

Springmill Lakes at Tamarack Special Meeting Minutes
April 21, 2022
Friendship Room, St. Luke Methodist Church

Number of attendees: 46, of which 34 were owners

Number of Proxies: 73

Topic: Discussion and vote on TMK Letter of Intent and easements.

Prior to this meeting an information packet was sent to each co-owner. The packet contained the April 8, 2022, Letter of Intent and documents detailing the sewer and water easements. Prior to the in-person meeting, a Zoom meeting was held on April 18th for the purpose of answering any questions prior to the in-person meeting.

President Courtenay Weldon called the meeting to order at 7:13 pm

President Weldon opened the meeting explaining the purpose of the special meeting. The meeting was called to communicate the status of the TMK Design development adjacent to SPLAT and to vote for approval or opposition to the Letter of Intent (LOI) and easements to Citizens Energy water and sewer located on SPLAT common property. President Weldon gave the background of the work the board completed in studying the TMK Design project.

Next, Steve Cracraft, board member and board legal advisor gave a further explanation and opened the meeting for questions and answers.

SPLAT co-owners asked various questions relating to:

- Status of the LOI?
- Does Citizens Energy agree with the plan to tap into the water and sewer on SPLAT common property?
- Does SPLAT have a professional engineer ready to review documents?
- Is there insurance on the construction site?
- Will the TMK development street be graded to avoid water runoff into SPLAT?
- Will the TMK development interfere with the nature preserve?
- If there is a successor owner, how will that impact the development's impact on SPLAT?
- Courtenay and Steve responded to the questions raised.

Additional comments were offered regarding the need for the board to monitor the progress of the development in those areas which could have bearing on our community. It was suggested that the board establish a communications process to keep SPLAT co-owners informed about the activities related to the development.

Judy Palmer, speaking as a co-owner and not in her board membership role, read a prepared statement that is attached to these minutes. There were no additional questions pertaining to Judy's statement.

A motion for approval of the Letter of Intent(LOI) and easements was made by Dick Kitterman and Seconded by Don Willing. Voting was not taken since there were 72 proxies for approval and one(1) proxy opposed. It was noted that it takes a simple majority of 54 votes to carry the motion. Therefore, the LOI and easements were approved.

The meeting ended with President Weldon thanking board member Jeanette Shallop for arranging the meeting location and providing refreshments and donut holes.

Meeting adjourned at 8:05 pm

Respectfully submitted
Bernie Pierce, Secretary
April 25, 2022
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One (1) attachment

**STATEMENT SPLAT SPECIAL HOA MEETING
APRIL 21, 2022**

My name is Judy Palmer and I live at 9440 Tamarack Drive. I am currently on the board and serve as Treasurer. I have lived in our community for more than 30 years and have served multiple terms on the Board of Directors. This is the first time as a board member I have felt the need to speak as a homeowner. But this is a serious decision and one in which I have some concerns and disagreements with the board's recommendations to you. I have voted against two previous versions of the LOI presented to the board for approval and abstained on the one that was ultimately presented to you for action. My thanks to other concerned homeowners and former board members who raised their voices to the board to ask questions and seek answers. Their actions resulted in some positive results reflected in the LOI presented for approval.

My concern has not been with the development or the developer but rather my concern is for the long-term protection of SPLAT and its homeowners and to ensure that the board, to the best of its ability, exercises its duties and responsibilities to the SPLAT community. I ~~recognize~~ ^{expect} ~~get~~ that the easements and the LOI which will be the basis for the agreement with the developer will be approved tonight. However, it should be noted that this is being done in absence of having seen formal plans for the development and without the independent engineering review approved by the board during a special meeting in March.

Having said that it is time to direct our attention to the future. It will be incumbent on this board to fulfill its due diligence in monitoring the performance of the developer in those areas which could have bearing on our community. According to the Indiana Department of Environmental Management (IDEM), code enforcement is delegated to the city. IDEM advised that the City has so many projects to monitor and are short staffed, it is imperative for adjacent property owners to be vigilant in monitoring and reporting concerns to the proper governmental authorities. We should expect no less from our board.

of There will be other questions that the board should respond to on a timely basis. For example, the value of the developer's property will increase, maybe significantly, as soon as he has utility easement rights. It is my understanding that easement rights are valid for a two-year period. Is the agreement to be executed ~~and~~ with TMK Design binding on a successor owner of the land, if the obligations related to the agreement (such as landscaping and construction screening) have not yet been fulfilled by TMK, Design? Another point for future consideration, how will this board establish a communication process to keep SPLAT co-owners informed about future activities related to the development?

Thank you for allowing me to share these thoughts.

Changes made at time of statement.