

## **Willow Creek of Annual General Meeting**

Nov 5, 2023

Meeting Start: 3:05PM

Present: Steve Landau; Jason Miller; Eli Grove

Virtual: Travis Brainard

Guests: Eric Schierer (non-member), Chad Schierer (non-member), Additional Guest (non-member)

Absent: Paula Berta

### **Non-Member Guest – New Business:**

E Scheirer: Requests a copy of the meeting minutes (eschierer@yahoo.com) when approved.

A complaint is brought forward that a truck and trailer is parked on the public street in front of the property he and his team are currently working. The vehicle holds a receptacle (assumed to be garbage). This is in violation of the following HOA covenants:

**9.10** Each owner shall provide a screened area not generally visible from the streets of the Subdivision to act as a service yard and an area for the storage of garbage receptacles or similar storage receptacles.

**10.4** Garbage cans or receptacles may not be set out for collection more than 12 daylight hours before pick up time. Cans or receptacles shall not remain out past dusk on the day of collection.

Discussion:

Scheirer provided photos of the situation showing a truck and trailer with a receptacle strapped to the trailer. All agreed that it contained yard waste for off-site disposal.

Note: The Village announced the last curbside yard-waste pick-up is this week 6Nov2023 to 10Nov2023.

Yard waste receptacles (paper bags and other receptacles) on the curb is a common practice during the warm months for Village pick-up services.

Scheirer Requests:

1. Enforce (9.10 and 10.4) covenants for this specific property owner.
2. Change the HOA covenants to add applicable enforcement fine / levy table.
3. Change the HOA covenants to restrict street parking to only specified holidays.

Scheirer was informed that the HOA Board was not going to spend the funds to investigate and/or change the covenants, per his request. The HOA has the responsibility to interpret the covenants and provide enforcement (such as property liens, or other legal avenues).

Scheirer was informed public street parking was a Village matter covered by the Village ordinances and the Village police if necessary.

(C Scheirer) Profanity and threats were made to physically move the vehicle and trailer without the owner's permission and to the personal well-being of the neighboring property owner (an HOA board member). Scheirer / Scheirer / Guest left the meeting shortly after.

Discussions continued:

Recommended solutions, covenant interpretations, and corrective actions.

- Label the containers as "yard waste" (not used for "garbage")
- Section 12: Scheirer is neither the Developer nor an owner. 12.1 and 12.3 applies. As a non-owner Scheirer has no authority in these matters of garbage receptacle enforcement.

**Old Business (a year in review):**

Mowing

Yr 1 complete of a 5yr contract

Ponds looked great this summer. (Algae and pond growth)

1yr complete of a 2yr contract

2023 Brush/Tree Clean up.

Legal issue near completion

Open Projects:

Signage

Spillway Maintenance

Drainage (Horseshoe and Mulberry Park)

Muskrats: It is approaching hunting season. Jason will contact Stamm to see if there is interest. (per last meetings discussions)

**Secretary's Report:**

See Annual Meeting presentation.

**Treasurer's Report:**

See Annual Meeting presentation.

2023 Budget Alignment

2024 Budget

Motion to approve the 2024 Budget:

1<sup>st</sup> Eli

2<sup>nd</sup> Jason

Approved

Point of clarity: Duplex – Dues:

We often receive questions from owners about dues associated with Duplex homes. Attached is a statement of interpretation:

1. As interpreted (by current and previous HOA boards): A "lot" aligns with a unique Tax Parcel Number\*. Therefore, a duplex is a "full" lot per the interpretations of the HOA.
2. A duplex home (owner) has the same HOA rights and responsibility as any single-family home (owner). – (Ownership of common grounds)
3. A duplex home (owner) has the same HOA voting rights and privileges as a single-family home (owner). – (HOA rights and representation)
4. There are no accommodations for a partial-vote or partial-membership in the covenants. Every member is a full voting member with full rights and privileges.

\* There are some exceptions, where construction of a residence is not possible within the parcel defined by the developer.

Motion: Approve Financial Report

1<sup>st</sup>: Travis

2<sup>nd</sup>: Eli

Approved

**New Business:**

755 Stonebridge – Solar Panel Project:

Motion to approve the solar panels

1<sup>st</sup> Eli

2<sup>nd</sup> Travis

Motion passes

1317 Cedar Lake – Re-construction Project:

Exterior Color Change / Exterior footprint and style unchanged.

Discussion on \$1500 retainer (not new construction)

Motion to approve the rebuild designs as submitted and wave the \$1500 retainer.

1<sup>st</sup> Jason

2<sup>nd</sup> Eli

Motion approved.

1308 Willow Glen – Black Aluminum Fence was approved last meeting.

Inquiry was submitted for white vinyl or wooden fence due to the expense of black aluminum.

He was informed that these options would not be accepted by the HOA board (5Nov2023)

No action required at this time.

Dennis was contracted about tree limb / brush clean-up. They have been sitting under the trees for a while. He has been waiting for curb pick-up.

Ponds

Some discussion about a solar 12V aeration pump. No action taken at this time.

**Motion: Adjourn Meeting**

1<sup>st</sup>: Eli

2<sup>nd</sup>: Jason

Meeting Adjourned 446pm

**Appendix:**

**Threats:**

C Scheirer referenced Mr. Grove as an a\$\$hole

C Scheirer threatened to “drag” Mr. Grove outside and to show him the curb (intention: physical fight)

C Scheirer threatened to physically remove (tow, push) Mr. Grove’s vehicle from its legal parking location

It is clear to the board that claims are not about garbage can covenant compliance. The concern is about convenient on-street public parking places.

Due to these threats, future in-person meetings to conduct HOA business may be cancelled. 100% virtual meetings will need to be considered for the safety of our board members to conduct normal business.