



# Ridge South Homeowners Association

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## Board of Directors

Alycia Dieckman  
Jeff Lapin  
Jeff Mann

Julie Pell  
Brad Rushton  
Peter Sartori

Brad Stedman  
Brent Tripp  
Warren Woita

## Officers

President - Brent Tripp  
Vice President - Brad Rushton  
Treasurer - Steve Sheets  
Secretary - Julie Pell

### MONTHLY MEETING - BOARD OF DIRECTORS

May 25, 2005 – 7:00 p.m.

Bess Dodson Walt Branch Library

**Board Members Present:** Warren Woita, Brad Rushton, Don Daringer, Julie Pell, Brent Tripp, Alycia Dieckman, Jeff Lapin, Jeff Mann, Peter Sartori.

**Others Present:** Steve Sheets, Don Daringer.

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The monthly meeting of the Ridge South Homeowners Association was called to order at 7:04 p.m. by President Brent Tripp. No guests were present.

### SECRETARY REPORT

Secretary Pell requested approval of the April monthly meeting minutes. Tripp expressed concerns regarding brick requirement language as it was written in the minutes during the discussion of the proposed covenant changes. Pell requested that someone send her the more appropriate verbiage to be included in the minutes. Tripp requested this be an action item.

The next newsletter was discussed. 4<sup>th</sup> of July parade was discussed as something that should be included. Rushton inquired as to how many e-mails of homeowners were missing. Pell stated there were approximately 42 e-mails still not submitted, and approximately 12 of those were builders and a handful of houses are currently for sale, as well as several lot owners were missing. Several board members agreed to contact people that lived near them. Pell said she would send a list to the board members of people that had not submitted an e-mail address. Sending a postcard to the remaining people was discussed. Tripp inquired as to how we were to monitor when new people move in and discussion was had surrounding this issue.

Pell stated the current covenants still need to be posted to the web site. She stated the directory was posted to the web site. Advertising income limits were discussed in reference to non-profit status. Sheets stated that this was not a concern and was a nonissue.

### ACTION ITEMS FROM APRIL MEETING

Action items were discussed from the April meeting. Tripp said he was supposed to get drawings of out lots and drainage plan. He said he had gotten those. Tripp stated that of particular interest was

the property lines of lot owners/homeowners that own lots that back up to 27<sup>th</sup> Street. The property lines extend beyond the berm, to 27<sup>th</sup> Street. Mann stated that the city should mow four feet off the sidewalk on either side. Daringer stated he thought the property owner was responsible for the mowing all the way to the curb of 27<sup>th</sup> Street. Tripp stated that he had had a phone call from Jodi Delozier, president of the Ridge Association. She was inquiring as to why our association was not maintaining these areas. Tripp explained to Ms. Delozier that all of the out lots had not been turned over to us. He also explained that the areas behind those homes were not out lots.

Daringer stated that there were three trees that were dying in the area, also, but that those would now be the responsibility of the homeowners. Pell inquired if a letter should be written to the homeowners affected (those that own lots that back to 27<sup>th</sup> Street). Daringer stated that he has talked to the two homeowners that are currently there and both stated they did not know that their property extended to the street behind. Daringer suggested that a letter be sent to them stating that they should be maintaining the areas. He also stated a concern regarding their responsibility to sprinkle these areas and that one of the homeowners did not extend their sprinklers far enough. The homes are located on Ridgeline Court and there are only two homes currently existing. Tripp requested a letter be authored and he would send it out. Pell stated she would write the letter and forward it to him.

Tripp moved on to another action item, which was to contact an engineer to look at out lot areas. An engineer that he works with walked the out lots with Tripp. The engineer had a concern regarding the screen/board being removed from the drainage area. This was apparently removed so that the cell could be cleaned out. The engineer also stated a concern regarding the berm on the back side of Ridgeline Court and felt that there should be some cuts made through the area so that it all doesn't drain out onto one lot. Otherwise, he felt the areas were satisfactory. Daringer said he felt the retention cell area could be improved and look nice, and he didn't feel there would be much help from Hampton.

