

6/10/18 FOKA MEMBERS MEETING

LOCATION: BALLARDSVILLE FIREHOUSE IN CENTERFIELD

BOARD MEMBERS IN ATTENDANCE: Ted Kaiser (President), Jay Shunnarah (Co-Treasurer), Mike Hayden (Co-Treasurer), Travis Nichols (Secretary)

MEMBERSHIP IN ATTENDANCE: 17 Members (including Board)

NOTE: DUE TO POOR TURN OUT, WITH ONLY 15 MEMBERS IN GOOD STANDING (2 MEMBERS DELINQUENT ON ASSESSMENTS), WE FAILED TO HAVE ENOUGH MEMBERS IN ATTENDANCE TO REACH THE REQUIRED AMOUNT FOR A FORMAL QUORUM. THEREFORE WE DID NOT HAVE ENOUGH MEMBERS PRESENT TO VOTE ON BYLAWS CHANGES OR BUDGET CHANGES AT THIS MEETING. THE MEETING CONTINUED FOR INFORMATIONAL PURPOSES FOR THE BENEFIT OF THOSE WHO DID ATTEND. VOTING ITEMS WILL HAVE TO REMAIN TABLED UNTIL THE NOVEMBER ANNUAL MEETING IN HOPES OF HAVING A QUORUM FOR VOTING PURPOSES.

AGENDA

1. WELCOME
2. BYLAWS REVISION
3. FINANCIAL/BUDGET REPORT
4. 2018 ANNUAL ASSESSMENTS
5. FRONT ENTRANCE RENEWAL
6. BOARD OF DIRECTORS ELECTION NEWS
7. Q&A

WELCOME

FOKA President Ted Kaiser opened meeting and informed attendees that we did not have enough members present for a quorum required to vote on items which was the main components of the planned meeting. Therefore we would continue the meeting as an informative session for those who did take the time to attend. As explained to the collective group, due to the lack of quorum, we would not be able to make any bylaws revisions or change the budget and assessments at this time. The budget and bylaws would remain unchanged until the issues can be readdressed at the November annual meeting.

BYLAWS REVISION

Jay Shunnarah discussed the purpose of the recommended revisions of the bylaws that would have been voted on and outlined that the general purpose of the revisions was to allow more flexibility with regards to the lien process associated with assessments. While the 2017 annual assessments saw a good response with all but about 10 homes paying their dues, the special assessment to pay for the new front entrance only had a little over 50% paying the assessment. While the bylaws provide for placing liens on those owners properties, it does not provide sufficient verbiage, per legal council, to allow for the billing and collecting of ancillary fees associated with the placement and removal of liens. Our co-treasurers are trying very hard to be very diligent with every nickle spent and do not want any burden translated to the membership as a whole by the few people who continue to resist the new Homeowners Association. It was reported that we have had good success with collecting past due assessments via

the closing process for those owners who have sold their properties who are required to make the Homeowners Association whole prior to being able to close any property transaction. It was also pointed out by Ted Kaiser that our Association fees are the lowest in the area and reinforced that every expense is looked after closely by the board. One member questioned the bylaws change request posting requirements and it was pointed out that the board had posted the recommended change 3 weeks prior to the meeting which exceeded the 2 week requirement. There were a couple members who were vocal on their desire to see all meeting notification and bylaws info sent to each residence as a mailer. There were some members who felt that the signage at the front of the subdivision and the postings on the webpage were insufficient for notification. It was pointed out that the mailings are also often ignored and that the cost for each mass mailing is around \$400 which could result in higher assessments to cover the additional costs. It was also noted again that our website is friendsofkyacres.com as noted at the entrance and not the Ky Acres Facebook page that several members mistake for an official website of the Homeowners Association. Due to the adamant worries voiced that several members in our neighborhood may not have internet access or be computer literate the board agreed to send out mailers for all upcoming meetings/bylaws proposals and the like despite the increased cost to the membership. There was much discussion on what legal avenues the FOKA has available currently with regards to liens and collecting ancillary fees other than the traditional assessments, lien placement and removal fees currently available to them. It was again noted that this expansion of verbiage had been recommended per FOKA legal council in order to shield the Association from any unnecessary nuisance legal actions. Liens are currently being placed and members not in good standing do not have voting rights and are unable to sell their homes without making the FOKA whole during the closing process. Members with any available additional vetted information on this matter, or interested in forming a committee to help examine the issue, were encouraged to bring it to the board prior to the November meeting for investigation/follow-up.

FINANCIAL/BUDGET REPORT -SEE EXEL SPREADSHEETS ASSOCIATED WITH THIS ITEM

Jay Shunnarah and Mike Hayden went over two spreadsheets discussing every line item with regards to the current budget and the current expenses. It was noted that due to only a little over 50% participation in the special assessment for the new front entrance, we had to work very hard to watch expenses and use what little money that was left in the account from the original HOA to pay for the project. The good news is that we will be able to finish the project as well as have new professional landscaping done to the two new flowerbeds at both sides of the entrance once the masonry work is completed. Some area of savings included that we are still managing our website ourselves for free and savings on not doing any new landscaping through the fall or turning on the sprinkler system due to the fact we were about to start the construction on the new front entrance. We have also had neighbors donate decorations for the holiday and were fortunate that we had a nearly 100% turn out for the 2017 annual assessments. Both Jay and Mike were complimented on their tight budgeting and Ted reminded people that we have the lowest HOA assessments compared to like neighborhoods in our area. It was also unfortunate that due to the poor turn out and the lack of quorum that a new budget and possible lower assessments could not be voted on. Therefore, the budget and assessments will remain unchanged until it can be brought up again at the November meeting if we have enough members turn out. Jay, Mike and Ted also noted that they had been looking into liability insurance but the quotes had all been excessive and would likely mean a raise in the annual assessments so we are still looking for more affordable options with regards to legal indemnity coverage that may be warranted in the current litigious environment we live in. Reminder – The Exel spreadsheets associated with our Co-Treasurer's report of expenses and the current budget can be found on the website along with these minutes.

