

**APPROVED Board of Directors Meeting Minutes  
Wellington Greens Homeowners Association  
March 18, 2025**

Present: President Linda Siedhoff, Vice-president Barbara McCuen, Secretary Jeanne Johnson, Treasurer Mike Behne, Jim Wharry and Dave Owen

Approved absence: None

Staff: Nick Horvath, Grounds Superintendent and Don McIntyre, Administrative Assistant.

Guests: Geoffrey Friesen, 7101 South St No. 1, Katie Pocras, 7550 South Street, Teresa Neal, 7200 Old Post Road No. 5 and Rick Littrell 7221 South St. No.9.

Katie said she had a number of issues. First issue, 2550 South Street, in September of 2024, I requested Nick to remove a cracked branch which he has not done and if it falls on my fence, I will ask the HOA to fix and repaint it. Nick should be out here. No. 2, 7550 South Street, I requested grass to be planted and the crew has failed to do that. And No. 3, the windows at 7550 South St. Here is a copy of the timeline.

**Jan 1, 2017 - April 20, 2017** Matthew and Mary Ellen Santo installed new vinyl windows – brand “Renewal by Anderson”. The tag on windows and serial # say 2017. I have spoke to the Anderson rep. I assume the windows were installed in 2017 as per the window tag. I have looked at the seller property disclosure and the seller does not say when the windows were installed.

**Feb 18, 2017** - Seller Property Disclosure dated Feb 18, 2017 Completed by Matthew and Mary Ellen Santo has no mention of window dispute with Wellington Green HOA

**April 20, 2017** - House is sold. New buyers Rebecca and Heath Tuttle.

**July 22, 2019** - Seller Property Disclosure completed by Rebecca and Heath Tuttle dated July 22, 2019 has no mention of window dispute with Wellington Green HOA.

**September 20, 2019** - House is sold. New buyers Leah Wilson

**July 21, 2023** - Seller Property disclosure completed by Leah Wilson dated July 21, 2023 has no mention of window dispute with Wellington Green HOA.

**October 25, 2024** - House is sold. New buyer is Kona Holdings, LLC (Katie Pocras)

**November 2024** (no specific date on the letter) - Letter from Wellington Green HOA to Katie Pocras. Letter states the vinyl windows – “Renewal by Anderson” that were installed in 2017 are non-compliant colored windows.

**December 27, 2024** - Katie goes to the Wellington Green HOA Board meeting - and is told the vinyl windows must be replaced or painted.

Linda Siedhoff, HOA President says Katie “should have known the windows didn’t match”.

Katie maintains permission was given in 2017 by Steve Imes, HOA Board member and head of the Architectural Committee. The windows have not been an issue until November 2024.

**February 2025** - Katie speaks with the listing agent for Leah Wilson, Charlie Wilkinson, Nebraska Realty (308-539-3282). Charlie said at no time was he contacted by the Wellington Green HOA about windows not being compliant.

**February 11, 2025** - HOA Board Members Barbara McCuen and Mike Behne try to convince the board that the windows are not an issue and let it be, to no avail. Barbara McCuen "I do not believe there is an issue severe enough to repaint the vinyl windows"

Mike Behne "I have walked around the unit and reviewed the narrow window trim, I feel the color is close enough that painting is not required, plus I feel there is a level of what's reasonable that we should consider, and given this issue is 7 years old I would vote to not require painting the vinyl windows."

The board voted that 7550 South St windows must be replaced or the vinyl painted.

My attorney, Herb Friedman, told me that if I am not in compliance, that almost everyone out here is not in compliance.

Linda said that we will make a decision in Executive Session.

Geoff handed out a list of demands which read as follows:

**Subject: Formal Demand for Written Standards on Window Replacements & Exterior Colors**

Dear HOA Board & Architectural Committee,

We are formally requesting that the HOA provide clear, written, and enforceable standards regarding window replacements and exterior color requirements. At present, homeowners are being asked to match undefined 'existing colors' and styles with no official standard provided. This is creating arbitrary and inconsistent enforcement that places an unfair burden on homeowners.

**Formal Request for Written Standards**

To ensure fairness and compliance, we request that the Board provide written documentation specifying:

**1. Approved Exterior Color Standard:**

- o **Manufacturer & color code for siding and trim.**
- o Clarification on previously approved color variations in our court.

## 2. **Approved Window Replacement Standards:**

- o List of approved window brands & materials.
- o Accepted colors & finishes.