Daringer discussed the retention cell area further. He feels that the board needs to make a decision regarding what the homeowners association would like the area to look like. Daringer stated he felt there should be a sprinkler system along Pine Lake Road and that the sprinkler system should extend 15 to 20 feet north of the sidewalk, and that also the pie-shaped area in the corner that backs to Shopko should be watered. From there down to pond, he suggested native grasses that are mowed once a year. He said that as people build along the pond, they may wish to extend their sprinkler systems and turf on down toward the pond as others along there have done.

Tripp inquired what Hampton was doing currently other than grading. Daringer stated he cannot get a straight answer from Hampton. Pell said they had installed silt fences. Daringer stated Hampton is supposed to be putting in ground cover. Daringer said that many things that have been done on out lot C could be done on the Shopko property, i.e., mulched, planted areas. Mann stated there could be a submeter put in for the water, but inquired as to who would be responsible for getting the bill, etc.

Daringer stated that Noddle owns the Shopko property and that they have a responsibility for a percentage. He felt we should talk to Noddle about tapping into their sprinkler system and that maybe they would be willing to pay for that as their required portion of maintenance. Daringer said he felt we should meet with them. He said he wasn't saying that these areas had to be sodded, but if they were going to be seeded, he would like to be seeding around the 1<sup>st</sup> of September. This would mean having sprinklers in place and the dirt work completed. Daringer felt Hampton might pay for the seed.

Tripp stated he had spoke to Fred and got the number for the commercial association. He also told Fred that before the areas were handed over, board members would like to again meet with Hampton and the commercial association and walk the property. Tripp stated contacting the commercial association was on his to-do list.

Tripp inquired of Daringer regarding his action items. The silt fence has been installed. The fence posts remain. Daringer stated he felt something happened between Hampton and the city. Daringer had talked with Gary Lacy from public works. Tripp inquired of Daringer as to whether he had contacted Hampton on the action items. Daringer said he called Gary Lacy on the silt fence. He said Lacy stated that the city was working on it, but he would not go into any detail.

Daringer stated another problem was the new medical building and Union Bank was a different property owner. Pell inquired as to whether they all belonged to the same commercial association. Daringer said that they were, but that Hampton is not involved in any of that. Tripp stated it would be nice to know what they were going to do on the bordering properties as far as landscaping. Daringer agreed. He felt that the medical building would extend the sprinklers and water the area.

Cul-de-sacs were another action item. Dieckman stated that she spoke with Bill Nass at public works. He stated that the city is only responsible for cul-de-sacs as long as there is no type of island. If there is island area, like the RSHA's areas, it is the association's responsibility. Pell stated that she had talked to Andy Campbell regarding commons/out lot areas and cul-de-sacs. Vintage Heights is an example of a similar situation where Hampton had put some plant and tree material in the cul-de-sacs and then left it for the association to maintain. Pell stated that the Vintage Heights Homeowners Association pays Campbell's to maintain the cul-de-sac areas. Tripp spoke about defining commons areas or out lots. He stated if you look at the charter, the two main responsibilities of the board are to maintain the out lots and to enforce the covenants. He questioned whether the cul-de-sacs were out lots or not. Pell stated she had had a complaint from a homeowner regarding the condition of the cul-de-sacs. Pell also stated that she understood the cul-de-sacs had not been turned over to the association yet. Woita stated that he spoke to the homeowner that wrote the e-mail and she said that she's willing to work on the cul-de-sac area, but she would like help from other neighbors.

Dieckman suggested going to Hampton with a list of things that the board would appreciate being taken care of, i.e., the fence posts. Tripp inquired as to what would be on the list. Cul-de-sacs were discussed as well as out lot status. Tripp stated there was an e-mail sent to Bob Lewis and there was no response. He stated he was hoping that they could share their schedule with us. Tripp stated we still need that time line. Pell stated that discussion was had at the last meeting regarding cul-de-sac maintenance and that it would be a fairly inexpensive endeavor. She inquired as to why the board would not take care of them and stated that she felt the association should maintain them. Pell stated that Andy Campbell would be willing to come out and give suggestions and draw a plan for the board if the board felt they were interested.

