

**Trevi Gardens Homeowners Association  
Board of Trustees Meeting  
June 25, 2024 - Southern View Chapel**

Meeting called to order at 5:30. Trustees Scott Fields and Steve McCaffrey were absent.

Guests included residents Naomi Wilson, Kathy & Ed Schultz, Janet Gatschenberger.

**Approval of 4/15/24 Board Meeting Minutes:** Secretary Steve McCaffrey had prepared and distributed previous minutes to the board for review via e-mail on 6/18/24. Motioned to approve, 2<sup>nd</sup> and carried. Minutes are to be posted on the website.

**Violation Report:** Steve M. had provided notes. Since the last meeting, violations for 23 unmaintained yards have been issued. The City of Springfield has force-mowed 2 of them. In addition, 2 boat trailers, 5 trash can warnings were issued. (Check my #s, Steve.) A guest asked about the process and timeline. Randy outlined them. Motion to approve. Passed.

**Treasurer's Report:** Randy detailed the amount collected for CY 2024 (\$44,841), w/ \$34,131 spent at present. Motion to approve; passed.

He also discussed some budget considerations for 2025 and fielded questions. Taxes went up on common property; insurance increased due to addition of bonding coverage; switch to new bookkeeper included startup costs. He recommends putting \$2000 less into the reserve fund for 2025, which would help balance the budget with no need for HOA fee increase. Collins asked where line item for spraying would be. When it happens, it will come from the reserve fund. Randy wants board member feedback by the first week of September to create budget proposal 30 days prior to annual meeting.

**Swale clearing:** Scott Fields sent a text update. The cattails mowing has been delayed due to periodic rain. Swale cut won't be attempted until late 2024 at the earliest, ideally when ground is frozen. All American Land Management has our deposit, price is set. Archer Creek needs to apply spray when the cattails are regrowing. The 2024 price quote for chemicals may need to be increased if the cost goes up.

**Other grounds issues:** One of the resident guests informed the board that the weed growth at the Trevi/Sherry curve (SE corner of subdivision) includes dogweed, poisonous to humans and animals. The board has been planning for Cutting Edge Yard Service to do a special cut to take down the high growth obscuring visibility (est. \$280; Collins will coordinate). Motion to approve expense; passed.

Emails shared by residents and board members have suggested the lawn service be more proactive about edging the ditch area. Presently they do no weed whacking. Trevi's contract includes some periodic trimming, not just mowing and leaving. The result is apparent in the swale overgrowth.

Don Waldo also contacted board regarding "volunteer" weed tree growth that has added to the density of the swale overgrowth, as well as beside fences and homes, primarily at rental units where landscaping is an afterthought, or not checked at all. Besides being unattractive, their root systems can damage foundations if left unchecked. Steve S. can remove those along commons as well as any that

residents / renters don't want to keep. Point them out and he'll take them out and coat remnant with stump killer.

**Reserve Fund Survey:** Randy will get in touch with his original bidders, see if prices are still firm and what is timetable for which work could be completed.

**Other financial issues:** Board books are overdue for a financial review. There has been difficulty finding a CPA with relevant experience. One of the guests in attendance knows a resident who may qualify (Scott Morey); he'll be asked.

Collins and Randy have consulted with John Reynolds to have the property lines checked. He'll provide work for \$500; though approved, he hasn't completed it yet.

Two metal signs are down; one at the pond, one at Southwind Park's Trevi entrance. Tom will try to reset the former and check with city to see if the latter is their responsibility.

The board discussed repairing the pond windmill, which has a detached rear rudder. Originally installed on the pond's eastern bank to be a power source for the aeration system, it is now decorative. Some expertise is required to reattach the rudder at elevation. Willow tree branches are also a factor. Steve S. will look into repair options available in the area.

In other business, resident Naomi Wilson proposed settling the debt incurred for the property at 112 Argenta. Her family resided in the home for the past two decades. When she and husband Matt separated, Naomi and her children moved out and Matt stopped paying the annual HOA fees. The debt reached \$6,859, the largest amount owed to the HOA. Now divorced, she has returned to the residence. She proposed paying the balance owed minus the penalties incurred, reducing the amount to \$3,324. She offered to provide a check for \$1200 the following day and establish a payment plan for the remaining amount. Board members discussed the option. A motion was made to accept the reduced amount of debt for the property, waiving late fees and penalties accrued during the past decade. Seconded, approved unanimously.

Next meeting date: Tuesday, Aug. 20 (rain date 8/19)

Meeting adjourned at 6:37.

*Minutes submitted by VP Steve S. on behalf of Secretary Steve M.*

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## Fifth Addition Discussion

### NOTES ARE NOT FOR PUBLIC VIEW

A meeting of Fifth Addition residents followed the full HOA meeting. Tom outlined the need. Ultimately, a subset of Trevi's entire residents must consider the rights and dispensation of their common properties, as well as potential maintenance issues within the never-activated condominium association. Their condo covenants supersede Trevi's, creating a 'hole in the doughnut' power structure within the neighborhood.

In addition, construction shortcuts ensured the Fifth Addition streets are private. Its roads have no streetlights or storm drains. Messina and Resina Drives are actually a single horseshoe-shaped street, another unicorn in Trevi. It has twice required spot repairs to fix broken pavement. All the residents on M/R contributed the first time. Insurance covered the second.

A closer reading of the bylaws implies consensus from 31 individual property owners is supposed to be needed before anything is done to any of the common properties.

As those street repairs pointed out, planning for the future is needed. Trevi's board thought the same and has been collecting fees from residents on the private streets to save money for future repair costs (as well as for five stub streets not in the Fifth Addition).

A repair to a small section of Argenta was completed in 2022 using its specific street fund. Don Waldo contacted a majority of its residents to solicit approval for the work and tapped its designated fund.

Around this time procedural questions for maintaining the Fifth Addition commons without the never-formed board's input had become a sticking point. Fifth Addition resident Joe Trost asked for clarity. In 2023, Trevi's lawyer said that the HOA was acting beyond its scope to collect money and do repairs to streets within the 5<sup>th</sup> Addition.

Hearing that, Trost led an effort to organize the property owners to form a board, per the condo covenants. (It is believed he also reached out to Joe Albers, owner of Dual Development, the original developer of Trevi Gardens – with Dennis Albanese and Morris Dullenty -- as one of the 'declarants' to start the process.\*) However, after a couple of meetings, points of contention caused the slate of condo board candidates to resign.

\*Provision 27A of the condo covenants says 'Declarants could enact these changes by caveat.' Declarants are developer/builders. It's much simpler than organizing all 31 property owners.

Gatschenberger and other residents would like to have the 5<sup>th</sup> Addition governance vested within the larger HOA, which maintains a 5<sup>th</sup> Addition representative among its trustees. He had drafted language that says as much.

[Tom's paragraph]

The easiest path forward appears to be to reach out to one of the declarants. If a declarant makes the new amendment, it would have binding authority. Brad Hall of 4416 Venetian was in attendance. He had purchased his home from Morris Dullenty and had his contact information. Tom will contact Dullenty

and see if he'd approve the language to be circulated to residents to formalize their plan to pass temporary authority to the Trevi Board.

Hall also mentioned a bent gate anchor post on the street entrance near his home. He will be contacting a welder and concrete mason to fix the problem. The HOA will cover the repair cost with residual insurance money from the earlier settlement.