

West Park Hills Homeowners' Association

*Monthly Board Meeting – April 2, 2024
Community of the Cross Lutheran Church
10701 Bloomington Ferry Road*

Board Members Present:

Brent Regan, Vice President; Wayne Evavold, Member-at-Large; Christine Hazen, Member-at-Large; Lisa Feldner, Landscape and Grounds; Carol Pavlik, Treasurer; Carol Pelzel, Secretary.

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

Board Member Absent: Rod Wooten, President and Tim Hinz, Maintenance

Call to Order

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

Homeowners' Input

Kathy Spies, 10404 Decatur, asked if anyone had a two-wheeler dolly that she could use to help move a refrigerator from her garage to the curb for the City's annual cleanup. She indicated she would also need help moving it to the street. Pavlik said she has a two-wheeler and Regan, Evavold and Amlaw volunteered to help move it.

Approval/Amendment of Meeting Minutes

Amlaw asked that the fifth sentence under Nomination of Carol Pelzel be changed to read "....., a communication should be sent out to all homeowners telling them that there was now an open Board position and giving them the opportunity to fill that position." He also asked that the last sentence under Approval/Amendment of Meeting Minutes read "...the President provide the Board with necessary information on issues that are against the law and not transparent that we as a Board are doing."

Motion Pavlik, second Feldner, to approve the March 5 minutes as amended. Motion carried 6-0-1 with Regan abstaining because of absence from that meeting.

Directors' Reports

President – Rod Wooten

Regan read Wooten's report presenting an update on the status of the damaged cluster mailbox. All homeowners were contacted and the process for replacing the mailbox was explained to them. The post office was also contacted to ensure we are meeting US postal compliance. Also, Wooten has been addressing an issue of a free roaming dog. The City's Animal Control has been contacted for a formal complaint. As of this date, it appears Animal Control has not yet visited the offending homeowner. With regard to the Fidelity Bond, Amlaw and Evavold have been looking into this issue. Regan also reported Wooten did extend the Board's condolences to the family of long-time resident John Cavanaugh on his passing.

Evavold said he has requested information from Wooten several times regarding the cost of the mailbox replacement and the procedure but has not heard back from him. Pavlik responded the cost for replacement was \$2,300 plus approximately \$200 for installation. Pelzel said she would be distributing the keys to the homeowners once they are received. Feldner said she would not be replacing the damaged sand barrel at this

time because of the lateness of the winter season. Regan said he would inform Wooten of Evavold's concern for not getting a response to his e-mails.

Vice President – Brent Regan

Regan said there is a deck in the Association that needs to be repaired. Pelzel said the Association is not responsible for the repair of the deck. If there are concerns about a deck the City should be notified. Brent said his concern is if the deck is attached to the privacy wall and fails, it will take the privacy wall down with it. Regan said he would discuss this issue with Hinz.

Secretary – Carol Pelzel

Pelzel said she had sent a notice to a homeowner that they were in violation of the City's ordinance because they had a charcoal grill on their deck. The grill has since been removed.

Treasurer – Carol Pavlik

Pavlik reported delinquencies total \$8,377. The financial position as of February 29, 2024, is \$813,521.

Pavlik explained that in September she transferred \$50,000 from a BMO Money Market account (operational) with the intent of opening a new money market account at Wings. At that time, they were not able to open up a new account without updated authorized signers so the \$50,000 from BMO was added to an existing \$86,000 Wings money market account (reserves) as a temporary holding place. Pavlik said she would now like to separate the \$50,000 (operational) funds from the \$136,000 Money Market account. She said they could open a new money market account at Wings with new updated authorized signers or, purchase a Wings 12-month CD at a rate of 4.63 percent. The \$86,000 would be pinpointed for reserves and the \$50,000 would be pinpointed for operational. Pavlik said they also need a second Board member as a signer. The Board agreed that Vice-President Regan should be the second signer.

Motion Pelzel, second Evavold, to move \$50,000 from the Wings Money Market account into a 12-month CD at Wings at a 4.63 percent interest rate with Regan serving as the second signer. The motion carried, 7-0.

Evavold said it appears that more than likely they will see interest rates go down so they may want to invest the \$71,000 CD maturing on April 12 to a longer-term investment and they may want to invest some of the BMO money into short-term investments to earn a better interest rate.

Motion Pelzel, second Feldner, to move the \$71,000 CD maturing on April 12 to a two-year CD at a 4.7 percent interest rate. The motion carried, 7-0.

Rules and Regulations Review

Since this position is vacant, no report was given.

Landscape & Grounds – Lisa Feldner

Feldner reported last month the Board approved a request from the homeowner at 10231 Cavell Circle to place various plantings on an empty garden bed in her area subject to the homeowner signing an agreement stating that should the property be sold; the new homeowner would maintain the garden bed or if the new homeowner does not want to do that the garden bed would be returned to its original state. The homeowner has now signed that agreement. Hazen said it appears this property belongs to the Association and she is concerned if the homeowner continues use of the property and maintains it over an extended period of time, it becomes the property of the homeowner. Regan suggested they add an addendum to the Agreement stating the property will

remain Association property. Amlaw said realizing this property belongs to the Association they may want to have the Attorney review this.