Dieckman inquired as to what the costs incurred would be for maintenance. Pell stated the only information he gave was regarding Vintage Heights, and they have approximately ten cul-de-sacs, which is many more than our area. Campbell stated that depending on the scope of work, they would give the association a discount. He also stated that the work could be done in stages if the board would like to consider that. Tripp stated he felt it would be worth it to get an opinion and a quote. Lapin brought up a liability issue and whether the cul-de-sacs were included on the insurance. Rushton inquired as to who can tell us who the cul-de-sacs belong to. Mann felt it should be a combination of Hampton and the city. Tripp stated the plan that he had obtained didn't have any islands shown in the cul-de-sacs.

Tripp requested that Sheets call regarding the insurance. Sheets stated the last time he had inquired, the insurance agent said it did not matter how many out lots the association had, that it was a total association out lot/commons area coverage. Daringer suggested that during Hampton walk-through, cul-de-sacs should be discussed. He also stated he would be happy to point out some lower-maintenance plant material. Daringer stated he felt that once they were turned over, the association would have to take care of the cul-de-sacs to keep them maintained. He said he didn't think we should depend on homeowners to maintain them.

Tripp stated he felt they should be filled with concrete if the association is going to take them over and maintain them. Daringer felt they could be mulched or rocked with some plant material and there would be little maintenance to be done each year. He stated that it would cost approximately \$100/year to maintain them. Pell stated that regardless of what was done with the cul-de-sacs in the future, they need to be maintained in the meantime. Tripp stated that this was on the Hampton list. Rushton stated he felt if the cul-de-sac areas were determined to be the association's, then the association should maintain them.

### **TREASURER'S REPORT**

Treasurer Sheets stated that the current balance is \$18,550. The first half payment was made to Pinnacle Lawns. He stated he had a new invoice from Pam Kasl for printing up the directories in the amount of \$120.38. Tripp made a motion to approve payment. Rushton seconded the motion. Motion carried by voice vote. Pell had newsletter expense in the amount of \$79.44. Lapin made a motion to approve payment. Rushton seconded the motion. Motion carried by voice vote. Sheets stated there are two builders that have not paid dues, Fisbeck and Touchstone.

### **LANDSCAPE COMMITTEE REPORT**

Tripp inquired of Daringer as to whether he had contacted Hornby regarding entrance sign easement. Daringer stated Hornby had been no help to him at all. Daringer said he would get a metal detector and find out where the lot that we are requesting the easement starts and stops. He also stated Hornby seems open to discussion. Tripp stated that if Campbell's comes out, the board should ask for suggestions for the front entrance area as well. Rushton inquired as to what would be done once the pin was located. Discussion was had regarding whether a house would fit on the remaining lot once the easement was taken for the entrance sign. Discussion was also had regarding drawing up the easement and presenting it to Hornby for approval. Daringer stated that Hornby had indicated to him previously that this would be acceptable.

Daringer distributed a proposed landscape requirement checklist. He stated he would like to put the responsibility of the inspections and landscape requirement verification on the homeowner. Rushton inquired as to whether all homeowners would know what "caliper" meant. Daringer stated he wanted this to be sent to everyone with a cover letter. He suggested as they were received back that they should be posted on the web site showing who was in compliance. Daringer said he felt if they didn't return the form within 90 days or within the allotted time after start of construction, the committee should file a deficiency with the register of deeds and that the costs for filing and releasing the deficiency should be added to the specific homeowners' dues. Pell emphasized that people with time left to complete their landscaping following construction of their home would not have to turn in the forms until their 15-month time period was run. Daringer agreed.

Rushton stated that he felt if the committee was going to take this kind of a stance, they were going to have to be very clear to existing homeowners that have been here more than 15 months that this applies to them, too, and that they will have to go to their landscaper to get this completed. Pell stated she felt that the homeowner should be able to sign it for themselves if they wanted to certify that everything was in compliance. Tripp felt this should be sent out separately. Lapin felt there would be a problem with enforcement because a homeowner could have the required trees and plantings and still not sign the form because the covenants do not require the homeowners to sign the forms. Pell stated that everyone that did not turn the form in would have to be inspected because deficiencies cannot be filed without knowing for certain that homes are not in compliance. Lapin agreed and stated that homeowners would not have to sign this because it is not required in the covenants.

