

Trails at Brittany Homeowners Association

Minutes from Annual Members Meeting

MEETING DATE: Tuesday, September 20, 2022 7:00 p.m.

LOCATION: Countryside School Gymnasium, 4301 W. Kirby Ave, Champaign IL

Attendance: A total of 31 Trails at Brittany residents were in attendance, to include the six current board members. Attorney Chad Beckett was also present.

1. Welcome and Introductions (Janet Peshkin)

- a. The annual members meeting was called to order by Janet Peshkin at 7:03 p.m. A majority of the current HOA Board were present. Janet Peshkin opened the meeting and welcomed everyone.
- b. Introduction of current board members:
 - i. Janet Peshkin, President
 - ii. Jean Wichman, Secretary
 - iii. Shirley Faugh, Acting Treasurer
 - iv. Katie Newman, Communications Director
 - v. Krishna Bhowmik, Member-at-Large
 - vi. Imad Al-Qadi, Member-at-Large
- c. Recognition of prior board members:
 - i. Mike Sutter, Treasurer
 - ii. Len Lewicki, Vice President
 - iii. Elaine Hlavach, Vice President

OLD BUSINESS

2. Treasurer's Financial Report (Shirley Faughn)

- a. Profit and Loss Summary: January – August 2022
 - i. Income: \$77,486 (includes base \$72,400 + dues/fees collected in arrears)
 1. Two households are in arrears, income will be slightly higher once collected
 - ii. Expenses:
 1. Liability Insurance (Annual) \$1992
 2. Lake Maintenance (Annual) \$10,606
 3. Landscape Maintenance \$38,731
 4. Entrance Planting/Maintenance \$1,003
 - a. Saved \$3300 on ending Flower Island program
 - b. Used board members own resources and labor to do plantings and spent about \$1000 on supplies
 5. Postage—mailing HOA Invoices \$638
 - a. Trying to switch to email to save money this year
 6. PO Box Rental (Annual) \$322
 7. Attorney Fees \$3,575
 8. Accountant(s) \$3,994

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| 9. | Repair (Storm Sewer Leveling/Re-seeding) | \$655 |
| | a. Hired labor to level storm sewer area | |
| | b. Janet and Shirley provided grass seed and labor to restore | |
| 10. | Utilities (Electric & Water at entrances) | \$1,175 |
| 11. | Miscellaneous | \$325 |
| | a. Includes Garage Sale, Office Supplies, County Records, & State Fees | |
| iii. | TOTAL Expenses January – August: | \$63,016 |
- b. 4th Quarter Expenses (Known & Anticipated)
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| i. | Accountant | \$480 |
| ii. | Attorney | \$500 |
| iii. | Tree Planting | \$1,550 |
| iv. | Tree Removal/Stump Grinding | \$1,000 |
| v. | Entrance Planting | \$500 |
| vi. | Plant Bed Fall Clean-up | \$1,000 |
| vii. | Utilities | \$600 |
| viii. | Irrigation Winterization | \$1,000 |
| ix. | Miscellaneous | \$1,500 |
| | 1. Includes County Records, Signage for Lakes, Supplies, Postage | |
| x. | Total for 4th Quarter | \$8,130 |
| xi. | Total for January-August | \$63,016 |
| xii. | Total for 4 th Quarter | \$8,130 |
| xiii. | TOTAL EXPENSES 2022 | \$71,146 |
| xiv. | 2022 Income Less Expenses | \$6,340 |
- c. Audience Question: How much additional income will our revised assessments bring?
- i. Answer: Approximately an \$8000 increase with new assessment revisions is anticipated, provided the revision passes approval tonight.
- d. Audience Comment: Len Lewicki mentioned that he would like to see a hired landscaping service and not continue to rely on Board members for the labor
- e. Summary
- i. \$6,340 dedicated to first 2 months of 2023 expenses, and
 - ii. Board voted in early 2022 to move up to \$10,000 to Long Term Capital Projects (lakes and infrastructure)
 - iii. What the Board has done to reduce costs
 1. Cancelled Flower Island Program (\$3,300) – saving \$1,800
 2. Changed Accountants (\$3,400) – saving \$1,950
 3. During COVID no Welcome Baskets or Ice Cream Socials – saving \$600
 4. Limited irrigation to entrances
 - iv. What we plan to do to reduce costs:
 1. Seek bids for Mowing, Groundskeeping
 2. Gradually add perennials to plant beds
 - v. Questions/Comments
 1. Saving money on ice cream is too radical (attendees laughed)
 2. Elizabeth Thurman baked and donated the cookies for our meeting (round of applause)

3. Audience Questions: What is the amount currently in reserve?

- a. Answer: Right now, there is \$32,000 in savings (collected over several years and stored in a preservation account). The HOA used approximately \$40,000 to re-rock lakes a few years ago. We also carry insurance for any damage to HOA property.

