Jim Miles: Read from copy of Villa Status. There will be no release of information for the villa until the state approves the plans. Mike M stated that Lee Clouse had previously stated that per the PUD states that August 13, 2016 will be the beginning date of construction. The size of villa was based upon \$1 million cost.

### Resident Comments During Open Session:

Barbara Miller - asked what the cooler is exactly as shown on the floor plan. What happens if Pulte reaches \$1 million and they are not finished? For the amenities within the building, where does the money come from? Is a budget necessary for Pulte to submit to the state? Brad D stated that the AC did request line item costs.

Gene Peto – Stated that he recalls that Pulte agreed to a building, parking lot, and landscaping; nothing else. Pulte agreed to the basics rather than the amenities within. Homeowners may have to kick in some money at some point.

Annette Martin – We may have to buy the stove for kitchen, but we need the gas line in the villa. The essential needs have to be included.

Dennis Cochran – Did Pulte consider that the homeowners have needs and that they should work with us? Are we unique in that we are adding a villa after many of the homes are already built within the community?

Hunter Stahl – Is Pulte is submitting information to the state? Do the city and state understand what is included in the plan? Brad D clarified how the villa is permitted. If the plan is already submitted, is there any leeway in making changes if already approved by city/state? Mike Moore indicated that Pulte will not share any more information.

Jim Miles stated that we have had community input. Pulte will build a \$1 million building; the amenities committee surveyed residents and other Del Web

communities were considered; this included kitchen and other areas. The plan for finishing the villa may be included if the villa expenses come in at less than \$1 million. There may also be some contingency money that could fund some amenities. Pulte suggests that we wait until they have firm numbers of total expenses for villa cost.

Ron Ray – Do we have a legal document regarding the villa? Brad stated that it's in the PUD of \$1 mill.

Errol Spears – Quality amenities are necessary within our community as well as in the proposed villa to attract residents to keep our home values up.

Jim Mervilde – To say that Pulte has been non-responsive is not accurate. Pulte officers have responsibility to the business. The value of the chateau and the villa is built into our homes. How we get Pulte to answer to us is a challenge. If we're talking about a legal action, we would have to wait until they've delivered the final package. At this time, we need to keep in mind that we're still partners with Pulte in this plan.

Barbara Quinn – If we recognize that we may have a long term problem, should we not be preparing for that now rather than one large lump sum down the road if there is a resultant lawsuit? Jim Miles stated there are some answers in the seven year plan. What is the probability that we could be in litigation? Could we identify that we would be in litigation?

Resident - Was the plan showing an architectural design? Whatever we, the residents, can do to help the AC is something to keep in mind. A copy of the plan that went to the state should be considered, and then go from there to develop the villa further.

Marty Miller – The survey was fine, but the amenities are important for the villa and a legal recourse should be considered.

Resident – Previously lived in Sun City Anthem, Nevada. A building in a planned 2006 building delayed the building for four years. Be careful of making demands of Pulte which may delay building of the villa

Resident – Drawing of the villa has gone to the state, then to Fishers. When are going to see the design of the villa? Jim Miles stated that likely when it's back from the state. If the PUD is satisfied, not much can be done legally at this point to satisfy state and local requirements.

Teresa Amick – Given the lack of responsiveness from Pulte, should we go up the corporate ladder? Might we want to accept the \$1 mill check and build the villa ourselves?

Resident – we would be foolish to consider accepting a \$1 million check. Expenses would be more for us than Pulte's costs.

Sondra Cremer – thanked the AC for doing a great job.

## VII. New Business

In response to a letter from Joe Lamirand, Jim Miles stated that Pulte is within their fiduciary responsibility to build the villa. There was no negligence on behalf of the BF AC committee or any other committee.

## VIII. Homeowner Concerns

Merlot St homeowner expressed concern that fountain water is going into her back yard.

Joe Nagy – In Dec, 2015, Century Link's underground line was cut and a line was placed on top of the ground. To correct the permanent line there has to be tunneling under 14 driveways. Who can help with this? The Fishers Planning Dept. should be called according to Brad D. John D indicated that he would bring the issue to the attention of Pulte Land Development. And, John would call the Planning Department of Fishers if needed.

