

Gardens at Willowbrook Homeowners Association

2021 Annual Meeting Minutes

Facilitator: Shandar Hoagland, DSI Real Estate Group

Meeting Date: November 11th, 2021

Location: Online via Teams

Meeting Called by: Gardens at Willowbrook HOA

Type of Meeting: Annual Association Meeting

Note Taker & Time Keeper: Serena Pretti

Attendees: Attendance taken online

Agenda:

A) Roll Call;

- a. Welcome and Introduction of Board Members
 - i. Shandar Hoagland-Property Manager
 - ii. Board Members;
 1. Jennifer Mueller-President
 2. Paul Schulte-Secretary
 3. Colleen Scanlan- Garden Officer
 4. Dan Seeley- ACC Member
 - iii. Steve Stocker- Sun Prairie Alder
 - iv. Roll call was achieved via Microsoft Teams

B) Proof of Notice of Meeting;

- a. Shandar showed the letter that was mailed to all owners October 28th, 2021

C) Introduction of Directors and Speakers;

D) Old Business: Reading of Minutes of Prior Meeting;

- a. No questions were asked regarding the 2020 minutes so they were approved.

E) New Business;

- a. Update of Board actions in 2021
 - i. General Maintenance- Liner under pond was shifted and needed to be repaired.
 - ii. An Ash tree was removed from Out-lot 3, by the walking path, that needed to be removed. The stump was removed and the area was re-seeded. They also treated another ash tree to ensure the longevity of the tree.

b. Finances

i. Review of 2021 budget and expenses

1. *Collection of Association Dues for 2021;*

-The Association has 133 assessment units. Currently 4 of them have yet to pay.

-If you are unsure if your dues are paid, please reach out to shoagland@dsirealestate.com to verify.

-Late Fees were assessed on the 15th of March. And Liens were filed this week.

-Once a lien is filed, the dues will need to be paid prior to any sale or refinance.

	Budget	Year to Date Expenses	Difference
<u>Snow Removal-Alleys</u>	\$2,912.00	\$3,406.00	-\$494.00
<u>Snow Removal-Bus Stop</u>	\$1,120.00	\$884.00	\$236.00
<u>Mowing</u>	\$1,980.00	\$1,829.37	\$150.63
<u>Landscape Maintenance</u>	\$9,972.00	\$9,074.08	\$897.92
<u>Irrigation-Roundabout</u>	\$390.00	\$191.32	\$198.68
<u>Water Features</u>	\$824.00	\$1,144.98	-\$320.98
<u>Maintenance</u>	\$200.00	\$0.00	\$200.00
<u>Utilities</u>	\$1,350.00	\$1,284.43	\$65.57
<u>Liability Insurance</u>	\$957.00	\$0.00	\$957.00
<u>Real Estate Taxes</u>	\$85.00	\$78.87	\$6.13
<u>Reserve Fund</u>	\$5,000.00	\$0.00	\$5,000.00
<u>Misc.</u>	\$2,200.00	\$1,814.26	\$385.74
<u>Management Fee</u>	\$7,853.00	\$5,235.36	\$2,617.64
Grand Total	\$34,843.00	\$24,942.67	\$9,900.33

Over Budget in the following categories already;

-Snow Removal on Alleys-Beginning of the year there were quite a few snow falls and ice events.

-Water Feature Maintenance

Biofilters were replaced to stop fountain from leaking

- ii. Presentation of 2022 budget (attached)
 1. Common area maintenance bids
 - a. We are working with the same contractors that we have used in the past. We have had no indication of poor service so we will continue with the current vendors.
 2. Carriage Lane Maintenance
 - a. We are planning to do crack filling next year to fix cracks throughout.
 3. Pruning shrubs on Roundabout
 4. Addition of Evergreens to Water Feature behind the sign and wall on south side of Gas Light.

c. By-Law Amendment Update

- i. Virtual Meetings-Proposed language to allow all types of HOA meetings to be held virtually.
- ii. Reduce the number of homeowners required to achieve a quorum-we have always struggled to achieve a quorum to hold a vote.
These proposed changes will be sent out by mail to all owners as well as a link to a Survey via Survey Monkey for everyone to vote.

