

Wilderness Trails Owners Association

Open Board Meeting Minutes – 3/20/2021

Location: Eureka Community Center

Meeting called to order 9:30 am

Presidents Report (Sandi)

- Brief overview of how meeting would run and what other Board members would be discussing.
- Discussion about litigation will be withheld at Board Lawyers request although the legal fees were discussed.
 - After the board received the summons on Jan 3, 2021, a lawyer was sought to discuss the litigation. American Family was also notified at the same time. The Board incurred legal fees totaling \$4560 before American Family agreed to accept all legal fees for the case. Registered mail, copying and envelope costs to inform the community totaled \$620.11 for a total of \$5180.11.
 1. Coverage for the legal fees for the litigation was voted by the board to be expensed to all homeowners instead of removing from the Association funds as advised by the lawyer.
 2. The legitimacy of sharing the legal expenses incurred by the Board as advised - *“The Members of the Board of Supervisors and the Board of Supervisors, act in a fiduciary capacity, such as a Trustee. Because the board is created for the benefit of the owners and has fiduciary duties, I believe it is authorized to use the funds of the Association for the protection and preservation of the Trust property. It also includes the protection of all the Supervisors on the Board. In conclusion, I believe it appropriate for the Board and Association to employ legal counsel to defend the cause of action, and for the expenses of litigation to be paid from the Association funds.”*
 3. The community set a precedence in September by approving the past legal fees to be paid from the Association funds.
 4. The board wanted to be transparent with the legal fees accrued.
- Reviewed the Board Members Roles & Responsibilities (see Attached)

Treasurer’s Report (Joanne)

- Fourth Quarter Review completed by Finance Oversight Committee. (attached)
- Denise Keller shared report on 4th Qtr. 2020 Finance Committee Review
 - Quick Books Ledger matched up with Bank Statements.
 - Balance of General Ledger agrees with ending balance of bank statement Dec. 31,2020
 - Credit of \$61.34 was included to homeowners on Jan. 4, 2021 invoice.
- Past/Current Balances were discussed.
- Accounts Receivable getting slightly better but still needs improvement.
- 5-year Cash Flow shows WTOA has lost money 4 out of 5 years due to road cost and legal fees.
- Distributed 2020 Expenses for entire year to reveal to the community what is expensed and the yearly costs to run the Association.
- WTOA historic bank balances reveal the continuous loss of funds each year.

Road Report (David)

- Reviewed past cost/history of road work.
- 5-year review cost ~ \$20,000/year – funds extracted from the WTOA funds.
- Report on culverts in need of repairs in 2021 and 2022, Devil's Elbow & back fill and Maple Tree Lane
- Current estimate =
 - 1 culvert/year = ~\$10,000 to \$15,000
 - Road repair costs/year = \$20,000 to \$25,000
 - 5-year road plan in development

Secretary's Report (Jeff)

- Presented Collection Policy and Notices of Delinquencies: The purpose of this policy is to ensure compliance of homeowners to allow the organization to be financially responsible for maintaining the WTOA community in cooperation with Wilderness Trails Homeowners Association Declaration of Dedication and Restrictions; Section 6 under 1 the Board of Supervisors. (see attached)
(Board voted and approved the policy during the March 2020 Board Meeting)
- Presented Bill Payment Policy: the purpose of the Bill Pay Policy is to ensure compliance by the Board of Supervisors to pay expenditures as accumulated to maintain the WTOA community. (see attached)
(Board voted and approved the policy during the March 2020 Board Meeting)

Presidents Report Summary (Sandi)

- Report on the Restriction Committee making great strides and will be ready to be presented to a lawyer to be reviewed and rewritten and they presented to the community for voting to accept.
- Also discussed that the Board was working on a Capital Budget to have ready for next open meeting.
- It was also discussed how Delinquencies were going to be handled along with Liens. Reconfirming the new policy Collection Policy.

Old Business (Sandi)

- Street sign at entrance of Wilderness Trails: Not at this time cost would be \$100

New Business (Sandi)

- Ameren Contacted Ken Jarvis to let us know they will be coming thru to replace Power poles. This may mean some Revenue from road damage. "MAYBE"
- Ken also asked if the Board could get rid of an old gas tank and some culvert that had been left over from some previous construction. COMPLETED...
- John Barhydt ask if on the Bank Balances Slide, we could change the word Reserve to Savings to help people better understand. COMPLETED...
- Kathy Brown asked if there was another egress to the power lines besides the subdivision's roads. Ameren reported they will attempt to climb the hill behind the dumpsters to access the towers, although will have to use Wilderness Rd to the dumpsters.

- Larry Hughes: Asked about requirement for surety bonds and mentioned that bonds are expensive. Home builders are required to pay for damage to the roads. A certificate of insurance in a sufficient amount is also allowed per the restrictions.
- Aneta Kolb verified the last overlay on Wilderness Road was in 2014.

Adjournment at 1100 am.

Attached – WTOA Board Roles and Responsibilities, Collection Policy, Notice of Delinquency, Final Note of Delinquency, Bill Pay Policy, 2020 Q4 Financial Review Report, WTOA Expenses by Account Type (from QuickBooks, PDF of slides presented with financial reports included.