

Wilderness Trails Owners Association Restrictions Committee Meeting – 11/4/2020

Location: Sandi's house at 6:30 PM

Attendees: Sandi Aubuchon, Jim Conley, Jim Moon, Liz Oeltjen, Ben Crain, John Barhydt, Joanne Moon

Absent: Steve Haubenriser

The meeting was called to order at 6:42 PM by Sandi Aubuchon.

Agenda:

- Introductions
- Distribute copies
 - Current WTOA restrictions/bylaws
 - Ashton Woods
 - High Trails
 - The Bluffs
 - Document of changes from past committee (Jan 2020)
 - John Barhydt shared a copy of The Legends restrictions
- Overview of process
 - Review proposed changes presented in Proposed Changes to the Indentures email from John Barhydt (Jan 7, 2020) sent to past team Duan Reese, Aneta Kolb, Crystal Fry, Matt Klenke, Ben Crain, Valerie Conley and Matt Borzillo
 - ** This document will be used as the reference for the committee to achieve consistent reviews and proposals. Refer to the current bylaws dated August 23, 2020 for accuracy.**
 - Priorities for review
 - Enforcement of rules
 - Looseness of indentures. Lack of policy & procedures, roles
 - Communication with homeowners
 - Lot upkeep
 - Assessments and special assessments.
 - Distributed assessments for services (trash, snow, mowing, etc)
 - Board elections
 - Current Amendment 5 – Process to remove a board member
 - Ballots 5,7 & 8 distributed by the prior board not a current priority
- Discussion
 - Suggestion to rewrite the WTOA bylaws as a whole
 - Sandi concerned with length of time to achieve all the changes and suggested in the Boards best interest to address the areas that are most limiting.
 - Consensus to use the email document from John Barhydt Jan 7, 2020 with line numbers to help reference each section under discussion
 - Paragraph 5 (line 179), 6 (line 210), 7 (line 227)
 - Clarify the language
 - Annual assessment
 - Special assessment
 - Distributed assessment for services
 - Interest for late payment
 - Yearly budget to allow the board operating costs
 - Liz – Valuable knowledge working for a Title Company
 - Judges in title cases are hyper-literal
 - Amendment 5 –
 - Clarification on reasons to remove board members
 - 35% to achieve seems to be a very low # of residents. See other HOAs

Wilderness Trails Owners Association

Restrictions Committee Meeting – 11/4/2020

- Ben – concerned with a 75% majority to pass an action. This means that 25% of owners can block an initiative.
 - Consider a quorum
 - John – Prior proposals are just concepts.
 - Sandi – Policies and procedures should enhance the bylaws.
 - For instance, interest rates may climb. The board should be able to adjust the interest rate as needed without changing the bylaws. Consider a cap on interest rates at 10% plus WSJ prime rate. Or consider maximum allowed by law as upper limit.
 - Consider a Road Plan – past 5-year plan for roads exists and needs updating
 - Bylaws have no language to enforce paying for services (trash/snow/mowing).
 - Enforcement of bylaws.
 - Consider a fine for violation of bylaws
 - Rewrite the bylaws and use policies and procedures to define how to achieve the bylaw.
 - Delinquencies, liens, interest, etc.
 - Mechanic's lien as mentioned in the bylaws is outdated.
 - HOA liens are used these days
 - Based on the increased road costs over the past 5 years, may need to consider increasing the yearly assessment
 - Spending more on roads than collected in assessments over the last 5 years.
 - Align the board elections and board terms
- Next Steps

Teams assigned and will generate proposals for discussion at the next meeting. Each team will review sections of the current WTOA bylaws as assigned. Then will compare with 6 other HOA bylaws for suggested changes. (*Sandi to send 3 more sets of HOA bylaws to team.*)

Jim Conley & Sandi Aubuchon – Board of Supervisors

Annual assessments - Paragraph 5 (179)

Delinquencies/Interest – Paragraph 6 (210)

Board ability to borrow – Paragraph 7 (227).

John Barhydt & Ben Crain – Enforcement of the bylaws

Jim Moon & Liz Oltjen – Board of Supervisors

of Board members and terms - Paragraph 1 (149)

Election process - Paragraph 3 (160)

Amendment 5 - Paragraph 4 (176)

- **Future action items**
 - Plan for presenting changes to residents
- **Next Meeting**

Thursday, 11/19/20. 6:30 at Sandi's house
- **Adjournment**

The meeting was adjourned by Sandi Aubuchon at 8:15 PM.