## 3. **Defined Pre-Approval Process & Evaluation Criteria:**

- o What objective criteria does the Board use to approve or reject a window color proposal?
- o What are the measurable standards for determining compliance?
- o If two homeowners submit slightly different shades of gray, what exact method does the Board use to determine whether one is acceptable and the other is not?

## 4. **Clarification on “Repainting All Homes Within 2 Years” Rule:**

- o If a homeowner replaces windows with a slightly different gray trim, does this trigger a mandatory court-wide repaint?
- o If so, why were past siding and trim variations NOT subject to this rule?

## **Legal & Fiduciary Responsibility**

The HOA Board has a **fiduciary duty** to enforce rules fairly and consistently. At present:

- ☐ There is no written standard for window replacements or color matching.
- ☐ The Board is rejecting proposals subjectively, with no enforceable guidelines.
- ☐ Homeowners have been forced to guess what will be accepted, with no guaranteed path to approval.

**This is legally problematic.** Homeowners cannot be required to meet an undefined standard, nor should they be forced to submit proposals that are rejected on a case-by-case basis with no objective basis.

**If the Board fails to provide written standards within 14 days**, we will be forced to explore further legal options, including:

1. Filing a **legal demand letter challenging arbitrary enforcement**.
2. Seeking **injunctive relief** to prevent unfair enforcement of vague rules.
3. Consulting legal counsel regarding the Board’s failure to uphold fiduciary duties.

We expect a formal written response by April 1, 2025. Failure to do so will be considered an acknowledgment that the HOA is unable to provide clear, enforceable guidelines, further strengthening any legal challenge against arbitrary enforcement.

Sincerely,

Geoffrey & Tisha Friesen

**Subject: Formal Request for Transparent Compliance Checklist for Annual Inspections**

Dear HOA Board & Architectural Committee,

I am submitting this formal request for the HOA to publish a publicly available compliance checklist that will be used for the upcoming annual compliance survey of all 277 units. At present, homeowners are notified that inspections will occur in April, but no formal checklist of criteria has been provided. This raises significant concerns regarding transparency, fairness, and enforcement consistency.

### **Formal Request for Inspection Transparency**

To ensure **equal and objective enforcement**, I request that the Board provide written documentation specifying:

**1. A detailed compliance checklist that outlines:**

- o Specific categories being inspected (e.g., siding condition, landscaping maintenance, roof integrity, etc.).
- o Clear, **objective standards** for what constitutes a violation.

**2. A public record of previous compliance enforcement actions:**

- o How many homeowners were cited for violations last year?
- o Were violations applied equally across all units?

### **Legal & Fiduciary Responsibility**

The HOA Board has a **fiduciary duty** to enforce community standards fairly and consistently. At present:

- ☐ There is **no written standard for the annual compliance survey**.
- ☐ Homeowners are expected to comply with **unpublished, undefined rules**.
- ☐ There is **no accountability process** to prevent subjective or biased enforcement.

**Failure to provide a written, enforceable checklist before the April inspections may expose the HOA to legal challenges for arbitrary enforcement.**

**I expect a formal written response by April 1, 2026(5).** Failure to respond will be considered acknowledgment that the HOA **is unable to provide clear, enforceable guidelines**, further strengthening any legal challenge against arbitrary enforcement.

Sincerely,

Geoffrey & Tisha Friesen

**Subject: Formal Request for Written Definition & Application of "Court of Sameness"**

Dear HOA Board of Directors,

We are formally requesting that the HOA provide a **clear, written, and enforceable definition of the term “Court of Sameness”** and how it applies to exterior modifications such as windows, trim, siding, and other architectural features.

This term has been **introduced into the bylaws without any formal definition**, creating confusion for homeowners who wish to comply with HOA regulations but have no clear standards to follow.

### **Formal Request for Definition Enforcement Criteria**

To ensure fair and lawful enforcement, I request that the Board **provide written documentation** specifying:

#### **1. An official definition of “Court of Sameness.”**

- o What specific architectural features must be identical in a court?
- o What degree of variation is allowed?
- o Does this apply to paint, materials, window styles, trim, or other elements?

#### **2. A publicly available list of enforceable requirements for homeowners.**

- o What color palette is required for windows and trim?
- o What are the approved manufacturers and materials for exterior features?
- o How do homeowners ensure compliance before making changes?

#### **3. A clear explanation of how “Court of Sameness” has been enforced in the past.**

- o Why have some homes changed exterior colors and materials without triggering a mandatory court-wide repaint?
- o Why has the Board denied some window replacement proposals while approving others with different gray shades?

### **Legal & Fiduciary Responsibility**

The HOA Board has a **fiduciary duty** to enforce rules **fairly and consistently**. At present:

☐ The term “Court of Sameness” is undefined and subject to arbitrary interpretation.

