

**Annual Meeting of the Keystone Homeowner's Association
Meeting Held Saturday, February 23, 2019**

Minutes

Venue: Faith Bible Church, 5601 Oak Hill Road, Evansville, Indiana

HOA President Brad Mills called the meeting to order at 1:00 PM.

Members present:

Brad Mills, President of the Board

Paul Jensen, Vice President of the Board and HOA Maintenance Committee Chairperson

Cindy Turner, Secretary/Treasurer of the Board and HOA Restrictions Committee Chairperson

85 Lot Owners/Homeowners representing 71 Lot Owners/households were present. 44 additional Lot Owners/Homeowners were represented via Proxy. Therefore, 115 of the 518 Lot Owners/Homeowners in Keystone (or 22.3 %) were represented.

The Bylaws of the Keystone Subdivision Homeowners Association, Inc., mandates that at least 10% of the total number of Keystone Homeowners Association members be present or represented via proxy at any Keystone Homeowners Association meeting to constitute a quorum. Provided that a quorum is present or represented via proxy at the meeting, all Keystone Homeowners Association actions, except the election of officers, shall be decided by a majority of the votes cast by those present or represented via proxy. The officers are elected by a plurality of the votes cast by those present or represented via proxy.

Minutes from 2018 Annual Meeting:

The minutes from the 2018 Annual Meeting of the Keystone Homeowner's Association held February 24, 2018, at the Faith Bible Church in Evansville, Indiana, were read. An error was noted in the Maintenance Committee Report. Lake 6 was noted to be 2.0 acres when it is actually 2.4 acres; and Lake 7 was noted to be 2.4 acres when it is actually 2.0 acres. A motion was made and seconded to approve the minutes from the 2018 Annual Meeting with those corrections. The homeowners present voted unanimously to approve the minutes from the 2018 Annual Meeting with the above detailed modification.

Sheriff Dave Wedding

Vanderburgh County Sheriff Dave Wedding addressed homeowner's regarding the need for a new jail and safety issues within the neighborhood.

Sheriff Wedding stated that the mission of the Vanderburgh County Sheriff's Office Jail Division is to provide the highest level of safety, security, and quality of life for those incarcerated in Vanderburgh County. He said that they are unable to meet that goal due to severe overcrowding in the jail at this time. He said the Sheriff's Department wants to incarcerate people properly; and they need the appropriate space and adequate staffing to meet that goal. Sheriff Wedding said the number of arrests is increasing; and it's the department's goal to get the bad guys off the street, incarcerate them appropriately, and keep them incarcerated for sufficient time in order to decrease the liability and risk to residents in the County.

Sheriff Wedding said he is working with State Legislators to release funds to promote proper incarceration and proper care of inmates.

He is also seeking approval and funding for a Jail Addiction Correction Program to battle the opioid problem in Vanderburgh County as well as programs to deal with inmates and county residents suffering from mental illness.

Sheriff Wedding spoke about the importance of the enhancement and support of current safety programs and protocols in our schools. He is working with State Legislators to release funds to improve and support the programs in place now to ensure safety in all our schools.

He reminded homeowners that violence is a part of our everyday lives today. As a result, we all have to change our mindsets. We have to be watchful and mindful of our surroundings. We all need to say something if we see something.

In regards to neighborhood safety, Sheriff Wedding said that keeping your yard lights lit, bushes trimmed back, and trash picked up is your first line of defense against crime. He said criminals do not like light, so darkness promotes crime. He reminded homeowners to get to know their neighbors. He said a good neighbor is your best ally.

Sheriff Wedding also talked about not leaving anything valuable in your vehicles, installing home security systems, and installing the porch camera that connects to your phone so that you can see who is on your front porch. He addressed questions about the Security Cameras that have been installed in the subdivision. He said that he is not 100% satisfied with their performance at this time; but there is a deputy who is assigned to the project who is working with our provider to increase internet speed and picture clarity. He answered questions about speeding in the neighborhood stating that if there is a particular vehicle that speeds at a particular time, they can come and watch for it. He said they simply do not have the manpower to just come and sit in the subdivision and wait for speeders. Sheriff Wedding stated that the individual involved in the gunfire incident within the subdivision last Fall is still under investigation. He said details of that investigation could not yet be shared with the public.

Sheriff Wedding reminded homeowners that he and his deputies are readily available to assist any homeowner if the need should arise. He instructed homeowners to call him or the Sheriff's office in a timely fashion to report an incident, meaning call as soon as possible after the incident occurs as opposed to waiting until the next day or the next week. This helps law enforcement officers figure out what is going on and how to deal with the situation appropriately.