3. Architectural Committee Report (Elaine Hlavach)

(Architectural Committee Members: John Gilman, Chair; Ellen Hlavach, Member; Shirley Faughn, Member)

- a. Have reviewed the plans and site placement of the latest house being built on Mullikin (two empty lots left for development)
- b. Continue to review requests for fences, pools, and now solar panels
 - i. For example, adding solar panels, fences, mailboxes, additions, etc.—must be approved by committee. Recent activity included:
 1. Homeowner requested review of a new step being built to solve a safety issue
 2. Homeowner requested approval of a solar panel installation (not required, but prefer that you ask and run by committee – to be sure everyone’s property maintains value)
 - ii. Plantings are less of a concern, but will notify residents of plantings that block view or impede sidewalks
 - iii. Before you build beyond your existing footprint (e.g., add a pool house, a pool, or anytime you do any work in the commons areas, the Architectural Committee must be notified.
- c. Tracking form for Architecture Concerns
 - i. We would like to develop a tracking form to get a sense of the volume of issues and questions presented to the Architectural Committee – this would serve as a historical reference of prior decisions and of any variances granted
- d. Questions:
 - i. Audience Question: What is the approach for dealing with dead trees in the neighborhood?
 1. Answer: The HOA can approach some residents who aren’t addressing their dead trees. We hope to be able to offer options for removal, maybe a group discount—since this is an older neighborhood, there are becoming several trees of concern.

4. Landscape Committee (Janet Peshkin)

(Landscape Committee Members: Janet Peshkin, Chair; Lori Konicek, Member; Gio Guerra Perez, Member; Shirley Faughn, Member; Tom Newman, Member)

- a. Landscape beds and entrances are finally under control and we will continue to improve their look and maintenance with native and perennial plants
- b. Did not use the Champaign Park District Flower Island program this year due to cost
- c. Kirby entrance looks great
- d. Staley entrances need some additional upgrades
- e. Mowing—thanks to Marcos Asse for his work over the last two years. The HOA is going to pursue identifying a new service for next year
- f. Ponds—new signage is planned, additional weeding and care anticipated for next year
- g. Trees—JoAnn Henneman helped a few years ago with our city tree program; we need another surge of tree planting, as we are losing more trees throughout the neighborhood

5. Social Committee (Katie Newman)

- a. Welcome Committee: Katie Newman & Krishna Bhowmik

- i. 30 new neighbors in 2021-2022
 - ii. Reviewed list of new neighbors who joined over the last 2 years, welcomed everyone
- b. Ice cream social: Janet Peshkin & Katie Newman
 - i. Postponed again in 2022
- c. Newsletter: Katie Newman
 - i. May '21, Aug '21, Jan '22, April '22; Oct '22 (pending)
 - ii. Available at trailsatbrittany.org
- d. Website Refresh: Shira Epstein & Katie Newman
 - i. New site is still under development
- e. Questions
 - i. What is the TAB website address?
 - 1. Answer: trailsatbrittany.org
 - 2. Email is trailsatbrittany@gmail.com

NEW BUSINESS

- 6. 2023 Budget
 - a. The 2023 budget will be ready for review by the membership sometime in October and then approved by the Board in November and in place for the new Board which will be elected at the January 2023 Annual Meeting
- 7. Bylaws—the rules that dictate how the HOA should operate (e.g., how often the board meets and the duties of the Board members, etc.)
 - i. The next Board project is to update the Bylaws to be compliant with State requirements
 - ii. If anyone in our membership is interested and/or experienced in this type of work, please reach out to one of the Board members and join us for this work
 - iii. Once Bylaws are updated, they will be sent to the membership for review and comment before the Board finalizes them
- 8. New TAB HOA website
 - a. As Katie mentioned, the new site is still under development
- 9. 2023 Annual Dues
 - a. As another cost-savings measure, the invoices for dues will be sent to everyone via email for 2023, still finalizing plans and processes for this new delivery
 - b. Additional options to pay are being investigated
 - c. Bills will go out around January 3, 2023
 - d. Be sure we have your current email address or if you still prefer to receive the invoice by mail, let us know
- 10. Restated Covenants

Covenants dictate what the HOA and members must and must not do, such as our dues obligations, insurance requirements, maintenance responsibilities, and prepare for any dispute resolution, enforcement and property use restrictions.