☐ There are no written standards explaining how this term applies to homeowner modifications.

☐ Homeowners are being required to comply with a vague concept without clear guidelines.

**Failure to provide a written, enforceable definition of “Court of Sameness” may expose the HOA to legal challenges.**

If the Board fails to provide a written definition and compliance criteria within 14 days, I will explore legal action to:

✓ **Challenge arbitrary enforcement of an undefined rule.**

✓ **Seek an injunction preventing the HOA from issuing fines or penalties based on unclear standards.**

✓ **Consult legal counsel regarding the Board’s failure to uphold fiduciary responsibilities.**

We expect **a formal written response by April 15, 2025**. Failure to respond will be considered acknowledgment that the **HOA is unable to provide a clear, enforceable definition of “Court of Sameness,”** further strengthening any legal challenge against its enforcement practices.

Sincerely,

**Geoffrey Tisha Friesen**

☐ **1. Where is the official written standard for exterior color compliance?**

☐ What exact document defines the required window colors, trim colors, and acceptable variations?

☐ If no written standard exists, how are homeowners expected to comply? How can any homeowner be cited for a violation when no enforceable rule exists?”

☐ **2. What is the definition of “Court of Sameness”?**

☐ Where in the bylaws is this term formally defined?

☐ What features must be identical? What degree of variation is allowed?

☐ If the Board cannot define it, how can homeowners be expected to comply? Are homeowners expected to comply with a rule that has no written definition?”

**☐☐ 3. Why have past variations in window colors, siding materials, and paint not triggered enforcement?**

☐ Why were some units in Sunbury Court allowed to change their siding and trim colors while others are required to 'match exactly'?

☐ Why was my garage siding required to match the old colors, while other homeowners changed theirs entirely? Are some homeowners are given approval for changes, while others are denied, with no clear standard?"

**☐☐ 4. Why is there no formal, published compliance checklist for exterior inspections?**

☐ How can homeowners know what will be inspected and what criteria are used?

☐ If inspectors are looking for compliance issues, what written standards do they follow?

☐ If no checklist exists then what prevents selective enforcement against certain homeowners?"

**☐☐ 5. What is the process for appealing a violation notice before fines and liens are issued?**

☐ What protections are in place to prevent homeowners from being fined for subjective or vague violations?

☐ What specific standards are used to determine whether an appeal is granted or denied?

**☐☐ 6. How were homeowners notified before the bylaw amendments were passed?**

☐ Can the Board provide a copy of the notice sent to all 250+ homeowners before these changes were enacted?

☐ Where is the written proof that homeowners were informed and given time to review the proposed amendments?

☐ Did the Board expand its own power without legally required homeowner notification?"

**☐☐ 7. Why has the Board refused to hire a professional contractor to create a standardized exterior plan?**

□ Wouldn't it make more sense to have a professional define acceptable colors, materials, and window manufacturers rather than forcing homeowners to guess and then rejecting their proposals?

□ If consistency is the goal, why hasn't the Board taken action to ensure clear standards?

Jim asked if his court had paint codes. Linda said there are paint codes for two colors in Sunbury. Jeanne said sameness means that all owners must be the same color. Linda said let us move on.

(The Following response was submitted by Jeanne in a later email.)

To: Geoffrey and Tisha Friesen  
7101 South Street #1  
Lincoln, NE 68506  
[gtfriesen@protonmail.com](mailto:gtfriesen@protonmail.com)

From: **Jeanne Johnson – Chair of Architecture**  
**Wellington Greens Board of Directors**  
7600 Old Post Road  
Lincoln, NE 68506

Subject: Formal Demand for Written Standards on Window Replacements & Exterior Colors

Dear HOA Board & Architectural Committee,

We are formally requesting that the HOA **provide clear, written, and enforceable standards** regarding window replacements and exterior color requirements. At present, homeowners are being asked to match undefined 'existing colors' and styles with no official standard provided. This is creating arbitrary and inconsistent enforcement that places an unfair burden on homeowners.

### **Formal Request for Written Standards**

To ensure fairness and compliance, we request that the Board provide written documentation specifying:

#### **1. Approved Exterior Color Standard:**

o **Manufacturer color code** for siding and trim. When originally built & painted, WGHA courts had color codes available when repainting was needed. Currently color matching since most paint codes are no longer available.

o **Clarification on previously approved color variations in our court.** Owners in Sunbury Court are currently asked to color-match colors when repainting is needed. Owners are



not required to buy a specific brand. Owners are not required to paint at the same time.

