

HIGHLAND FOREST HOMEOWNERS ASSOCIATION

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2011 HIGHLAND FOREST HOMEOWNERS ASSOCIATION ANNUAL MEETING MINUTES

The **2011 Annual Meeting of the Highland Forest Homeowners Association (HOA)** was held at 10:00 a.m. on Saturday, March 5, 2011 at the St. Charles County Library-Corporate Parkway Branch in Wentzville, Missouri.

Attendance: A total of 21 homeowners representing 16 of the 33 Highland Forest homes were present at the meeting. In addition, City of Wentzville Ward 2 Alderman Peggy Meyer and Vann Sample attended and participated in the meeting. Following is a list of those present at the meeting:

Board Members

Joel Budnik (418 Highland Meadows PL)
Rex Bales (308 Highland Meadows CT)

Homeowners

Earl and Helen Cummings (303 Highland Meadows CT)
John Fick (304 Highland Meadows CT)
Vince and Donna Byrd (305 Highland Meadows CT)
Jared England (307 Highland Meadows CT)
Michael Wood (314 Highland Meadows CT)
Stephen Stanfill (310 Highland Meadows CT)
Jerry Knopp (319 Highland Meadows CT)
Bryan Notheis (405 Highland Meadows PL)
Doug Post (406 Highland Meadows PL)
Andrea Zak (407 Highland Meadows PL)
J.C. Bally (408 Highland Meadows PL)
Jason Green (409 Highland Meadows PL)
Diana and Scott Luker (410 Highland Meadows PL)
JoAnn and Bart Margiotta (417 Highland Meadows PL)
Patti Budnik (418 Highland Meadows PL)

Introductions and Agenda Review

The meeting began at approximately 10:05 with each person introducing themselves to the other attendees. Following introductions, Joel Budnik began a slide presentation starting with a review of the meeting agenda (a *copy of agenda is located at the end of this document*) and contact information for the current board of directors. *A copy of the entire slideshow is available under the Documents and Pages tab on the neighborhood website listed in the header above.*

Review of 2010 Annual Meeting Minutes

A scanned copy of the 2010 meeting minutes was included in the slideshow. The minutes were read and discussed as part of the old business portion of the meeting. The 2010 minutes indicated that the previous balance in the HOA's account was near \$12,000 as of February 2010. The other items previously discussed at the 2010 meeting included the need to proceed with getting bids for an entrance monument; the filling of the vacant board of director positions for the HOA (*two of which were filled at the 2010 meeting by Joel Budnik and Rex Bales*); potential common ground management ideas involving the planting of trees and reducing the amount of mowing; issues related to trucks hauling dirt to the Victoria's Ridge Neighborhood; the intent to develop a Highland Forest website; issues related to the parking of cars along the streets overnight; the need for children at play signs; and street repair needs. The 2010 meeting minutes were accepted and it was agreed that several of the items previously discussed at that meeting would be further discussed at the 2011 meeting as new business/continued items.

Treasurer's Report

Treasurer Rex Bales provided each attendee with a printout of the past three statements provided by City and Village. The November 2010 statement showed an ending balance of \$12,321.67. Total expenditures in 2010 included \$10.00 for annual registration fees for our State registration as a non-profit organization, \$370.00 for mowing and brush removal from the common ground/retention basin, \$110.00 for postage, \$120.00 for recording fees, and 481.90 for collection fees. Rex stated that no December statement was provided likely due to inactivity on the account during that timeframe.

The January 2011 statement distributed to the attendees showed the same ending balance as the November 2010 balance or 12,321.67. The most recent statement from February 2011 showed a new balance of **\$14,023.05** in the account. This increase was due to receipt of 25 of the 33 \$100 annual assessments that were due on March 1, 2011. It was noted that payments received after February 28th will show up on the March 2011 statement. Once the remaining assessments are collected, the total budget should be approximately \$14,800. (Please note that *City and Village has since notified the HOA that they have sent notices to any residents that had not paid the assessments as of March 14, 2011. To avoid any additional interest accrual, please make your payments as soon as possible*). It was reported that one home in the neighborhood continued to be delinquent with paying their 2009 and 2010 annual assessments, which has unfortunately resulted in a lien having to be filed on behalf of the HOA so the funds could be recovered. It was also noted that substantial interest and collection charges have accrued on that delinquent account that will be recoverable by the HOA upon any future sale of that residence.

