

Wilderness Trails Owners Association

Voting Meeting Minutes – 6/7/2021

Location: Eureka Community Center

Meeting called to order 7:00 pm

Presidents Report (Sandi)

- Brief overview of how meeting would run and what other Board members would be discussing.
- Review of Polices & Procedures distributed during the March Meeting. These cannot be enforced until aligned with the updated Restrictions.
- Report on Lawsuit-
 - REA removed as plaintiff on the lawsuit since REA was not a landowner in the Wilderness Trails Subdivision.
 - Barry Cundy and John Barhydt were added as Plaintiffs on the Lawsuit.
 - The board has agreed with the recommendations of the lawyer to make available the 10 years of accounting records as requested. A Protective Order was granted, which means the plaintiffs must keep the information private.
 - Discussed a third amendment has been added to the case. (Hardcopy of the suit as filed, was provided to the homeowners and the PDF is attached).
- Welcome new member appointed by the board - Liz Oeltjen replacing Steve Haubenriser.

Treasurer's Report (Joanne)

- **First Quarter 2021 Review**
 - **Rachel Kelly** gave report on First Qtr. Financial Review. All checks cleared and matched back to QB register and Transaction List by Vendor. All Billable expenses on Transaction were accounted for and everything was divided equally between 53 homeowners. All deposits matched Quick Books.
 - Denise Keller also submitted 1 QTR. Report.
 - PDF attached. Next Review end of September.
- All Board members review reports monthly and will continue.
- All board has access to review banks transactions and statements as posted on the WTOA google drive.
- Review of current Banking accounts.
- 1st Qtr expenses and current 2nd Qtr expenses reviewed. (All documents attached.)

Road Report (David)

- All Board members met with the Ameren Rep.
- Ameren information –
 - Tower work would go into the Fall.
 - More work will be done on Pine Ridge and Green Valley in the Fall.
 - Road work on the roads will be postponed until next spring due to Ameren work.
 - Approximate pricing for Green Valley overlay- \$50kK, Wilderness Road- \$224K, Pine Ridge-\$21K all subject to material pricing.
- Click property clean up involves the Dept of Conservation contracting to -

- Remove the Click driveway from Oldenburg driveway to both Click residences.
- Remove the old Click Foundation, back filing and letting nature take over.
- Will occur sometime late June, early July.
- DOC will assure the contracted company is responsible for the wear and tear on Wilderness Rd up to Click drive same as all homeowners according to the Restrictions.

Restrictions Committee Report (Liz)

- Reworking the Dedication and Restriction to be presented at the Annual Meeting in Sept 2021.
- Sections of concern
 - Enforcements- governed by the Dedications & Restrictions, fines, Penalties, violations and Enforcements.
 - Board member & Terms, Election Process and how to remove, Transition of Board Member.
 - Annual assessments and capital budget to include all operational and common services for the community.
 - Touched on Delinquencies, Interest and Liens.
- Restrictions Committee has submitted to lawyer for review and have suggested revisions back from Lawyer.
- Next step is to combine the lawyer suggestions with the restriction committee recommendations and propose a rough draft to the community at several informal meetings this summer to share thoughts and suggestions for a final draft in September.

Secretary's Report (Jeff)

- Sandi introduced the purpose of the voting meeting was to provide the board the ability to work in the capacity as expected by the homeowners as had been in the past until the restrictions are updated. The restrictions updates will incur legal fees which the board will require approval from the homeowners to pay the fees.
- As stated in the invite for the meeting
 - *Any special assessments for road improvements or other purpose may only be made by vote of the majority of the owners present at a called meeting, with the same provisions applying as outlined in Board of Supervisors paragraph #3, except that the meeting need not be held in the month of November and proxies are not valid.*
 - *Of note paragraph 3 states – “Members of the board shall be elected by owners of record during the month of November of each year, beginning one year after the first board is appointed. The election shall be held at a meeting called for purpose of the board with a notice being sent by mail to each owner of record of his last known address at least ten (10) days prior to the date of the set meeting. Said notice shall state the purpose of the meeting, date, time, and place meeting is to be held and stipulate that the owner may vote by proxy if he so wishes.”*

Prior to voting John Barhydt read the following statement and provided a hardcopy for recording in the minutes.

Secretary Feeney:

Please include in the minutes of this meeting my objection to these motions because they are attempting (by motion and vote in a called meeting) to add to or modify the restrictions, conditions, covenants, or other provisions contained in the Declaration and Restrictions. These types of amendments or modifications require formal approval of 75% of the owners, and the amendment must be recorded in the office of the Recorder of Deeds for Jefferson County, Missouri.

John Barhydt

There were no homeowners who motioned to agree with Mr. Barhydt. His statement has been recorded.

Voting

Six (6) Motions voted on during this meeting.

Voting occurred with a count of hands For, Against and Abstaining.

Joanne Moon and Jeff Feeney counted hands for each vote.

