

**Wilderness Park Homeowners Association  
Approved Monthly Meeting Minutes  
September 5, 2020**

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

**Board Present:** Jeff Zabinski, Gina Libbesmeier, Karen Ludwig, Robyn Willette, Tom Hansen, Katie Lewis, Paul Albrecht, Roger Cummings, and Jeff Finch

Absent: None

**Election of Officers:**

Karen Ludwig was nominated and accepted the Secretary position.

Gina Libbesmeier was nominated and accepted the Treasurer position.

Robyn Willette was nominated and accepted the Vice President position.

Jeff Zabinski was nominated and accepted the President position.

Gina L. made a motion to have a background check done on Robyn Willette with her acceptance of the Vice President position; Katie L. seconded; all in favor.

Gina L. made a motion for Dan Paul to be removed from all financial accounts; Katie L. seconded; all in favor.

Gina L. made a motion to add Robyn Willette on all financial accounts; Katie L. seconded; all in favor.

**Secretary Report:** Karen Ludwig

Minutes from the August, 2020 meeting were made available to board members and attendees at the meeting. A moment was provided to read through the minutes. Linda Paulson made a request to amend the minutes to add information about Tod Paulson's email and dues structure proposal to the board. Vicky Matson also requested an alteration to the language in the Bylaws Committee section. These alterations will be made. Gina L. made a motion to approve the meeting minutes with the requested amendments, Katie L. seconded; all in favor.

**Treasurer's Report:** Gina Libbesmeier

**Balances:**

US Bank Checking: \$140,153.16

US Bank Savings: \$13,825.56

US Bank CD: \$20,196.56

First Resource Bank CD: \$11,893.73

- Expenditures included: Anderson Septic of \$150; Hillyard of \$113.92; Reimbursement to Tim for pump of \$357.81 and other items in the amount of \$420.38; Wheelco for orange flags on speed limit signed of \$120.97; Nanik for \$3,200; and Ackerman for \$1,300 (dig out ditches).
- Ferrell gas - members of the park will be locked in at \$1.18 a gallon if you mentioned you are in the park.
- Reminder Cass County will be having an auction on tax forfeited lots for sale in October.
- Mark Ahrens donated \$100 to the park for use as the board decides. Thank you, Mark!

Katie Lewis made a motion to approve the treasurer's report, Robyn W. seconded; all in favor.

**Caretaker's Report:** Tim Brix was present and informed he will begin trimming back branches on roads this week – Sherwood, Poplar, etc. Bobbi said for Tim, or any one person, to take on this task by himself is impossible. Any volunteers to assist with this task would be great. Tim said Tom volunteered to help. Doreen asked about this and was informed the plow/grader is about 15 feet tall. This should be considered when trimming back roads. The activities committee is planning ditch cleanup again in October. Jeff Jackson is willing to donate his brush hog to clean up some ditches. Gina L. suggested paying for Jeff's fuel with a cap of \$500 for any break-downs (hydraulic hose, etc.); Roger C. made a motion for payment/reimbursement to Jeff Jackson as Gina L. explained; Katie L. seconded; all in favor.

Tim also informed he has been working to dig up rocks out of the roads that would stop or disrupt a road grader or snow plow and has also been working on fixing washouts.

The pool will be closed for the season on Monday night. Tim informed the opening of the pool in light of the COVID restrictions went well and he only had to close the pool one day due to members not following the required guidelines. Roger C. made a motion to approve the caretaker's report; Jeff F. seconded; all in favor.

### **Activities:**

Doreen Mages informed an ice cream social will be held today (Saturday, September 5, 2020) from 7:00-8:30 pm in the parking lot. There will also be a pancake breakfast tomorrow (Sunday) morning. The activities committee is asking for a free will donation at these events. Doreen informed the funds will be used for clubhouse updates and they are currently working on replacing the poles and backboards of the basketball hoops and replacing the volleyball poles. Gina L. informed Shane Heald refurbished a basketball hoop, donated it and installed it.

Doreen informed roadside cleanup this year will be focusing on the clubhouse grounds. Volunteers, please bring rakes, pruners, shovels, wheelbarrows and chainsaws if you can. The committee and the volunteers will also be painting the wooden play set. Work will begin on September 19<sup>th</sup> at 9:00 a.m. Lunch will be served to all volunteers. around the clubhouse area – grinding stumps, cleaning up brush, etc. Doreen also indicating If it would rain, this event will be delayed to the next weekend. A member informed that volunteers and the activities committee should be aware that the DNR and County have many rules and regulations with regard to the removal of any trees near the lake that need to be taken down. Approval should be received prior to removal of any of these trees and we may be required to take a picture to prove why any tree should be removed.