Eta Lazarus – garden concerns. The city did not do adequate job of installing garden plots.

Jan Mondy – cleanliness of locker rooms is a concern.

Jane Miller – water falls lack intensity.

Chuck Meserindino – mulch concerns around air conditioning unit could cause rust of the unit due to mulch being too high around units. John D stated that he has sent this concern on to Hittle.

Jim Hope – when electricity went out, there was no back up system for lighting in the locker rooms. John indicated that there are back up systems, but they did not come on during the outage. He is looking into getting the situation corrected.

Bruce Huffer – discussion amongst neighbors of ugly wires sticking up out of pods. John stated that he will bring this issue up to Pulte Land Development person, John Brummit.

Sue Muse – Realtor signs being in the community all the time. John indicated that he does remove those signs. Rusted bench in the community, too many ornaments for every ten feet, and maximum height is 24 inches. Enforcement of some issues seems to be questionable for needed time spent.

Uta Nelson – too many solicitors coming to her door. She does not feel safe and wishes not to be bothered with these vendors. John D responded to her to call the police if her safety is in question.

## IX. Adjourn

1. Tennis Court fence, on 2/2/16 wind took down 5 sections of fence. Work is now completed on repairing the wind damage, as well as the fence around the outdoor swimming pool. We continue to work with vendor to resolve standing water issue.

2. Caliber Web Link has generated 48 work orders in the Month of March. Logistical details of the program and follow-up correspondence is still being considered, including such things as:

- a) Duplicate requests
- b) Updating multi-item requests
- c) Email responses

4. Have identified three Vendors to review current Door Access system and provide information to the options available to incorporate both buildings (including Villa) into one system with functions that would allow programming for special events, Holidays, tracking usage and additional outlets added in the future. Have met with one vendor and working to schedule the other two identified vendors.

5. Items In transition:

- a) Tennis courts water run off, working with vendor for a solution.
- b) Tennis courts drainage, walking path drainage, Pulte working with vendor to resolve, work should begin in June.
- c) Tennis court pond, Pulte working with vendor to resolve, work should begin in June.
- d) Reseal parking lot cracks, and striping will schedule for July/August.
- e) Two Fountains remain out of service, Chateau and DWP/Marsala Drive.
- f) Replacing drinking fountain next to tennis courts and replacing with a Well style landscaping spigot.
- g) Replacement of Street Light at DWP at the Chateau (on order)

8. Muskrats on Charbono, Mondavi ponds. Continue to work with Critter Control to eliminate. Have had reported activity on again on Mondavi front pond.

9. Working with Thomas Cabling to convert lighting in Chateau to LED, cost savings on electricity and replacement. Cost will make this an ongoing process.

11. Bob Scroggins, Jim Bell and Scott Brown creating a positive response to the Knox Box Program, have generated additional interest (and sales) in the program for the community. A second order consisting of 11 boxes is in shipment and should arrive beginning of this week Knox has a new line of Residential boxes that were on display at the Fire Convention in Indianapolis, Jim Bell is doing some research on this. They are smaller and come in colors. Jim is checking to see if they are available for the public at this time.

12. Installation complete of Camera in Pool area, Exercise, Fitness Room (2), Rear entrance for safety and security enhancements.

13. Mulching all homes and trimming grasses around utilities will be completed this week, weather permitting.

14. Have received and planted the first shipment of trees, Dead and dying trees being cut down. These trees will be replaced as shipments arrive.

15. Meeting with Pulte Land Development next week to discuss the following:

- Standing water behind Vintner Drive in new development area
- Common area at end of Brandy Lane (all common area in new sections)
- Cable lines in new construction areas that have not been properly finished
- Low areas in walking paths that leave standing water after heavy rain
- Also meeting with Hittle/Pulte to discuss Quality and status of trees in common area.
- Removing silt fences in completed construction areas.

