

## **ACNA Meeting Minutes January 23, 2020**

The first quarterly meeting of the Allen County Neighborhood Association was held on January 23, 2020 at 6:30pm in the Omni Room in the Garden Level of the Citizen Square Building. The meeting was called to order by Joanne Bergman, Co-Coordinator. Fifty-eight residents were in attendance, along with Nelson Peters, Allen County Commissioner.

Joanne explained that the ACNA meets four times a year and the October meeting is specific to legal questions for the attorneys present. She also mentioned that along with her, Kris Krishnan, and Rob Grayless are the other Co-Coordinators, and Marvel Embrey is the Greeter Coordinator. Tonight, Bob Cross was the greeter.

Joanne thanked Larry Banks, who films the meetings and Mike Green, Public Information Officer for Allen County, who coordinates all of the ACNA documents and emails.

The ACNA is a volunteer organization and additional helpers are needed. Help requests are for a one-time basis. The group is looking for people to volunteer for one event, not a long-time commitment. One greeter is needed for the October meeting.

Joanne related a story of her unfortunate slip and fall and broken wrist. While recovering from surgery, she had another slip and fall in her driveway. While hoping to not create more concerns, she was able to get up and back into her home, where her husband had already received an email from a concerned neighbor who saw her crawling in the driveway and was worried about her! This is how neighborhoods work – residents looking out for each other!

A survey question was emailed prior to the meeting and more hard copies are available tonight to see the answers to this question: If the County had unlimited funds that it wanted to spend in your neighborhood, what sorts of improvements might best benefit the residents? Please turn in your completed survey to Joanne or you can email them to Rob Green at rgreen18@frontier.com.

### **Joshua Neal, Attorney**

- How can associations be better notified of home sales? Is there any place to go to be notified of pending sales? There is no place to go for this type of information. The Allen County website is a valuable resource for information on property owners. The GIS site lists all pertinent information on current ownership. Another method would be to be proactive and contact the listing agent if a home goes up for sale and ask that agent to keep you informed on the sale.
- If an association has been dissolved and wants to apply to be reinstated, what would the IRS do? The association was dissolved for many years. This question needs to be answered by an accountant. If no taxes have been filed for many years, even though no payments may have been due, the IRS might want them filed and getting the necessary info may be difficult. It may be better to create a new entity with a very similar name and start fresh.

- A member is a new HOA President. There are multiple fences in the neighborhood that violate covenants but nothing was done about them. What can this new president do for future fence requests? This would depend on how many are in violation and how long they have been in place. The courts will look at these questions and at some point, the covenants won't be enforceable against new fences. Try to gather the info on how many, when they were built, if any architectural approval was requested or given and then more than likely, consult an attorney for an answer.
- What does an association do when they are trying to amend a covenants and one resident fights them every step of the way? This resident is very forceful and has been strongly against any attempt, to the point of disrupting meetings and causing board members to stop volunteering. The first step is to know what percentage is required by covenants. If it is less than 100%, one resident can't stop it. If this resident is that disruptive, contact your local police and have them attend the meeting to help keep order. A protective order could be sought against the resident too.
- Is there a formula to use to calculate how much cash reserve an association should keep? There is no set formula and how much would depend on a case-by-case review of each association. It would depend on what amenities they have, how many homes, are the streets privately owned, etc. Many factors go into the reserve. A good budget should help decide where the association stands financially.
- Were there any legislative changes made last session? Yes, but do not have that information readily available. The information will be gathered and be posted on the ACNA website.
- Can semi-truck traffic be kept off residential streets? Yes, contact the police to have this enforced.
- An association can't get enough members to get involved and they rarely have enough for a quorum. The few who do attend are making decisions and voting. Is this elected board acting legally? This is a very gray area. If it is spelled out but not followed, even if there are not enough people being active, the current board could be acting illegally. Can the By-Laws be changed to lower the number required? If so, steps should be taken to do so.
- If due to resident fatigue a board stops doing any work, what would become of any money left in the bank? This question would require further investigation but generally, if an association was dissolved and money was left over, it would revert to the State and the State would decide what becomes of it.
- If there are only two board members active, can they still conduct association business? Yes, they can but make certain to keep strong records and watch out for other residents' objections.

