

Forest Trails Unit One Annual Meeting
Minutes
June 14, 2025 10:00 AM
Heber-Overgaard Fire Station Conference Room

Board Members in Attendance

Shelley Moore, President

Jeff Kerr, Director (ACC Chair)

Chris Coleman, Secretary

Call to Order and Welcome

The meeting was called to order at 10:03 AM. Shelley Moore welcomed everyone and introduced the Board members in attendance. Shelley also introduced Rick Worden, ACC committee member, and stated that Board Member Bruce Nestor was traveling out of state. Also attending as guests were Drew Schroder of Advantage Accounting & HOA with his wife and son.

Approval of Minutes from July 27, 2024 Annual Meeting

Shelley Moore asked if anyone objected to anything written in the minutes. There were no objections. Jennifer Way motion to approve the minutes as written and was seconded by Cheryl Worden. The Minutes were approved by majority of those in attendance.

Approval of Treasurer's Report

Shelley Moore, acting Treasurer, reported that as of May 31, 2025, the checking account balance was \$15,016.74. There is also \$22,288.41 in savings for a total of \$40,156.15. Current arrears of unpaid dues equals \$2,851.00 and there is one account pre-paid in the amount of \$32.00. Monica Lindsey, Lot 57, asked for an explanation of how the funds are spent. In response Shelley started to explain items on the current budget when Monica stated that she found her copy of the budget and no longer needed a detailed explanation. Shelley went on to explain that \$600 in late fees were assessed as part of the arrearages total. Steven Wiencek, Lot 22, asked at what point the lien process started on the arrearages. Shelley explained that several Properties/Owners have been sent 3rd/final notices and the next step will be to send out Notices of Intent to Lien, as outlined in the By-Laws. Shelley stated that she is trying to get the most current information from the Navajo County Assessor's office and is actively trying to contact these owners. Shelley also explained that often when properties are sold between family members, the HOA is not always notified of those transfers, and this type of transfer on occasion results in some of arrearages, since the new owners do not receive billings/notices sent by the HOA.

Forest Trails Unit 1 Highlights

Shelley reminded all that we are currently experiencing another hot, dry summer and that caution should be taken to minimize a possible fire on our properties. It was reminded that it is the responsibility of the property owner to keep their lot in order. Chris Coleman reminded everyone that all property owners were eligible to get a FREE fire wise property assessment from the Heber-Overgaard Fire Department. Call (928) 535-4346 to make an appointment. Shelley also stated that due to the ongoing draught there is concern about another bark beetle infestation and that information could be found on our HOA website. (www.foresttrailsunit1.org) Steven Wiencek, Lot 22, asked about a mistletoe infestation. Shelley stated that we also had information that Bruce Nestor had researched and presented about mistletoe on the HOA website.

Architectural Committee Submission & Approval

Jeff Kerr reminder everyone to ask the committee or submit a request form for any change that they were contemplating to their residence or outbuilding. It was much easier to get an approval than to have to fix something that was out of compliance after the work had already been done.

General Information

Shelley also reminded everyone that all complaints must be submitted in writing with a lot number and signature. Generic complaints will not be handled. There is a violation form that can be completed on the HOA website. There is pending legislation that would allow for violations to be emailed to the Board and also to be emailed to the offending property owner. We are hoping this legislation passes as it will expedite the complaint process and also save money on postage for certified letters.

The Corporate Transparency Act (CTA) is currently in a state of flux with ongoing legal challenges and evolving interpretations regarding its implementation and enforcement. Various court cases have led to injunctions and stays, creating uncertainty about whether and how companies must comply. This required Board members to submit their personal information. There is legislation that may exempt HOA's from this requirement but has not been ruled upon as of this time.

Arizona HOAs, especially those incorporated as non-profits, are required to file an annual report with the Arizona Corporation Commission (ACC). This filing ensures the HOA remains in good standing and is a prerequisite for maintaining its legal existence and authority. It was discovered that this filing for the Forest Trails 1 HOA had not been done for three (3) years and was brought up to date. Shelley Moore stated that every effort will be made to ensure timely filings in the future.

The Forest Trail 1 HOA has not had legal representation for the last few years. Shelley Moore is pleased to announce that Mulcahy Law Firm has been selected to represent us if the need arises. Mulcahy Law Firm focuses exclusively on the representation of community associations throughout the State of Arizona. There is no required retainer and all billing is a la carte. As part of their services, they offer free webinars (where we can ask a specific question for free) and free access to "cheat sheets".

Voting Results/Directors (per the electronic vote and 1 mailed in ballot)

Jeff Kerr = 52

Shelley Moore = 49

Louanna Blackburn = 50

Shelly Kerr = 1 write in / not present at meeting to accept

The new Board is introduced by Shelley Moore as: Shelley Moore, Bruce Nestor, Jeff Kerr and Louanna Blackburn. There is still one open position that needs filled.

In Arizona, new legislation (HB 2298) affects how homeowners associations (HOAs) can enforce parking regulations on public streets, particularly for communities with declarations recorded before January 1, 2015. For these communities, a vote must be held by June 30, 2025, to decide whether the HOA will continue to regulate public roadways.

Street Parking results (per electronic vote and 1 mailed in ballot)

Yes = 52

No = 5

The vote passed and the HOA will retain control of parking enforcement on public streets. This will be properly recorded with the state governing agent prior to the 6/30/25 deadline.

Establish Quorum

A Quorum was established by a total of 58 on-line ballots received and 1 mail in ballot for the voting process. Fifteen (15) lot owners were represented at the meeting, with 22 members in attendance.

A Quorum was not present to elect a member to fill the one (1) vacant board position. Shelley Moore asked if anyone was interested in serving on the Board. Steve Wiencek, Lot 22, stated he would be interested. The Board will have to appoint another member at the next Board meeting.

Open Session – Questions/Concerns

At this time, Shelley Moore open the meeting for questions or concerns. Steve Wiencek, Lot 22, stood and announced that on July 8th, 2025, HOCRN (Heber-Overgaard Community Resource Network) would host a public meeting where homeowner/fire insurance questions would be addressed by the local insurance agent, Monti Hancock. Steve also stated that HOCRN was looking for volunteer van drivers for their free service. Lastly he reminded everyone that the Heber-Overgaard Chamber of Commerce hosts a public meeting the second (2nd) Wednesday of every month.

Micki Rempe, Lot 32, stood and asked why the Board chose not to hold the annual BBQ and potluck as in years past. Shelley Moore attempted to explain that the Board was trying to be fiscally responsible and within the budget. Since the prior budget was in a negative situation and dues were increased, it was decided to not hold a BBQ this year. Shelley explained that it had cost over \$5,800 to clean the greenbelt which had not been budgeted. Chris Coleman stated that the Board shouldn't have to feed people to get them to attend meetings. Jennifer Way, Lot 18, asked if the Board could possibly budget for the BBQ at the next annual meeting. Shelley stated the Board would consider it while still trying to be fiscally responsible.

Shelley Moore asked Drew of Advantage HOA & Accounting if he had anything he wanted to say to the property owners. He stood but there were no questions for him. Shelley acknowledged how appreciative we were for Drew's expertise on owner records, transfers and numerous invaluable services he provided.

Shelley Moore also stated that she has been keeping the Website up to date as best she can. Steve Grumkoski (previous board member) had been managing the website prior to his resignation, and provided a brief tutorial to her. She asked that if anyone within the association who has experience with Website maintenance would like to volunteer to assist, it would be welcomed and they could reach out via our email.

Adjournment

Cheryl Warden motioned to adjourn the meeting and was seconded by Jennifer Way. The meeting was adjourned at 10:53 am.