### **Road Committee:**

Bobbi Bochow has been grading roads with the township grader. Shane Huesman has assisted. They are volunteering their time to make the roads better.

Dan Paul said there is a large rock sticking out on Cherokee near Sioux Trail. Jeff Z. said the road committee has been discussing this. Dan Paul said Ackerman Aggregate stated he'd be interested in digging the rocks out and bringing in more gravel. They would like to do some of this before winter when the plow needs to get through.

Dan Paul said the culvert on North Shore Drive is bad. They talked about using the culvert that was taken out on Arrow to replace it. The road committee is working on getting approval from the County

to replace this culvert as it is close to the lake. Glen Young said he thinks this can now be done with the approval of Scott and Darren with the County. They informed Glen the County may even provide a culvert due to its position near the lake; however, they need to determine where its draining. They talked about getting it located too. The road committee will get pricing and bring it to the board for approval.

Jeff picked up stop signs and cones and will get them to the road committee for placement.

### **Bylaws Committee:**

Vicky Mattson mentioned Tom's proposal at the last annual meeting (2019) as it related to changing the voting to one vote per member rather than one vote per lot. She inquired about bringing this subject before an attorney as many members believe the voting is not fair as multiple lot owners can make such a big difference with their votes. She said the park does need more money and agreed it she didn't believe it was fair for the members who own only one lot to have such an increase in dues. Members present believed if each member only had one vote, there may have been a different result. Vicky asked for approval of possibly two hours of attorney time to bring the questions the committee has so far to the attorney so the Bylaws Committee can proceed and continue to move forward. Vicky informed the attorney she has been speaking to in the twin cities specializes in HOA laws and charges \$220 per hour. She and the Bylaws Committee will be putting together a list of things to address with the attorney and bring it to the board before proceeding. Since the attorney she has spoken to is in the cities, she is attempting to find someone near the park so that other Bylaws Committee members can also attend the meeting with the attorney. Gina L. would like to know if the voting for the special assessment was done correctly. Vicky said she believes it was done. Gina L. made a motion for the Bylaws Committee to use up to \$600 of attorney fees to get clarification on their concerns; Roger C. seconded; all in favor. The next Committee meeting is Monday morning.

Tom Hanson wanted to clarify if the bylaws are changed to one vote per member, dues will also have to be changed to one due per member, not per lot. Dues/Votes go hand-in-hand and must remain consistent.

### **Old Business:**

Reach out to Karen L. or Gina L. if you still would like a second fob or to Karen if you are having problems with your fob. Additional fobs are brought to each meeting and can be obtained at that time as well.

### **New Business:**

Tod Paulson read a letter about the voting of a new dues structure at the special meeting. He requested this letter be made a part of the minutes and provided to the members. *See attached.* He has been in the park 30+ years and is in the process of retiring and moving his permanent residence to the park. He was very distressed and concerned with regard to the special meeting and the results of the same. Tod suggests another meeting to address the dues structure, with the advice and approval of the Bylaws Committee to change the dues structure to a fair and equalized amount as set forth in this letter. Glen Young informed he believes the purpose of Tod's proposal is to establish principal and fairness among members.

Tom Hansen asked of members present – would you like to have one vote per member or one vote per lot as it is now? Josh Ostrowski said members should be paying more dues for more lots owned. As

it is now, a member is basically paying \$20 for an additional vote. He would prefer one vote per owner in the alternative of the way it is done now. Tod Paulson agreed stating why should multiple lot owners have a louder voice than a single-lot owner? General consensus at the meeting was for the Bylaws Committee to look into changing the Bylaws to one vote per member.

Alice Archer brought up the issue of multiple campers on a single lot or campgrounds being established in the park. Jeff Z. informed that Cass County will be coming to the October meeting to inform members of the rules for permits/regulations with regard to campers on lots. Vicky Matson said we should be enforcing the Bylaws/Declarations and the rules set forth therein. Zach Sprague informed he believes we should work with the County first, prior to attempting to find a solution. Why do we have to keep addressing the same issue with the campers and the same issue with the speed limit. Unless we can find an actionable response/reprimand, we should all be respectful and monitor ourselves and our guests. Until we can find a legal way to enforce these issues, he believes these complaints should be tabled. Another member said we, as a park, should be putting more energy into cleaning up the junk lots.