Based on the February 2011 statement, expenditures for 2011 to date included a total of \$362.00 paid in February 2011 for reestablishment of Liability Insurance for the HOA Common Areas and Directors and Officers Insurance. A question arose during the meeting regarding the insurance. It was explained that the insurance was for two separate policies, each having \$1,000,000 coverage to protect the HOA and Board of Directors for any issues that may arise with use of our common areas and to protect the volunteers on the board from any inadvertent errors or omissions in duties as board members. These are standard policies maintained by most HOA's and are recommended in the City of Wentzville guide for HOA Trustees, a copy of which is located on the Highland Forest website. In addition to the insurance costs, a total of \$375.00 had been paid so far this year for collection fees. Other 2011 costs to date included approximately \$170 total for postage, general office and copy supplies, and recording fees charged by City and Village as part of our account management and communication services they provide for us.

New 2011 Business/Continuation of Old Business

Wentzville Ward 2

Following the Treasurer's Report, Joel Budnik continued with the New/Continued Business portion of the slideshow. This started with a figure showing the Ward 2 Boundary Map of Wentzville with the current Ward 2 Alderman contact information displayed. Alderman Peggy Meyer, who was in attendance along with Alderman Vann Sample, stated that the Ward boundaries will be changing later this year so the current map will become outdated.

Children's Safety Issues and Awareness of Private Property

Due to the number of small children in our neighborhood and due to some recent issues, a slide was shown that discussed some general safety reminders to help protect the children. The main discussion included reminding people to drive slowly and always watch for children, not to block sidewalks, and try to reduce street parking which can result in blind spots for both the children crossing the streets and oncoming drivers. (Note: based on new information received from the City

after the March 5 meeting, we are looking into possible purchase of speed limit signs as part of the Keep Kids Alive Drive 25 Program. This might include purchasing up to two small speed limit signs with a KKAD25 safety message displayed on them to help remind drivers to slow down. Placement of one sign near the entrance to the neighborhood along Highland Meadows Drive and another along Highland Meadows Place upon entering the neighborhood from the Victoria's Ridge Neighborhood are the likely locations for speed limit signs. Additional information is being obtained at this time and will be distributed to all HOA members once it is available.)

Parents were also reminded that, based on the best available information provided to our residents by local law enforcement and city staff, cul-de-sacs or courts can be used by children at play, but for safety purposes they should always be supervised by adults. In addition all children should be reminded to avoid the primary traffic lanes and to move for cars entering and leaving driveways attached to the cul-de-sac or court areas. A reminder was also given to make sure children respect adjacent private property where permission to enter has not been granted.

Additional information regarding awareness of private property was discussed due to recent issues in the neighborhood. The basic reminders given were that the sidewalks are considered public right-of-ways and can be utilized for passing through an area. This includes the bottom section of individual driveways where the sidewalks cross. Alderman Vann Sample added that the sidewalks lining our streets are really considered easements through the adjacent property and are therefore meant to be used for passing through a property. Sidewalks are therefore not meant for long-term "use" by individuals. Any property beyond 10-feet from the edge of the street, or basically from the home side of sidewalks and beyond is considered private property that requires permission to be granted from the owner for use of those areas. It was recommended that before parents allow their children to play outside, they make them aware of which properties they have been granted permission to utilize since not every homeowner in our neighborhood allows people to enter their yard. It was also noted that dogs should be kept on a leash or within their own property to avoid conflicts with neighbors. Also, when walking dogs on the public areas, including sidewalks, the owner should be sure to keep their pets within the public easements and immediately clean up any solid items left behind.

Neighborhood Watch Program

Information about the Neighborhood Watch Program available on the City's website was provided as part of the slideshow to determine if there was any interest in establishing a Neighborhood Watch Program in Highland Forest. Attendees at the meeting agreed that since we are a relatively small neighborhood most of our residents are good at recognizing when strange vehicles or individuals enter the area and that we already watch out for each other so it was not necessary to have a formal program at this time.