Feldner explained the retaining wall on the backside of Cavell Circle and Pioneer Trail is failing and she has been working on getting this wall replaced. After meeting with various vendors, Feldner is suggesting they work with Viens Lawn and Landscaping. They have been discussing a retaining block wall for both the lower wall and upper wall. The estimated cost for both walls and landscaping is \$71,019. They also discussed boulder retaining walls. The estimate for both boulder walls with plantings totaled \$62,600. Feldner said she would suggest they put in boulder walls instead of block walls. In response to a question from Evavold, Lisa responded the upper wall is not failing, however, if they replace the lower wall this could impact the upper wall. Hazen asked what type of warranty would they have on these walls once they are fully installed. Feldner said she was not sure but would check with Viens. The Board agreed they should replace both walls with boulders. They also agreed there should be no plantings in the wall because of roots causing issues. Pavlik said they will need to determine where the money to pay for this project would come from and suggested they use the reserve replacement fund. Pavlik said they will somehow need to replenish the reserve fund. Evavold said they could look at taking some of the funding from the CD's that become due. Pelzel suggested in the future they look at developing a 5-year capital improvement plan that lists future projects and possible funding.

Motion Amlaw, second Hazen, to do the walls with boulders and there be no plantings on the wall with Viens as the contractor. The motion carried, 7-0.

The Board will discuss at their next meeting possible funding for this project. Feldner said she would ask Vines specifically about their warranty.

Feldner said she will be doing a spring walk around and she is also working with a tree arborist and getting quotes on tree removal, treatment, etc. She will let Board members know when she will be doing the walk around and anyone who wants to join her is welcome to.

Feldner also reported Miller damaged a garage door when removing snow. They will repair the door and if they can't, they will pay to have it repaired.

Property Maintenance & Grounds – Tim Hinz

Pelzel presented Hinz's report stating that he has not received any new work orders for the month. Hinz is getting ready for concrete projects, obtaining new prices from the concrete people they have been using for the past five years. With regard to the damaged mailbox, it was determined that it was not repairable and they have ordered a new mailbox from the Association's previous source for a cost of \$2,400. Expected delivery is April 8. When it arrives Tim Asleson will install it. Since the Association's insurance has a \$25,000 deductible a claim will not be filed. Funds for the mailbox replacement will come out of the maintenance budget. Evavold questioned if this damage could be a comprehensive claim similar to auto insurance that covers damage from causes other than collision. Amlaw said he would contact the Association's insurance to see if the damage would be covered as comprehensive damage.

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

Amlaw said he had previously asked for information that was given to the Association's attorney and he has not received any responses. There was a legal document with charges against him and he has a right to that information and he wants a copy of that letter.

Amlaw explained that the Association's Fidelity Bond shall name the Association as the named insured and shall be written in an amount equal to the greater of the estimated maximum of Association funds. Amlaw said he has spoken with the Association's insurance carrier and they indicated if we were to get the fidelity bond coverage in the amount of \$800,000 the cost would be just under \$1,000 a year and has a \$250 deductible. Amlaw had provided the Board with a sample of the Owners' Association Fidelity Bond Questionnaire and Indemnity Agreement to be completed by Board members. Pelzel asked if the insurance company requires all members to complete this form. Amlaw said they do. Feldner said this is more of a credit check rather than a background check as previously stated and she wants to maintain privacy. Amlaw explained the insurance company will mail each Board member the form and the Board member would then return the completed form directly to the insurance company.

Motion Pelzel, second Hazen, to raise the Association's Fidelity Bond to \$800,000. The motion carried, 7-0.

Amlaw said he would call the insurance company to raise the bond to \$800,000 and to mail the necessary forms to be completed directly to each Board member.

Amlaw explained that he e-mailed Paul Gentilini, the Association's insurance agent, regarding the problems HOA's are experiencing in what our insurance agent is calling a crisis market. Gentilini feels it is prudent for any HOA Board to take three actions that Amlaw had listed. The Board should start monitoring the market trends, both nationally and locally regarding HOA's/Insurance. Also, they should track government involvement in the HOA/Insurance issues that might affect the Association. And thirdly they should look into the process of downsizing the HOA. Amlaw suggested they contact the Association's attorney to find out what the process would be and how long it would take to downsize the Association. If State Farm changes their policy, the Association would have 90 days to do something. Amlaw said he is suggesting a couple Board members look into these areas and report back to the Association. Pavlik said one way to keep the cost of our insurance down would be to increase the \$25,000 deductible. They could also look into self-insuring. Amlaw said he would be happy to be involved in this process and asked for any other Board member to assist in looking into these matters. Regan said he would be willing to work with Amlaw on this.

Amlaw said he would like to see the updating of the Association's bylaws on the agenda so they can be updated.

Evavold asked for a breakdown of the \$6,000 attorney fees. Pavlik said she had already provided Evavold with a copy of the invoice but would provide the Board with a copy. Evavold said he would like to discuss the breakdown at next month's meeting.

Evavold said he had requested a special meeting prior to this meeting. Because that did not occur, he submitted a formal request signed by Evavold and Amlaw for a special meeting to discuss personnel issues.

Hazen said she is willing to contribute whatever she can and would be happy to work on the Association insurance issues. Hazen said she would also like to see what is happening with the Association's newsletter.

Old Business

Discussion for Proposed Meeting Structure

Pelzel said because of the lateness of the evening, she would like to see this item continued to next month's meeting.

Discussion of Delivery Truck Issue

Amlaw explained he is proposing that no package delivery vehicles be allowed on Association driveways. Pelzel said she is concerned that these delivery people will not walk packages up to the door but will leave them by the cluster mailboxes which has happened before. Pelzel said she really did not want to see a sign posted on the address sign indicating no package delivery trucks are allowed on the driveway. Regan said he would look into this further and to determine if this limitation is being done anywhere else or if there is an ordinance regulating this. Regan said he would report back to the Board next month.

New Business – HOA

Since no one knew what this item was, Amlaw asked that it be removed from the agenda.

Adjournment

Motion was made by Regan, seconded by Pelzel, to adjourn the meeting. The motion carried, 7-0. The meeting was adjourned at 8:09 PM.

Respectfully Submitted By

Carol Pelzel, Secretary