Rushton stated he thought most homeowners would sign it on goodwill. Lapin said he didn't know if we could charge them for filing deficiency notices. The covenants say that the board can file the deficiency, but they don't state what the penalties should or could be. Tripp questioned the number of people that were or were not in compliance and felt that the majority of people would be in compliance. Daringer stated possibly 50 percent only were in compliance. Pell stated she felt dead trees and plants needed to be addressed as well if the board was going to send out a letter. Tripp made a motion to write a cover letter and send the forms out. Daringer questioned if we were going to state consequences for noncompliance in the letter. Tripp suggested reviewing a draft letter before it was sent out.

Daringer stated he had had homeowners come to him and state that some landscaping was not in compliance and they wanted to know why the board was not doing anything about it. He stated he felt that if we filed the notice of noncompliance on the homes, then if a home is sold and it is not in compliance, the purchaser would at least be aware that it was not in compliance prior to the time they bought the home. Daringer addressed the issue of a tree being 1-¾ inches as opposed to the required 2-inch caliper. He stated that the people with the 2-inch caliper trees probably spent \$100 more for their trees and that it is not fair to those people to let the 1-¾-inch trees slip through. Lapin questioned if a homeowner thought they bought a 2-inch tree and only got a 1-¾-inch tree. Daringer felt that that was in issue between the homeowner and the landscaper. He stated he felt that a 1-¾-inch tree compared to a 2-inch tree was analogous to a 1950-s.f. ranch or a 2000-s.f. ranch.

Tripp again stated the forms should be sent out with a cover letter. He requested Pell to draft a cover letter for everyone to review. Tripp stated the letter should include a deadline for return of the form. Rushton expressed a concern over whether everyone would understand what "caliper" meant. Tripp said he felt 80% of people would return the forms without a problem and then the board would deal with the remaining homeowners.

## **BOARD ISSUES**

Tripp stated that he would contact Noddle and Hampton to schedule a meeting. He touched on fence posts, cul-de-sacs re: maintenance free, insurance.

Tripp stated he sent South Fork and the real estate agent registered letters and there had been no response. He said we could file the notice with the register of deeds. Pell questioned whether the board had ever received a generic deficiency form from Mr. Bowman. Tripp stated he had received one and he thought he had sent the letter out to everyone via e-mail, but no one had received it. He stated he would send it again.

Rushton stated the Schott that built the house behind Ridge Point Road took all of the debris and dumped it in a pile and that this couldn't be mowed around and maintained. The lot faces South Ridge Road. He stated he had been approached by three homeowners. Rushton then contacted Schott regarding this matter and got no response from them. He stated that the debris and dirt pile was on a lot currently owned by Aspen, but they did not put it there, that Schott had deposited it there. Tripp stated he would put it on the list of items to address with Hampton.

## **ARCHITECTURAL REVIEW COMMITTEE REPORT**

Woita stated the ARC had approved two houses, one Summit home and one Buhr home, and that they had approved an iron fence. He stated that this had been the most activity for the last three months.

Daringer stated he had had people comment on houses being built side by side and looking nearly identical, i.e., on the west side of Ridge Point Road. He stated he felt that when the ARC was approving plans, they should look at the houses that surrounded the proposed home. Woita stated he

felt no builder or future homeowner would change their house plan because the builder next to it has a similar home because there was too much money invested to do that.

## **PROPOSED COVENANTS**

Discussion was had regarding possibly adding a section regarding filing deficiencies and enforcement issues. Lapin felt there needed to be something more than just a deficiency notice. Example discussion focused around removing and replacing noncompliant trees. Pell questioned what right the board would have to go onto someone's property and remove a tree and replace it. Lapin stated if it was stated in the covenants that the board could have a temporary easement to enter the property and correct any deficiency. Tripp stated he felt Lapin was right, that the board needed to have some enforcement rights available for use if necessary. Tripp felt it might strengthen the chances of getting the proposed covenants passed.

Lapin felt that the vote should be an all or nothing vote on the proposed covenants, not on an individual change-by-change basis. Lapin felt the vote should be scheduled by posting a notice on the web site and sending a letter to homeowners stating the proposed changes and explaining each thoroughly. He felt the vote should be held by proxy, otherwise the board would have to go door to door to get 2/3 of people to sign. With a proxy, the board members could sign homeowners' names. Lapin stated the proxies would have to be handwritten by the homeowners. Discussion was had that this could be sent by e-mail, the homeowners could print it, sign it in front of a notary. Lapin and Pell stated they were notaries.