16. Will have College student Joel Wilcox back for the summer beginning around May 16<sup>th</sup>. next week.

### **Reserve Study Sub-committee – May 2016 report**

The Reserve Study report was reviewed and approved at the 5/13/2016 meeting.

Lee committed to have the lined up the structural engineering analysis of the Chateau and the pond analysis by the June meeting.

There will be a presentation of the Reserve Study to the community this spring or summer. The next Reserve Study will be in 3 years, unless there are circumstances, like the transition to a homeowner-run HOA, that would change that plan.

The Reserve Study will be posted on the portal by John Doehrman.

This concludes the activity of the Reserve Study Sub-committee.  
Jim Miles

### **AC Communication Subcommittee Report for May 17, 2016**

The Subcommittee met on May 9, 2016 with the following members in attendance: Patsy Mellott, Penny Carduff, Larry Shores, Marjorie Havens, Susan Hively, and Mike Moore

- The following potential topics for the May (and later) issue of The Wine Press were identified:
  - A column/report from the Grounds Subcommittee
  - An update on the status of the Villa
  - An introduction to Caliber Web
  - Identifying and responding to a “question of the month” raised by residents
  - A column on the transition timeline/process from builder HOA to homeowner HOA
  - Updates/summaries of financial statements
  - A column on the “reserve fund”
- The following tasks were identified which one or more committee members agreed to pursue, in collaboration with CMS personnel or others as appropriate:
  - Revision of the AC links on the Portal
  - Educating residents on the nature and use of Caliber Web

- Explore the need and nature of a survey of residents
- Pursue use of Neighborhood Watch Block Captain as venue for disseminating information to residents not electronically connected.
- A request from Cathy Paschen to help address a resident request for reducing noise in the sun room and lobby area of the Chateau.
- A suggestion was made to post pictures of the AC members (HOA members in the future) in the lobby area of the Chateau. (The suggestion will be presented to the AC for discussion.)

## **FISHERS UPDATE MAY 18, 2016**

**Plan Commission meeting – Monday – May 9<sup>th</sup>** – Public Hearing on FISHERS2040 Comprehensive Plan.

I testified on behalf of Britton Falls and introduced the SurveyMonkey survey results on the roads around Britton Falls asking that they be incorporated in the Thoroughfare Plan for 2040.

It appears that the city will leave 126<sup>th</sup>, 136<sup>th</sup> and Cyntheanne Road at 2 lanes. Will not extend 126<sup>th</sup> westerly from Cyntheanne to Southeastern to meet with existing 126<sup>th</sup>. Will not extend Cyntheanne Road southerly south of Southeastern to connect with 113th Street.

### **FISHERS CITY COUNCIL MEETING Monday – May 16, 2016**

Fishers has been awarded a **TRIPLE AAA BOND RATING** by Standard and Poors (S & P). The only City in the State of Indiana with this rating. This will save millions in future bond payments.

Starbucks has been approved on the south side of 116<sup>th</sup> Street west of Olio Road between Walgreens and the Bank across from Kroger. Kroger had committed to a stop light with their new expansion so the City will have them install the stop light at their exit on 116<sup>th</sup> Street. The developer of the Starbucks (Steve Zinkan) put \$60,000 toward another stop light on Olio Road. Stop lights can cost from \$ 150,000 to \$ 200,000. County controls Olio Road and does not want another stop light there.

Park Impact Fees were finalized – new home will be \$ 1,667 and an apartment will be \$ 1,234 effective November 1, 2016.

**MAY 3<sup>RD</sup> ELECTION - BRITTON FALLS HAD OVER 80% VOTING** in the last election. Congratulations – the highest percentage in Hamilton County and I am sure in the State of Indiana for a precinct.

**ADVISORY COMMITTEE (Tuesday - May 16<sup>th</sup>)** Email sent to the City of Fishers with questions from the residents at the meeting. The City response is in **red**. Today was our monthly Briton Falls Advisory Committee meeting with the residents. The following are questions from the community that were asked. If you could help us out with answers for the residents would be appreciated.

