

## September 28, 2021 NENA Annual Meeting Agenda Minutes (Amended)

- Roll call Daniel Foregger Called Roll
  - Sarah Foregger Present In Person
  - Carlos Coto Present In Person
  - Sitka Kowloski Present In Person and left to join by Zoom
  - Tory Spengler Present by Zoom
- Minutes for August are approved via email and posted online.
- Quorum - must achieve 25 in attendance for quorum, per bylaws. Due to the heightened Covid situation in Boise, Zoom attendance will be used. - Over 125 Members attended by Zoom.

### **Statement by NENA President:**

Sarah Foregger read a statement encouraging neighbors not to harass or annoy board members via electronic or in-person means.

### **Summary of NENA's current legal status provided by NENA Attorney Brit Kreymeier:**

Brit explained that their firm has two different billing numbers being utilized to separate out the general counsel work that they are doing for the NENA board versus the work they are doing on the current litigation (litigation number two). Brit provided a brief explanation of the two pending litigations (known as litigation number one filed in January 2021 and litigation number two filed recently in July 2021). Brit also stated the case number and named plaintiffs for the record and stated that the action is public record.

- Brit explained that the Board NENA has determined it has a duty to defend NENA against the most-recent litigation.
- Brit explained why the attorney fees incurred by NENA recently will be over \$20,000, including that NENA responded to the Petition filed in July 2021, and counsel has spent time reviewing the motion to enforce the March 2021 membership vote, which was filed on August 3, 2021. Brit said that first litigation, which was filed in January 2021, is on the cusp of resolving, and her involvement in that litigation is limited because of a conflict.

### **Financials**

- Linked in agenda, posted online. P&L shows refund of vendor's checks for HPSF
- Legal bill explanation

### **Carlos Coto brought forth the following Motion:**

- Whereas the Hyde Park Street Fair was started by a group of Hyde Park businesses and the job of organizing it was taken over by NENA several years ago. Whereas NENA is a 501.4.c organization and as such none of the contributions to NENA are tax deductible
- Whereas NENA has been approached by organizers, vendors, sponsors and neighbors about making the Hyde Park Street Fair it's own separate 501.3.c organization with the intent that it's proceeds be donated every year to a group of Boise charities chosen by the organization and its members and board that meet all requirements stated on the better business bureau standards for charity accountability [https://www.bbb.org/cincinnati/charities\\_02/microsite-child](https://www.bbb.org/cincinnati/charities_02/microsite-child)
- Be it resolved then that the board will invite subject matter experts and organizer(s) as well as the public to discuss and put forth a vote to make the Hyde Park Street Fair its own separate 501.3.c organization on October 26 2021.

Carlos made the motion, Sarah Foregger seconded and Tory voted Aye, Sitka Kolowski voted Aye, and Daniel Foregger voted Aye. The motion passed unanimously 5-0.

### **Brief Committee Updates- Director Carlos Coto**

Reviewed: Grants received 3 fine grants. Two grants were for speed street signs and one grant to help buy MLK flags to use during MLK month on Harrison. All Fine Grants will be presented to the full board in the next few days for their review and vote in October.

### **Bylaws update - Director Carlos Coto**

Bylaws will go through legal review. As noted by Carlos on the record during the meeting: Bylaws: bylaws were not finished by September because legal review did not occur. Carlos maintained legal review was vital as he received personal threats of being sued and all of the bylaws volunteers being sued if the bylaws were published for public inspection. Because of that legal review was necessary.

### **Historic Committee Update - Carlos Coto**

Since February, the HP Committee, led by Kate Henwood has achieved the following:

- Created a Google Doc with all committee doings so anyone interested has unrestricted visibility into present and future plans Added many educational and/or helpful links to the NENA website.
- Testified on behalf of NENA at every HPC meeting and one City Council meeting since March.
- Commented on the Demolition/Enforcement document for the City Launched an education campaign about the need for Tree C of A's by getting links on the City Forestry and NENA's websites, posted about it on NextDoor and Facebook and talked to local realtors.

- Made substantive connections with HPC-level applicants to help them through the process and guide them on what is important to NENA while welcoming them to the neighborhood.
- Attended meetings with City Planning Staff, Code Compliance, Developers, and architects to better understand processes and give feedback on various projects.
- Collaborated with EENA, SHIPO and Preservation Idaho to guide the VA' mitigation process related to their parade ground construction plans
- Have made a very long list of tasks still to be accomplished that we'll continue to work on.

### **P&Z - P&Z Committee Chair Erik Hagen**

### **Hyde Park Street Fair - Carl**

#### **Election:**

- Introduce LP Associates as holding the election - Carlos introduced Paxti as 3rd Party Service and Paxti reviewed process and procedure before transition to outside.
- NENA Board will not count, collect, or touch physical or electronic votes.
- NENA Secretary Daniel Foregger has validated the online voter registration which closed yesterday.
- Daniel, per bylaws, will validate in-person voting through a socially distant setup at the church.
- Please bring with you proof of ID (photo ID - college ID, drivers license, passport), and something that shows your current address if your ID does not (cancelled mail, county assessor statement, utility bill, etc.).
- Candidate Nominations from the Floor & list of total candidates - Carlos

#### Candidates on the Ballot included:

- Julie Varin
- Amy Allgeyer
- Laurynda Williams
- J Dallas Gudgell
- Eric Smith
- Nola Walker
- Erik Hagen
- Drew Alexander
- Julie Madsen

Each Candidate spoke for 2 minutes with the exception of J D Gudgell.

Voting began outside with Officer Moreno onsite.

Voting continued until 10:30 PM when LP Associates collected all of the ballots and declarations. The meeting was then motioned to adjourn by Sarah Foregger, Seconded by Carlos Coto and the motion passed unanimously.

Amended, and approved on November 2023, 2021