

Ridge South Neighborhood Association Annual Meeting  
February 14, 2009

Board Members in Attendance: Jeff Lapin, Steve Sheets, Brenda Semin, Scott Hofeling  
General Attendance at meeting:

Chuck Thompson  
Brett Daugherty  
Rod Hornby  
Dale Schenk  
Joe Zugmier  
Greg Schieke  
Don Daringer  
Dennis Turen  
Mary Amen

Jeff Lapin, Vice President, conducted the meeting due Julie Pell, President, being unable to attend.

The meeting began at 10:37am with a greeting and introduction by Jeff Lapin.

Steve Sheets explained the Treasurer's report (please see attached). He explained that trees were planted this year in the outlot bordering Pine Lake Road and that mowing expenses increased with the neighborhood association acquiring the outlots from Hampton.

Jeff Lapin then discussed dues and that the decision was made by the board at the previous meeting to maintain the dues at \$200 annually. Jeff discussed that fixing the outlots is the major expense that is facing the association at this point. Following the improvements necessary to the outlots at this time, then the costs may go down depending on maintenance costs. He expressed that we will be contacting Noddle (sp. ?) regarding their share of expenses for maintaining the outlot near Shopko on Pine Lake Road as they are required a percentage of maintenance on the outlot.

Don Daringer then gave an update regarding the outlots and landscaping. Don explained that there are three outlots which the association maintains. There is the outlot north of Scott middle school which the association has had for several years. Then, there are the two other outlots which were assumed by the association from Hampton this year.

The first outlot that Don discussed was the "treeline" which run along the backyards of the houses on the west side of South Pass Drive. He said that there will always be a little drainage problem in this area which is not too bad if the mowing is maintained. So, currently the plan for that area is to continue to keep it mowed. In addition, these are old, bad trees that need cleaned up after winds, etc. Nothing else will be done with this area at this time as there are still several lots which border this area that are yet to be built on.

The second outlot that was discussed was the “pond” which borders Pine Lake Road. He said that there were 28 trees planted this fall. The association is going to look at landscaping it ourselves and the association has also worked with Campbell’s nurseries. The association is looking at buying some more bare root trees in addition to a semi-truck load of mulch. The plan is currently looking at dogwoods and some nice bedding area. The seeding that was done this year is coming up well due to timely rains as there is no irrigation in this area yet. The board has approved a well and is pricing a sprinkler system for the area. When the pond froze this year, there was a crew brought in to cut down the cattails and they cleaned out the debris. This area will probably need monthly cleaning for debris partly due to Shopko area drainage and construction runoff. The power for the sprinkler system and entrance sign will be discussed later in the meeting but might come from a neighboring lot owned by Mr. Rod Hornby. The sign was removed and repaired following road construction, but has been returned. This is not a deep pond so it will need cleaning. Don is looking for someone with a small boat so that he can go on the pond and measure the depth in locations. The expenses on this lot will include the well and the sprinkler system. He is estimating that \$50,000 might be spent in that area. Once landscaping is in place it will look 100% better. He has taken photos to show the improvements over time.

A homeowner then had a question about the lot to the north of Scott Middle School and the lack of sidewalk in that location. It was discussed that the lot in question is not part of the outlot owned by the association, but rather is a private lot that has not been built upon. When the lot is finished, that owner will be responsible for installing the sidewalk.

The issue was then raised of the problem of lot owners not beginning construction in a timely manner. Jeff Lapin explained the difficulties with enforcing that covenant. He discussed that lot owners can transfer property to other parties and back to restart the time. He also discussed the desire to not have spec homes built on lots in order to meet the timeline and that the board has chosen to encourage people to build custom homes instead. Several homeowners shared concerns that certain “rows” of houses have been allowed to be built that do not differ enough in design. Jeff expressed that the Architectural Review Committee has done their best to insure that houses are different however there are not clear requirements in some cases for how different they must be. He also stated that there is an opening on the Architectural Review Committee if anyone is interested as Larry Wakefield is stepping down from the board and that committee. In addition, there are not many “rows” of lots left in the neighborhood.