## 2. Approved Window Replacement Standards:

o List of approved window brands & materials. WGHA does not have nor are they mandated in the state of Nebraska to offer a list of window brands & materials owners have to use when replacing windows. Owners are to submit architecture change order requests when wanting to make any changes to their exteriors.

o Accepted colors & finishes. WGHA does not have nor are they mandated in the state of Nebraska to offer a list of window brands & materials owners have to use when replacing windows. Owners are to submit architecture change order requests when wanting to make any changes to their exteriors. The architecture committee and sometimes the board approve or not change requests submitted by owners.

## 3. Defined Pre-Approval Process & Evaluation Criteria:

o What objective criteria does the Board use to approve or reject a window color proposal? The color of the window matches the color the courts of sameness windows are painted. I believe Sunbury Court is the only court of sameness in WGHA that's window color is not brown or white.

o What are the measurable standards for determining compliance? The courts window color and size of window on the unit.

o If two homeowners submit slightly different shades of gray, what exact method does the Board use to determine whether one is acceptable and the other is not? This has never happened since I have been on the board.

## 4. Clarification on & Repainting All Homes Within 2 Years & Rule:

o If a homeowner replaces windows with a slightly different gray trim, does this trigger a mandatory court-wide repaint? Owners in Sunbury Court have been & are currently asked to color match colors when repainting is needed since their paint codes are no longer available. Owners are not required to buy a specific brand. Owners are not required to paint at the same time.

o If so, why were past siding and trim variations NOT subject to this rule? Not applicable

## Legal & Fiduciary Responsibility

The HOA Board has a **fiduciary duty** to enforce rules **fairly and consistently**. At present:

☐ There is no written standard for window replacements or color matching. WGHA does not nor are they mandated in the state of Nebraska to offer a list of window brands & materials owners have to use when replacing windows. Owners are to submit

architecture change order requests when wanting to make any changes to their exteriors. The architecture committee and sometimes the board, approve or not, change requests submitted by owners.

□ The Board is rejecting proposals subjectively, with no enforceable guidelines.  
**Disagree**

□ Homeowners have been forced to guess what will be accepted, with no guaranteed path to approval. **Not true**

**This is legally problematic.** Homeowners cannot be required to meet an undefined standard, nor should they be forced to submit proposals that are rejected on a case-by-case basis with no objective basis.

If the Board **fails to provide written standards within 14 days**, we will be forced to explore **further legal options, including:**

1. Filing a **legal demand letter challenging arbitrary enforcement.**
2. Seeking **injunctive relief** to prevent unfair enforcement of vague rules.
3. Consulting legal counsel regarding the **Board's failure to uphold fiduciary duties.**

We expect a **formal written response by April 1, 2025.** Failure to do so will be considered an acknowledgment that the HOA **is unable to provide clear, enforceable guidelines**, further strengthening any legal challenge against arbitrary enforcement.

Sincerely, Geoffrey & Tisha Friesen

### **Subject: Formal Request for Transparent Compliance Checklist for Annual Inspections**

Dear HOA Board & Architectural Committee,

I am submitting this formal request for the HOA to **publish a publicly available compliance checklist** that will be used for the upcoming annual compliance survey of all 277 units. At present, homeowners are notified that inspections will occur in April, **but no formal checklist of criteria has been provided.** This raises significant concerns **regarding transparency, fairness, and enforcement consistency.** The next architecture and landscape compliance survey will happen the spring of 2027. The change was announced at the 2024 WGHA annual meeting, held on 10/3/25. Notice of the annual meeting was advertised in the October & November 2024 WGHA newsletters. The bylaws were updated in January 2025. The WGHA owners were informed in the January 2025 newsletter that the bylaws were edited. The 2021 and proposed Jan 2025 editions of bylaws were attached to the emailed Jan 2025 newsletter for owners to review. No owner attended the Jan 21, 2025 board meeting to discuss the changes in bylaws.

### **Formal Request for Inspection Transparency**

To ensure **equal and objective enforcement**, I request that the Board provide written documentation specifying: **see attached**

1. **A detailed compliance checklist** that outlines:

- o Specific categories being inspected (e.g., siding condition, landscaping maintenance, roof integrity, etc.).
- o Clear, **objective standards** for what constitutes a violation.