 - a. Why change?
 - i. Initially to modernize: cable/fiber, satellite dishes, mailboxes, electronic interactions

- ii. In this process we found that covenants associated with the seven phases of TAB were inconsistent, incomplete, and not being used appropriately.
 - iii. Since realtors usually distribute the Covenants, most homeowners only received a copy of Phase 1, no matter which phase their lot is in
 - iv. Incorrect dues were charged to 18 homeowners, most were undercharged, but a few were overcharged
- b. Map Review
- i. Reviewed Phases 1-7 map of lots and how they were reviewed for assessment level
 - 1. Phase 1 = 61 lots
 - 2. Phase 2 = 6 lots
 - 3. Phase 3 = 31 lots
 - 4. Phase 4 = 5 lots
 - 5. Phase 5 = 10 lots
 - 6. Phase 6 = 36 lots
 - 7. Phase 7 = 20 lots
 - 8. Total: 169 lots**
- c. Explicit Definitions for Three Tiers of Lot Assessments
- Dues are acquired annually to maintain the lakes, fields, and landscape beds. This is a large development with approximately 20 acres to maintain; and we are an older neighborhood with many older trees that need to be removed and replaced. There is a lot to maintain.
- i. HOA dues divided into thirds as follows:
 - 1. 1/3, or **Street Lot**, is not on a Lake or a Commons area
 - 2. 2/3, or **Commons Lot**, borders on a Commons or a Cul-de-sac when any lot line, when extended, reaches a Commons or Cul-de-sac
 - 3. 3/3, or **Lake Lot**, is on a lake if any lot line, when extended, reaches a Lake
 - ii. In original Covenants no detailed definitions were provided beyond verbal descriptions such as, "lake, cul-de-sac, or street" lots. As an example, by Phase 6, lots were individually listed, but assessment levels were inconsistent with the types of properties. Several lots had large green spaces behind them, requiring more resources for mowing and landscaping. Going forward we defined these as Common spaces.
- d. Cost of Previous Approach
- 1. Unequal approach applied across Phases
 - 2. Dues not charged in consistent manner
 - 3. On numerous occasions the HOA had to pull from long-term funds to get special projects such as lake and cul-de-sac maintenance
- e. Benefits of Revised Covenants – Consistency, Clarity, and Equity
- 1. Simplified, modernized, and consistent Covenants across all seven phases
 - 2. Each lot owner and new homeowner will have the same correct rules and guidelines as their neighbors
 - 3. Going forward, home buyers will receive the correct Covenants for the property they are purchasing
- f. Questions, Discussion, Results
- i. No additional questions or discussion

11. Attorney Chad Beckett, legal explanation of Covenants revision

- a. Benefit of taking 7 different developments and harmonizing them for clarity of governance is crucial, he just went through this same exercise at his own subdivision, Stone Creek

- b. What we are doing tonight, there will not be 7 different sets of rules
 - i. There will be no more ambiguity of how the 7 phases govern themselves
 - ii. The board will be able to simplify elections and the means of voting (electronically)
 - iii. There must be 75% of all 7 phases to approve these changes
 - iv. Kudos to the board for the efforts to put this all together and make it work for everyone
- c. Review of proxy and approval vote process – many proxies were collected prior to this meeting
 - i. Tonight Chad and the board will tally and finalize the count of the vote
 - ii. Once finalized, Chad will notarize and take to the Recorder’s office to be recorded; then there will only be one Covenants document for all 7 phases
 - iii. There is no reason, other than nostalgic purposes, for the 7 phases to exist
 - iv. For the purpose of managing the activities of the board the 7 phases will function as one going forward
- d. Audience Question: Is the vote needed 75% of all phases or 75% of each phase?
 - i. Answer: Chad recommended that both be achieved
- e. If 75% doesn’t pass, it will be as if we did all this work for nothing – we go back to the starting point
- f. Keep in mind, this is a volunteer effort; the Board is doing this to help their neighborhood function better
- g. Audience Question: Has every phase been impacted by the assessment revisions?
 - i. Answer: Janet was trying to recall, but thought every phase was impacted by at least 1 or 2 two assessment revisions. (Post meeting correction: all phases except the 10 lots in Phase 5 were impacted by the revised definitions.)
- h. 85.21% is our current proxy coverage level. This is a remarkable level of proxy approval for a neighborhood of this size. There are a variety of reasons why some proxies were not received, people out of town, rental properties, or owners who intended to attend this meeting.

12. Motion for Covenants Approval

- a. Len Lewicki motioned to approve the Covenants; Nani Bhowmik seconded the motion. The motion carried.
- b. Imad Al-Qadi motioned for Janet to approve proxies; Jean Wichman seconded the motion. The motion carried.
- c. Dick Crutcher formally voted to be “for” and be added to the Board’s record.
- d. An audience member had not read the Covenants content, asked if she could read and delay her vote. Per Chad, the Board needs to finalize the vote tonight.
- e. Jennifer McMillian voted “for” and was added to the Board’s record.

13. Questions from Attendees

- a. No additional questions asked

14. Motion to adjourn meeting. Motion carried. Meeting called to a close at 7:58 p.m.

Minutes submitted by Jean Wichman