Block Parties/National Night Out Program

Information about the National Night Out Program and Block Parties available on the City's website was provided. Attendees at the meeting agreed that block parties are a good idea and thought that past block parties were successful. The last block party was held in 2008 on the National Night Out date. Alderman Vann Sample pointed out that the National Night Out date was being pushed back until closer to Fall since the former date in early August is typically during hot weather. Rex Bales said that Wentzville's Officer Mary Wheeler would help us set up a block party as part of the National Night Out Program if someone wanted to put one together this year. No official decisions were made regarding having a block party this year, but this is something that will likely be pursued later in the year. The most likely location would be at the north end of the neighborhood in the Highland Meadows Court area, the same location as the last get together. It was noted that all block parties must be approved by the Police Department, even if the party is not associated with the National Night Out Program.

City Municipal Code vs. HOA Indenture of Trust and Restrictions

A slide was shown to provide information regarding the differences between violations of our own Highland Forest Indenture of Trust and Restrictions versus violation of the City Municipal Code. Items such as peace disturbances cannot be enforced by the HOA, whereas items such as fence styles, etc. specifically outlined in our list of restrictions are applicable to the HOA. In instances where both Municipal Code and HOA violations may be involved it is recommended that the City or local law enforcement personnel be contacted as they have jurisdiction and more enforcement power than the HOA. Alderman Peggy Meyer added that the City could not enforce HOA indentures when no city code violations are involved.

Common Ground

This section summarizes several separate discussions at the 2011 meeting involving the Highland Forest HOA Common Ground. Joel Budnik showed some maps of the Highland Forest Common Ground that is located at the south end of the neighborhood. It was noted that the access to the Common Ground is located between homes 412 and 414. To help with future decisions on management options for the Common Ground and to ensure everyone is aware of the boundary between the Common Ground, including the access area, and the adjacent private property, it was recommended by the HOA board members that a land survey be conducted so the boundaries could be appropriately marked. Following the suggestion, Bryan Notheis made a motion to have the Common Ground surveyed. Bart Margiotta and additional attendees seconded the motion. A show of hands confirmed that the majority of those present agreed that a survey should be completed.

Due to recent issues concerning private property adjacent to the Common Ground access point, several residents in attendance voiced concern that the access to the Common Ground is not clearly marked to allow residents to stay on the Common Ground property, including the access path, so as not to inadvertently step onto private property and upset adjacent homeowners. Although the survey will clearly show where the access point is located, the markers from the survey will only be temporarily visible. The idea of constructing a sidewalk down the middle of the access area was discussed as one long-term solution. One of the residents stated that the original plans for the neighborhood called for the builder (Jackson Homes) to construct a sidewalk in the access area, but it had never been completed. Alderman Vann Sample stated that it is possible that the City could be holding escrow money for completion of sidewalks in the neighborhood. However, it was stated that none of the current or former board members present had been made aware of any such escrow account. The current board members will check with the City Planner Doug Forbeck to determine if any money was held back in an escrow account from Jackson Homes. Since construction of a sidewalk will be costly (unless there is escrow money available), and because there are no other developments currently on the Common Ground, the sidewalk idea may or may not be pursued in the future. Scott Luker suggested that other permanent markers/small signs be placed at the entrance to the Common Ground so that the access was clearly marked. Those present at the meeting agreed with the idea, and later in the meeting voted to allow spending up to \$200.00 on appropriate signs to mark the access point immediately after the survey was completed. The survey and small signs to mark the Common Ground entrance were later accepted as the top priority for spending in 2011, followed by the entrance monument discussed below.

Joel Budnik discussed several other options related to the future management of the Common Ground. He mentioned that the terrain, retention pond, and small size of usable land substantially limited the options for creating a play area or other use of the common ground. He discussed various ideas regarding planting of trees on the area, including a combination of free trees that may be available through Forest ReLeaf of Missouri, cheap tree bundles available through the Missouri Department of Conservation, and larger trees to be purchased by local nurseries. Reasons given for

planting trees include providing a buffer from West Meyer Road to the south and the adjacent apartments/duplexes located just to the west of the Common Ground. Also, as mentioned by Peggy Meyer and confirmed by Joel Budnik, the County shows plans for a future public hiking/biking trail to be placed along Dry Branch, which runs immediately south of the Highland Forest Common Ground and Neighborhood. Joel mentioned that getting trees/forest established before a public trail is constructed might help buffer our neighborhood from strangers using the trail by blocking their view of our backyards. Finally, once the planted trees were large enough, a small trail of our own could be established through the area with benches, etc. to provide a peaceful area for our residents to enjoy. Trees on the Common Ground would also help to surround Highland Forest with forest cover and provide wildlife habitat.

