

River Trail Homeowners' Association
Minutes of February 18, 2014 Board Meeting

Meeting called to order at 6:05 p.m.

Present: Board Members: Ron Lange, Sherry Wagoner, Sumer Reimold, Laurie Branham, Alisha Cooper, Kevin Einhaus

Guest: Jimmy Branham, John Luber, Larry Wagoner

Alisha read the minutes from October, Kevin made motion to accept, Sumer 2nd. Kevin stated when typing minutes, put who are present as Board Members or Guest.

A new neighbor joined us this evening. John Luber lives on Ben Ct. Kevin gave John a quick summary of the HOA Bylaws and Covenants.

Update

Oxbow was mowed 3 times. We paid \$70.00. Hasn't cleaned up the end of River Trail, won't pay until all clean. The debris at the end of Saddlebrook was pushed out to the road and the City came out and picked it up. Will get a hold of contractor in March to see if he will renew a contract for the Oxbow with River Trail HOA. Will need to get an estimate for the trees in the Oxbow to be cut down.

New business-

Laurie was contacted by a Home Owner about snow being snow blown into the Street. Laurie called the Salina Police Department and according to them there is NO City Ordinance. Will need to check with the City Manager about the City Ordinance. If there are any ordinances pertaining to the removal will need to put on HOA webpage.

Alisha pulled this from the City Code book from the City of Salina online.

CHAPTER 35. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE X. SNOW AND ICE ON SIDEWALKS

Sec. 35-251. Declared nuisance.

All snow and ice remaining upon any sidewalks abutting on any lot, tract or piece of land twelve (12) hours after the snow has fallen or ice has accumulated are hereby declared to be a nuisance. (Code 1966, § 32-302) **Cross references:** Nuisances generally, Ch. 24.

Sec. 35-252. Duty to remove.

It is hereby made the duty of the owner, occupant or person in charge of any lot or piece of land abutting on any sidewalk to remove all snow and ice fallen or accumulated upon the sidewalk within twelve (12) hours after such snow has fallen or ice has accumulated. (Code 1966, § 32-303)

Sec. 35-253. Failure to remove.

It shall be unlawful for any owner, occupant or person in charge of any lot, tract or piece of land abutting on any sidewalk to fail to remove from such sidewalk any snow or ice within twelve (12) hours after the snow has fallen or ice has accumulated upon the sidewalks. (Code 1966, § 32-304)

Sec. 35-254. Removal by city and assessment of costs.

The city manager is hereby authorized and empowered to cause the removal of snow and ice constituting a nuisance and to keep a true account of the cost of such removal and to report the cost as to each lot, tract or piece of land to the board of commissioners, and the board of commissioners shall pass an ordinance assessing the cost of such removal to the abutting lot, tract or piece of land, and such assessment shall be certified by the city clerk to the county clerk to be collected and paid over to the city in the same manner as other special assessments or taxes are collected and paid over to the city.

(Code 1966, § 32-305)

Sec. 35-255. Exception; snow accumulations from street snow removal.

The provisions of this article requiring removal of snow and ice from sidewalks, by the owner, occupant or person in charge of any lot, tract, or piece of land abutting on any sidewalk, shall not apply to any snow or ice accumulated on the sidewalk as the result of the city's efforts in removing snow from city streets. (Ord. No. 88-9254, § 1, 6-13-88)

David Hawksworth called Laurie and said he would complete the Annual Report & Federal Tax Report for the HOA at no charge. Thank you David!

Website-

Kevin suggest we see if there is any way to make folders for each year for minutes. Kevin will get with David Hawksworth.

Board Members discussed that there is nothing in the bylaws that says we can charge a \$5.00 late fee for the HOA fees. We also discussed that if a home owner does not pay on time that the HOA board will make 3 attempts to receive the payment. 1st by letter, 2nd by 2 HOA Board members making a personal visit to that home owner twice. If they don't comply then we will send out a certified letter stating that the HOA will proceed with a Civil suit to collect the payment.

Home owners that are moving into this area do not know that there is a HOA until they are at closing. Kevin has a letter that the HOA will resend to the Realty Association so they can make the buyers aware this area has a HOA.

Old business

Kevin contacted David Tillberg about the new houses going up. Copy and pasted- here is his conversation.

*Per the request from President Branham, Board Member Kevin Einhaus reported on the discussion he had with David Tillberg regarding the new home construction that is taking place in Ben Court/Eaglecrest Avenue.

David stated he realizes the houses are somewhat higher than some of the others that were previously built before this last year. The Corp of Engineers have changed some of the basement construction guidelines therefore, they worked with the builders that are currently building the houses to put a plan into place that would gradually raise the height, still fall within the guidelines and try not to look out of place. They felt like with the gradual increase, there should not be too much of an issue. For the residents that are not familiar with the basement guidelines, if a home owner builds a home within a certain distance of the flood dike, special basement guidelines must be followed.

Since the housing height was discussed, Kevin wanted to discuss with David the current status of the architectural committee. Kevin asked if the committee still consisted of Karla Tillberg and Sheryl Murray. David thought that was correct. Kevin explained to David that he felt like that might be some of issues. Right now we have two individuals making specific decisions on how the house appear and for example the height of the home. When issues arise like this, the HOA Board of Directors will be the ones that have to take the heat for their decisions. Kevin suggested to David that he felt like at least two board members from the Board of Directors should be on the architectural committee along with Karla and Sheryl therefore this would keep the rest of the board up to speed on the decisions that are being made. David said he would visit with Karla and Sheryl to get up to speed on where they are at and then get back with him in a couple of weeks.

Kevin also stated that if two members from the board are placed on the architectural committee, the covenants need to be revised (page 1, section 4). Regardless if members are added or not, the covenants must be revised as this section is incorrect with the members currently on the architectural committee. Roger Siemsen is no longer on the committee nor living in the sub division. When the covenants are changed, it should just read two members from the Board of Directors and not names as this will change on a somewhat regular basis. Discussion on the covenant change has been tabled until the next quarterly meeting.

Kevin also mentioned to David about the construction equipment parking. David did say he understood, but as long as they are building, the equipment will need to be close by the sites. Kevin said he understood that, but it appears that some of the equipment has been parked for a long period of time without moving. Kevin explained to David that we expect the homeowners to follow the covenants on parking of certain vehicles, therefore we ask the builders to respect the same guidelines. Kevin stated he hopes to have more to report on the above at the next quarterly meeting. Discussion followed.

Sumer gave the Financial Statement, the HOA has \$4,369.77 in the account. Motion was made by Kevin to approve the Financial Statement, all were in favor.

Laurie adjourned the meeting at 7:05