2. **A public record of previous compliance enforcement actions:**

- o How many homeowners were cited for violations last year? **40**
- o Were violations applied equally across all units? **Yes**

### **Legal & Fiduciary Responsibility**

The HOA Board has a **fiduciary duty** to enforce community standards **fairly and consistently**. At present:

☐ There is **no written standard for the annual compliance survey**. **False. See attachments in email**

☐ Homeowners are expected to comply with unpublished, undefined rules. **False.** Homeowners are notified in the newsletters 1-2 months before the surveys occur that it will be happening, i.e., Newsletter – February, March & April 2023, see announcement for ANNUAL Architecture and Landscape reviews. The link noted at the bottom took anyone who clicked onto it a webpage that showed the 2023 Architecture and Landscaping Compliance Survey. The link no longer works since the website was revised in April 2024. \*I did not realize the Architecture and Landscaping Compliance Survey form was not added on the new website when it was launched in April 2024. It will be added to the new website.

☐ There is no **accountability process** to prevent subjective or biased enforcement. **False**

**Failure to provide a written, enforceable checklist before the April inspections may expose the HOA to legal challenges for arbitrary enforcement.**

I expect a **formal written response by April 1, 2026**. Failure to respond will be considered acknowledgment that the HOA is **unable to provide clear, enforceable guidelines**, further strengthening any legal challenge against arbitrary enforcement.

Sincerely,

Geoffrey & Tisha Friesen

**Subject: Formal Request for Written Definition & Application of “Court of Sameness”**

Dear HOA Board of Directors,

We are formally requesting that the HOA provide a **clear, written, and enforceable definition of the term “Court of Sameness”** and how it applies to exterior modifications such as windows, trim, siding, and other architectural features.

This term has been **introduced into the bylaws without any formal definition**, creating confusion for homeowners who wish to comply with HOA regulations but have **no clear standards to follow**.

**Formal Request for Definition & Enforcement Criteria**

To ensure fair and lawful enforcement, I request that the Board provide written documentation specifying:

1. An official definition of “Court of Sameness.”

o What specific architectural features must be identical in a court? A court of sameness should look the original way the buildings/units were built and painted, unless the court has gone through the approved process to make a change.

o What degree of variation is allowed? A court of sameness should look the original way the buildings/units were built and painted, unless the court has gone through the approved process to make a change. When originally built & painted, WGHA courts had color codes available when repainting was needed. Currently color matching is recommended since most paint codes are no longer available. Owners are not required to buy a specific brand. Owners are not required to paint at the same time. Some units in courts have deviated from the original standards due to various reasons. Architecture is in the process of bringing units not into compliance back into compliance.

o Does this apply to paint, materials, window styles, trim, or other elements? Yes

2. A publicly available list of enforceable requirements for homeowners.

□ What color palette is required for windows and trim? Currently color matching is recommended since most paint codes are no longer available. Owners are not required to buy a specific brand. Owners are not required to paint at the same time.

□ What are the approved manufacturers and materials for exterior features? WGHA does not nor are they mandated in the state of Nebraska to offer a list of approved materials owners have to use when replacing exterior material. Owners are to submit

architecture change order requests when wanting to make any changes to their exteriors. The architecture committee and sometimes the board approve or not change requests submitted by owners.

o How do homeowners ensure compliance before making changes? Owners are to submit architecture change order requests when wanting to make any changes to their exteriors. The architecture committee and sometimes the board approve or not change requests submitted by owners.

### **3. A clear explanation of how “Court of Sameness” has been enforced in the past.**

o Why have some homes changed exterior colors and materials without triggering a mandatory court-wide repaint? **Not applicable**

o Why has the Board denied some window replacement proposals while approving others with different gray shades? **Nor applicable**

### **Legal & Fiduciary Responsibility**

The HOA Board has a fiduciary duty to enforce rules fairly and consistently. At present:

☐ The term “Court of Sameness” is undefined and subject to arbitrary interpretation. A definition is included in the Jan 2025 bylaws on page 8. B. Garage doors, i & ii.

☐ There are no written standards explaining how this term applies to homeowner modifications. You are the only homeowner who has not understood or who has requested clarification of the use of the term “court of sameness”.

☐ Homeowners are being required to comply with a vague concept without clear guidelines. **Disagree**

☐ Failure to provide a written, enforceable definition of “Court of Sameness” may expose the HOA to legal challenges.

If the Board fails to provide a written definition and compliance criteria within 14 days, I will explore legal action to:

✓ Challenge arbitrary enforcement of an undefined rule.

✓ Seek an injunction preventing the HOA from issuing fines or penalties based on unclear standards.

✓ Consult legal counsel regarding the Board’s failure to uphold fiduciary responsibilities.

We expect a formal written response by April 15, 2025. Failure to respond will be considered acknowledgment that the HOA is unable to provide a clear, enforceable definition of “Court of Sameness”, further strengthening any legal challenge against its enforcement practices.