Other related discussions took place, including talking to various City staff to discuss common ground management options/ideas, including attractive plants that could be planted in the retention area. Peggy Meyer mentioned that Jamie Paige and Mary Jo Dessieux with the City of Wentzville would be good contacts for common ground management ideas. The functionality of the retention area was briefly discussed. Vann Sample recommended discussing with the City whether the retention area was designed to only handle surface runoff or runoff from stormwater drains. It was decided that the board members will talk with the City Public Works department to determine if there are any options for removing the retention area based on the small amount of flow it appears to handle. However, it is likely the retention area will be required to remain in place due to storm water and pollution prevention laws.

Another option brought up by Joel Budnik was an idea to check into purchasing a portion of the adjacent flat land that is for sale between the Highland Forest Common Ground and West Meyer Road. A portion of the 4.54 acres that is currently for sale in that area lies on the Highland Forest side of Dry Branch and could potentially be added to the Highland Forest Common Ground to provide a large enough flat area that could likely be converted into a play area for kids or other uses. However, it was noted that much of the area is in the floodway of Dry Branch so uses may be restricted. A grassy play area would likely be allowed so long as the grade is not changed and no fill is added in the floodway area. Further information regarding the land that is for sale will be obtained, including cost and willingness of the landowner to split the land to sell only a portion of it. However, due to our limited budgets and other priorities for spending, purchasing new land is likely not an option at the current time. In addition, some residents who are not located near the Common Area mentioned they may not support a play area or other development on the Common Ground due to the distance from their homes, making it difficult to watch their children should they play in that area.

Entrance Monument

Joel Budnik and Rex Bales had previously gathered photos of existing neighborhood entrance signs/monuments from around the St. Charles and St. Louis County areas to use as examples to help us determine a style for the Highland Forest entrance monument. It was pointed out that it is not possible to get accurate bids until the size, style, and other details of the monument have been determined by the HOA. Joel Budnik showed a slideshow of the various options/styles collected to date (see the neighborhood website for a copy of the slideshow). Based on the examples shown in the slideshow, the meeting attendees were able to agree on two basic styles of monuments. Both styles selected included a mixture of stone and brick surrounding the actual nameplate engraved on a concrete or limestone plate. The idea of including silhouetted graphics of trees or forest on the nameplate was also discussed and liked by several attendees. The examples selected to be carried forward for detailed bids were the Claymont Court and the Wings at Eagle Crest (without the extra side pieces beyond the two stone columns surrounding the center monument portion) styles.

As part of the monument discussions, it was pointed out at the meeting that the area slated for the entrance monument has public access (sidewalk) and utility (stormwater) easements running through it, which may limit the usable area for the monument. The current board members will work with the City to determine what options exist for use of those areas for the monument, as well as determining the appropriate permits to be obtained for the monument. It may be possible that the monument can be constructed on those areas so long as it could be lifted up and temporarily moved aside should the City ever need to access the stormwater pipes or other utilities located in the area at some point in the future.

Board members will pursue bids from local contractors for the two styles selected at the meeting once the usable size of the monument easement area has been fully determined. As discussed at the meeting bids will likely need to include three basic components, one for a bid on the actual monument/nameplate from a local monument company, a second from a local mason who would complete the brick/stonework and incorporate the actual monument/nameplate into the overall structure, and a third from an electrician to have electricity installed for lighting of the sign. Once bids have been obtained, a ballot will be distributed to all residents/HOA members for final selection of our monument style.

It was determined at the meeting that the entrance monument is second on the list of planned expenditures, behind the Common Ground land survey and associated access signs. It is anticipated that there will still be enough budget to purchase the monument in 2011, because the survey and small access markers/signs will not require a substantial amount of the overall available budget.

