

IAHA Board Meeting

28 July 2022

The meeting was called to order at 7:05PM by President Gary. Present were Alan Wright, John Horn, Al & Margaret Cleveland, Gary Van Horn, Robert English, and Herb Jolliff. Dave Ullman was in Oshkosh so could not attend. Several members of the community were also present this evening.

SECRETARY: The minutes to the April meeting were posted on the Website since the last meeting. Gary read aloud an addition to those minutes to the attending membership. **Margaret made the motion that the April minutes be approved as amended. Herb seconded. All approved unanimously.**

COMMENTS FROM MEMBERS PRESENT: There were many questions regarding the ongoing legal issues the Board has been facing, including what CC&Rs pertain to the subject, and the Board is in a position of not being able to comment until the attorneys provide us information we can share. Gary said the earlier information shared with the Membership during the Annual Meeting in December should be added to this evening's member comments. Gary also suggested the entire Annual Report Information be made available for folks who didn't make it to the Annual Meeting, and that will be posted as a separate document later. Below is the December text regarding the litigation in full, between the lines of asterisks:

As has been reported to the membership, the Association was named in a dispute between two property owners. This has required a legal defense of the Association's long-standing practices. We can't address specifics because of litigation in process, however there are things which you should be aware of which may affect long-term Association business practices. This much can be said:

- Two attempts at Formal Mediation have failed – following an initial attempt by the Board to encourage reconciliation, a Legal Complaint was filed with Polk County. As an additional effort at reconciliation a Formal Mediation was held with the parties involved. That also failed, and litigation is now underway. When one is named in a complaint, the Association is required to defend its position with attendant IAHA legal expenses necessary to be appropriately represented to defend against a summary judgment.
- Initially, the insurance company declined on a technicality, however, after a few months, our Insurance Company decided to step in and it's now in their hands and in front of the Polk County Courts. That's about the limit of what we can say regarding the situation at this time.
- There is a financial impact, however. We have historically avoided legal costs and have been able, up to this latest experience, keep that kind of cost to a minimum. One thing the litigation has confirmed, however, is something everyone already knows - in today's world costs are not always subject to control as one would like to be able to do. The membership may need to consider authorizing a special assessment, similar to the Taxiway assessment, to establish and maintain a legal service cost fund which would also likely be used for funding insurance costs. Membership protection for avoiding the potential of having another uncontrollable event require a significant short-term assessment; this would be the primary purpose of such an assessment.

TREASURER: Margaret stated the 5-year special assessment for the special taxiway maintenance project has been completed, and all the monies went into the special account with no money from that assessment going into the general fund. The ODA egress fee has been paid for the year, with 10% of it being kept by us. Margaret also went into detail about what the Board's insurance and legal costs have been this year - up to this point, from 2021 until now, since the insurance company had changed, and the deductible increased, the costs are going up for the Board's liability insurance. There has been \$27,642.71 spent for legal fees so far in 2021 and 2022 and these expenses are ongoing. The cost for insurance this year has increased to \$12,952.25, up from \$4,300.00 in 2021. She also briefly outlined what the dues plan will be for 2023 with possible additional assessments to cover the increased legal costs.

ARCHITECTURAL: David is in Oshkosh, and there were just two projects the architectural committee had approved recently; the Hill hangar at 804 Stearman in addition to the Barnaby Wainfan project at 650 Airport Way.

MAINTENANCE: Al detailed the current projects as well as the taxiway plan regarding the resources available and the improvements needed, and the ability to complete the proposed repaving will have to be re-evaluated because of inflation and labor costs. John added some detail regarding the crack seal which will come before the repaving (to help protect the base of each taxiway), as well as a different type of pavement that was being tried in Arizona which is being monitored as a possible cost-effective alternative. Both reiterated that the Board will not be doing another seal coat, since there have been too many of those already, so a repaving is the best way to get a good long-lasting result. Alan chimed in saying the asphalt has been in place since the 1970s and the seal coat has been used to help protect it.

PRESIDENT'S REPORT: Gary gave a history of the By-Law review that was ongoing for some years now, and all of the steps taken. Gary also said there was a trial date for 23 January 2023 which would be a public hearing in court; until then, the attorneys have urged caution in releasing any details until that date. Once all the numbers are known, the Board will propose any assessments necessary to cover the legal costs. Any decisions to implement those increases will be up to a vote of the Membership.

GOOD OF THE ORDER: Margaret and Al stated that there were options being evaluated for storage of the maintenance committee's equipment during the bad weather season. Any decision about the hangar space will be brought to the Membership for a vote.

ADJOURNMENT: The motion was made to adjourn the meeting at 8:01PM, and there was an executive session following. The next meeting will be 27 October at 7:00PM in the EAA hangar. Respectfully submitted by Robert English, IAHA secretary.

EXECUTIVE SESSION: After the executive session was complete, the public session was re-opened and the first order of business was to check for IAHA members that might be waiting outside to attend the open meeting. No IAHA members were present to invite in. The Board went back on the record and the following resolution was voted upon:

The Board recognizes and rules by resolution that the Architectural Chairman past, present, and future has, had, and will have the standing authority to appoint and remove members of the architectural committee.

John moved that the wording be approved, and Herb seconded; the motion carried unanimously.