Reports from Board Members:

HOA Secretary Report

Cindy Turner submitted the Secretary report.

Cindy reminded homeowners that the Board will continue to communicate with the Homeowner's Association members via emails as needed to alert Homeowner's about association news, snow removal, safety issues (i.e. prowlers, break-ins, etc.), lost pets, etc.

Residents were instructed to go to the Keystone Homeowners Association website, www.keystonehomesalive.com, to sign up for KHOA emails and to view covenants.

Reminder: The Next Door Neighbor website is not the official website of the Keystone Homeowners Association. Board members do not routinely read or respond to questions or comments on this site.

The Board will publish and circulate a Newsletter again this Fall.

A Social Committee does not exist at this time. A Social Committee would put together welcome baskets/gifts for newcomers to the neighborhood and organize neighborhood activities like an Annual Subdivision Picnic. [An Annual Subdivision Picnic has not been included in the Proposed Budget again this year due to lack of interest in the event the past several years; but it could be added back into the budget in 2020 if there was enough interest in the event.] It may be time to hold the Subdivision as we have had 38 new homeowners in 2018, 43 new homeowners in 2017, and 38 new homeowners in 2016. Anyone interested in forming/manning a Social Committee was/is encouraged to contact Cindy Turner.

The 2019 Spring Subdivision Yard Sale will be held Friday, April 19th, and Saturday, April 20th. Signs will be posted along Oak Hill, Heckel, and Green River to advertise the event again this year. An advertisement will also be posted in the Courier and Press prior to the Yard Sale weekend.

The floor was opened for discussion regarding the Secretary's report. Homeowners present asked how new Homeowners were notified regarding covenants and restrictions. Cindy reported that by law Realtors are required to inform buyers about the existence of Homeowner's Associations, existing covenants, and dues; however, she has become aware in the last six (6) months that Realtors are no longer complying with law. Cindy reported that she also sends a letter highlighting Keystone Homeowner's Association details and covenants to the Title Companies for distribution to the buyers at closings on properties. She has recently become aware of the fact that the Title Companies are no longer doing that either. Cindy stated that she will be more diligent from now on and get a packet to new homeowners containing a welcome letter, the letter highlighting Homeowner's Association details, and a copy of the covenants.

Maintenance Committee Report

As Maintenance Committee Chairperson, Paul Jensen submitted the Maintenance Committee report.

Paul reminded HOA members that the objective of the Maintenance Committee Chairman is allocate homeowner funds to enhance the appearance, safety, functionality and property value of Keystone subdivision. The Committee Chairman also schedules meetings designed to oversee, direct and implement maintenance responsibilities in a timely and cost-efficient manner.

Paul reported that most of the plants and shrubs placed at all entrances on Heckel Road suffered this past year and will be replaced this spring. Folz Lawn care will split the cost with KHOA up to \$1,200.00 and provide free labor with the replacement.

Entrance adoptions continued throughout 2018, and will continue throughout 2019.

Paul thanked those who have adopted entrances and thanked them for working through the hot summer to keep the entrances lean and tidy.

Responsibilities of those adopting entrances include:

- Trim foliage so passing drivers can see the Keystone entrance sign day/night.
- Pick up refuse from time to time to keep entrance attractive.
- Periodic inspection of the sprinkler systems @ Green River Road and Oak Hill Road entrances to make sure they are working properly via early morning walk or drive by.
- Holiday wreaths placement on each Keystone Entrance monument (two per entrance) on or near Thanksgiving with subsequent retrieval of wreaths on or near after January 1st.

GARY McConnell
JOHN Schuetz

PAT Seib
MARY LOU Bradley

PEBBLESTONE DRIVE
FLAG STONE DRIVE
SHOREHAM DRIVE
DELK DRIVE
GREEN RIVER ROAD
OAK HILL ROAD

Paul reported that Pat Seib is retiring from the Maintenance Committee after ten years of service. He thanked her for her service. **Stanley and Glenda Love** have agreed to join the Maintenance Committee and will assume care of the Green River Road entrance this Spring.

Holiday wreaths are placed on each Keystone Entrance monument (two per entrance) on or near Thanksgiving with subsequent retrieval of wreaths on or near January 1st. This practice will continue for 2019 but with new 30" wreaths at the Green River Road and Oak Hill entrances.

Paul reported that two (2) police officers were hired to patrol the subdivision on Halloween 2018. They patrolled the subdivision from 3:00 pm to 12:00 midnight on October 31st. They will be hired again in 2019 to Patrol the subdivision on Halloween.