New Resident Welcoming Committee

The idea of developing a new resident welcoming committee was brought up based on a previous suggestion by Rex Bales. Several potential ideas the committee might incorporate to welcome new residents into the neighborhood were discussed. J.C Bally volunteered himself and his wife Marsha to head up the new welcoming committee. Attendees at the meeting decided it would be a good idea to give new residents a gift card to a local restaurant or other venue. A motion was made and seconded to set the amount of the gift cards to \$50.00 to be given to the new homeowners of any newly purchased residence. A show of hands indicated the majority of attendees agreed to that set amount.

Christmas Decorating Ideas

The idea of neighborhood-wide Christmas decorations was discussed. Rex Bales mentioned an idea of placing a wreath on every mailbox in the neighborhood during the Christmas season. That idea and a few others were discussed in more detail. Based on the discussions, it was ultimately determined that it might be difficult to get everyone to agree to place a wreath on their mailbox. Therefore, it was decided not be pursued. The idea of decorating the future entrance monument was mentioned and seemed to have the most interest at this time. This idea will be discussed again once the actual monument has been constructed.

Snow Removal

Joel Budnik mentioned concerns regarding snow removal from the sidewalks in the neighborhood based on the heavy snows that occurred during the Winter 2010/2011 season, which resulted in large piles of snow blocking parts of the neighborhood sidewalks. This became a safety issue for children who were forced to walk along the edges of snow covered streets when coming and going to the bus stop. Joel mentioned a few options for keeping this from happening in the future including an idea of getting bids from local snow removal companies to have on call in case of heavy snow events to have them come out and clean off all of the sidewalks following snows of 6-inches or more.

Other options included each homeowner cleaning off the sidewalks in front of their residence themselves, or having volunteers clean sidewalks for those that couldn't do it themselves.

The meeting attendees basically agreed that it was not necessary to hire anyone to clear the sidewalks and that by using volunteers from within the neighborhood we could do it ourselves. It was decided that a list of volunteers will be developed and placed on the neighborhood website so that residents may contact them to clear their sidewalks as needed. Other options included paying some of the older children to clear sidewalks/driveways to give them an opportunity to make a little money on their own. It appeared some parents were willing to force their children to do it for free, but no votes were taken for that idea.

Neighborhood Website

Joel Budnik discussed options for the recently established neighborhood website. There are basically two options using the current Neighborhood Link website. First is the free website option that is currently in use; and the other is to upgrade to a premium version, which basically allows for an advertisement free website with less clutter, a more professional appearance, and more privacy options. The cost of the upgrade would be \$120.00 annually, which could potentially be offset by selling advertising spots on the webpage if desired. More details regarding the differences in the two versions were provided during the slideshow at the meeting.

The meeting attendees agreed that keeping the free version of the website was fine and that there were not enough benefits to make it worthwhile to pay for the upgrade at this time. Therefore the website will remain with the current free version. We will continue to use the website to communicate and provide copies of documents, such as these meeting minutes, to all residents. Each resident can also use the website to communicate with fellow neighbors by creating their own username and password when on the Highland Forest website. We will also continue to communicate using e-mail for those members that provided e-mail addresses. Those that requested hard copies will still receive information in their mailboxes.

Options for Altering/Amending the Highland Forest Indenture of Trust and Restrictions

Information was provided regarding options for altering or amending our existing Highland Forest Indenture of Trust and Restrictions due to past questions regarding the issue. Based on information obtained by the board members, it is very difficult to add any new restrictions to our current Indentures because it requires 100% of our members to do so. Altering or deleting existing items, so long as no new restrictions result, can be accomplished a little easier, but still requires written consent by 80% of all HOA members. Any such changes require assistance from an attorney due to the Indentures being a legally binding document. All changes have to be recorded with the St. Charles County Recorder of Deeds. No specific changes or alterations were requested at the meeting.

Vacant Board Position

Prior to the meeting there was one vacant board position that needed to be filled. Nominations/volunteers to fill the vacant spot was requested at the meeting following a brief description about the duties associated with position and why it was important for it to be filled. Scott Luker volunteered himself to fill the final board position. Since there were no other volunteers or nominations, the attendees at the meeting accepted Scott Luker by acclaim as the new Vice President of the Highland Forest HOA for a three-year term.

