

# **Thunder Ridge Estates Annual Meeting**

9/13/2023

6:30 P.M.

Thunder Hills Country Club

Thunder Ridge Estates Homeowners Association  
Annual Meeting  
September 13, 2023  
6:30 P.M. THUNDER HILLS COUNTRY CLUB  
16682 THUNDER HILLS DR.  
PEOSTA, IA 52068

1. Call meeting to order
2. Introduction of Board of Directors – JC
3. Thunder Ridge Estates Board Review of Duties– JC
4. Financials – GH
5. Handling of Complaints
6. Process of Covenant Changes and rationale – JC
7. Role of Architect Review Committee – JW
8. Condo Committee – BM
9. Communication - JC
10. Election of One Board of Director - JC
11. Road Project 2024
12. Option to Lower Utility Rates – JC
  - i. Voluntary versus Involuntary Annexation explained
13. Miscellaneous

# Board Members & Terms

Board Member

Term Expires

Glen Hardin

2023

Jayne Kluesner

2024

Jeff Corkery

2025

Jeff Webber

2026

Bill Maher

2027

# Role of Board of Directors

- Our responsibility is to see the Covenants are followed and maintain financial stability for the Association
- We are not the Thunder Ridge Police
- All issues brought to our attention have been addressed with current homeowners and they have addressed those concerns
  - Barking Dogs
  - Equipment left by contractors
  - **Underage drivers on golf carts**
- Every concern we have brought to any homeowner or contractor has been addressed.
- Covenants can have different effects on different lots
  - Dog Runs
  - Separate Garage
  - Construction of Homes
- Covenants are for the protection of all homeowners in Thunder Ridge Estates
- Exceptions that have occurred were done by the previous board

# Thunder Ridge Estates Homeowners Legal Authority

- Articles of Incorporation - 6/22/97
  - BYLAWS of Thunder Ridge Estates Homeowners - 6/26/97
- Articles Of Amendment - 8/18/97
- Articles of Amendment - (Voting Rights) - 6/3/98
- Condominium Covenants - 8/4/99
- Original Restrictive Covenants - 6/11/98
  - First Amendment (Square Footage) - 4/27/99
  - Second Amendment (Common Area) - 7/19/99
  - Third Amendment (Square Footage) - 6/30/2000
  - Fourth Amendment (Subdividing Contiguous Lots) - 8/21/06
    - Affidavit with signatures
- ~~Block 5 Amendment~~ - 5/22/14
- ~~Block 5 Amendment~~ - 6/19/14
- Thunder Ridge Homeowners Assume Role of Board of Directors following A.J. Spiegel's resignation - 5/24/16
- Amendment to Continue Original Covenants - 3/20/18

We enforce the covenants but before our board assumed responsibility it was apparent there had been exceptions made to the existing covenants. We have also had to deal with contractors and homeowners not following their approved plans.

1. Roof Pitch/Dormers
2. Brick amount on front of homes
3. Roof attached Solar Panels
4. Set back from road
5. Vertical Siding/R & B siding
6. Even 3 stall garages.

# Board of Directors/Condo Committee

Each home owner pays HOA quarterly dues. Likewise each Condo Unit Owner pays the same HOA dues. In addition each Condo Unit Owner pays quarterly dues to the Condo Owners Association and have additional Covenants that pertain to the Condo Units.

A Home Owner owns their land and building. Whereas a Condo Owner owns the inside of the premise and buildings and grounds belong to the Condo Associations.

When a developer is planning to construct a new Condo Building he still has to submit his plans and be approved by the HOA Building Committee to assure that it is constructed with the same materials and design that the HOA Covenants and Declarations allow. (Jayme Kluesner & Jeff Webber) are the two on Building Committee.

When it comes to snow removal the HOA is billed for the roads and the Condo Association is billed separately for their sidewalks and driveways.

The Condo Committee is a committee authorized by the ByLaws & Condominium Declaration of Thunder Ridge Estates. Whether you live in a home or Condo Unit both are governed by the same Covenants and Declarations. While the Condo Committee is within the governance of the Board of Directors they oversee all Condo operations and operate independently on condo matters. **Under legal guidance of both Condo and Board representatives a resolution was passed by the Board of Directors which specifically states all money collected for Condo repairs and condo issues are designated only for those purposes. The Condo Declarations also state the money assessed by the Condo Committee is to be used solely for the repair and maintenance of the Condo Unit Owners.**

I hope this helps you understand how the HOA & COA works together into the Association.

# FINANCIALS

GLEN HARDIN, TREASURER



# Handling of Complaints

We have handled all complaints by individuals the same way. We communicate among ourselves, go over the covenants, contact legal counsel, communicate again, make a decision, and then respond.

a. Dogs

b. Traffic -Speeding

c. Underage drivers of motorized vehicles

d. Construction Cleanup

e. Yard Signs: The Board discussed the placing of signs. According to The covenants it clearly states in ARTICLE VIII, Section 25: SIGNS “No sign, billboard, or advertising device, including those used in the sale of any Lot or Dwelling Unit within the Properties, shall be placed on any Lot or Dwelling Unit prior to approval of the same by the Association.” Realtor signs of less than 55 inches tall and 40 inches wide will not need prior approval by the board to post. Dog training signs garage sale signs of similar size do not need prior approval by the board. Signs larger than 55 inches tall and 40 inches wide are not approved to be placed on any Lot or Dwelling Unit. Also political signs continue to not be approved for placement on any Lot or Dwelling. The Board voted unanimously to approve the above.