Sincerely,

**Geoffrey & Tisha Friesen**

**□□ 1. Where is the official written standard for exterior color compliance?**

□ What exact document defines the required window colors, trim colors, and acceptable variations? Each court in the WGHA has its own unique look in architecture style and colors used. Most court colors originally used are no longer available so color matching is recommended. The Wellington Greens Homes Association, like other HOA/HA's in Nebraska, has the freedom to create their covenants and bylaws as they deem fit. The WGHA has current standards noted in the bylaws and under the Courts of Wellington Greens, which can be found on the WGHA website. The WGHA architecture committee has been in the process of adding to the standards per court on the new WGHA website, which was launched in April 2024.

□ **If no written standard exists, how are homeowners expected to comply?** How can any homeowner be cited for a violation when no enforceable rule exists?" Each court in the WGHA has its own unique look in architecture style and colors used. Most court colors originally used are no longer available so color matching is recommended. The Wellington Greens Homes Association, like other HOA/HA's in Nebraska, has the freedom to create their covenants and bylaws as they deem fit. The WGHA has current standards noted in the bylaws and under the Courts of Wellington Greens, which can be found on the WGHA website. The WGHA architecture committee has been in the process of adding to the standards per court on the new WGHA website, which was launched in April 2024.

□

**□□ 2. What is the definition of "Court of Sameness"?**

□ Where in the bylaws is this term formally defined? See current bylaws posted on the WGHA website, page 8. B. Garage doors, I & ii.

o What features must be identical? What degree of variation is allowed? A court of sameness should look the original way the buildings/units were built and painted unless the court has gone through the approved process to change. Some units have deviated from this due to various reasons. Architecture is in the process of bringing units not in compliance back into compliance.

□ If the Board cannot define it, how can homeowners be expected to comply? Are homeowners expected to comply with a rule that has no written definition?" It is defined

**□□ 3. Why have past variations in window colors, siding materials, and paint not triggered enforcement?**

□ Why were some units in Sunbury Court allowed to change their siding and trim colors while others are required to 'match exactly'? I don't know when the work was carried out or if approval was requested. I would not have approved it. Sunbury Court owners will meet on April 1, 2025 to deal with this non-compliance issue and additional items.

□ Why was my garage siding required to match the old colors, while other homeowners changed theirs entirely? Are some homeowners are given approval for changes, while others are denied, with no clear standard?" I don't know when the work was carried out or if approval was requested. I would not have approved it. Sunbury Court owners will meet on April 1, 2025 to deal with non-compliance issue and additional items.

□

□□ **4. Why is there no formal, published compliance checklist for exterior inspections?** See Subject: Formal Request for Transparent Compliance Checklist for Annual Inspections page for answers.

□ How can homeowners know what will be inspected and what criteria are used?

□ If inspectors are looking for compliance issues, what written standards do they follow?

□ □□ If no checklist exists then what prevents selective enforcement against certain homeowners?"

□□ **5. What is the process for appealing a violation notice before fines and liens are issued?**

□ What protections are in place to prevent homeowners from being fined for subjective or vague violations? Owners are not requested to complete repairs/repaint due to subjective vague violations. Please go to the WGHA website, WGHA Bylaws, XIV VIOLATIONS, WORK HIRED NOTICES, FINES & LIENS for more information.

□ What specific standards are used to determine whether an appeal is granted or denied? Case by case.

□□ **6. How were homeowners notified before the bylaw amendments were passed?**

□ Can the Board provide a copy of the notice sent to all 250+ homeowners before these changes were enacted? Please see WGHA January 2025 newsletter.

□ Where is the written proof that homeowners were informed and given time to review the proposed amendments? Please see WGHA January 2025 newsletter.



□ Did the Board expand its own power without legally required homeowner notification?" No

□□ **7. Why has the Board refused to hire a professional contractor to create a standardized exterior plan?** The architecture committee isn't opposed to this idea.

□ Wouldn't it make more sense to have a professional define acceptable colors, materials, and window manufacturers rather than forcing homeowners to guess and then rejecting their proposals? The architecture committee isn't opposed to this.

□ If consistency is the goal, why hasn't the Board taken action to ensure clear standards? We currently are.

(End of answers submitted.)

Teresa Neal said that she lived at 7200 OPR No. 5, where Tammy Hanel used to live and that she had a foundation problem and a drainage issue. Nick asked for her phone number and said he would look into it.

Rick Littrell said he lives in No. 9 Kimberly and would like to plant some tomatoes along the side of his end unit; that it lines up with the fence in front and back patio. Jim said he would take a look at it and let him know.

