

West Park Hills Homeowners' Association

*Monthly Board Meeting – May 7, 2024
Community of the Cross Lutheran Church
10701 Bloomington Ferry Road*

Board Members Present:

Rod Wooten, President; Brent Regan, Vice President; Christine Hazen, Member-at-Large; Lisa Feldner, Landscape and Grounds; Carol Pavlik, Treasurer; Tim Hinz, Maintenance and Carol Pelzel, Secretary.

Board Member Virtual: Chuck Amlaw, Member-at-Large

Board Member Absent: Wayne Evavold, Member-at-Large

Call to Order

The meeting was called to order at 6:00 PM by President Wooten.

Homeowners' Input

There was no homeowner input.

Point of Order for Agenda

Amlaw said he would like to see a point of order for the agenda. He has previously requested that the Bylaws be added to the agenda as well as attorney fees. Wooten said it was his intention to discuss Bylaw Amendments under New Business as listed on the agenda. Wooten said he would be happy to add this to the agenda and he apologized if this wasn't made clear.

Motion was made by Hinz, seconded by Regan, to add discussion of updating and redoing bylaws to the agenda. The motion carried, 8-0.

Approval/Amendment of Meeting Minutes

Motion Hinz, second Feldner, to approve the April 2 minutes as presented. Motion carried 8-0.

Directors' Reports

President – Rod Wooten

Wooten said National Night Out (NNO) will be on August 6. He asked for volunteers to help organize this event. Pavlik said they may have to find a new location for this event since she is having a tree removed. Feldner suggested they consider holding it up in Cavell Circle to get some of those homeowners to attend. Pavlik said that location may dissuade other homeowners from attending since most of them walk to the event. Amlaw suggested something be put in a newsletter notifying homeowners of NNO and the intent to change the location. He also suggested they ask for homeowner input and participation. Since it is early enough, they may get some participation and help form homeowners to organize the event. Feldner said she would assist with the event but did not want to be the lead person. Hinz said he would also be willing to assist.

Wooten said he would like the Board to recognize homeowners who have lived in the Association for 20 plus years. He would like to see this recognition take place at the annual meeting.

Wooten said he would like to see a newsletter go out to the homeowners in June and that it highlight some of the Board's significant accomplishments including monitoring the volatile HOA insurance industry, the Cavell wall project and the upcoming National Night Out. It should also address homeowner's recognition to take place

at the annual meeting in October. Feldner said real estate information previously reported was very informative and she asked Hazen if she would be able to provide that information. Hazen said she would be happy to do that.

Amlaw explained the Neighborhood Happenings publication had been under his jurisdiction. Wooten pointed out that the newsletter should be under the jurisdiction of the Vice President. Regan asked if the Happenings publication is different from a newsletter. Wooten responded it is not and there should only be one document. Amlaw said it is up to the Board to decide who should do this publication and he would like to continue the Neighborhood Happenings under his jurisdiction. Regan said he would not have a problem with that as long as he is still willing to do it. Pelzel said she would not object to that as long as the Board is able to review the document prior to it being sent out. Wooten said he agrees. They do not want to get into any negative information in the newsletter and the Board should be able to review it before it is sent out. Amlaw said he wants it to be noted that he did not put out any wrong information in the Happenings publication.

Motion was made by Pelzel, seconded by Regan, to have Amlaw prepare a newsletter to be sent out in June with the Board reviewing the document prior to it being distributed and giving them the opportunity to edit it.

Amlaw said if the Board is going to review the document for accuracy and relevance, he is fine with doing it but, if they are going to censor it, he does not want to do it. Feldner said she would like to review the document so any information regarding landscaping is accurate and there may be items she does not want included. Amlaw responded they need to be transparent and everyone needs to be treated equally.

Pelzel amended the motion to have Regan prepare a newsletter to be sent out in June with the Board reviewing the document prior to it being distributed and giving them the opportunity to edit it. Regan seconded the amendment. The amended motion carried, 8-0.

Vice President – Brent Regan

Regan reported he went to City Hall to determine if there are any rules established for delivery trucks entering private drives. He was told that the City's responsibility stops at the curb. Pelzel said she would not be in favor of restricting delivery vehicles from entering the driveways. She does not want to see additional signage added regarding this and is concerned deliveries would be dropped by the cluster mailboxes resulting in a greater opportunity for package theft. Pavlik suggested parents with small children playing in the driveway obtain some type of sign they can put out warning the drivers there are children in the driveway. Hinz expressed concern if they do post signs limiting access, the Association may be held responsible if something does happen. Regan said he would continue to look into other options for limiting access and will report back to the Board.

Regan said he has been having problems with the transcript service and he is recommending they not continue using it. Pelzel said it would be repetitive to use that service and have her do minutes. Regan said they still have the recorded meetings.

(Regan left the meeting at 6:30 p.m.)

Secretary – Carol Pelzel

Pelzel said she had all of the new mailbox keys delivered and homeowners were very appreciative at how quickly the issue of the damaged mailbox was taken care of.

Pelzel asked for clarification on the Boards membership. She said they are allowed to have as few as five members but no more than nine. Currently, there are nine members on the Board with the Rules and

Regulations position open resulting in ten positions. She asked if when the Rules and Regulations person moved to an At-Large position, did the Board vote on that move. The Board agreed this should be discussed further at their next meeting.