# How Do You Change the Covenants

- Very Simply you need a 75% approval vote of all individual lot & condo owners.
- There are 151 lots so it takes currently 113 yes votes to change the covenants however we have been informed if two signatures on the mortgage both people need to sign along with having the signatures notarized,
- A non vote counts as a no vote

*Anyone has the right to change the covenants with a 75% vote and does not need approval from the Board. However, we believe the Board's support is critical as the Board is the governing body that is invested to see the covenants are followed. We don't believe it is in the majority of Homeowners best interest to change one or two items based on an individual need. The following was presented to the attendees to solicit feedback. This feedback was overwhelming supportive of the guidelines below:*

# Guidelines & Process to Change Covenants

- The Board initiates a change to the covenants.
  - Legal cost borne by the Association.
- *Whereby*, a member of the association requests a change to the existing Restrictive Covenants to be initiated by the acting Board of Directors
  - *Resolved*, the Board of Directors shall: Inform the requester their request can be handled individually by submitting to the board of directors no fewer than 25% of existing lot owners stating said lot owners are in favor of amending the covenants using association monies, where by the board will clearly communicate the number of signatures required based on the current list of billed lot owners, and whereby the requester will also log the lot for which each signature represents.
  - Legal cost borne by the Association.
- A member of the association can own their own initiative collect the required 75% approval rate.
  - Legal cost borne by the Homeowner.

# Role of Architect Review Committee – Jeff Webber

Condo Committee – Bill Maher

**COMMUNICATION**

**JEFF CORKERY**

**Website**

**<https://www.thunderridgeestates.com>**

# Previous Road Work

- 1997 Roads first established
- 2013 - Fix and patch - \$7,760
- 2017 - Fix and patch - \$21,433



# Full road work with asphalt on all roads which includes bring cul de sacs up to level of the roads

- 2017 Bid - \$216,365
- 2022 Bid - \$389,428
- 2023 Bid - \$416,526.56 - We have accepted this bid with work to take place Spring 2024.

# **Election of Board Member**

# 28E Water Agreement History

- 2016 - AJ deeded Thunder Ridge Estates well to City of Peosta.
  - Rates were established as 150% of residents of Peosta rates which were the same as our 28E agreement on Septic Sewer service. But no 28E agreement for water rates was enacted
- 2017 - Jeff Corkery contacted the Mayor of Peosta on need for a 28E agreement. I was informed it was not necessary and was questioned if we did not trust the City.
- 2019 - Jeff Corkery presented a 28E agreement to new city manager (Whitney Baethke). She was going to act on it and was prepared to meet with our board but COVID put an end to that.
- 2021 - Jeff Corkery presented our 28E agreement to current city manager. We have had various meetings with the city manager over the past 2 years.
- 2023 - We were informed in June the city council did not believe a 28E agreement was necessary and would only move forward on this if the Thunder Ridge Estates Board would sign a 28E agreement voluntarily agreeing to be annexed into the city if we became contiguous to the City of Peosta. If we did our utility rates would be reduced to 125% at that time and when annexed would be the same as the city of Peosta.

# If we sign this agreement what exactly are we committing to.

- We are committing only the lots owned by the Thunder Ridge Estates.
  - And only at the time we become contiguous
- We cannot commit any lots we don't own which is 98% of all lots in Thunder Ridge Estates.
- **We can insert our needs if we become part of city versus Involuntary Annexation**
  - Roads, Possible tax abatements, sidewalks, ATV, golf carts, Keeping current Covenants, etc.
- Either Voluntary or Involuntary annexation would need to occur for the entire subdivision of Thunder Ridge Estates to become part of the City of Peosta
- With no 28E agreement our water rates could possibly change.

# Voluntary Vs. InVoluntary

- Voluntary Annexation

- If 80% of property owners approve annexation then we apply
- City Receives our application
- Approved by city council
- Approved by City Development Board
- If no appeal within 30 days goes to the State

- InVoluntary Annexation

- City files application with City Development Board
- Public Meeting Held
- If approved by the City the goes up for election
- Voters of city & territory may vote with simple majority needed

# Benefits of Annexation as Presented by the City

- **City Police Protection:** Once a property is annexed, the City of Peosta Police Department will begin routine patrols. The closest officers will always respond to emergencies regardless of the agency or annexation.
- **City Utilities:** Properties in the city are provided with water and septic services at a locally-competitive monthly expense. These rates include all system maintenance and upgrades as required to assure safe and reliable service to our residents and businesses.
- **Fire Protection:** City water services provide fire hydrants with substantially higher water flows than many residential systems. This increased capacity helps the fire department more effectively manage fire emergencies and oftentimes results in significantly reduced homeowner's insurance rates. Additionally, whereas Thunder Hills' primary fire and medical emergency response currently comes from Epworth, that will change to the Centralia-Peosta Fire Department upon annexation.
- **City Street Maintenance and Snow Removal:** Once a street falls within the Peosta city limits the city will provide ongoing maintenance and snow removal. The Public Works Department prides itself with having all streets, including residential streets, clear and open to travel before the morning rush hour.
- **Enhanced Local Representation:** In the City of Peosta, 5 council members and a mayor represent approximately 2,000 city residents. This means that there are just over 300 **residents for each representative**. Dubuque County is led by 3 elected supervisors with 32,285 residents per representative.
- **Zoning District to Accommodate Existing Uses:** Whenever possible and where consistent with the Comprehensive Plan, the City will establish a zoning district to protect existing uses on developed properties.
- **Membership Benefits:** City residents receive a discounted membership rate for the Peosta Community Centre. The Peosta Community Centre offers a wide variety of health, wellness, meeting and gathering amenities in addition to recreation programming.

# Other Annexation Questions

- Roads
- Golf Carts
- Sidewalks - Prohibited by our Covenants
- Street lights
- Tax Abatements
- Keeping current Covenants
- Snow Removal
- Where to from here - Poll

# Questionnaire



**MISCELLANEOUS**

ADJOURNMENT