

**Farmington Woods Homeowners Association (FWHA)**  
**2020 Annual Meeting**  
**January 16, 2020 – 7:00 p.m. – Grace Abbott Media Center**

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Eric Fasse called the meeting to order at 7:00 p.m.

- 1) **FWHA functions and responsibilities:** Eric began the meeting with an overview of the FWHA role and responsibilities. He also introduced the board members.

**Board of Directors**

Eric Fasse (term Jan 2019-Jan 2021)  
Don Heine (term Jan 2018-Jan 2020)  
Shelly Anzalone (term Jan 2018-Jan 2020)  
Gayle Kerr-McFadden (term Jan 2018-Jan 2020)  
Nikki Reynolds (term June 2019-Jan 2021)

**FWHA Officers**

Eric Fasse – President (Chairman)  
Gayle Kerr-McFadden – Secretary  
Shelly Anzalone – Treasurer  
Don Heine – Board Member  
Nikki Reynolds – Board Member

- The FWHA was established to enforce the Articles of Incorporation of FWHA, Inc, By-Laws of FWHA, Inc., and Declaration of Covenants, Conditions, Restrictions and Easements for Farmington Woods. These governing documents are available on the association website (FWHAomaha.com). The FWHA Board of Directors is a group of volunteer members elected to carry out the mandates in these documents.
- Membership in FWHA is required of all lot owners and subject to an annual assessment to cover maintenance, repair and replacement of the perimeter and entryway island fencing, landscaping, lighting and signage.
- The Board of Directors has the following responsibilities:
  - Determining the amount of the annual assessment and legal proceedings of assessments not paid within a thirty (30) day grace period of the date due.
  - Approving all building plans and materials for all new and existing construction projects. Enforce the covenants (Architectural Committee).
  - Appointing a Nominating Committee and making nominations for election to the Board of Directors.
  - Appointing other committees as necessary.
  - Conducting an annual meeting of the members and Board of Directors on the third Thursday of January each year.
  - Providing for compliance with covenants.

- 2) **Nominations of 2020 Board of Directors by the Nominations Committee and from the floor** – Eric Fasse

- Three board positions are up for election (positions currently held by Gayle, Shelly, and Don). All three of these board members were re-nominated at the 1/4/2020 board meeting to serve another term. Eric asked for nominations from the floor. None were offered, although one homeowner questioned why names were not solicited before the meeting. Gayle referred homeowners to the meeting/dues reminder card that was sent in December that clearly states the following about how to express interest in serving on the board:

**Annual FWHA Meeting:** January 16, 2020 at 7:00 p.m. at the Grace Abbott Media Center. Meeting topics will include election of board members, review of financials, the 156<sup>th</sup> Street widening project, and topics related to the FWHA covenants. If you are interested in serving on the FWHA Board, please submit your name via e-mail to [board@fwhaomaha.com](mailto:board@fwhaomaha.com). Nominations also will be taken from the floor at the meeting.  
**Questions?** Call Eric at (402) 618-7509.

- 3) **Election & Seating of 2020 Board of Directors** – Eric Fasse

Since no new nominations were received from floor, the three current members were re-elected and seated to the board without a formal vote from attendees.

- 4) **2019 Financial Report/2020 Budget** – Shelly Anzalone

Shelly covered the financials (see attached documents provided at the meeting). She mentioned fees associated with accountant for lapsed 501c4 paperwork and also reviewed the cash flow statements & budget. She reviewed a breakdown of money received from the city for the 156<sup>th</sup> project and how it will be spent when construction is finished.

**5) Goals and Objectives for FWHA in 2020** – Eric mentioned the following topics as our priorities for 2020.

- Maintain perimeter and entryway fencing, landscaping, lighting, and signage. Our landscaping will be minimal in 2020 due to limitations posed by the road construction.
- Maintain FWHA web page – FWHAomaha.com – to promote good communication
- Continue the quarterly newsletters to keep homeowners informed of covenant issues and enforcement
- Survive the 156<sup>th</sup> Widening Project – project estimated to complete in late 2020