**Approval of Prior Meeting Minutes:** Linda asked for any additions or corrections to The February 11, 2025 meeting minutes. Jim moved to accept the minutes and Mike seconded the motion. Motion carried.

**Grounds Superintendent's Report:** (Written report submitted prior to meeting) This has been a fairly typical spring, with 40° temperature swings, a little snow and a lot of wind. The crew has been busy with tree removal and clean-up. There are still a lot of branches to pick up prior to mowing, which should be happening in a couple of weeks. We've already changed cups once and mowed greens twice. The greens will be verticut and top-dressed soon, to get rid of winter ball marks. Will hopefully fire up the irrigation system end of March. We will also be putting down spring fertilizer over the entire campus sometime in late March. Our 3-way fertilizer with pre-emergent and grub control will go down early May.

Thank You, Nick Horvath WG Grounds Superintendent 402-440-1067

**Committee Reports:** (Written reports are submitted in advance and are in blue font.)

**Finance/Treasurer:** I've reviewed the financial statements as of February 28, 2025 copies are attached.

From operations we had current month net income of 2,566 which gives us a year-to-date net loss of (28,324). The YTD budgeted income is 260,867 actual revenue YTD is



262,953 - we are above budget for the year by 2,086. Green Fees Revenue is 2,268 more than budget.

On the expense side, employee expenses are under budget for the year by 3,818. Buildings and Grounds are 10,933 more than budgeted for the year – we had an early order for seed and fertilizer

come in. Total Utilities are above budget for the year by 1,731. Total General & Administrative expenses are below budget by 9,328. Total Expenses are 291,277 and budget is 291,758 resulting in a YTD difference of 480.

The balance sheet has 190,607 in current assets and 78,949 in current liabilities. The current ratio (current assets to current liabilities) is 2.41 to 1

Cash is at 44,817 in the checking account. The Reserve Account balance is 128,253. The monthly transfer to the reserve remains at \$20 a unit x 277 or 5,540 a month.

As of 2-28-25 the bank loan is down to 23,569. Maturity Date is 3/30/2026 Monthly Payment is 1,855.

The lockbox fees for February were 507. A fun statistic, there were 84 payments made through the portal in February of which 67 are monthly recurring payments.

As of 2-28-25 the Accounts Receivable are 21,623 and the Prepaid Dues are (28,675). Liens will be filed on 3 Units that are past due by more than 90 days.

If there are any questions, please contact me. I request the financial statements be approved as presented. Respectfully submitted, Mike Behne, Treasurer.

Jim moved to approved the financial report. Barb seconded. Motion carried.

**Golf Report:** None.

**Administrative Assistant Report:** Two deed changes to report since last month: February 17, 7311 OPR#22. Jason Merritt to Ashley Montag and February 18, 2025, 7200 OPR #3 John Connealy to Katherine Kuhn.

**Architecture Committee Report: Architecture:**

Architecture committee met on 3/12/25, see the minutes below.

Architecture Requests:

1. Kensington court installing same lights Wellington Green court requested for new parking lot lights. No approval needed since approved for Wellington Court.
2. Wellington Court - Ned and Eola Hedges, 7410 Old Post, Unit 12. – replacing old garage door with same in April.
3. Sunbury Court, 7101 South St Unit 1, Geoff & Tisha Friesen – requesting to install vinyl windows. Will discuss at board meeting.

## Problem Units:

1. 7550 South St – see minutes below.

## Other:

1. Blenheim Court - Realtor, Susan Lange, inquired if any work discussed/scheduled in court, specifically replacing the Mansard cedar shingles. Jeanne em back she has not been informed of any changes to any exterior part of Blenheim Court.

## 03/12/2025 Architecture Committee Meeting minutes

### Next Spring Survey in 2027

Work requests will still be mailed/em out as needed in years between surveys.

When walking/driving around WG just keep an eye out for units that may need work and send a work request.

### Change Order requests.

Ramsgate - 7100 Old Post Rd #5: Lavender/tan unit – not sure when painted. No change order request submitted since Jeanne chair. I em the owners asking when it was painted. Owner did have unit painted because of WG letter rec to touch up paint. Left color up to painter. No request rec to approve color. I looked at the color. Though not my choice, the unit is in a court that does not match & the tone of the purplish/tan pastel color works in the court. Not going to req to repaint.

Sunbury - 7101 South St #1: Requesting to install noncompliant colored vinyl windows. All committee mems agree this has to be decided with the owner of the court & architecture. JJ will em owners #1, Sunbury Crt owners, arch comm mem & board response in 1 em.