1. Who is allowed to knock on our doors? **Any legitimate business that has successfully applied for and received a permit to solicit in Fishers. The permit is an ID size card that is pink in color and has a photo of the approved person. There are several exemptions, protected political speech, protected religious speech, selling for non-for-profit sundries (Girl Scout Cookies), a person due to pre-emption of applicable federal or state laws is exempt.**
2. If we have the sticker on our front door – **No one can solicit at a house with this sticker. Even if they have a permit. See exemptions above...**  
***Warning Neighborhood Watch***  
***No Door to Door soliciting***

Are vendors allowed to knock on our doors?

3. Are cable companies exempt from city ordinances allowing them to knock on our doors – COMCAST has been in the neighborhood door knocking. **Yes. They are registered with the Indiana Utility Regulatory Commission. See Link <http://www.in.gov/iurc/2760.htm> They are NOT required to get a local permit.**
4. Does Access (sp) bug company have a permit to door knock in Fishers. **The pest control companies that have current permits are Aptive, Hawx, and Insight.**

5. Concerns over the Cyntheanne Park gardens – can anything to be done to solve the water problem or will it have to wait until next year?

**After we tilled up the site, we added peat moss as an amendment to the soil. Once we realized rainwater was naturally sheet draining to the southeast corner of the gardens (3 or 4 plots in particular), we installed drain tile around the entire garden site at the park to help divert water rainwater away from the individual garden plots. Some of our garden plots naturally sit lower than others and soil conditions do vary slightly. Gardeners are responsible for bringing in any additional soil or soil amendments to raise the elevation of their plots. Gardeners are also responsible for providing additional nutrients, fertilizer, or structures to their plots. Many gardeners have added soil, compost, trellises, fencing, tomato cages, and/or other items to their gardens.**

**We communicated with these gardeners who have had concerns with saturated plots and have asked them to add soils to raise their plots. The community garden program is very communal – With a little outreach to neighbor gardeners, individuals can likely get help carrying bags of soil or discussing tips to address any issues throughout the season. If there are certain needs such as carrying bags of soil or other labor, gardeners may forward those requests to us and we are happy to share those on our listserv of all the gardeners.**

6. Century Link has laid a cable over the ground last winter covering 14 lots – can the City make them bury the cable – three of our residents have tripped over the cable

and fell. Our building commissioner inspected the site. The City does not have enforcement authority to require the lines be buried in this location. However, we will make a phone call to the utility to make the request.

7. Comcast has left their wires sticking out of the ground at the terminals – can the City make them bury their cables? Our building commissioner inspected the site. The City does not have enforcement authority to require the wires be buried in this location. However, we will make a phone call to the utility to make the request.

### **CRIME WATCH – FROM YOU IPHONE – DOWNLOAD THE APP – FISHERS CRIMEWATCH**

**Then register and you can report a crime or suspicious activity from your phone without dialing 911. It will pick up your location from the GPS in the phone and send the report to the closest police car in the area to respond to shorten response time from the Fishers Police. Fishers is the only city with this app at this time.**

### **FISHERS ROAD UPDATE:**

#### **FALL CREEK TRAIL**

Fall Creek Trail reconstruction work continues; the pedestrian bridges and section of sidewalk along the trail have been removed. Pedestrians should not use the trail within the sections that have been removed. In addition, there will be periodic lane closures along the project throughout the week of May 16th. Please travel with caution, construction barrels have reduced the existing northbound lane width.

#### **I-69 AND CAMPUS PARKWAY**

Milestone Contractors plan to begin mobilizing cranes and other equipment and setting a temporary concrete barrier wall along I-69 at Campus Parkway Exit 210 beginning Wednesday, May 11th. Work will require alternating lane closures on northbound and southbound I-69 between 9 p.m. and 6 a.m. Lane closures may recur each night through the end of the week depending on weather and progress. Questions about this project should be directed to INDOT at [eastcentralin@indot.in.ugove](mailto:eastcentralin@indot.in.ugove) or 1-855-463-6848.

