

Minutes  
Board of Directors Meeting  
Yankee Ridge Villas Townhome Association  
June 11, 2019

Present: Roger Chamberlin, Kevin Miller, Kris Miller, Keith Prettyman, Zandra Uhrmacher, Linda Weber

Also attending: Brett Cover, Universal Property Management

The meeting, held at 3849 Pablo Lane, was called to order at 3:35 p.m. by President Kevin Miller. The Board considered the Minutes from the meeting of May 7, 2019. The Minutes were approved as presented.

Brett presented the Treasurer's Report. There was net ordinary income for the month of May of \$3,098.70. A review of Accounts Receivable indicate that there are 7 accounts currently in arrears with 5 of those behind just one month. On motion by Keith, second by Roger, the Treasurer's Report was approved.

Old Business - 6 Items

1. The Board discussed current progress with Spectrum and getting residents added to the group bill. Every address (including those under construction and those where construction has not yet started) in the Association has been added to the Bulk Cable Agreement. Residents will be encouraged to call 877-647-7732 if they have questions, concerns or experience difficulty of any kind.
2. A complaint concerning the condition of grass from Karin Lyle was discussed. The Board agreed to address the concern after the preemergent loses its effect later this fall unless Ms. Lyle chooses to contract to have the turf replaced by Nebraska Sod.
3. The Board approved the request from 3841 Pablo Lane to move an underground drain and replace sod supplied by Nebraska Sod.
4. Brett reported that the pipe to drain sump pump discharge from the common area behind Palmilla will be installed after the ground dries (if that ever happens).

5. The Board spent a great deal of time discussing whether we, as the HOA Board and representatives of the Association residents and charged with assuring compliance with the Covenants, can require the removal of a basketball pole. The answer hinges on whether a basketball pole is a “structure” as used in Article III, Section 3, of the Covenants. The Board reviewed the definition of “structure” under Title 350 of the Nebraska Administrative Code, Reg-10-002; 002.22. While the Board felt that this definition covered the basketball pole, it was uncomfortable enforcing a Covenant which, on its face, did not clearly restrict this particular structure. This led the Board to discuss the powers given the “Declarant” under the Covenants to revise the Covenants and the power given to the Declarant to assign those powers. Brett will ask the Declarant if it will assign its powers to the duly elected Association Board.

6. The street sign for 39<sup>th</sup> & Chileno Drive, approved by the Board at its last meeting, has been ordered and will be installed after it is delivered.

#### New Business – 19 Items

1. and 2. The Board discussed the request by Kathi Beebe to reduce her monthly dues assessment because no sod = no mowing and no snow = no snow removal. Without waiting for a decision by the Board, Ms. Beebe reduced her assessment and paid a reduced amount which resulted in her being assessed a penalty as required by the Covenants for failure to timely pay dues. She is now protesting the penalty. The Board denied the reduction in dues as we all pay monthly assessments to cover the total cost of maintaining the Association not to pay to maintain any particular plot of land. Further, the Board denied the request to remove the penalty for failure to timely pay dues and further noted that if the penalty is not paid, it will result in the imposition of interest on a monthly basis.

3. The Board approved the replacement of a dead Redpointe Maple at 3845 Pablo Lane which the Board determined was killed by the previous mowing services string trimming around the tree.

4. The Board considered whether it needed to approve minor repairs to Association properties and determined that under the clear language of the Second Amendment to the Covenants that any change or modification to any Townhome Property must be approved. If the “minor repair” does not result in the change or modification to the exterior Townhome Property it does not need to be approved. Otherwise it does need to be approved.

5. The Board was unanimous in its praise for the recent repairs to the private roadways.
6. Given a complaint about a dog running without a leash and eliminating on a neighbor's lawn, the Board generally discussed whether it had the authority to stop unattended dogs from roaming and defiling the Common Areas and, if so, what it can or should do. While there was much time spent on these questions, there was no clear resolution of whether or what the Board can or should do about unattended dogs belonging to residents and the Board will re-visit the issue at its next meeting.
7. The Board scheduled a separate meeting to discuss parking regulations (July 30<sup>th</sup>).
8. The Board reconsidered the concern at 3840 Pablo Lane, about drainage behind their townhouse. The Board is aware of their concerns and is also aware that Craig has taken the position that there is no problem and that the water has not reached their dwelling. The Board noted that the problem is occurring on the Association's Common Area. While the Board agreed it does not have the expertise to determine if the engineered drainage is working as it should, it agreed to engage Metro Grading to assess the issue and suggest whether there are any solutions.
9. It was reported that a recently reported sprinkler issue had been resolved prior to this meeting.
10. The Board considered what it should be doing to avoid damage to fences and trees from string trimming. Brett noted that our lawn service contractor will be applying a defoliate under the fences. The Board agreed to have Brett do the same around the newer trees in the development.
11. The Board agreed to use the list of trees required by the agreements between the City and the Developer as the "approved trees" for Yankee Ridge Townhomes.
12. Kris suggested that all emails sent to the Association President also be sent to the Vice president to allow the Vice President to respond in the President's absence. The Board considered the confusion this might cause and, instead, suggested that the President inform the Board when he would not be available and our webmaster will redirect emails to the President to the Vice President during the period the President is scheduled to be absent.
13. Item 13 was removed from the agenda.

14. It was determined that the “leaf fungus” on trees on Chileno Drive will not kill the trees and will be controlled by spraying a fungicide next spring.

15. Item 15 (A/C unit turned and restored to its original position) was a matter of notice to the Board and no decision was required.

16. Kevin asked whether the Board c/should consider a curb cut by the mailboxes to assist residents with balance/mobility issues. After discussion the matter was tabled to a future meeting.

17. The Board took notice of damage caused by our lawn service to a tree at 3837 Pablo Lane.

18. The Board considered a very large unpaid bill from Summit Lawns for snow removal over a 3 day period last winter. The Board was unanimous that 1. The work done was not satisfactory, 2. The Board has responsibility to pay some portion of the bill as work had been done. On motion by Zandra, second by Kris, the Board agreed to pay 75% of the billed amount.

19. The Association’s 2018 tax return has not been filed as a result of a change in management at the end of 2018. Keith agreed to work with our previous bookkeeping service to get the return filed.

The next meeting of the Board will be on July 10<sup>th</sup> starting at 3:30 p.m. at Roger’s home, 3772 Pablo Lane.

There being no further business, the meeting was adjourned at 5:05 p.m.

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Secretary