There are seven lakes within the Keystone subdivision of which three are Common Lakes and four are private. Anyone living in the subdivision may fish, swim and boat in the common lakes. The private lakes are to be enjoyed by the residents living on that lake. The residents may entertain guests but must be present when the guest is are taking part in lake events (fish, swim and/or boating).

<u>Lake</u>	<u>Acres</u>	<u>Name</u>
1	14.6	West Common Lake
2	10.08	East Common Lake
3	3.0	Private Lake
4	2.6	Private Lake (Marshbourne Shores)
5	3.2	Private Lake
6	2.4	Private Lake
7	2.0	Green River Road Common Lake

All lakes are stocked with large-mouth Bass, and Catfish.

Paul reported that in the Spring of 2018 (late April and May) fish kills were experienced in Marshbourne Shores and Lake 1. The species in both cases were *Gizzard Shad*. Marshbourne Shores experienced fifty-two adults dying over a two -day period while Lake 1 had over 100 young fish die. The species qualifies as a nuisance fish and so this fish kill is considered a good thing.

Paul said that our muskrat trapper, Don Wolf, has experienced a collapse in the muskrat pelt business and has ceased offering free service in November/December. However, he will trap muskrats if requested for a fee. Homeowner's would be responsible for the fee to trap muskrats on their property if they contact Don.

Folz Lawn Care was the mowing contractor for 2018 and mowing was executed every two weeks from April through October. The board was satisfied with the service and recommend that Folz Lawn Care be retained for 2019. In addition, small trees and bushes create a potential hazard at the south end of the dam and these small trees and bushes must be destroyed to prevent root growth from compromising the dam. Folz Lawn Care has been contracted to keep these bushes and trees under control as they did in 2018.

Paul reported that Rimridge, Quakerbridge, and Drakewick Drives plus Pebble Stone and Pebble Place Drive were resurfaced in 2018.

Paul said that he has spoken with John Stoll, the Vanderburgh County Road Engineer. John told Paul approximately \$11,000,000.00 has been approved to provide a transportation route for transportation other than motorized vehicles from *Lynch Road* to *Millersburg Road*. This path is scheduled to cross from the east side of Green River Road to the west side at High Tower Drive. What this means for Keystone residents is that all the trees currently running north to south for the entire length of KHOA property will have to be cut down to provide room for the path. This change is scheduled to begin in late 2019 or early 2020. The KHOA board would then recommend erecting a privacy fence that would travel the same distance.

Plans have also been approved for widening Oak Hill Road from Lynch Road to Hedden Road. This project will closely resemble Oak Hill Road from Morgan Avenue to Lynch Road with a sidewalk on one side and bicycle paths. Surveying took place in fall 2018 and the project is to possibly begin in 2019.

The County Engineer reported that he recognizes the deteriorating condition of Porterfield Drive. Porterfield Drive will be on the schedule to be evaluated for resurfacing spring 2019.

Paul reminded homeowners present that we did not experience any snow fall incidences that met the three-inch threshold in 2018. So, no plowing services were needed.

For 2019, Folz Lawn Care has been retained to plow the entrances after Oak Hill, Heckel, and Green River have been initially plowed. Folz Lawn Care will also plow the hills on Cobble Field, Rimridge and High Tower Drives. Folz Lawn Care will treat entrances and four way stops with ice melt as necessary as well.

Homeowner Ron Head reported that the sidewalks at the Common Lake area have been damaged by garbage trucks that turn around in the Common Lake parking area and run over the sidewalks as they enter and exit the parking area. Brad asked Mr. Head to take note of the names of the company of the garbage trucks turning around in the parking area. We will contact the company's about covering the cost of repair of the sidewalks.

President's Report

Brad Mills led the discussion regarding the lake treatment programs.

Aquatic Control is water treatment service that Keystone Homeowner's Association employed in 2018. One of the private lakes (Lake 3) experienced problems in treatment due to the treatment method. As a result,

one of the homeowners on lake 3 contacted a second water treatment service, SOLitude, and solicited a bid from them.

Brad reported that Aquatic Control is a company based in Evansville. They treat 75 ponds and lakes in the area. They offer one (1) treatment per month from April to September. They do not offer water testing. They treat five (5) lakes from a boat. They do not have access to get their boat onto the other two (2) lakes, so they walk the shoreline and spray the lakes from the shoreline. The cost of this program is \$15,459.00. We could make monthly payments for this program, but historically we have chosen to make one lump payment at the beginning of the contract in order to qualify for a 3% prepayment discount.

In comparison, Solitude is a company out of Virginia Beach, Virginia, with an office in Nashville, Tennessee. They offer two (2) treatments a month between April and September with one treatment in March and one in October. Solitude offers water testing in order to analyze the water in each lake. They are able to walk their boat down to each lake, so they would treat all seven (7) lakes from the boat. The cost for this program is \$20,460.00 which would be divided up into twelve (12) equal monthly payments.