#### **I-69 TRAFFIC RESTRICTIONS**

INDOT is overseeing an overnight closure on multiple traffic lanes on I-69 overnight this week to continue demolition of the 106th Street overpass bridge. Weather permitting, lane closures and rolling slowdowns of traffic will begin after 9 p.m. May 9-13th and are expected to end before 6 a.m. the next day. Construction schedules and traffic restrictions are subject to change, and questions should be directed to INDOT at [indot.carsporgram.org](http://indot.carsporgram.org), 1-800-261-ROAD (7623) or 511 from a mobile phone.

### **96th STREET AND CUMBERLAND ROAD**

The Hamilton County Highway Department has closed 96th Street and Cumberland Road for 100 calendar days in order to construct a roundabout at this intersection. Anyone with concerns about this project should call 773-7770. Please visit [www.Fishers.in.us/DriveFishers](http://www.Fishers.in.us/DriveFishers) to view a detour map. The tentative completion date for this project is June 30, 2016.

### **96th STREET AND LANTERN ROAD**

Contractors will begin clearing the right-of-way around the intersection of 96th Street and Lantern Road. Lane restrictions are only expected for eastbound 96th Street, east of Lantern Road at this time, but please drive carefully through the entire work area.

### **106th STREET INTERCHANGE**

INDOT has begun work on the 106th Street interchange. A lane shift is currently in place on I-69 and 106th Street is closed as construction continues. Additional details about this project will be released through INDOT and shared on the weekly construction update. Please be advised the speed limit from 82nd Street to 116th Street has been reduced to 55 mph and there are lane shifts on I-69. Please travel with caution and pay close attention to signage in the area.

- The eastbound 'thru' lane of 106th Street at the intersection of Hague Road remains restricted until early May. Stay tuned for updates on this project.

### **113th STREET**

Street improvements have begun along 113th Street. Between the hours of 9 a.m. and 3 p.m. flagmen with signs and cones will help guide traffic in the area. Please use caution while crews are working.

### **116th STREET**

There may be short-term lane restrictions on eastbound 116th Street between USA Parkway and Exit Five Parkway while utility work is being completed.

- Continuing throughout the week of May 16th, lane restrictions will be in place between 9 a.m. and 3 p.m. on westbound lanes of 116th Street from Holland Drive to Wainwright Drive.

### **126th STREET**

Continuing the week of May 16th, there will be intermittent lane restrictions for westbound traffic just west of Promise Road. These restrictions will allow the contractor to construct the entrance into Granite Ridge subdivision. Advance warning signs will be in place including a directional arrow board, as needed.

- Temporary lane restrictions will be in place on 126th Street between Cyntheanne Road and Atlantic Road in order for should work to be completed. Please drive with caution in the area.

### **MINUTES OF THE MAY 6, 2016, GROUNDS COMMITTEE MEETING**

A meeting of the Grounds Committee was held in the Arts & Crafts room of the Chateau on Friday, May 6, 2016, at 1:00 P.M. Attending were twelve homeowners. The meeting started with introductions of new and previous attendees. Patti and Marty Zeis reported their concerns with Hittle dumping a large amount of mulch on the parking lot, taking up several parking spaces and creating a mess for later clean-up. Marty Zeis also reflected a concern with the paucity of flowers which was echoed by several homeowners in comparison to other active adult communities and in comparison to prior years at Britton Falls. Jim Flora reported his frustration with trying to locate a master landscaping plan for the community. He and his subcommittee are also planning to conduct a full inventory of existing trees, shrubs, and plants as well as to determine community needs in that area. Kevin Revall talked about his frustration with the condition of the tennis/pickleball courts. Nick Kirincich discussed sidewalks and trees, but also said his research revealed that the areas where sidewalks end at street crossings do not comply with current ADA standards. Ron Kline mentioned that he is having problems with poorly installed sod with big holes that are a hazard. Many of these complaints have been put on Caliber Web without successful resolution.

A full report was presented by Mr. Len Echols, Chair of the Water Features subcommittee. He has discovered that two different companies have been employed to deal with the retention ponds, one with regard to the fountains and one with regard to algae control and water quality. He is meeting soon with representatives of said companies to determine if there are more cost-effective methods or equipment to deal with those issues. There was also discussion of limiting the hours of use for the fountains and their associated lights and switching the lighting to an LED system.