**Nelson Peters: County Commissioner**

- Nelson was present at the meeting to explain the government's plans for 2020.

- Nelson thanked those in attendance for what they do – for being involved, for coming to these meetings. He sought input from this group on what the Commissioners can do to help out the residents.
- Nelson started out by discussing the updated Strategic Plan for Allen County.
- There is a community kickoff event on February 19<sup>th</sup> from 5:30 – 7:30 at the Grand Wayne Center. All are invited and residents can attend to hear about the future of midsize communities and share their ideas.
- The Allen County Commission is headed by three members who cover the three quadrants in the county. The Commissioners must live in the quadrant they represent and yet the entire county votes for the Commissioners.
- They Commissioners oversee many departments: HR, Purchasing, Maintenance, Office Staff, Planning Services and Zoning, etc. All bids for services come to the Commission.
- The Commission meets Fridays at 10:00am and the meetings are open to the public.
- Maintain over 1,400 miles of roads, 400 bridges, has over 1,800 employees and is the 8<sup>th</sup> or 9<sup>th</sup> largest employer in the county.
- Recently collaboration between city and county helped to merge the 911 call-center into one entity, decreased wait times and helped with much better communication.
- 2019 Highlights include:
  - Over \$1 billion in investments in the county.
  - Received the \$1 million Community Crossings Road grant
  - Paving and chip-and-seal of multiple miles of roads.
  - The goal is to have all public gravel roads with houses at within at least one mile of each other chip-and-seal coated by 2024.
  - Dealing with the current drug problem by opening the Recovery Center.
  - Created the Tox Away program through the Environmental Management Division.
  - Received over \$33 million for the Pufferbelly Trail to Pokagon program.
  - Created over ten miles of new horse trails. Allen County has one of the largest horse populations in the State.
  - Oversee the budget and financial constraints for the County – over 70.38% of the County budget goes to the criminal justice system.
  - Other divisions the Commissioners oversee are the Assessor, Treasurer, Surveyor and Coroner.
- 2020 Strategic Plan:
  - A county-wide comprehensive plan.
  - Look to backup fire and ambulance plans with each township.
  - Need more shovel-ready properties.
  - Looking for more public awareness of the County successes.
  - Conduct a Mayor / Commissioner caucus.
  - Work on the US-30 enhancement.
  - Continue to collaborate with the Greater Fort Wayne Initiative.
  - Build more shell building for immediate occupancy.
  - Continue highway department upgrades.

- Land Use Program – try to update the Comprehensive Plan for a roadmap of 10-20 years ahead.
- Visit the Allen County website for more information or contact them at 260-449-7555.
- Questions:
- Can the cost for the tox-away program be lowered? Due to the many government regulations involved with the items received at the tox-away center, costs are generally locked in place.
- What can be done to areas of the River Greenway that continually flood? Please get contact info to Nelson and he will get back to the resident.
- Where do the Commissioners meet on Fridays? In the room next door to the Omni Room.
- What can be done to alleviate flooding issues with a new subdivision near West Autumn? Drainage issues are currently being investigated.

### **Jim Donahoe – Aquatic Weed Control**

- PowerPoint presentation distributed and referenced.
- 30+ years in the pond management industry
- Works with the Department of Natural Resources on water management
- Over 800-1,000 ponds in Indiana
- Works under the DNR plans for water, weeds and fish management
- Retention ponds are for water retention.
- Runoff from the roads and properties feed into the retention ponds – fertilizer and other items in the storm drains enter the retention ponds and greatly affect the water quality.
- Phosphorous and nitrogen accumulate in the ponds, along with leaves and grass clippings. This all creates muck in the pond bottoms. The more phosphorous – the more weeds.
- There are new products available to help remove phosphorous but they can be expensive and don't always work.
- Associations should budget to remove excess muck from ponds.
- Cost to remove or dredge ponds is very high. Budget accordingly.
- Aerators / fountains help with oxygen addition to the water.
- Fountains are less economical and don't work as well as aerators. Aerators work four times faster to break down muck than fountains, but are more expensive to purchase. Fountains cost approximately \$2,500 whereas aerators are in the \$4,500 price range. Expected life is about five years for the motors.
- Questions:
- Are there any non-electric options for pond aeration? At this time, the number of solar collectors required makes solar not a very viable option. There are great strides in solar energy so better options might not be far away.
- How can you tell if a pond is toxic to children? Generally, if there is green algae on the pond, it is recommended to keep them away. The water would need to be tested, but many factors affect it so even a negative test might only be short-lived. Generally, pea-green water means stay out.

