

**Wilderness Park Home Owners Association**  
**Monthly Meeting Minutes**  
**October 7, 2023**

Meeting called to order by Jeff Zabinski at 9:33 a.m.

**Board Present:** Jeff Zabinski, Tom Hansen, Karen Ludwig, Oscar Ehrnst, Kris Jackson, Paul Albrecht, and Rob LaFleur

Absent: Kari Koren and Brice Grafstrom

Tom Hansen made a motion to approve the agenda; Paul Albrecht seconded; all in favor, motion carried.

**Secretary's Report:** Karen Ludwig provided minutes from the September 2 and September 16, 2023 meetings to board members and attendees. A moment was provided to read through the minutes.

Karen reported there has been a type of hacker trying to get into the online payment system. Evalon, the credit card processing company, indicated it is something called Auth Testing. Efforts have been taken to stop the hackers by creating rules and blocking IP addresses. These efforts have been helpful, but are not solving or stopping the problem. The link for payments has been removed for the time being. Keith Monson is assisting in trying to find a possible way for members to have a username and login to get to the payment link. Evalon informed this could fix or at least slow the attempts of the hackers. If a member would like to pay dues by credit/debit card in the meantime, please reach out to a board member and a link can be emailed to you.

Paul Albrecht made a motion to approve the meeting minutes; Tom Hansen seconded; all in favor, motion carried.

**Treasurer's Report:** Kris Jackson provided a reconciliation report and reported balances as follows:

US Bank Checking: \$43,779.44  
US Bank Savings: \$120,269.01  
US Bank CD \$19,806.89

Kris reported after reconciliation of the August checking account statement, the balance of the checking account was \$25,915.33. Kris stated some of the online payments were inadvertently deposited into savings rather than checking. After reconciliation of the August savings account statement, the balance of the savings account was \$120,264.00. Please keep this in mind when reviewing the September meeting minutes.

Kris reported she is in the process of requesting last year's balances of the park's accounts from Cindy McWilliams and her assistant, Trina. The plan is to reconcile back to the last reviewed balances for each fiscal year. This will assist Kris and the members of the self-assessment committee moving forward. The members of this committee are Kris Jackson, Rob LaFleur, Kelly Daniels and Laura Kerfeld.

Toni Diede asked how many dues are still outstanding. Kris reported the outstanding balance was approximately \$103,000.00. She asked that members keep in mind there are many old accounts and members with liens. The self-assessment team will look into a plan on how to clean up those old accounts.

Karen Ludwig made a motion to approve the treasurer's report; Paul Albrecht seconded; all in favor, motion carried.

**Caretaker's Update:** Glen Kastner and Wayne Markowitz were both absent. The pool has been painted and prepped for winter. The aerator permit was approved. They are working on getting a plan together to finish the upgrade to the men's bathroom. The new lawnmower is great. Thank you, Paul Albrecht for picking that up.

Tom Hansen indicated we should schedule a review of the caretakers in January. We also need to address at this time, or in December, who is working when, if any caretaker will be laid off, etc. The caretakers have worked in the past to save money and discuss who is covering for the week so that both could stay on board over the winter. We will provide a review sheet for them in December to then discuss in January.

Tom Hansen asked if there was a repair in place to fix the fact that little arms can fit through the gate and let themselves into the pool without a fob. Oscar Ehrnst advised he has addressed this issue and it will be remedied in the near future.

**Activities Committee:** Activities are done for the year. Thank you Cara Ballantine and volunteers for your efforts!

**Discussion Between Board Members:** Oscar Ehrst informed that Kris Jackson received a message concerning Oscar and something in his background. Oscar addressed the board. The board heard Oscar and appreciated his candor. The letter Kris received was a request for Oscar's resignation. Oscar thought his resignation would end this concern; however, the information was and has already been exposed to many of the other members of the park. He understands the topic is of public information, but really wishes it would have been kept private. Oscar received a message 3 days ago from a member, he will not share who, stating "I see your info is still on the Wilderness website. I just wanted you to know I will ask for your resignation if you are sitting at the board table on Saturday." He is getting the help he needs, has been in therapy with his wife, and done everything the Court has asked of him. Under no circumstances would any of his past affect the board or any decisions board related. Therefore, he will not be turning in his resignation today.

**Facebook Page(s).** Kris Jackson wanted to address the Members Group Facebook page. She indicated she realized there is freedom of speech, but the posts made on this site are not productive and not helping the park members to come together and move forward. Katie Lewis said no, she and Mike Kirchner will not take down this page. Katie informed Mike and herself are not deleting anything. The members making the posts are the ones deleting the posts. Kris admitted she didn't understand that, but the FB page seems to be dividing the park and creating a rivalry. Josh Ostrowski said the page he moderated for the park was the same – 85% drama. That's why he shut it down. It wasn't creating a sense of community, nor assisting any members to come together as he hoped. There currently are several pages – Wilderness Park Members Group page, Wilderness Park – Motley page, Wilderness Park Home Owners Association, and more. Katie Lewis said if you don't like the posts, get off the page and stop reading them. Rob LaFleur thought as page administrators/moderators, he believed the creator(s) have a certain level of responsibility to manage that page. Glen Young said he is not against other pages being out there, but any other site should not have the name "Wilderness Park" attached to it.

A member asked if there was a way to go on the website to ask a question. The answer is yes. You can email the park through the website or an individual board member if you choose to do so. Those contacts are available online. She had a concern that was expressed on the Facebook Members Group page and was very disappointed and felt attacked at the responses she received. Resolution: Please present concerns to the board through the website "contact us" platform. The board will respond as soon as possible.