Meeting Adjourned

The meeting was adjourned at approximately 12:10 p.m.

Summary of Action Items for 2011

The following action items were taken from overall discussions at the 2011 meeting and additional information obtained since the meeting:

- 1) Order a land survey for the Highland Forest Common Ground.
- 2) Purchase signs/markers for the entrance/access to the Common Ground with an approved budget of up to \$200.00 total. Obtain any permits from the City for placement of the signs if within the public right-of-way or easement areas.
- 3) Continue to work on details of the Highland Forest Entrance Monument, including determining the exact size of the usable area within the monument easement area by meeting with City Public Works staff, determining an appropriate size of the monument that can be constructed based on that information, and gathering bids for the monument/masonry work to complete the project for the two styles selected at the 2011 meeting. Once bids have been obtained, distribute a ballot showing the styles and costs for final voting by all HOA households. Obtain appropriate permits from the City prior to initiating any construction of the monument.
- 4) Assist the Bally's with establishment of the New Resident Welcoming Committee. Purchase \$50.00 gift cards as needed for new residents.
- 5) Gather a list of volunteers for snow removal and place the list on the neighborhood website.
- 6) Continue developing possible ideas for the Common Ground. First, contact the City to determine if there is indeed any escrow account for a sidewalk within the access area. We will also meet with the City to discuss if there are any options for use of the current retention area. Lastly, contact the real estate company with the adjacent land for sale to determine costs and willingness of the owner to split the land to allow purchase of a smaller amount. (Note: It is likely that budget constraints will limit any work being conducted on the Common Ground during 2011, other than potential planting of free or low-cost trees in the Fall should that be desired. We will continue to communicate with HOA members as information is obtained so everyone can be involved with any decisions that need to be made regarding the Common Ground prior to the next meeting.)
- 7) Determine options for placement of speed limit signs in the neighborhood by the City and/or as part of the new Keep Kids Alive Drive 25 Program. Based on best available information, KKAD25 signs would cost approximately \$55.00 each. More information will be provided as it becomes available.

Highland Forest Homeowners Association 2011 Annual Meeting

Date: March 5, 2011

Time: 10:00 A.M.

**Location: St. Charles County Library – Corporate Parkway Branch
1200 Corporate Parkway
Wentzville, MO 63385**

AGENDA*

- 10:00 A.M. INTRODUCTION OF BOARD OF DIRECTORS**
- 10:05 A.M. READING OF MINUTES FROM LAST ANNUAL MEETING/
PREVIOUS BUSINESS ITEMS**
- 10:15 A.M. TREASURER’S REPORT**
- 10:20 A.M. NEW/CONTINUED BUSINESS ITEMS**
- 1. ENTRANCE MONUMENT**
 - 2. BOARD VACANCY/NOMINATIONS**
 - 3. COMMON GROUND MANAGEMENT OPTIONS**
 - 4. NEW RESIDENT WELCOMING COMMITTEE**
 - 5. NEIGHBORHOOD WEBSITE/ELECTRONIC COMMUNICATIONS**
 - 6. ISSUES RELATED TO CHILDRENS’ SAFETY and RESPECT FOR
PRIVATE PROPERTY OF NEIGHBORS WHEN PLAYING
OUTDOORS**
 - 7. LIABILITY INSURANCE FOR HOMEOWNERS ASSOCIATION’S
COMMON AREAS/ BOARD MEMBERS**
 - 8. NEIGHBORHOOD-WIDE CHRISTMAS DECORATION IDEAS**
 - 9. NEIGHBORHOOD BLOCK PARTY**
 - 10. NEIGHBORHOOD-WIDE SNOW REMOVAL OPTIONS**
 - 11. OPTIONS FOR REVISING/AMENDING the HIGHLAND FOREST
INDENTURE OF TRUST and RESTRICTIONS**
 - 12. OTHER ASSOCIATION MEMBER ITEMS OF CONCERN**
- 11:20 A.M. SUMMARIZE ACTION ITEMS/BALLOT ITEMS**
- 11:30 A.M. MEETING ADJOURNED**

**These times are approximate and subject to change based on the length of discussions of individual items.*