A homeowner asked if the Board were dissatisfied with Aquatic Controls Service.

Brad stated that he was not dissatisfied with the service. Paul said he was dissatisfied with Aquatic Controls service in that Aquatic Control only gives him one day's notice before they come to treat the lakes and gives him a report that he feels is inadequate because it only reflects an estimate of the treatment to be delivered versus an outline of what treatment was actually delivered. Paul also said that he would like to go with Solitude because our lakes are now 20+ years old; and Solitude would work to improve the lakes. Cindy said she does not live on a lake so she sought out the opinion of several homeowner's who currently live on lakes in the Subdivision none of whom voiced dissatisfaction with the condition of their lakes over the past couple years and voted via proxy to retain Aquatic Control versus paying \$5000 more to a company whom we had never dealt with before.

Paul read the passage from the Covenants pertaining to Private Lakes (Item 29 b):

Private lakes shall be designated as such on the applicable plat or plats. Private lakes shall be for the sole, private use and benefit of the owners of Lots which adjoin or lie under portions of such private lakes, and their respective families and guests. Such private lakes are not part of the common areas of Keystone Subdivision and shall not be governed by the Association.

Paul stated that years ago it was determined that each homeowner on private lakes would pay a \$50.00 lake maintenance fee to the Homeowners Association and thus be eligible for discounted rates to treat each lake as the Homeowners Association would be able to negotiate lower rates than individual owners on the private lakes.

Homeowners discussed increasing dues, charging homeowners who live on the common lakes lake maintenance fees, what benefits would be realized by testing the water in the lakes, the affects the warmer weather has had on the lakes (increased algae growth) and that there might be a benefit to be realized by treatments twice a month due to the warmer weather, how costs for treatment of the common lakes are covered, the pros of retaining Aquatic Control since they are a local company, and the fact that Solitude's program is considerably more expensive than Aquatic Control's program.

After a lengthy discussion, a vote was taken. Each lot/home/household was allowed one (1) vote.

71 lot/homeowners were present at the meeting. 5 lot/homeowners left before the vote was taken.

Of the 66 homeowners present at the time the vote was taken, 31 lot/homeowners voted to employ Solitude for 2019 and 35 lot/homeowners voted to retain Aquatic Control for 2019.

44 lot/homeowners were represented via proxy.

Of the lot/homeowners represented via proxy, 1 lot/homeowner voted to employ Solitude for 2019 and 43 lot/homeowners voted to retain Aquatic Control for 2019.

Thus, the majority vote was in favor of retaining Aquatic Control's service for 2019.

The discussion regarding lake maintenance continued after the vote was tallied. Brad reminded homeowners that each individual homeowner was responsible for maintaining their lake frontage area. Homeowners reported that some homeowners are allowing their lake frontage to erode and asked if the HOA could mandate that those homeowners maintained their frontage areas to prevent erosion. Brad stated that there are no rules and regulations preventing homeowners from allowing their lake frontage from eroding. There is a rule prohibiting homeowners from filling lakes in.

That led to a discussion about sediment collection in the lakes. Sediment is accumulating in all the lakes since dirt flows into them with rain water and irrigation overflow; however, it is not the Homeowners Associations responsibility to dredge individual private lakes or clear the drainage pipes on individual private lakes. That would be the responsibility of the homeowners around each private lake as a group.

Treasurer's Report

Cindy Turner delivered the Treasurer's Report which included the 2018 Expenditures as well as the Proposed Budget for 2019.

The floor was opened to the homeowner's present for discussion regarding the 2018 Budget vs Actual Cost Report. No questions or discussion was offered by those present in regards to the 2018 Budget vs Actual Cost Report.

The floor was opened for discussion regarding the remainder of the Proposed Budget for 2019 which included the cost of retaining Aquatic Control's services for 2019 as opposed to employing the new company, Solitude, to treat the lakes in 2019. No further questions or discussion was offered by those homeowners present regarding the Proposed Budget for 2019. A motion was made and seconded to approve the Treasurer's Report and the Proposed Budget for 2019 as presented. The homeowner's present voted to approve the Treasurer's Report and the Proposed Budget for 2019 as presented.

Cindy reported that a homeowner has lodged a lawsuit against the Homeowners Association for damages to his lawn (grass) in the amount of \$738.46. The homeowner alleges the damages occurred when the company who was boring under the street in front of his house to reestablish electricity to the monuments after the construction along Heckel was completed leaked hydraulic fluid.