Review of requests since last meeting

### Work hired for 2025

Gramercy – 7111 Old Post Rd 6: Will mail next few weeks.

Others may be mailed after May & June deadlines pass.

7311 OPR #22 has radon tube that is white, needs to be brown. \*Unit recently sold.

Owner & realtor told noncompliant white windows need to be painted brown. JJ will mail letter.

Work request notices mailed 2024 & 2025.

Will review in next few weeks. Will request help as needed.

## Problem units:

7300 SOUTH ST #8 – noncompliance windows. Wont paint/change. Board put lien on house.

7550 SOUTH ST - noncompliance window. Refusing to paint/replace. Owner contacted

and had their lawyer send the board a letter requesting the windows be grandfathered or will file a suit. The committee agreed that units' windows can be grandfathered in as long as same owner owns. Will req garage door be painted to match.

#### 2025 goals

Noncompliance windows/sliding doors in courts of sameness: Want to make sure all noncompliant units have been noted and mailed a letter.

JJ/members will review to make sure all units have been notified, none missed.

November all units sent a letter will need to be looked at to see if complied with request.

Jj will rev and notify comm when assistance needed.

Cambridge: A few of the units with 2nd stories need exterior repairs & painting. Court needs reviewing, then letters sent to units needing work.

Jj will eventually req a com mem help with this.

**Landscape Report:** I have had to send another letter to a unit owner for their garbage can being out in front of their garage. We had fined them before and I am going to propose we fine them again the \$100. This will be the second fine. Additionally, I had received a complaint about dogs being allowed to run free with only 'electronic leashes. It should be noted these electronic leashes do not replace regular leashes and are only recognized for enclosed spaces or for training. Apparently, the dogs are not socialized and tried to bite a roofer in the area. It should also be noted there are kids playing in an area close to the dogs. Plus, the dogs' owner does not clean up behind the dogs. It is a renter, so I have sent the letter to the owner of the unit, dated 3/17/2025, that is when the letter will be mailed. Nothing else to report at this time. Respectfully submitted, Jim Wharry Landscape.

Jim moved that they be fined another \$100. Barb seconded. Motion carried.

#### Long Range Planning:

**Concrete:** Dave said that he plans to have a survey done and do some work and more later and concentrate on safety. He asked Don to put in the newsletter that he needs volunteers to serve on the concrete committee.

**Court Captains:** Spring meeting will be Saturday March 29 at the clubhouse at 10:00. Please let me know if you have anything you want discussed. Linda

#### Social Committee.

##### 1. Tuesday Morning Coffee Klatches

The Tuesday Morning Coffee Klatches continue to be held at the clubhouse, and they are currently hosted by social committee member Joey Kramer with assistance from Lois Reins. Attendance continues to be about 10 to 12 residents each week. Coffee klatches probably will continue through April.

##### 2. Rock 'n Roll Party

The Social Committee will host a “Rock ‘n Roll Party” with DJ Jay Hayden providing the music from the 60s, 70s, and 80s on Saturday, March 22, 2025 at the clubhouse from 6:30 to 9:30 PM. Mr. Hayden’s fee for the event is \$225.00. Wine, water and snacks will be served.

### 3. Painting on Canvas Party

A painting on canvas party will be hosted by artist Kerri Roper on Thursday, April 17, 2025, from 6:30 to 9:30 PM at the clubhouse. All supplies will be provide for a registration fee of \$25.00.

### 4. 3rd Annual Summer Fun Party

The 3rd Annual Summer Fun Party will be hosted by the Social Committee on Friday, June 20, 2025, on the lawn south of the clubhouse from 6:30 to 9:30 PM.

Guitarists/singers Doug Dickeson and Jon Sundermier will provide the entertainment for the event. As in the past, free margaritas will be served. This is a video clip of the two singers/guitarists who will be performing, Doug Dickeson and Jon Sundermier, for you to watch: [https://youtu.be/IXH\\_hwt63w4](https://youtu.be/IXH_hwt63w4) They play classic rock and roll, classic and new country, and soft rock.

**Web Site:** None.

### **OLD BUSINESS:**

None.

### **NEW BUSINESS**

**A Snow removal complaint 7221 OPR No. 9:** After discussion, it was stated that the area in question is the City’s and should be addressed to the city.

**Newsletter topics:** Concrete Committee members needed.

Jim moved that we adjourn. Mike seconded the motion. Motion carried.  
Meeting adjourned at 4:51 p.m.

**Next Meeting:** The April 2025 Board meeting is scheduled for April 15, 2025 at the clubhouse starting at 3:30 P.M.