

Ninovan Home Owners Association  
Regular Board Meeting  
June 6, 2008

Minutes

Meeting held at Minooka Village Community Room.

**Board Members Present:** Pat Gleason, Mike Mass, Dave Deahl, Allan Lundeen, Teryl Lundeen, Lori Casey

**Absent:** Mike Airola, Jim Herman, Cyndi Campbell,

**Home Owners Present:** Tim Manning, Janel Eaton, Gene & Cindy Martin, Jackie Mass, Bill Lopina, Butch & Sue Cooper, Dianne Gifford, Keith Erchinger.

**Minutes:** Minutes of the April 4<sup>th</sup> regular board meeting and May 17<sup>th</sup> emergency meeting regarding the well pump were reviewed and accepted by the board. Motion by: Allan, Second by: Lori. All in favor.

**Treasurers Report:** A checking account has been opened for the association. Balances are: Saving: \$6,917.42, Checking: \$2,866.97.

40 Lots have paid in dues. 9 Lots have not paid. 11 Lots have paid in full. Second half of dues payment is due July. \$3,000 remains un-collected from past years. Letters have been sent.

Motion by: Dave, Second by Lori to accept treasures report as presented. All in favor. It was also agreed by the board to add an item under new business for Bills so that all bills & proposed payments could be discussed and approved after being presented under various reports.

Committee Reports:

**Architectural Committee:** Preliminary plans have been received from Kane & Jamie Aker for Lot 27 – the plan meets requirements for the subdivision. The plans will be returned and reviewed once completed. Gene & Cindy Martin have plans to build on Lot 3 and hope to have plans to the committee soon.

**Landscape and Grounds:** The board heard reports from everyone involved in the 2008 street scape program. 12 lots were graded this year. Everyone present was very pleased with the progress and complimented everyone for there participation and involvement and work around there own homes to give the subdivision a great look.

Volunteers are watering trees on vacant lots adjacent to their homes. About 20 trees are not reachable by hose and have been watered by Kurt and Dianne Gifford using a cart and pump. Dianne has applied a root stimulator at a cost of about \$40 once and

would like to apply it two more times. Dianne asked that board to be compensated for their time at \$100 per watering and the cost of the root stimulator. It is taking about 4 hours per watering. The trees need watering about weekly. If volunteers are interested please contact Dianne.

Bill Lopina raised concerns that the money spent on the program by the association may not be in compliance with the HOA purpose of maintaining "Common Property". The concern is with the placement of the trees on private property. The placement of the trees was dictated by the conflicts with the utilities in the front of the lots and the desire not to plant the trees in the ditch line. A general discussion was had as to whether the road side ditch line was under the control of the association. Information was presented by Dave Deahl and Mike Mass regarding discussions had with the village during subdivision approval regarding the association maintaining the roadside ditches and under drainage system. The board will investigate the situation further and will look at rewording the program to be in compliance with the associations purpose. All members and guest present were pleased with the program.

The access lot needs additional work on the grass. Keith would like to hire Sprinkle Green to mow the path and trim around the trees on the berm. Approximate cost is \$300 to trim and mow. He has purchased fertilizer for the path (approximately \$90)

**Social Committee:** At this time there are no plans. Future plans include: Texas Hold-em (Dave Deahl – September), End of summer party (Sue), Halloween (Lori).

**Neighborhood watch:** The board will request four neighborhood watch signs. At the entrance, near the park, and two at the rest area.

**Covenant Enforcement:** The board will meet in executive session to take the next step of sending letters to specific violators.

**Access Lot:** Drawings for the proposed Gazebo were presented. The board tabled the discussion due to financial commitments.

**Lake Weed Treatment:** The board was presented with a bill for application of a weed treatment in the amount of \$4,500. The herbicide SONAR was applied to control Milfoil in the lake. SONAR is a slow acting (30-60 days), long lasting (1-2 years) herbicide. Milfoil is an invasive weed which is being experienced in the lake. There are no swimming restrictions. There is 30 day irrigation restriction, but at this time, nobody is using the lake for irrigation. An algaecide treatment was applied at the same time as the herbicide (\$300 value). The board requested a breakdown of the \$4,500 cost and agreed to pay the material cost only.

It was questioned as to if the HOA contributing to the maintenance and improvements of the lake and berm, which are owned by the ski club and not by the association, would be considered money being spent on private property. It was agreed that since the lake and berm are accessible to all home owners via covenants this property would still be

considered as "Common Property". Formalizing a "Management Agreement" between the two organization would work to further solidify the "Common Property" aspect of the lake and berm.

**Bills:** miscellaneous bills for postage and office supplies were presented totaling approximately \$100, Weed Treatment \$4,000, Watering \$1,200, Path Fertilizer \$90, Mowing and trimming \$300, Well Pump \$1,750. Dianne agreed to defer payment on the \$1,200. Keith and Mike agreed to provide the maintenance on the path at material cost only. Trimming will be deferred until additional funds are available.

Motion by Dave, Second by Lori to pay bills totaling approximately \$6,200 – All in favor

Meeting Adjourned by Motion from Dave, Second by Lori

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**Next meeting set for September 12<sup>th</sup>, 2008 at 7:30PM at the Village Hall.**

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Executive Session held 6/11/08

Information from discussion had with the association attorney was presented which indicated that the association action on the Street Scape Program was not in violation of the purpose of the organization nor did it violate and law.

Section 6.02 if the covenants indicates that board can act on items "determined to be necessary or desirable".

Article VII of the annexation agreement for the subdivision states "... shall implement covenants and establish a homeowners association for the continued maintenance, repair and replacement of the open drainage system (ditches) with driveway culverts, with a field tile and sump-pump collection subsurface drainage system."

Covenant enforcement was discussed further.