The Homeowners Association had contacted a lawn service to perform the repairs in the summer. However, the lawn service failed to perform the service. The homeowner then submitted a bid for the repair from a second lawn service. Cindy contacted that lawn service and the vendor stated that he had submitted the bid based on the homeowner's report without actually seeing the property. Cindy asked the vendor to inspect the property and submit a bid after that inspection. After the vendor visited the property, he sent Cindy an

email stating that there was nothing to be done because the area had healed itself. Cindy contacted a second lawn service who rendered the same opinion.

Members present voiced support for fighting this claim.

Cindy reported that she went down to the Small Claims Court and was told that since the claim was under \$1500.00, we could go to court without legal representation. Cindy volunteered to go to Small Claims Court to fight this claim since members supported fighting this claim. Members voiced support for this action.

The Court date is April 4th, 2019.

Restrictions Committee Report

As Restrictions Committee Chairperson, Cindy Turner submitted the Restrictions Committee Report.

Cindy thanked the members of the Restrictions Committee for their tireless efforts. The committee members perform a very unpleasant, but necessary, job which helps ensure the safety and beauty of our neighborhood. Cindy reminded the Homeowners Association members of the following covenant restrictions:

YARD LIGHTS: Yard lights need to be lit from dusk to dawn.

STREET PARKING: No vehicle is to be parked on any street habitually or overnight on any street in the subdivision.

COMMERCIAL VEHICLES: The Covenants decree that only noncommercial vehicles, automobiles and private/personal vans shall be parked or located on any lot.

A homeowner asked if this covenant could be changed. Covenants can only be changed via 100% approval/vote by all 518 homeowners. So, changing the covenants are virtually impossible.

This covenant is tied into the covenant restricting advertising businesses and services within the subdivision which helps maintain clean, clutter free yards.

TRAILERS, BOATS, CAMPERS, etc.: HOA members were reminded that the Keystone Homeowner Association Covenants mandate that no camper, motor home, recreational vehicle, motorcycle, trailer, or boats or other items used for water activity shall be parked or located on any lot.

GARBAGE CANS: All garbage cans or other containers for the storage or disposal of garbage or any other refuse are to be stored in a location which cannot be seen from the street at the front of the home.

If you plan to build a fence to hide your garbage cans from view, please remember to get documented approval from the Review and Restrictions Committee prior to beginning construction.

FENCES: The HOA Covenants mandate that all fences be properly maintained. Proper fence maintenance is the responsibility of the Homeowner.

YARD BARN AND NEW CONSTRUCTION OF ANY KIND: Homeowners were reminded to get documented approval from the Review and Restrictions Committee **prior** to beginning any kind of construction such as

adding a new yard barn, fence, pool, garbage can enclosures, driveway expansions or any other structural changes, such as a sunroom, that they might be contemplating this Spring/Summer.

LAWN MAINTENANCE: Lawns need to be mowed and maintained.

BLOCK PARTIES: Homeowners were reminded that they cannot close any public street in the Subdivision for a block/neighborhood party **without a Permit from the County**. Should a group of subdivision residents obtain a permit from the County to close their street for a block party, said residents are required to give the Keystone Homeowners Association Board Members a copy of their permit so that the Keystone Homeowners Association Board Members can notify the Keystone Homeowners Association Membership of the Road Closure via email prior to the event.

FIREWORKS: Cindy referred homeowners to the outline regarding Indiana's Fireworks Laws that is posted on the Vanderburgh County Sherriff's website.

Residents were instructed to call 911 to report the unsafe or illegal use of fireworks.

The Restrictions Committee can always use new members. Anyone interested in joining the Restrictions Committee was/is encouraged to contact Cindy Turner.

Nominations to the HOA Board

HOA President Brad Mills opened the floor to those HOA members in attendance for nominations to the HOA Board. No nominations were made.

A motion was made and seconded to retain the three (3) present members of the HOA Board in their current positions.

The homeowners present voted unanimously to retain the three (3) present members of the HOA Board in their current positions: Brad Mills, President; Paul Jensen, Vice President; and Cindy Turner, Secretary/Treasurer.

Cindy Turner announced that this will be her last year on the Board and asked Homeowners to seriously consider volunteering for either the Secretary/Treasurer position or the Restriction Committee Chairman position as she will no longer be around to serve in those positions.

New Business

No new business was brought forth by homeowners.

The meeting was adjourned at 3:30 PM by HOA President Brad Mills.

The next annual meeting of the Keystone Homeowner's Association will be Saturday, February 22, 2020.

Minutes Prepared By: Cynthia M. Turner, HOA Secretary/Treasurer