F) Association members forum

a. Update on Previous Vote

- i. Voting Percentage-only 49% of homes voted after numerous attempts to vote (door to door, mailings, emails, social media).
- ii. Review Proposed Amendments to the Covenants

1. Current – Declaration – Section 25, Paragraph F

25. F. Annual Meeting. An annual meeting of the Association shall be held at 7:00 p.m. on the second Monday of December of each year at a location in the City of Sun Prairie to be determined by the President. A written Notice of the time and place of the meeting shall be given to each lot owner in the Subdivision at least ten (10) day prior to the scheduled meeting.

Proposed – Declaration – Section 25, Paragraph F

25. F. Annual Meeting. An annual meeting of the Association shall be held during the second week of November of each year at a location in the City of Sun Prairie to be determined by the President. A written Notice of the time and place of the meeting shall be given to each lot owner in the Subdivision at least ten (10) days prior to the scheduled meeting.

The President may offer virtual participation for such meeting. Such offer and the details to join the meeting shall be given to each lot owner in the Subdivision at least ten (10) days prior to the scheduled meeting.

2. Current – Declaration – Section 25, Paragraph G

G. Special Meetings. A special meeting of the Association may be called by the Board of Directors or by written request to the Association President for at least the owners of ten (10) lots in the Subdivision. The request shall set forth the matters to be presented at the special meeting. The President shall set a date, time and place for such special meeting to be held within thirty (30) days of the date of the request. Notice shall be given to all lot owners of the subdivision as to the time, place, date and agenda at least ten (10) days prior to the scheduled meeting,

Proposed – Declaration – Section 25, Paragraph G

G. Special Meetings. A special meeting of the Association may be called by the Board of Directors or by written request to the Association President for at least the owners of ten (10) lots in the Subdivision. The request shall set forth the matters to be presented at the special meeting. The President shall set a date, time and place for such special meeting to be held within thirty (30) days of the date of the request. Notice shall be given to all lot owners of the subdivision as to the time, place, date and agenda at least ten (10) days prior to the scheduled meeting.

The President may offer virtual participation for such meeting. Such offer and the details to join the meeting shall be given to each lot owner in the Subdivision at least ten (10) days prior to the scheduled meeting.

3. Current – Declaration, Section 30 – Amendment

Amendment. Any provision contained in these Covenants may be amended, or additional provisions may be added to these Covenants by the recording of a written instrument or instruments specifying the amendment or addition, executed by the owners, as shown by the records in the Office of the Register of Deeds of Dane County, Wisconsin, or at least sixty eight (68) lots with the Subdivision and provided further, that so long as Developer continues to own one or more Lots, which are held for sale, these Covenants may not be amended or modified without the written consent of Developer. Such action regarding these Covenant shall be, by written agreement, executed by the requisite number of owners and shall become effective when it is recorded in the Office of the Dane County Register of Deeds. Upon an after the effective date of any such change or changes, the same shall be binding upon all owners, and shall run with the land and bind all persons claiming by, through or under any one or more of them.

Notwithstanding anything in this Section 30 to the contrary, if Developer shall determine that any amendments to these Covenants or any amendments to the Articles or By-Laws of the Association shall be necessary (i) in order for⁴ existing or futures Mortgages to be acceptable to the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, or other mortgage lender in Developer's discretion, or (ii) in order to clarify any apparently conflicting provision or to correct any mistakes or errors of a clerical nature resulting from typographical or similar errors, Developer shall have and hereby specifically reserves the right and power to make and execute any such

amendment upon obtaining the express written approval of the City of Sun Prairie, but without obtaining the approval of any lot owners. Each such amendment shall be made, if at all, by Developer prior to the sale of the last lot owned by Developer.

Also, notwithstanding anything in this Section 30 to the contrary, NO AMENDMENT OF THESE COVENANTS SHALL BE EFFECTIVE WITHOUT THE WRITTEN CONSENT AND APPROVAL OF THE CITY OF SUN PRAIRIE.

IT IS EXPRESSLY UNDERSTOOD THAT THE CITY OF SUN PRAIRIE HAS NO ENFORCEMENT AUTHORITY CONCERNING THESE COVENANTS EXCEPT AS TO THE MATTERS SET FORTH IN THE SECTIONS 15, 20, 23, 25b, 25j, AND 30 OF THESE COVEANTS.

4. Amendment of the By-Laws of the Gardens at Willowbrook Homeowners Association

Current Article V – Meetings of Membership

Section 2. Annual Meeting.