**6) Other Issues and Concerns** – Eric Fasse

- Eric mentioned a change in the FWHA legal representation due to our previous attorney retiring. New attorney is Darren Carlson.
- A homeowner expressed concerns over rotted fence along the Blondo perimeter and suggested that we might want to switch to vinyl when replacing the fence after completion of the road construction. The FWHA Board indicated that this will be considered. Homeowner also mentioned that the sensor lights on the 156<sup>th</sup> monument are not turning off because of where they are situated under trees. The Board indicated that these are issues that will be addressed following completion of the road construction.
- A homeowner asked about park maintenance and possible improvements (like adding a structure or drinking fountain). The Board informed the group that maintenance is done by the city since our annexation. City would have to approve, implement, and maintain any improvements. Don Heine informed the group that these improvements were also suggested when our neighborhood belonged to the SID, and the city rejected similar improvement suggestions in the past.
- One of the homeowners (Mr. Rehms) associated with the unapproved outbuildings asked if the Board has changed its stance about enforcing the covenants regarding outbuildings. The Board indicated that it has not changed its stance and that it has a responsibility to enforce our covenants. Mr. Rehms expressed that he feels as if he has been singled out for his outbuilding. The Board stated that another homeowner was cited for the same issue/at the same time, and the other homeowner has been in touch with the board about bringing his shed/outbuilding into compliance with the covenants. The Board again reminded Mr. Rehms that he should contact his title company as they are liable if they did not inform him about the covenants. Homeowner questioned why play structures (swing sets) and patio structures (gazebos) are allowed but his outbuilding is not. Eric mentioned that outbuildings are expressly forbidden by Article 1, Section 14 of the covenants and cannot be approved in any circumstances. In contrast, playsets and patio structures are not expressly forbidden by the covenants and can be added as lot improvements through the formal submission and approval process. The Board mentioned that we continue to enforce other covenant violations as well such as trash cans being stored outside of homes (in front of homes or outside of structure/visible from street). The Board reminded attendees that the board is a volunteer group of lot owners tasked with enforcing our covenants to protect the value of our neighborhood and homes. The board is responsible for enforcing covenants and that all homeowners also have a responsibility to report violations and enforce covenants. This is part of the reason that the board has started sending welcome letters to new homeowners along with a copy of the covenants to raise awareness and enforcement.
- A discussion ensued about how a homeowner could change covenants to allow outbuildings. The Board mentioned that an initiative like that takes time, money, and effort. Changing the covenants requires an approval by 75% of lot owners (one vote per lot allowed only from lots with voting rights in good standing), which is approximately 100 lots. A three-step process would be required. This three-step process was discussed at the FWHA Board of Directors meeting at 7:45 p.m., immediately following the annual meeting. These steps are being added to the annual meeting minutes for clarity on next steps should any homeowner decide to pursue this initiative.
  - 1) Homeowner seeking change would need to petition all lot owners about interest in the covenant language change initiative. The petition must clearly state that the intent of the petition is to garner the level of interest in changing the covenants to allow outbuildings. The petition must also mention the associated legal expense of rewriting the covenants and the mailing expense involved with the initiative, so homeowners are aware of expenses associated with the

initiative. The homeowner would need to ask the Board to secure a bid from our FWHA lawyer on how much a covenant rewrite would cost. Based on past legal work done, this could be up to \$2000. The petition must be approved by the board before any solicitation of support begins. Signatures collected on the petition in support of this initiative would need to reach the 75% threshold of all lots.

- 2) The FWHA Board or Directors would ask our attorney to draft new language for covenants.
  - 3) New covenant language would be sent to all lot owners for an approval vote. Again, the 75% approval threshold would need to be met to change the covenants.
- The Board asked for a contact for the townhome association to add to our website, so realtors know who to contact. Subby Anzalone will provide a name and email to put on our website.
  - A homeowner complained about the poor quality of our road/street maintenance since being annexed by the city. The SID used to do better street repair than city does, and 153rd Ave. is in very poor shape. The Board stated that the FWHA does not have the ability to fix roads, and there is no legal standing between HOAs and the city.
  - A homeowner asked whether FWHA sponsors any sort of social events. Board mentioned that ice cream socials and park events were attempted in the early 2000s, but the neighborhood struggled to get attendance for these events. The Board would be open to supporting such initiatives in the future and could allocate funds if we have volunteers from the neighborhood for a social committee.

Eric adjourned meeting at 7:43 p.m.

Minutes submitted by Gayle Kerr-McFadden

