

Jonathan Association – Board Research

March 18, 2014

Emerald Ash Borer

General Background:

On May 14, 2009 the Minnesota Department of Agriculture announced the discovery of an emerald ash borer infestation in St. Paul; and since that time, additional emerald ash borer infestations have been discovered in various suburban locations in Minneapolis. There is little that tree experts think they can do to stop the spread of the emerald ash borer.

An estimated three (3) million ash trees grow in Minnesota towns and cities, and odds are that Minnesota will lost most, if not all, of its ash trees. (Obviously, this estimate includes the City of Chaska within which Jonathan is located).

For municipalities and **homeowner associations**, preventive action may be very costly – and tree removal costs could skyrocket, which **will devastate annual maintenance budgets**.

Jonathan Investigation:

A recent audit (2013) by Reserve Advisors of Milwaukee, WI identified approximately 800 ash trees in Jonathan. What must be clear is:

- 1. How many of the ash trees in Jonathan are located in Association-maintained “common” areas?**
- 2. How many of the ash trees in Jonathan are located on “privately owned” properties?**

Important to Jonathan:

- The Jonathan Association Board of Directors has the fiduciary responsibility (Articles of Incorporation, Bylaws, MN Statute 317A, etc.) to spend Association financial resources on maintaining the “common areas” **ONLY**.
- The Jonathan Association Board of Directors must **NEVER** spend Association financial resources on maintaining (or removing ash trees) from “privately owned properties”.

- The Jonathan Association Board of Directors must **MAINTAIN** an exact count and an accurate identification of the exact location of each of the approximately 800 ash trees in Jonathan.
- The Jonathan Association Board of Directors needs to **RESIST** the demands (no matter how intimidating) and pleas (no matter how heart-rending) from individual homeowners to “treat” or “remove” ash trees which are located on privately owned properties.
- The Jonathan Association Board of Directors must **GUARANTEE** that financial resources accumulated from the annual assessments on members are not spent on “treating” or “removing” ash trees from private property...common areas only.

Recommendation to the Jonathan Board:

The Jonathan Association Board of Directors should give serious consideration to proceeding cautiously with regard to any and all actions regarding the anticipated arrival of the emerald ash borer infestation.

Because preventive action may be very costly to homeowner associations in general, the annual maintenance and/or reserve fund budget of Jonathan could be devastated. A special assessment (or two) might even be necessary...***if Jonathan’s Board decides to proceed alone on this issue!***

At this time, the City of Chaska and Carver County professionals have not yet decided how and when to respond to the coming emerald ash borer infestation. It appears that the position being taken by both municipal and county officials is to wait and see what the MN Department of Agriculture and the Governor’s Office decides to do.

It is strongly recommended that the Jonathan Board of Directors stay in close contact with the City of Chaska Public Works Department in monitoring the ongoing emerald ash borer situation. An opportunity to save thousands of dollars in Association resources may exist if the Jonathan Board can wait for now, and pursue an “economy-of-scale” cost saving partnership later.

RESEARCHER’S NOTE:

A huge number (100’s) of ash trees are located on Jonathan-owned/maintained boulevards along a majority of the streets in the Clover Ridge neighborhoods (an exception is Faulkner Drive, for example). However, there are also a couple hundred locust trees interspersed among the many ash trees; and Faulkner Drive has nothing but hackberry trees. This means that it is **IMPERATIVE** that an accurate count and location identification of all Jonathan-owned boulevards in Clover Ridge be conducted prior to any removal action.