

**MINUTES OF THE NELSON'S CREEK HOMEOWNERS ASSOCIATION
ANNUAL BOARD MEETING - April 16, 2012**

The meeting was called to order at Picotte Grade School by Jeff Busch, President, at 7:05 p.m. and there were thirty five homeowners present.

Dan Collins, was appointed recording secretary.

Other Board members present were Bill Fleck, Vice President, and Dan Collins, Secretary. Absent Board Member Rick Bartak. Also present Tim Gombold, Treasurer.

On a Motion by Janet Pol, Seconded by Jason Gehling, approved the 2011 Nelson's Creek Homeowners Association (NCHA), Annual Meeting Minutes as printed in the website and agreed to dispense with their being read.

Officer Reports

Jeff Busch, President noted that financials reflect that the Board has saved the Homeowners approximately \$5,400 last year by Board members & volunteers performing tasks like cleaning the out lots , pruning trees, maintaining the flower beds, and replacing bulbs in the spot lighting.

Jeff reviewed a handout that showed we currently have 90 properties with delinquent dues of \$8,896 outstanding. He said that so far 358 of 445 Homeowners have paid their 2012 dues. Jeff stated that liens are normally filed on properties after they've become two years delinquent. He also said the Board is required to write off those properties that go through foreclosure and therefore extinguish our junior liens on the property. He said that foreclosures will probably cost the NCHA \$1,000 this year. Jeff also discussed a related issue of one Homeowner moving out and a new Homeowner moving in, only to find out that some previous yearly dues are still outstanding. The Board agreed to review these situations on a case by case basis.

Jeff Busch said that as part of the 144th Street widening project, the City of Omaha has offered the NCHA \$52,648 and \$57,350 (\$109,998 total) for Release of our Easement Rights on out lots 1 & 2, both of which are located at the Nelson's Creek Drive entrance. He said the out lots are actually Owned by SID 337, but NCHA has been deeded a Perpetual Easement for the two lots by the SID. Jeff said the money is being paid to compensate NCHA for either the loss or repair of landscaping, entry monuments, and lawn sprinklers.

Jeff also stated the NCHA has been offered \$11,160 for 38 square feet more or less of Lot 30 and \$11,310 for 40 square feet more or less of lot of Lot 1 (\$22,470 total), both of which are Owned by NCHA and are located at the Blondo Street entrance. The City is purchasing corners of the Blondo Street entrance lots. The City is also pursuing a temporary construction easement on the edges of Lot 1 and Lot 30 that are adjacent to Blondo Street and Nelson's Creek Drive. We are also being compensated for either the loss or repair of landscaping and lawn sprinklers in that area.

Jeff answered many questions asked by homeowners and in particular Mike Kruger wanted to know if the NCHA was getting a fair price. Jeff Busch stated that NCHA Board members attended the most recent SID meeting and they were astonished the money being offered, as their compensation was much less.

On a Motion by Mike Kruger, Seconded by Bode Labode, Approved the NCHA seek legal counsel prior to signing the Statement of Offer agreement with the City of Omaha.

On a Motion by Milond Cunningham, Seconded by Jack Hawk, Approved that NCHA sign the Statement of Offer agreement with the City of Omaha, as described above.

Jeff Busch stated the Board had already approved hiring Attorney James Buser, who also represents the SID, to represent the NCHA in negotiations with the City of Omaha.

Jeff Busch said the Board receives a number of complaints ever year and in June 2011, the NCHA adopted a new Complaint Resolution Policy.

1. He said the first question that will be asked is, "If a person complaining about a neighbor has talked to the neighbor, if not he / she needs to have done that."
2. The NCHA Board needs a written letter from a Homeowner that outlines the alleged violation(s).
3. The NCHA Board will discuss the matter and decide an appropriate response."

Jeff Busch introduced the Board members and stated that Tim Gombold has been appointed Treasurer, effective January 2012. He said Tim had agreed to serve for a one year period and replaces Maureen Cass, who had served as our Treasurer for the past eighteen months.

Jeff Busch and Vice President Bill Fleck also thanked Maureen and Joe Cass for their many years of service on the Board.

Treasurer's Report by Tim Gombold

Tim Gombold distributed a budget worksheet that detailed the 2011 Actual Results versus the 2011 Budget and variances. The final column on the budget worksheet was the 2012 Budget that had previously been mailed to Homeowners. Tim answered questions including liens, the purchase of a new printer, postage, snow removal on the sidewalk, and the contingency fund. Jeff Busch suggested that Legal Fee expense be increased to \$1,500 in view of the pending legal review of the settlement with the City of Omaha and just approved by the Homeowners.

On a Motion by Terry Zahn, Seconded by Janet Pol, Approved the 2012 Budget as presented and modified by the Legal Expense so noted.

OLD BUSINESS

Mike Kruger asked about the review of Covenants that was discussed previously. Jack Hawk stated that Nelson's Creek was built in three phases and therefore a few years ago we needed to get 80% of the Homeowners to approve Covenants being re-filed prior to expiration dates.

The question came up about satellite dishes and Jeff Busch responded that they are permissible, provided they are not visible from the street. Jeff also said all the existing covenants remain and for questions on repairs, a Homeowner needs to check with Ron Mercer, Chairperson and the Architectural Review Committee. Contact information and specifications are listed on the NCHA website <http://www.nelsonscreek.org/>

SID NEWS

Tom Rerucha represented the SID and told Homeowners that they could expect the annual street sweeping and replacing broken concrete will both occur fairly quickly.

Tom said the SID's debit is approximately \$1.9 M and we have been attractive for annexation by the City of Omaha for some time. He said he has also heard that we are located far from City maintenance yards and that could be a reason that we haven't been annexed yet. In any case the SID Board has a 44 cent mil rate, which is a 2 cent decrease. The SID Board will continue to reduce our principal debt of some \$400 k annually, which attempting to reduce the mill rate. He said the SID Board pays the cost of street repairs, street lights, the calls to the Diggers Hotline, and mowing on the perimeter of Nelson's Creek.

Tom said the City is buying the SID owned Out Lots 1 and 2, located at the Nelson's Creek entrance, for \$1. Homeowners asked questions about Picotte School and Covenant Church and found out that they too, are located within the SID. Tom said the SID may try to relocate some the 120 trees along 144th that they own and that will be demolished in the 144th Street widening project.

NEW BUSINESS

Jeff Busch said that Rick Bartak had been elected for a two year term at last year's annual meeting and has never attended a Board meeting. Jeff recommended the Board recommend to the Homeowners that Rick Bartak's position be declared vacant.

On a Motion by Janet Pol, Seconded by Shelley Collins, Approved Bartak's position as vacant.

Jeff Busch said the annual Garage Sale, will be June 7 – 9, Thursday – Saturday. The NCHA will pay for running an ad.

Jeff Busch said we will be having a 4th of July parade, but we need a Chairperson for this event, if the fun afterward is to continue.

ELECTIONS

Bill Fleck announced that NCHA has four vacancies for our six Board positions. He said that we have four announced candidates, who are running for four positions, two of which will need to fill the unexpired terms of Rick Bartak and Joe Cass. The candidates are Dan Collins, Steve Holloway, Debra Steffen, and Michael Schop.

On a Motion by Pam Backora, Seconded by Janet Pol, Approved to cast a unanimous ballot for the candidates and then to determine the one and two year

terms.

There being no other business to come before the group.

On a Motion by Michael Schop, Seconded by Jack Hawk, Approved to adjourn at 8:30 p.m.

Jeff Busch, President _____

Dan Collins, Recording Secretary _____