An annual meeting of the Members shall be held during the month of April of each year, at the place, and on the date and at the hour which are to be determined by the Board of Directors.

At the annual meeting, the Members, by a majority vote shall elect a Board of Directors and transact such other business as may properly come before the meeting.

C) Written notice of the annual meeting shall be served upon or mailed to each Member entitled to vote at such address as appears on the books of the Association, at least ten (10) days prior to the meeting.

Proposed Article V – Meetings of Membership

Section 2. Annual Meeting.

An annual meeting of the Members shall be held during the second week of the month of November of each year, at the place, and on the date and at the hour which are to be determined by the President.

At the annual meeting, the Members, by a majority vote shall elect a Board of Directors and transact such other business as may properly come before the meeting.

Written notice of the annual meeting shall be served upon or mailed to each Member entitled to vote at such address as appears on the books of the Association, at least ten (10) days prior to the meeting.

The President may offer virtual participation for such meeting. Such offer and the details to join the meeting shall be given to each lot owner in the Subdivision at least ten (10) days prior to the meeting.

5. Current Article V – Meetings of Membership

Section 4. Special Meetings.

Special Meetings of the Members, for any purposes or purposes, unless otherwise prescribed by statute or by the Articles may be called by the President and shall be called by the President or Secretary at the request, in writing, of one-third (1/3) of the Members. Such request shall state the purpose or purposes of the proposed meeting.

Written notice of a special meeting of Members stating the time, place and object thereof, shall be served upon or mailed to each Member entitled to vote thereon, at such address as appears on the books of the Corporation at least ten (10) days before such meeting.

Business transacted at all special meetings shall be confined to the objects stated in the notice thereof.

Proposed Article V – Meetings of Membership

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Business transacted at all special meetings shall be confined to the objects stated in the notice thereof.

The President may offer virtual participation for such meeting.

Such offer and the details to join the meeting shall be given to each lot owner in the Subdivision at least ten (10) days prior to the meeting.

6. Current Article V – Meetings of Membership

Section 5. Quorum. Fifty-one (51%) percent of the total number of Members of the Association, present in person or represented by written proxy, shall be requisite to and shall constitute a quorum at all meetings of the Members for the transaction of business, except as otherwise provided by statute, the Articles or these By-Laws. If, however, such quorum shall not be present or represented at any meeting of the Members, the Members entitled to vote thereat, present in person or represented by written proxy shall have the power to adjourn the meeting from time to time without notice other than announcement at the meeting, until a quorum shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business may be

transacted which might have been transacted at the meeting originally called.

Proposed Article V – Meetings of Membership

Section 5. Quorum. Five (5%) percent (7) of the total number of Members (133) of the Association, present in person or represented by written proxy in the form permitted under terms of these By-Laws, shall be requisite to and shall constitute a quorum at all meetings for the transaction of business, except as otherwise provided by statute, the Articles or these By-Laws. If, however, such quorum shall not be present or represented at any meeting of the Members, the Members entitled to vote thereat, present in person or represented by written proxy shall have the power to adjourn the meeting from time to time without notice other than announcement at the meeting, until a quorum shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting originally called.

The President may offer virtual participation for any meeting. Members participating in a virtual meeting shall have the same rights and powers as in-person participants.

7. Current Article V – Meetings of Membership

Section 6 Vote Required to Transact Business When a quorum is present at any meeting, a majority of the votes cast, in person or represented by written proxy, shall decide any question brought before the meeting, unless the question is one which, by express provision of the Wisconsin Statutes, the Declarations, the Articles or these By-Laws requires a different vote, in which case such express provision shall govern and control the decision of such question.

Proposed Article V – Meetings of Membership

Section 6 Vote Required to Transact Business When a quorum is present at any meeting, a majority of the votes cast, in person or represented by written proxy, shall decide any question brought before the meeting, unless the question is one which, b express provision of the Wisconsin Statutes, the Declarations, the Articles or these By-Laws requires a different vote, in which case such express provision shall govern and control the decision of such question.

The President may offer virtual participation for any meeting. Members participating in a virtual meeting shall have the same rights and powers as in-person participants. Votes of Members participating via a virtual platform (i.e., Microsoft Teams) shall be submitted and counted via such platform.