Steve and Lori Dick negotiated with the board to buy a Wilderness Park lot next to them. They had a letter/purchase agreement confirming the sale and terms of the sale. Cass County is doing Quit Claim Deeds to transfer any interest in lots where the fee title owner is Wilderness Park, Inc., Southern Educators, etc. (without clean title). Gina L. made a motion to sell this lot to Steve and Lori Dick for the \$2,000 that was negotiated some time ago. It is believed that Cass County is selling buildable lots for \$3,500 a lot. This lot is not buildable. Last year it was voted on and approved to let such lots be tax forfeited to clear the title. Cass County they will not clear the title(s) if these lots are tax forfeited. They would just turn around and sell them, transferring any interest by Quit Claim Deed. Katie Lewis made a motion to reverse this decision and sell the lots, transferring the same by Quit Claim Deed; Robyn W. seconded; all in favor. Katie Lewis made a second motion to sell the referenced lot to Steve and Lori Dick for \$2,000 as they showed documentation (purchase agreement) of this negotiated amount; Karen L. seconded; Jeff Finch opposed stating the board should find out the current value of this lot prior to selling.

Katie L. made a motion to adjourn the meeting at 10:55 a.m., Tom H. seconded; all in favor.

September 1, 2020

An open letter to the Wilderness Park Homeowners Association Board of Directors and Members

"What just happened here?" That was the question that kept repeating in my mind at the close of the special meeting held on August 15, 2020 following the Annual Members Meeting. The sole purpose of this meeting was to conduct a vote on our current dues structure. On the ballot provided to the WPHA members were two proposals:

1. \$400 for the first lot owned and \$20 per additional lot. (\$189,840 total dues revenue 2021)
2. \$220 for the first lot and \$72 per each additional lot. (\$141,016 total dues revenue 2021)

A third proposal presented at the time of the meeting was initially denied a voting status but was eventually allowed to be included in the vote as result of objections raised by members present.

3. \$300 for the first lot and \$70 per each additional lot. (\$176,060 total dues revenue 2021)

A vote was taken and the following results were announced;

Proposal #1 235 votes  
Proposal #2 108 votes  
Proposal #3 40 votes

For a total of 483 votes cast. (According to the special meeting minutes.)  
Actual total of 383 votes cast. (Does this constitute a quorum?)

This is based on a voting system that entitles each member one vote for each lot owned by them. A member owning five lots casting a ballot counted for five votes. A single lot owner member casting a ballot counted for one vote.

The end result of the voting was a \$48,824 dollar increase in annual operation budget. This represents a one year 34.62% increase in the annual operating budget. The net effect on individual member dues is outlined in the following chart. (Continued on back)

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<u>Lots owned</u>	<u>2020-2021</u>	<u>2021-2022</u>	<u>% increase/decrease</u>
1	\$220.00	\$400.00	82% increase
2	\$292.60	\$420.00	43.5% increase
3	\$365.20	\$440.00	20.5% increase
5	\$510.40	\$480.00	6% decrease
7	\$655.60	\$520.00	20.5% decrease
9	\$800.80	\$560.00	30% decrease

The net result of this vote was an 82% increase in the yearly dues for a single lot owner and a significant decrease in the annual dues for multiple lot owners. With the one vote per lot system used in this vote it was a foregone conclusion what proposal would be passed.

What needs to happen?

Clearly WPHA needs an increased operating budget. However the method in which this vote was conducted was unfair at best. To quote the WILDERNESS PARK SUSTAINABILITY AND 5 YEAR FINANCIAL PLAN as presented by the board to WPHA members, "Without getting a viable dues structure in place, the park is simply not sustainable. As the board is working to be transparent and forward thinking, it is critical that we have input from the park community-without that we are not able to make the best decisions we can for the park, and it is our goal to do so." In the spirit of transparency, forward thinking and full disclosure the following steps need to be taken:

- (1) A clarification of the voting results. In addition to the totals for each proposal, the actual number of ballots cast for each proposal need to also be made known. Additionally, included in the actual number of ballots, the number of single lot owner ballots for each proposal needs to be specified.
- (2) The current system of one vote per lot severely limiting the voice of single lot owners is unfair and needs to be addressed by the by-laws committee.
- (3) At the next WPHA Annual meeting (or sooner if possible) another vote needs to be taken to address the dues structure. A proposal changing the dues structure that assesses the approved 34.62% increase in the overall operating budget across the board needs to be considered. This would increase dues from \$220 for the first lot to \$296.16 and increase from \$72 for each additional lot to \$96.93. This will equally distribute the increase in dues across the board as opposed to single lot owners shouldering the majority burden of the increase in annual dues.

Respectfully submitted, Tod Paulson WPHA Member