Liz Oeltjen recorded the votes.

Voting via Email, Mail, etc.

Motion to allow homeowners to submit a completed signed ballot for posted voting issues by email, mail or personally handing to a board member by the day and start time of the meeting.

Second: Valerie Conley

Motion: PASSED – (6 emailed versions were included in the remainder of the voting. Gary Sgouros was present at the meeting, although his vote was tallied via his emailed version as he preferred.)

Right of Contract for Common Services

Motion for the board to have the ability to have the right of contract for common services (trash, mowing, snow removal, salting roads), legal fees and operational fees on behalf of the entire subdivision and the right to bill each homeowner their equitable share of any such expenses.

Second Patrick Kelly

Motion: PASSED

Board Protection

Motion to enter contracts, employ agents, servants and labor as deemed advisable of necessary to defend suit against the Association, the Board, or its directors or Officers individually or collectively, in their capacity as Directors or Officers.

Second: Greg Oeltjen

Motion; Passed

Late Payment Fees

Motion to impose an interest of 10% for late payment (after 90 days) for assessments, common services, legal fees and operational costs incurred by the homeowner.

Second: Patrick Kelly

Motion: Passed

Quick Books Option 1, Option 2

Motion to use current 2016 QuickBooks program or purchase an Upgraded program. Joanne went over Pros & Cons of each version before vote.

Option 1: Continue with QB 2016

Option 2: Upgrade to QB 2021

Second: Kathy Brown

Motion Option 1: Passed QuickBooks version will stay current with QB 2016

Motion Option 2: Failed

Wilderness Trails Entrance Sign

Motion to accept one of the drawings offered by Erica Craine/Jeff Bollinger for changing the entrance sign. There are two options 1 & 2. This Motion was for the drawing only not how to fund the project.

Motion: Passed for Option 2

Jeff Bollinger stated cost for this sign would be around \$6700.

Mike Bagwell stated the company who provided the estimate for the sign was a reliable company and the cost was reasonable.

Erica Crain introduced an option to collect funds for a Beautification Committee to pay for the new sign. A question was posed for the community to fund the new sign. Further discussion required.

Voting Results –

Attendees	Present	Emailed	Total Homeowners Represented
Votes	32	6	38
Voting motion	97%		
Right of Contract	89%		
Board Protection	82%		
Late Payment	97%		
QuickBooks			
Current	18		
Upgrade	11		
Entrance Sign			
Option 1	9		
Option 2	25		

New Business (Sandi)

- Clint Wilson spoke to the community residents of his concern with the current litigation and his attempt to sell his property.
 - He requested if there was a plaintiff at the meeting and John Barhydt acknowledged.
 - Mr. Wilson requested we find resolution quickly as it is affecting his ability to sell his home since he is required to reveal the lawsuit to potential buyers.
 - Many homeowners agreed with Mr. Wilson.
- Click property was sold to the Regna’s and Dobrinics.

Questions & Answers:

Q: Clint Wilson -Track marks in Wilderness Road were reported. It is not known whether the Ameren drilling equipment or the tree trimming equipment cause the damage.

A: The Board will review the damage to the road and assess if repair is immediately required.

Q: Clint Wilson - How does voting on the Restrictions work? Does the homeowner have to be present to vote?

A: Per the restrictions, 75% of the homeowners must provide written approval to update the Restrictions. If homeowners cannot be present at a voting meeting, they will be approached in person or via a letter.

Q: ? Resident - Is interest charged on past due amounts simple or compound?

A: Interest is simple at 10%.

Q. Clint Wilson - Can the interest amount be increased to 20% after 6 months?

A. Increasing the interest rate has been a discussion with the Restrictions committee.

Q: ? Resident - What will we do if we have a QuickBooks support issue?

A: Either retreat to a previous backup or purchase a one-time support call.

Q: Tom Hinkson - Does the Treasurer have a preference on updating QuickBooks?

A: The Treasurer does not have a preference, and the Moons will abstain on this vote. The upgrade does not lessen the amount of effort required.

Q: Several homeowners as for a description of the sign and material.

A: Two-sided, 2-inch-thick signboard, routed and sand-blasted, made of high-density particle board. Residents can attach the sign to the existing uprights – Jeff Bollinger felt they were still in good condition and can be used. The vendor is InGraphics.

Q: Sandi Aubuchon - How long will the sign last?

A: Jeff Bollinger - The material is very durable and will last maybe 20 years.

Jeanne Baumhoegger commented that it can be difficult to see around the entrance sign to check traffic and seeing through the slats of the existing sign helps.

Q: Steve Rhoades - What about the dry hydrant and the Halloween bonfire?

A: New homeowners are in support of the dry hydrant and bonfire until they build their horse pastures.

Q: Gary Sgouros - What if the new construction causes damage to the roads?

A: The restrictions require a bond or insurance to cover road damage.

Adjournment at 8:30 pm