The issue was then raised that some lots have a house which has been completed however landscaping has not been done on the lot. Neighbors are frustrated that in some cases it has been up to a couple years without landscaping. Jeff Lapin explained that there are some conflicts in the association’s covenants which make it difficult to determine the guidelines on this matter and require lot owners to place landscaping on lots which have a home that has never been occupied. Jeff explained that A,B,C, & D lots have different requirements in different places in the covenants. He reviewed some of the covenants regarding landscaping and the language in them. Including...

Paragraph III.

Underground sprinklers do not need to be installed until “occupancy” of the residence

Paragraph VI

(first paragraph)

Builder must submit landscaping plans to the “ Architectural Review Committee prior to construction

- We have let everyone submit their plans to Don, who is on the Landscape Committee, which Committee is not even referred to in the Covenants

(last paragraph)

A and B lots must have their landscaping done with 18 months after the lot is sold by “developer”

- There is no reference to C or D lots
- Specifically refers to the “planting of trees” and not the other required plantings

Jeff explained that the provisions requiring sprinkler system at occupancy seems to conflict with the idea of requiring landscaping sooner. He stated that as soon as a home has been sold, the homeowner has been contacted regarding landscaping plans if they have not been done. He stated that most people have been good about doing landscaping plans after construction has been completed. The board has been consistent about letting owners know about the requirements and submitting plans. He also stated that the board has worked with homeowners understand that some weather conditions/ time of year are not good times to install landscaping. Steve Sheets stated that the problem is that the covenants are not clear and everyone is trying to interpret them to the best of their ability. A homeowner stated that there is a problem with his neighbors lot at 6824 Ridge Road and that the landscaping has not been done for several years and that the weeds are coming into his yard. Jeff Lapin again stated that the covenants are conflicting and that there has not been enough neighborhood attendance at meeting to get the required vote to clarify. The neighbor expressed frustration at the situation and stated that the land was owned by a board member and that this owner has mowed the weeds but that it is time for the lot to be landscaped. In addition, it does not give a good perception to the neighborhood. Scott Hofeling asked if there was silt leaving the property or if the requirement for a silt fence was still there to which the neighbor responded there was not. Some homeowners present at the meeting expressed frustration with the situation.

Jeff Lapin also raised the issue that there is a small wood fence on Shadow Ridge Drive that was built to cover garbage containers and the homeowner has been told that the fence must be removed. So, the fence should be removed soon.

Mr. Horby then presented his information to the meeting. Mr. Hornby has a proposal regarding his lot on the corner of Pine Lake Road and Ridge Road. He stated that the neighborhood sign is located within his lot. The lot is a D lot. Don Daringer asked to interrupt at this point. He was discussing with Mr. Hornby what the neighborhood association’s options were with regard to the sign in regard to the land or an easement at that location. Don likes the entrance sign and would like to see it there. He stated that

Mr. Hornby is interested in building a home on the lot and would like to do a lot of landscaping (10-12 foot berm, boulders, etc.) to provide more privacy for the lot and to protect it from Pine Lake Road. Don said that some people care about the entrance sign and some do not. Mr. Hornby wants the association to give him part of the outlot behind his property in exchange for a strip of land bordering the bike path to connect the outlot to the entrance sign at the corner. Mr. Hornby feels that this would give him the ability to build him a larger home with possibly A or B covenants. Don wants the land around the outlot surveyed either way in order to determine where the sprinklers should be placed this spring. Mr. Hornby is asking for approximately 4200 square feet and the association would obtain about 1200 square feet. Don does not feel that it needs to be an even trade. He personally wants to maintain the entrance sign and feels that it adds something to the area as far as value and it could be lit and decorated. Jeff Lapin explained that Mr. Hornby might then not have a corner lot with this trade and that the setbacks would be different. Mr. Hornby is asking the association to pay \$2,000 in surveying costs and said that he might be willing to cap the costs at that. Brenda Semin brought up the question of sidewalk installation and snow removal/maintenance border the sign that the association would own. Mr. Hornby expressed that perhaps the requirement to maintain that could be added in a deed restriction.