8. Current Article XII – Amendment of the By-Laws.

Article XII

Amendment

These By-Laws may be amended at any duly called meeting of the Members. The notice of the meeting shall contain a full statement of the proposed amendment. It shall be necessary that there be an affirmative vote of sixty-seven (67%) percent of all the Members who may vote either in person at the meeting or be represented by proxy to amend these By-Laws. Notwithstanding the foregoing or anything else set forth herein, the Developer, as that term is defined in the Declaration, may amend any term, covenant or condition of these By-Laws during the entire period of time in which Developer may amend the Declaration pursuant to Section (D-4) of the Declaration, without the consent or approval of the Owners, Members, Directors or Officers of the Association.

Proposed Article XII – Amendment of the By-Laws.

Article XII

Amendment

These By-Laws may be amended at any duly called meeting of the Members. The notice of the meeting shall contain a full statement of the proposed amendment. It shall be necessary that there be an affirmative vote of twenty-five (25%) percent of all the Members who may vote either in person at the meeting or be represented by proxy to amend these By-Laws. Notwithstanding the foregoing or anything else set forth herein, the Developer, as that term is defined in the Declaration, may amend any term, covenant or condition of these By-Laws during the entire period of time in which Developer may amend the Declaration pursuant to Section (D-4) of the Declaration,

The President may offer virtual participation for any meeting. Members participating in a virtual meeting shall have the same rights and powers as in-person participants. Votes of Members participating via a virtual platform (i.e., Microsoft Teams) shall be submitted and counted via such platform.

- b. Homeowners Q & A
 - i. Steve Stocker-Sun Prairie Alder addressed the group.
 - 1. Steve has requested a Jammer unit to be installed in the neighborhood to record how many cars travel the streets and to see how many of them are speeding. The City is focusing on pedestrian safety. Unfortunately, the Sun Prairie PD is short 9 officers due to several different reasons.

Q: Will a Jammer be installed in the neighborhood? Which street(s) will they be installed on?

A: Yes, they will be installed in the HOA soon. The Police Department will review the data and adjust accordingly. Potentially Westridge or Willowbrook.

Q: Is there additional police presence in the neighborhood? There have been several robbery attempts in the neighborhood.

A: Unless these incidents are reported, they will not be out more often. Please report these incidents every time they occur.

G) Election of Directors (quorum)/Volunteers for Board Positions (no quorum)

- a. Jennifer Mueller will continue as President
- b. Paul Schulte will volunteer as Secretary
- c. Dan Seeley will continue as ACC Member
- d. Colleen Scanlan will continue as the Garden Officer
- e. Cyrus will continue as Treasurer

H) Adjournment

- a. Since there were no other questions, the meeting adjourned at 8:04 pm.

**Gardens at Willowbrook
Owner's Association
2022 Budget**

	2022
Snow Removal-Alley (Base-16 Plow/16 Shovel/16 Salt)	
Alley OL #5	\$1,400
Alley OL #6	\$1,640
Total	\$3,040
Snow Removal- Bus Stop & Four Sidewalk Areas	\$1,120
Total	\$1,120
Mowing (Base: 22 Season)	
Entry Sign OL #39	
Green Space OL #3	
30' Public Accessway	
10' South of OL #5 & OL #6	
Total	\$1,980
Landscape Maintenance (Bark, Weeds, Pruning)	
TruGreen- Weed Spraying Treatments	\$117
Weed Control OL #3	\$0
Schoenheit-Entrance Beds	\$5,350
Schoenheit-Weeding/General Maintenance	\$900
Schoenheit-Circle Median and four small medians	\$2,500
Schoenheit-Four small medians on Gas Light	\$750
Total	\$9,617
Irrigation-Roundabout	
Spring Activation	\$150
Fall Winterization	\$150
General Maintenance (System Checks and Service)	\$150
Total	\$450
Water Features	
Spring Activation	
Fall Winterization	
General Maintenance (System Checks and Service)	
Total	\$1,015
Maintenance	
General	\$200
Total	\$200
Utilities (Water and Electric)	
Entry	\$1,000
Fountain	\$500
Total	\$1,500
Liability Insurance	\$895
Real Estate Taxes	\$95
Reserve Fund	\$5,000
Misc.	\$2,200
Management Fee	\$7,853
Grand Total	\$34,965
Divided by Total Units	133
Annual Cost per Home **	\$262.89