Melissa Ehrnst stated now you can see why she was posting online. Her husband was essentially being blackmailed. The board can't stand up for themselves on FB, so someone else will.

Oscar Ehrnst stated at the special meeting, he brought a new system in which to run meetings whereby the board would be allowed to discuss matters without members' comments until it is time for members to comment or until a member or members are called upon to speak. At that time members would be allowed 2 minutes in which to state their concern at the allotted time. Oscar asked if/when that would be implemented. Tom Hansen

informed he is in favor, but this way of doing things did not work in the past. Oscar Ehrnst made a motion that we start following board guidelines in how meetings are run from this point forward; Kris Jackson seconded; all in favor, motion carried.

**Please note as of December, meetings will be held on the second Saturday of the month rather than the first.**

**Road Committee:** It is fall. The committee is trying to get the roads shaped up and ready for (do I dare type it) snow. Snow removal was a large expense last year.

Tom Hansen reached out to Engberg about cutting back trees, caution tape, etc. Engberg informed they have been getting calls from members about how to save their trees. Tom asked that these concerns be brought to the board or road committee members, not Engberg. Red tape means, cut the tree, but leave it on your property. Yellow tape means do not cut the tree. Trying to get this scheduled for mid to end October, but Tom has not received a response with a specific date as of today. Tom said he saw a section of the park that had yellow ribbon along the entire property. This does not work. The committee is trying to keep as many trees as possible, but need to allow access for emergency vehicles, plows down our roads, etc.

**Declarations Committee:** We have been informed that the attorney hired by the park has been suspended from the practice of law. Jeff Zabinski requested we take time and get an attorney when we need to. He suggested getting Declarations together and hiring an attorney once we get to the point of need. Toni Diede made a motion to the board to fire the attorney and get whatever retainer back that we can.

Toni said the committee met Thursday evening. They believe Declaration of Covenants - the why and how the park runs - needs to stay under a 317A, Non-Profit Corporation. The Declaration is old and needs an update. She indicated the committee believes the Bylaws need to be updated then too. The committee understands 515B needs to be addressed and are proposing this section be used to create restrictive covenants only. The proposal is the board would still follow act under Minn. Stat. 317A. This would result in three separate documents – Declaration of Covenants, Declaration of Restrictive Covenants, and Bylaws. The committee is working on putting together a very black and white explanation to cause less confusion of the members.

Kelly Daniels wanted to speak a little about the committee that was formed at the annual meeting. The new committee members as well as the original committee have combined and are working together to move forward. The committee has split tasks into two separate groups – one addressing the legal aspect of the Covenants, and one addressing the restrictive covenants. Regardless of what the statutes say, our Declaration of Covenants drives how we run and supersedes the state statute. Kelly advised a Google document has been formed for all committee members to use as a group. Once we have a secure site to publish these working documents, the committee will do so. Kelly said with the credit card hackers, we really don't want member information or financial data to be public. The committee is excited for these two teams to come together to work toward the same goal – the betterment of the park. Toni Diede asked for members to remember this is all going to take time. As a group and members of this association, we need to get the Declarations done first. We can save a lot of money if we do some of the legwork first, and then hire an attorney and get his/her input. Jeff Jordan asked if there was any timeline in which a document would be provided to members. Kelly Daniels said ASAP is what they intend. Toni Diede said the committee's true intention is to get the draft to the members for approval BEFORE any new attorney reviews and critiques the documents. The goal is not to have one person doing this. The committee wants people's feedback. This is for the members as a whole to decide. Everyone's opinion matters and they want to hear yours; however, opinions need to be shared appropriately. Please email the park so your thoughts can be forwarded to the committee.

Tom Hansen expressed some concern about legality. Kelly Daniels said the committee is coming together to set forth what the members want, but all need to remember an attorney will have to approve to ensure it is

enforceable by law. Tom Hansen said when the time comes, we need to get a quote for attorney fees approved and ensure it fits in the park's budget as well.

Oscar Ehrnst motioned that upon receipt of the letter from the attorney addressing his suspension, the park fire the attorney, obtain our file, and get any remaining retainer refunded; Rob LaFleur seconded; all in favor; motion carried.

Kris Jackson contacted an attorney she knows in Buffalo who provided two referrals for when the time comes to find another attorney. Toni Diede suggested finding an attorney with the knowledge base that the committee is looking for.

**Committee for Self-Assessment:** See Kris' report above. They met last Saturday and are working on getting a live file going. One person plus the Treasurer will access for now and they are working to reconcile back to the fiscal year-end for starters. Then come up with policies going forward - collecting Certificates of Insurance from contractors for work done, preparing 1099's, etc.

**Open Forum:** Jeff Jordan asked why Section 7 was attached to the September meeting minutes. Toni Diede explained that was the section from the original document that seemed of the most concern at the annual meeting so the committee wanted to address that section first. A member provided notes to the committee with her thoughts. Her name and date were placed at the top of the page so the committee can address her concerns. That is exactly what they are looking for. They expressed thanks!

Toni Diede informed they are looking into calling a members meeting in May for feedback on the revised documents. Brian Diede said not every person is going to get what they want. He said those issues are what they would like to address at this members meeting. Melissa Ehrnst suggested if a member has an issue, thought, concern to share with the committee, those should be expressed prior to this meeting.

**Old Business:** Addressed above.

**New Business:** Addressed above.

Rob LaFleur made a motion to adjourn at 11:34 a.m.; Tom Hansen seconded; all in favor, meeting adjourned.