2018 ANNUAL ASSESSMENTS

The annual assessments for 2018 will remain unchanged from 2017 due to a lack of members present

to provide a voting quorum to change (raise or lower) the current assessments of \$45 a year. There was a question about whether or not there was going to be another special assessment in 2018 and it was noted there were not plans for any other special assessments in the upcoming future as the one special assessment was solely for the remodel of the front entrance. The only assessment planned for 2018 is the regular annual assessment. The budget is addressed at each meeting in great detail and members are encouraged to attend FOKA meetings to get the full report and questions answered by our co-treasurers Mike and Jay. The next meeting will be the annual meeting in November.

FRONT ENTRANCE RENEWAL

Ted reported about the front entrance project that had just started and was currently underway. He noted that the start was slightly delayed due to an unusually wet late spring which prevented our masons from using heavy equipment in the breakdown of the old masonry units. They had to do it all by hand as they did not want to tear up any of the front sod which would have caused an added expense to the project to repair. The masonry team has also reclaimed as much usable stone from the old entrance to further save on the costs which are being paid with the 50% of the special assessments paid and super tight penny pinching by our co-treasurers to ensure the much needed revitalization took place. Ted reported that our master masons will take a little longer than some masonry projects but that is because we hired a seasoned mason and have stressed high quality over speed so as to get the most return for our members curb appeal/home values. There were questions about the current landscaping plans for the new entrance and Ted reassured everyone that once the masonry work was done we had budgeted and planned for new professional landscaping (which will be updated seasonally) as well as new display lighting and the restart/rework of the front sprinkler systems. Ted notes the project should be shaping up daily over the next couple weeks and hopes everyone will be pleased with how nice the new front entrance will look. Ted thanked everyone for their input and voting over the fall and winter to help us come up with the new look of the front entrance as well as thanked those people who had paid their special assessments for the project.

BOARD OF DIRECTORS ELECTION NEWS

The members in attendance were alerted that all of the current board members terms expire at the end of the year and that elections for new board members, who serve a 2 year term, would be held at the November annual meeting. A few members asked if the current board would consider staying on for another term and all board members present voiced that they were not interested in volunteering again. It was noted that all the board members present had in fact been opposed to a HOA initially and only volunteered to keep it from becoming a wasteful, police-like, HOA that people hear about on the news and cringe. Several of the current board members pointed out how they have received hateful emails, calls and criticism that is not founded in any fact all while working on the FOKA and full time jobs to support their families at the same time. A few members wanted to know what happens if no one volunteered to serve at the November meeting. It was discussed that the HOA duties would likely be turned over to a third party management group like some HOA's have done which would likely result in greater costs to the membership which would mean higher assessments. Hopefully, that will not be the case and interested members are encouraged to attend the annual meeting in November and volunteer to be a board member for the 2019-2020 terms.

Q&A

The floor was opened for additional questions regarding any matters not addressed during the meeting or otherwise on the agenda. There were a few questions related to community complaints:

- There were complaints related to speeders and people ignoring posted stop signs in the neighborhood, especially during morning commutes/school buses in the neighborhood. One member wants speed bumps placed throughout the neighborhood. It was pointed out that

FOKA does not have the authority to install speed bumps, change speed limits or act as police. All roads in the Ky Acres neighborhood are owned and managed by the county. Therefore, new stop signs, speed bumps or speed limit changes would have to be approved and changes made by the county. Members with these complaints are encouraged to contact the county fiscal court , roads dept and/or police.

- A complaint was voiced regarding a neighbor who's driveway “looks like an auto junkyard”. Ted noted that he had spoken to this neighbor who informed him that he was in the process of having a garage built to house his cars. It was also noted that the FOKA is not a policing or code enforcement organization and that neighbors with similar complaints against other neighbors are encouraged to use the Oldham Co. nuisance reporting form/process that is established for such complaints. Access to the form is available on the friendsofkyacres.com website for those who are interested.
- A few complaints were voiced regarding neighbors firing weapons in the neighborhood, especially around hunting season. It was pointed out that while you cannot aim at another person or residence, firing a weapon is not prohibited per the 2nd Amendment as well as the laws of the City/State/County. Several residents have discovered this when calling to complain to local law enforcement entities regarding shooting in or near the neighborhood. In Oldham Co., the only communities with such restrictions against the discharge of firearms are the cities of LaGrange and Pewee Valley. Residents are encouraged to contact police if someone is taking aim or shooting at people/residences in the area, but currently there is no violation of law if someone is shooting on their property in a safe manner.

THE MEETING WAS AJORNED. THE NEXT SCHEDULED MEETING OF FOKA IS THE ANNUAL MEETING IN NOVEMBER. MEETING DETAILS WILL BE PUBLISHED ONLINE, AT THE FRONT ENTRANCE OF THE NEIGHBORHOOD AND VIA A MAILER LATER THIS FALL.