Discussion was had again regarding allowing homeowners to have a comment and suggestion section on the proposed covenants. It was discussed that homeowners should be invited to a monthly meeting to have a comment and suggestion session and that there should be proxies available for homeowners to sign at that meeting. Tripp stated he would call Bowman to see if the proxies needed to be notarized.

Lapin stated he would write and add some proposed enforcement language and draft a letter.

## **OTHER BOARD ISSUES**

Landscaping plans for common areas were discussed. Tripp questioned whether we should have somebody in addition to Campbell's draw up plans and give suggestions for a master plan. Daringer stated he felt Hampton was going to do what he wanted to do at this point. He didn't feel the board could count on them to do anything more. Tripp stated when these out lots were finally turned over to the association, there would need to be additional work done and that these things would need to be discussed and agreed on, i.e., sprinklers, trees, etc. Tripp stated he felt plans should be solicited from more than one nursery. Lapin stated he felt we should submit the bill to Hampton for the cul-de-sacs and see if they pay it. Tripp stated he was talking about all of the commons, i.e., a master plan for all areas.

Pine Valley and Campbell's were discussed as possibilities. Tripp discussed the possibility of planting, as an example, ten trees a year for the next ten years, but that he would like to have concept plans from several places, as well as prices, so that we could decide who the board wanted to work with. Daringer said he could do this, but he questioned what the board's reaction would be if he came back and said the landscape committee wanted to spend \$5,000 a year on landscaping. Tripp questioned for what length of time. He stated that we'll spend \$5,000 a year on mowing and maintenance. Daringer stated he was referring to bushes and plantings. Sartori stated he felt it was a good idea to get the plans so that the board could approach Shopko and the other commercial people with the plan and say this is what the board would like to do.

Discussion was had regarding including approved fencing language on landscape form for homeowners to complete. Homeowners that have planted trees and plants on the commons areas were also discussed. As an example, a homeowner planted a tree on the commons area behind their lot line. Half of the tree died, but the homeowner was not taking care of the issue. Daringer questioned whether RSHA was responsible for removing the tree or is the homeowner responsible. Pell stated that if the board felt the homeowner was responsible, there should be a letter written to the homeowner requesting that the matter be rectified. Daringer stated that people have a tendency to do whatever they want to do in the commons area and that this needed to be stopped and there needed to be approval before any work was done by a homeowner in a commons area.

An annual or possibly a biannual neighborhood-wide cleanup was discussed as a possibility.

Daringer stated that out lot C needed three loads of mulch delivered as they hadn't been mulched in two years. The cost for three loads of mulch would be \$150. He stated that he would work with the neighbors that backed to the commons area and get them to help spread the mulch. Pell made a motion to approve the purchase of mulch. Lapin seconded the motion. Motion carried by voice vote.

Pell brought up the issue of the next newsletter and including something regarding the 4<sup>th</sup> of July activities. Tripp suggested contacting Jean Fallick and Pam Kasl. Pell also wanted to thank Jaci Fallick for placing the ad in the Journal Star for the garage sales free of charge.

Jeff Lapin made a motion to adjourn the meeting. Jeff Mann seconded the motion. The monthly meeting was adjourned at approximately 8:20 p.m.

#### **ACTION ITEMS**

- Pell to modify April minutes re: brick verbiage
- Tripp to contact commercial association and Hampton to arrange meeting
- Sheets to call regarding inclusion of cul-de-sacs on insurance coverage
- Daringer to find lot pins re: easement at entrance
- Easement needs to be drawn up and presented to Hornby
- Cul-de-sacs need to be maintained
- Pell to modify landscape form with inclusions of fence, etc.
- Pell to draft letter for review re: landscape form
- Tripp to file deficiency on South Fork home with register of deeds
- Debris/dirt pile on lot on South Ridge Road to be discussed with Hampton
- Pell to draft letter to homeowners that back to 27<sup>th</sup> Street
- Lapin to write proposed enforcement language for covenants
- Lapin to draft letter re: proposed covenant changes
- Follow up on master landscape plan of all commons areas
- Pell to do another newsletter

Respectfully submitted,

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Julie A. Pell, Secretary  
Board of Directors