

# IAHA Informal Planning Meeting

*August 7, 2008*

The meeting was called to order at 7:00 PM by President Kelly. Present were: Craig Cowles, John Horn, Robert English, Herb Jolliff, Ed Conn, Kelly Wilson, and Dave Martin.

The one issue this evening was the enforcement of the ByLaws and CC&Rs, particularly those relative to certain fences being currently built along taxiways and walkways: the walkways North and South of Luscombe are one of the areas under discussion. One fence, already built, is barely four inches from the walkway edge. According to the CC&Rs, approval by the architectural committee of the IAHA is necessary before building any home or property improvement including a fence. Other issues that were discussed concerned shrubbery planted close enough to be a problem for wing tips when it grows high enough.

John asked if the architectural committee could deny the applicant, and Dave's response was that it could deny approval and/or place conditions on the building of it. A question was raised about what property rights apply on the various paths, and the response was that the full width of the pathway is IAHA property in the south end, while the northern streets have easements on homeowners property down the middle of the path. The lone exception is the one up against Dave Martin's hangar as that is all on Martin's property.

Putting a lien on the uncooperative homeowner's property was considered a good effort at putting teeth into the IAHA statutes. The IAHA is charged by law to enforce the CC&Rs since they are a part of our ByLaws. Section 3 of the General Provisions of the CC&Rs already stipulates that the Board has the right to enforce the statutes by "any proceeding at law or equity."

The first condition that needs to be met, all agreed, is to communicate exactly what is wrong, both in writing and verbally. It was also agreed that legal threats would not be mentioned unless every other way of securing compliance had first been tried with the property owner. Holding a public meeting before such enforcement is not considered necessary, given that the Board already has the authority to enforce the CC&Rs.

The stipulation for fences, it was agreed, should be 18 inches back from the walkway edge with no height restriction unless it comes close to the taxiway. That stipulation is not spelled out in the CC&Rs at this time. Adding such language to the CC&Rs was discussed, but it was decided that it wouldn't help with the cases currently under discussion. The change in the CC&Rs will be on the agenda for Fall.

It was agreed that the approach to the current problematic fence-builders is the safety and liability concerns regarding the fence being so close to the public access walkway. A committee should be formed to look into the CC&Rs as they exist now, making notes on what needs to be changed, and make recommendations to the Board. Dave asked that those attending this meeting tonight look over the CC&Rs to see what might need to be changed besides what has already been discussed tonight.

The meeting was adjourned at 8:17 PM.

Respectfully submitted by Robert English, secretary.