Jeff Lapin asked for feedback from those present regarding this situation. Several said that they would be willing to support this trade if Mr. Hornby would be willing to agree in a binding way to build a home complying with the A covenants and to do the landscaping that he proposed in the plan at the meeting. One person asked what the timeline was for this house and landscaping. Mr. Hornby then stated that there is a six year supply of \$500,000 homes on the market and that he was uncertain what the timeline was on this home. Mr. Hornby answered a question posed by those there that there would be no responsibility by neighbors for the proposed berm in his landscaping. Don Daringer stated that the trade needs to be determined soon in order to properly place sprinklers. Some stated that the nicer house and landscaping would be preferable and worth the trade BUT ONLY with the restrictions that the house and landscaping would be to a certain level (say A covenants and a certain dollar of landscaping). Jeff Lapin raised the thought that other landowners might raise concerns if there was a portion of an outlot that they would like the neighborhood association to give them. He was concerned if the association would be setting a precedent. Some in attendance stated that they would have missed their opportunity and that Mr. Hornby had approached the board. Don Daringer stated that he had preliminarily discussed this issue with the city. The city's initial reaction was that it would be alright. The association has to be careful with this outlot as it affects drainage however this land trade should not affect that. Don also talked to some adjacent landowners that were in favor of a larger home and better landscaping. Most those in attendance felt that other homeowners would not ask for a portion of the outlot and that this is a unique situation as the sign is on Mr. Hornby's lot. They stated that neighbors have the opportunity to come to meetings and speak. Jeff Lapin stated that the board should insure that the sign is permitted properly by the city before proceeding with the land trade. Mr. Hornby stated that the sign was there when he took possession of the lot. Jeff Lapin thanked everyone for their comments and said that

the board will keep everyone informed and send out email to get feedback and keep people informed.

#### New board members.

“Jeff Lapin then moved to the issue of electing new board members. There are three 3 year term positions available as Alycia Dieckman’s, Steph Olberding’s and Larry Wakefield’s positions all expired. Three people, Jeff Lapin, Dennis Turen and Mary Amen volunteered to serve. Each was elected unanimously.”

Jeff Lapin announced that Larry Wakefield had resigned from the Architectural Review Committee. The Bylaws require at least 3 members. Alycia Dieckman and Jeff Lapin are still on ARC. No one present wanted to serve.

The annual meeting was adjourned at 12:13pm.

#### Re: Organizational meeting

The organizational meeting of the board was commenced at 12:15pm on February 14, 2009 by Jeff Lapin. Those present were Jeff Lapin, Scott Hofeling, Steve Sheets, Brenda Semin, Dennis Turen and Mary Amen. Jeff Lapin nominated Julie Pell to serve as President and Scott Hofeling seconded. The motion carried unanimously. Brenda Semin nominated Jeff Lapin to serve as Vice President, Scott Hofeling seconded and the motion carried unanimously. Jeff Lapin nominated Brenda Semin to serve as Secretary, Scott Hofeling seconded and the motion carried unanimously. Brenda Semin nominated Steve Sheets to continue to serve as Treasurer and the motion carried unanimously. Mary Amen resigned.

Jeff Lapin confirmed that he, by agreeing to serve another 3 years, had relinquished the 1 year term he had remaining. After Mary Amen resigned there are two open board positions. One is a 1 year term from Jeff Lapin’s resignation and a 3 year term from Mary Amen’s resignation. The board will look to fill those positions.”

The meeting was then adjourned.