Treasurer – Carol Pavlik

Pavlik reported delinquencies total \$8,740. The financial position as of April 30, 2024, is \$821,653.

Pavlik presented an overview of the Association’s CD’s. She explained they have collected \$153,000 in dues but have not expended much money other than their normal operating expenses. In response to a question from Hinz, Pavlik explained the cost of the mailbox replacement came out of the BMO Harris money market operational account.

Rules and Regulations Review

Since this position is vacant, no report was given.

Landscape & Grounds – Lisa Feldner

Feldner reported they will be replacing the failing retaining wall on Cavell Circle (facing Pioneer Trail).. It will include both levels of the wall with a small area in the front of the wall behind the deck for a cost of \$62,000. Viens has agreed to three payments of \$20,867 each. Pavlik said there are funds available in the Wings Money Market operational account.

Motion was made by Pelzel, seconded by Hinz, to take funds for this project from the Wings Money Market Operational account. Hazen suggested the \$20,867 payments not be made until they are due.

Pelzel amended her motion, Hinz seconded the amendment, to make the first payment of \$20,867 for the replacement wall from the Wings Money Market operational account and subsequent payments as they come due. Motion carried, 5-0-1 with Amlaw abstaining.

Amlaw asked if Feldner had reviewed the information he had provided as to how another organization funded a wall replacement. Feldner said she did but felt the scenario for that organization was different from ours. They received two grants for \$7,500 which took an inordinate amount of time to prepare along with filing and awarding of the grants. They also had volunteer participation which Feldner did not believe we would have. For those reasons, she did not feel this was a good fit for our organization.

Feldner further reported Miller maintenance will be putting down weed control on Thursday and Feldner will send out an e-mail notifying homeowners. Also, Wednesdays will be the Association’s regular mowing day weather permitting. Amlaw suggested when Feldner sends out the e-mail notifying homeowners of the application of weed control she includes whether or not it is toxic. Feldner said signs are placed in the yards and she will include relative information in the e-mail she sends out.

Feldner reported May 20 will be the day Miller will be doing winter lawn repair. Feldner said she will be starting her walk-around. She will let Board members know when she will do the walk around, however, it may be a last-minute notice depending on her work schedule.

Hinz asked if there is anyway we as an Association can tell homeowners they need to water their lawns. Wooten said we need to educate them on the necessity of watering the lawns.

Melinda Wooten, 10450 Decatur Ave S., asked if there is anyway two e-mail addresses can be used for one mailing address. Her husband does receive a copy of the newsletter but she would also like to get one. Pelzel said this is something they can look into and perhaps if they have two e-mail addresses information can be sent to both. Melinda Wooten suggested the newsletter include tips for watering their lawns in a polite and kind manner.

Property Maintenance & Grounds – Tim Hinz

Hinz thanked all of those Board members involved in replacing the damaged mailbox. Hinz said he has only received a couple work orders over the last couple of weeks. He is in the process of organizing replacement of additional garage aprons. They will be doing the first six as soon as possible. Hinz said they will have to remove trees and stumps. There are 44 garage aprons remaining which will require the removal of 21 trees. Hinz said it is his plan to complete 20 aprons and three steps this year. They will also be repairing three chimneys which require tuck pointing and caps.

At-Large – Chuck Amlaw, Christine Hazen and Wayne Evavold

Amlaw said he has repeatedly asked for a copy of the document given to the Association's attorney making charges against him. He is once again asking for a copy of that document. He has a legal right to that information.

Amlaw reported that as of last week, there was one Board member who has not completed the necessary information for the liability bond.

Amlaw said he is planning to call a meeting in the next week or two with the members who volunteered to work on the insurance crisis. They need to determine their next step. Pelzel questioned looking into dividing the Association when the Restated Articles of Incorporation state upon dissolution of the Association and termination of the Community, assets have to be distributed to the members of the Association. She did not feel this was a viable alternative. Amlaw said he was aware of this but they need to consider all options.

Amlaw said he is once again calling for transparency and responsibility and he is hoping our laws and the State laws are being followed.

Hazen said she has nothing further to report.

Due to Evavold's absence, there was no report from him.

Old Business

Discussion of Delivery Truck Issue

This item was discussed under Regan's Director Report.

New Business – HOA By-Law Amendments

Wooten explained the Association's bylaws do need to be amended/updated. The document needs to better define Board member roles. Also, should there come a time where they need to employ a Management Company the bylaws should be in place to protect the Association. If this happens, they need to have accountability and transparency input. Wooten said he believes the Bylaws also need to reflect the growth of the Association.

Hinz suggested they set up a committee to study the issues with the document. That committee could make suggested changes to be reviewed by the entire Board. He said they may want to have the attorney look at them

first for recommendations. Hazen suggested there should be some pre-emptive work done before a meeting is held. Amlaw said he would not suggest going that direction because it could result in spending a lot of money just looking into the bylaws.

Judy Kaderlik, 10504 Decatur Avenue, said there are Minnesota State Statutes that govern HOA's. Pelzel suggested homeowners be included on the Committee reviewing the Bylaws. She also pointed out from past experience this process will take some time and changes will not be made overnight. It is a very tedious process.

Adjournment

Motion was made by Wooten, seconded by Pelzel, to adjourn the meeting. The motion carried, 7-0. The meeting was adjourned at 7:13 PM.

Respectfully Submitted By

Carol Pelzel, Secretary