Mr. Jim Flora, chair of the Landscaping Subcommittee, reported on a meeting of his subcommittee and the efforts of that group to obtain information on landscaping plans from Pulte, both in the original founding documents and in the 2<sup>nd</sup> Amended PUD from August 19, 2013. Concern was reiterated about the declining state of landscaping with poor and dying or dead trees and progressively declining floral accents. Further investigation will occur with the goal of bringing the visual impact of the community up to a reasonable standard as soon as possible.

Discussion continued on grounds related issues with frustration voiced about the slow or non-existent response to complaints whether delivered orally, in writing, or via Caliber Web. Patience and persistence were urged, as well as following up by progressing through the chain of command. The meeting was adjourned with another to be scheduled in early June.

### **Building Committee Meeting Minutes of May 5 2016**

Due to illness I was not able to attend the meeting. Bill Coughlin graciously stepped in to chair.

The following is a synopsis the meeting:

Many of the items that were discussed at the last two AC meetings have still not been resolved.

The exterior doors in the ballroom still have not been weatherstripped. This has been discussed ad infinitude

The piano hinges on the closet doors do not keep them from drifting open. Their solution was to lock them. Not a viable solution.

The lighting in the ballroom is still not resolved with many of the fluorescent bulbs not working

The marks on the dance floor are not due to be corrected until next winter

The kitchen is still a major area of concern. There are several signs in the kitchen that basically say the room and the refrigerator are for maintenance staff and Lifestyle Director use only. The kitchen seems to be a storage area for junk. The glass tops from the sunroom, ballroom chairs, etc. The kitchen seems to be the staff's private dining room and break room while its use by the residents is being discouraged. We are aware that the reason for locking the kitchen is theft but taking it away from the residents is not the answer.

As for maintenance issues in the kitchen there are holes in the wall above the sink. There are several cabinet doors that are ready to fall off. Most of them are up high and could really hurt someone if they broke loose and fell. The kitchen drawers are overfilled with plastic as well as other kitchen cutlery. Does not the staff who frequent the room not notice this and take steps to clean it up.

My committee is extremely frustrated with the answers, non-answers and promises that go unresolved. There are many other areas that I could cite but at this point I'll let it go with the above highlights.

Submitted by Lynne Flynn

### **Legal Sub-committee Report – May 17, 2016**

The legal sub-committee (Jim Miles, Jim Mervilde & Larry Amick) met with our lawyer, Steven Earnhart, on May 2, 2016 at Casler's. The following topics were discussed:

**The number of parking spots in the Villa site plan.** Parking is mentioned in 6.08 in the PUD. Jim Miles will send an e-mail request to the City to determine the parking requirements.  
**HOA Documents.** Steven will send us a properly worded letter to request the minutes to the HOA Board of Directors meetings and for homeowner representation on the HOA Board of Directors as non-voting members. This is in accordance with motions passed at the AC in October.

**Design & construction of the Villa.** Steven stated very clearly that Pulte has complied with the PUD up to this point. They are completely in control of the design and construction of the

Villa. To fulfill the requirements of the PUD Pulte has to spend \$1 million dollars on the construction of the Villa. Irrespective of our pleasure or displeasure of the building they will not have failed in their fiduciary responsibilities. The only way they could fail in their fiduciary responsibilities is by negligence.

**Reserve Study Motions from April Meeting.** Steven reviewed the motions that were passed at the April AC meeting concerning the Reserve Study. He agreed to take appropriate actions when the studies are completed.

**Reserve Fund spending – operational vs. capital.** Steven asked for copies of the reserve fund spending to evaluate if funds designated for capital assets were spent on operational items.

**Governing Documents.** The Declarations (or the Covenants, as we tend to call them) are a legal contract with the home buyer. The by-laws are the rules the HOA corporation operate by.

**Our rewrite of the Governing Documents.** Steve suggested we hold on to our rewritten Governing Documents until the HOA is turned over to the homeowners.

Submitted by Jim Miles

