

Ponderosa Lake Estates Board Meeting – April 15, 2021

Call To Order: President Aaron Krafka called the meeting to order at 6:39 pm.

Board members attending: Aaron Krafka, Jessica Kort, Joel Randall, Don Mehring, Libby Paro, Connie Allen

Approval of Minutes: The minutes submitted December 27, 2020 for the December 17, 2020 meeting were read. Joel made a motion for approval of the minutes, seconded by Connie; motion carried.

Treasurer's Report: Reviewed March 2021 and YTD financial statements. It was noted that AMGL books all income for the entire year in January. Jessica is questioning that and will follow up with AMGL as to why. Joel made a motion to approve the financials, seconded by Aaron; motion carried. Noted that it was necessary to ensure the PHOA renewal with the Secretary of State was completed by AMGL because no cost for this notated. Jessica to follow up.

Bills to Approve: There is one outstanding bill for legal services that Jessica recently received for attorney services provided regarding the wall, lots, and liens. Ambiguity in their opinion still exists, so Jessica will follow up with counsel and solidify opinions prior to paying bill. Board reviewed bill and felt it was reasonable so long as issues are addressed. All bills paid were for regular maintenance or items approved by board prior to expenditure.

Correspondence: NONE

President's Report: NONE

Old Business:

- Association insurance: No change. Aaron will follow up with Gary Thompson agency about a quote on our insurance.
- Trees: Beck Tree Service did not complete removal of bad trees in Fall 2020 as planned. Libby is following up for work postponed to Spring 2021. Owner will meet with when weather dries up. Libby will follow up with him in the coming week.
- Resident flags for beach common area will be distributed soon. Aaron has the flags. Libby and Aaron will coordinate distribution of the details. An email will be sent out explaining flags and then a letter printed with the flags and put on each door. Aron put the tubes on the guest only signs at each common area. The target for distribution is the first week of May.
- Private lake obsolete rule sign by East boat ramp to be removed in Spring 2021.
- Need to clarify Chief's obligation and commitment to specified landscaping behind wall, including timing.
- Research was done about a tax law excerpt presented regarding common maintenance and association exemption status. Jessica reviewed the tax commentary Don provided. This is focused on when HOA's pay for costs that benefit individual dwellings versus public good. HOA's that serve private interest of members versus the public good of all members can risk losing tax exemption. This is not considered to be a risk for the Ponderosa HOA.

Committee Reports:

Architecture (Don, Sheree, Libby, Connie):

- Continued discussion on needed maintenance for outer resident walls. Prior discussion involved potential completion of the southeast corner wall and the north end being connected to the entrance

on the northeast corner, in preparation of additional expected traffic and commercial lots to the East potentially being developed. Board sought out clarification on who is responsible for building the wall on each lot, who owns the wall, and who is responsible for repair. Further research to occur before decision progresses. Jessica was to contact legal counsel regarding land ownership items to determine if wall is individually or commonly held. Attorney sent back a letter without verbal communication or clarification. The letter was shared with the board. Jessica will call and discuss items that need further clarification. The conclusion appears to be the wall is owned by the property owner and the HOA does not have the authority or obligation to maintain the privacy wall. Offsetting that, there are covenant restrictions that do not allow for the removal or change of structures that would lower property value without board approval and do not allow for the homeowner to deny maintenance and allow the HOA the ability to maintain existing structures. Jessica will read covenants and research this further, along with a follow up summary from communications with the attorney. Jessica to get quote from Cornerstone Mason on what potential cost of repairs might be while more information is researched, and potential cost sharing alternative considered. It was noted that PHOA supposedly kept ten feet behind wall and sold rest to Chief.

- Approved plans submitted by 72 Ponderosa for renovations and remodel of exterior.
- Don mentioned there is an application that contractors need to fill out with details of exterior remodel requests, in addition to plans. AMGL should have an old copy. Jessica will check with AMGL and if they have, request it be added to the website.

Boating/Lake (Aaron, Joel):

- Started pumping in March due to high level of rain and currently pumping to get ahead of expected rain. There was no pumping during winter, but no need to keep at boating levels, so maintained at safe wall erosion level. Will monitor for wind to see if the level needs lowered.
- Prior discussion on adding carpe eating fish to be revived in Spring 2021 reviewed. It was determined we should speak with professional biologist and get opinion on seaweed. If that cost is under \$500, will proceed and if over, will vote. There is an expert in this that was used by a lake in Kearney. Joel will reach out.
- There will be a bill from Baasch Welding for pump inlet which should be 2" wider and screen area enlarged to meet standard for pump size. Weeds were plugging the pump, so Joel had cage made to go around pump.
- Discussion on 1 million umbrella policy to cover boating liability. Aaron to discuss with Krae Dutoit.
- Continued prior discussion on have boaters naming PHOA as additional insured on policy. It was noted this can potentially be done with no cost to owner. However, covenants say nothing about this, so declined to act. Having boaters show proof of insurance before putting boat in water was also discussed with same conclusion. The covenants say that owners must be compliant with Nebraska State boating laws, which require insurance. Due to difficulty of policing, it was decided to not act.

Entrance/Road (Pam, Katrina, Connie, Joel, Tory Kort):

- Additional work on streets, in addition to street cleaning needs to be addressed. Joel to lead and connect with Tory Kort on this. Joel had discussed with Malesker Construction prior. They felt if we sealed more often, we could potentially get by without grinding surface off. Malesker can come back and do it but we need to clean street before sealing and approximately seven to nine potholes to fix first.
- No further discussion on liability risk regarding ATV's and golf carts on road. Jessica to follow up with legal counsel.
- Received complaint that the front entrance didn't look good with dead grass. Ramirez cleaned up landscaping but wasn't certain if Chief planted annuals, so left tall as is.

Landscaping/Grounds (Pam, Katrina, Libby):

- No discussion on planting new trees. Pam had previously gathered quotes to plant new trees to fill in the gap by the mailbox. Pricing was not favorable, so postponed.
- Discussion on potential to subdivide green space into lots was minimal. A resident commented to board that the land was to remain undisturbed. The board is not actively pursuing this, but only assessing if it is an option for a longer-term strategy.
- Ramirez mowed off lot specific to the side with sprinklers on it. Aaron will inquire as to why other side is not mowed. Ramirez cleaned up other landscaping and hung the missing S and will clean up secondary Gazebo again.

Villas (Sheree):

- Nothing to note.

New Business:

Election of officers: Officers remained the same:

President – Aaron Krafka

Vice President – Joel Randall

Secretary / Treasurer - Jessica Kort – willing to allow someone else opportunity if interested.

Motion by Don Mehring, Seconded by Joel Randall

Committee recommendations were made with majority staying as is: Only changes were

Entrance/Road – Removal of Ken and Jessica, addition of Tory Kort and Joel Randall

- Attorney Kevin Walsh advised on minor violations of covenants and enforcement of such. Will present summary at next meeting.

Next Meeting Date: TBD

Meeting Adjourned: 8:23 pm. Motion by Joel and seconded by Aaron; motion carried.