

President Wendy Morrissey called the May meeting of the BENA Board to order at 6:31 p.m. This Board meeting was also the second special meeting to discuss and vote on the proposed annual dues increase. The meeting was held in the cafeteria of Goodrich Middle School.

Attendees: Wendy Morrissey, Brian Jung, Matt Garner, Cory Williamson, Anne Pamperl, Gloria Kuebler, Cheryl Wells, Tim Gill; Marilynne Bergman, Bookkeeper; more than 25 members of BENA

Secretary's Report: Wendy greeted the meeting attendees and explained that the board must take care of some business before proceeding to the main topic of the meeting, the proposed annual dues increase. Wendy then asked for the reading of the April Board meeting minutes. After the minutes were read, Cory made a motion the minutes be accepted as read, Matt seconded the motion. Mike, a member of BENA, asked if the last Board meeting could be discussed before the minutes were approved. The answer was yes. He brought up the Board member elections at the last meeting. He stated only attendees had a say in the election of the new members and re-election of one member plus the ballot that was mailed out in January did not have any names on it, only space for one or more write-in candidates. Mike pointed out the by-laws say that a nominating committee must be appointed and the committee must put together a slate of potential Board members. BENA members must then elect the Board by secret ballot. Mike then stated that the current Board was not elected correctly and therefore could not propose any increase to the annual dues. Past and current Board members talked about how elections had not been done in accordance with the by-laws for the last 20 or more years and how most years it's hard to get anyone to run for the Board. Cory explained that we have a homeowners' association only because of the commons, which can't be developed. The commons is a required drainage for our neighborhood and neighborhoods to the west and northwest. He stressed that all Board members are volunteers who donate their time to BENA. Wendy ended the discussion after 30 minutes because it was preventing discussion of the proposed dues increase, which was the main purpose of the meeting. She stated that the election of Board members would be discussed at a future Board meeting. She called for a vote on the motion the minutes be approved as read, which passed unanimously.

Treasurer's Report: Bills from the preceding month included:

Lincoln Electric System	\$28.90
T&D Mowing	\$460.00 (2 mowings/trimming of the commons, Superior right-of-way)
Marilynne Bergman	\$297.50

Matt made a motion the bills be paid, Cory seconded the motion, and it passed unanimously.

Business:

Item 1, Board members – Wendy thanked out-going Board members Tim Gill, Jan Evert, and Bryan Seck for their service and time on the Board. She also announced that Gary Irwin, who was elected to the Board in April, had notified her that he would not be able to serve on the Board. New Board members are Jerad Reimers, who is also Board Vice President, and Cheryl Wells.

Item 2, 2nd meeting on annual BENA dues increase – Cory explained the ground rules for discussion of the proposed dues increase. Pam, a BENA member, said that members on Old Glory didn't get the flyer/ballot handout prior to the meeting. Wendy stated that someone had picked up the flyers for Old Glory, so she didn't know what had happened to prevent their being given to the residents. Cory told

meeting attendees that the first meeting did not have a quorum, so those ballots did not count. He reminded everyone that the announcement of the second special meeting was mailed out in early April (30-days notice) and that mailing included a ballot. Someone asked when the last dues increase had occurred. Dues were increased from \$50 to \$60 in 2014 and then to \$61.80 in 2018.

Cory told everyone the City is estimating the emerald ash borer will reach Lincoln in 2020. He explained that it's not cost effective to treat BENA's 52 ash trees because it costs \$100/tree/year. Cory told attendees that the Board got an early estimate for removal and that the Board acknowledged the estimate was high. He stated that this was a rough estimate and the Board prefers to work with a higher estimate for planning purposes. The much lower estimate for tree removal provided to the Board at the April Board meeting was based on removal of all 52 trees at one time and is good for a limited period of time. The Board does not have the money to remove all 52 trees now. Cory stressed that the Board will be requesting bids prior to any tree removals.

Someone asked if the proposed dues increase was solely for ash tree removal, and Matt told him no. Eight holes adjacent to the flow liner need to be repaired. The estimate for repair of just one was around \$6,000. Matt asked attendees to contact the Board if anyone knew of a company that would fix the holes adjacent to the flow liner without tearing up the grass and grading in the commons. Matt went on to talk about the very old cottonwood trees that need to be pruned or removed because of potential liability to private property and/or people using the commons. Board members talked about how cleanup days are typically attended by only Board members. More maintenance is needed in the commons than a handful of Board members can provide twice per year, so the Board may have to hire someone to do some of the work in the future.

The proposed dues increase will also be used for wish list items. Some members of BENA have requested speed humps to slow traffic on some streets, in particular North 25th and Independence. Cory explained the difference between speed bumps and speed humps to everyone and said that the latter are what apply to BENA's streets. The City did a traffic study for four days a few years ago. 1,700 vehicles passed the study point at an average of 26 mph during the 4 days. The highest speed recorded was 48 mph and the lowest was 5 mph. The City engineer told Cory the City will not put the speed humps in but will maintain them once installed. BENA must pay the entire cost of installation, which is an estimated several thousand dollars each. The City engineer estimated that 3 or 4 speed humps must be installed on North 25th and another 3 or 4 on Independence in order to effectively slow traffic.

Someone asked about the deteriorating sidewalks adjacent to the commons and the cost to fix those. Cory said that he had already checked into the sidewalk repairs. The City will repair the deteriorating sidewalks at no cost to BENA but the wait is 2 to 3 years. If BENA moves ahead and pays for the repairs, the city will reimburse the repair costs up to 60% of the total expended on the sidewalks.

An attendee noted that the commons has many tree stumps left from tree removals from several years ago. He would like to see the stumps removed/ground.

Wendy talked about additional wish list items members of BENA have requested at Board meetings. She gave examples – one or more bridges over the flow liner, more picnic tables, and a gazebo.

An attendee, who along with his wife is a former Board member, thanked the Board members at the meeting for their efforts on behalf of BENA.

Someone asked about making a special assessment of BENA members for removal of the ash trees rather than raising dues. Anne read the section of the declarations that specifically addresses levying of a special assessment to attendees. A special assessment can be levied for repair and improvement of the commons improvements (e.g., flow liner). Trees probably aren't considered a commons improvement.

Discussion of flooding along the southeastern end of the flow liner led to a description of the drainage after it leaves BENA's commons and goes under Superior Street. The commercial property owner on the south side of Superior doesn't maintain the drainage – it contains volunteer trees, mud, and trash. South of that owner, the drainage narrows as it heads toward Salt Creek. Matt and Gloria attended a Lower Platte South Natural Resources District meeting last year on nearby Salt Creek watershed issues. At this time, the NRD does not consider the drainage to be a problem even though it has caused minor flooding in BENA's commons and some residents' yards.

Matt said he believed the Board and the association should have a goal of keeping the commons safe and pretty. He spoke again about the old cottonwoods, which are huge, and how some lean toward houses and fences. He estimated at least \$2,000/tree for removal of the trees that present the largest liability.

Wendy stated that she will donate the cost of printing letters to notify members of BENA of the results of the vote count on the proposed dues increase, which will take place immediately after the meeting. BENA will pay the cost of postage.

Matt moved the meeting be adjourned, Cory seconded the motion. The meeting adjourned at about 7:40 p.m.

After the meeting, Board members counted the ballots received by mail, proxy ballots, and ballots turned in at the meeting. The total vote count of 154 exceeded the required quorum of 1/3 of the total number of lots. 83 votes were cast for the proposed dues increase, 71 were cast against. Note that 8 votes weren't counted because the lot owners were not current on their BENA dues. Board members counted the ballots three separate times to be sure the count was accurate.