- Every pond has its own personality so there are few concrete answers to pond water management.
- Is copper sulfate safe to add to ponds? Yes, many pond water chemicals are copper sulfate based.
- Is there a place to get more information on the Phos-Lock material? Yes, see Jim for websites with information.
- If a pond has an overflow option, will this remove the phosphorous? No concrete answer – it depends on how long the phosphorus sits in the pond. The quicker the water gets out, the more likely the phosphorous will too. If the water sits for more than 24-hours, the phosphorous will stay in the pond.

**Shan Gunawardena, FW Director of Public Works:**

- Other than storm water management, this department maintains it in the city.
- Maintain over 1,600 miles of roads.
- 95 bridges.
- 400 traffic signals.
- 44,000 street lights.
- 80,000 signs.
- Spend over \$180 million / year on roads.
- The city is divided into four quadrants.
- Currently there are seven neighborhood road projects ongoing.
- Nearly completed with the Maplecrest widening and the Spy Run resurfacing projects.
- Working on the Goshen Road round-a-bouts and sidewalk project.
- Spent over \$1.2 million on trails
- Spent over \$4 million on sidewalk and ADA compliance.
- There is a 50/50 split sidewalk program available to associations.
- Leveling of the concrete is being used more and more.
- Spent over \$2.5 million on bridges
- Street Department crews do all flatwork in the city.
- The work season is broken into three seasons: summer (April – November); Winter (December – April); leaf (November). Leaf pickup continues to present major challenges with the amount of area to cover, mother nature controlling when leaves fall and getting seasonal workers to assist in the cleanup.
- A Green Space program has begun.
- A Right-of-Way program has begun
- Major projects recently completed include the DuPont and Maysville Road projects.
- Select trails are now part of the snow removal program.
- The Open Streets date has been set for July 12<sup>th</sup> from 12-4pm. Calhoun Street will be closed to vehicle traffic and open to pedestrians, businesses and food vendors.
- May 2<sup>nd</sup> is the Annual Clean-Up Day. Contact the City at 260-427-2202 for more information.

- The Trek to Trail program will continue in 2020. This helps get the word out on the many benefits of the trail system. Visit the City Parks website for more info.
- The Tox Away Day is open on six weekends – Saturday from 8:00-12:00.
- Questions:
  - When will the St. Joe Road project be completed? Issues with utilities has slowed this project. Hoping to be completed this summer.
  - What determines if a manhole is raised? There are many that are quite a bit lower than grade and make for difficult driving. There is a program in place to core the area larger than the manhole and replace with concrete to level the cover.
  - It has been longer than ten years since a road was last chip-and-seal coated. How are these roads selected for re-work? A comprehensive analysis is done yearly and the projects are then coordinated.
  - Pavement markings are driven over before they are dry and make a mess. How does this program work? The weather greatly affects the dry-time for the paint / top coat glass beads. Placing cones over the lines is not done now as the truck travels too quickly for them to be placed. Dry time is normally 5-10 minutes in 70-degree weather.
  - With new sidewalks, what determines where and if both sides of the streets get them? The main focus on sidewalks is school location and children having to walk to school. Right of way acquisition, curbs and utilities all affect where they can be placed. Over \$70 million is earmarked for 2020 sidewalk work.

The meeting was closed at 8:00pm. Joanne informed the group that the room was available until 8:30 if anyone wanted to discuss items amongst themselves. The next meeting is scheduled for April 23, 2020 at 6:30pm in the Omni Room in the Garden Level of the Citizen Square Building, 200 E. Berry St. The remaining 2020 meeting dates are: April 23; July 23 and October 22.