



Subdivision Trustee Resource Guidebook



Mission Statement:

*The City of Wentzville is a community of neighbors working together
to build a better future.*

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Disclaimer

The intent of this document is to convey general information regarding subdivision indentures and should not be used as legal advice concerning specific subdivision indentures. Anyone seeking interpretation of their particular indentures should contact their respective subdivision trustees or a lawyer.

Preface

The language throughout most of this guidebook is general and intended to be applicable to any subdivision in the City of Wentzville. The main exception to the general focus of this Guidebook is its Appendix A, which contains information regarding code enforcement, zoning and building permits for properties within the City. Appendix B offers a toolkit for all subdivision trustees on topics such as running effective meetings and creating newsletters.

Introduction

Subdivision associations are formal, legal entities created to maintain common grounds, recreational facilities, entrance signs or monuments and to enforce subdivision trust indentures. Some of the features of a subdivision association include:

- Mandatory membership for all homeowners within the boundaries of the subdivision.
- Collection of annual and special assessments.
- Establishment as corporations with formal by-laws. There is usually a governing Board of Trustees and sometimes private management firms to manage maintenance and enforcement issues.
- Authority to establish and enforce restrictions and design standards, which are in addition to City of Wentzville ordinances.
- Provide a unified voice in matters of civic interests.
- Maintain liability insurance covering common grounds and other necessary features.

Common Subdivision Association Committees

Many subdivisions may also have a variety of committees, which can be made up of trustees as well as other residents. If your subdivision is experiencing problems in a specific area, one useful solution may be to form a committee that deals only with issues related to that problem. The following are examples of common committees:

- Architectural Review Committee
- Budget and Finance Committee
- Buildings and Grounds Committee
- External Affairs Committee
- Neighborhood Watch
- Welcome Committee

Subdivision Trust Indentures

Subdivision Trust Indentures are put in place to protect and maintain the aesthetics of common amenities through the collection of annual and special assessments. Indentures set out the physical boundaries of the subdivision, describe the responsibilities/powers of the association and detail the rules and procedures by which the subdivision operates. Subdivision trust indentures are legally binding recorded documents recognized by the State of Missouri and recorded with the St. Charles County Recorder of Deeds simultaneously with the recording of the Record Plat for a subdivision.

Since subdivision indentures vary from subdivision to subdivision, it would be hard to provide sample trust indentures. Some indentures are brief while others are quite lengthy depending on the attorney who prepared them, the desires of the subdivision residents, the size of the subdivision and the amount of common ground/privately maintained streets, recreational or other facilities. However, there are several common components to indentures:

- Definitions of key terms.
- Duration of indentures.
- Powers and duties of Board of Trustees.
- Rights and responsibilities of subdivision association.
- Membership and voting rights.
- Maintenance and services provided.
- Annual and special assessments.
- Delinquent assessments and remedies.
- Finance and borrowing provisions.
- Use restrictions.
- Architectural control and design review.
- Amendment provisions.
- General provisions.
- By-laws.

Indentures also dictate the process for electing subdivision trustees. Working under the constraints of the indentures, trustees oversee the collection of annual and special assessments and the maintenance of the subdivision. For more information on the roles and responsibilities of subdivision trustees, please see page 8.

Amending or Updating Your Indentures

Many subdivision associations are finding that their indentures are becoming outdated or lack certain provisions. Yet, many of these associations have difficulties when it comes to amending their indentures, making it important to have a solid amendment provision within their indentures.

From time to time, it becomes necessary to amend the indentures of a subdivision. Reasons to amend could include changes in trustee members, association assessments

levied, building rules, the election of new trustees, the language contained in the indentures, etc. Most often, amendments to subdivision trust indentures are drafted by an attorney retained by the Board of Trustees. Once the desired changes are made, the board will call a meeting of the subdivision residents. At that meeting, the homeowners will vote to approve the amendments. If the amendments receive the appropriate number of positive votes, the amended indentures are ready to be signed by the Board of Trustees and recorded. The amended indentures are filed with the St. Charles County Recorder of Deeds. Generally, all the procedures for amending the indentures will be contained in the body of the indentures as one of the clauses. Also, the City of Wentzville should be notified of trustee changes as well as be provided with the contact information for the new trustees.

Since indentures are legally binding, it is helpful to have an attorney assist with drafting indentures that will be enforceable and conform to State of Missouri and City of Wentzville regulations. To locate an attorney, you may contact the Bar Association of St. Louis, 720 Olive Street, Suite 2900, St. Louis, MO 63101, by phone at (314) 421-4134 or by visiting their website at <http://www.bamsl.org>.

Subdivision Assessments

Subdivision associations levy annual and special assessments to maintain common land and facilities in the subdivision and to enhance the quality of life for residents. An elected Board of Trustees collects and manages the funds on an annual basis. Annual assessments are typically used for such expenses as cutting grass and maintaining landscaping on common ground, maintaining subdivision signs, recreational amenities, duplicating and mailing subdivision newsletters and meeting notices, supporting block parties/other subdivision-sponsored social events and hiring attorneys or other professional services. Private subdivisions may use their annual assessments to maintain private streets (snow removal, paving, etc.). Special assessments may be levied periodically and are typically used for major capital improvements, such as replacement or improvements to subdivision signage, fencing, detention facilities, retaining walls and recreational facilities. Examples of enhancements are: upgraded street lights, upgraded street signs, stamped concrete pavement within the public right-of-way, etc. The City of Wentzville will not pay to replace any upgraded light, sign and/or pavement section; however, will replace fixtures with standard installation equipment.

Collecting Assessments

The amount and method of collecting association assessments are usually called out in the indenture itself as are the enforcement options of their collection. In that indentures are legal documents and the language contained in them is essentially the law of the subdivision, the enforcement of them is a civil matter. If a homeowner fails to pay the required assessment, the Board of Trustees or the professional property management company hired to handle such matters can file a lien against the homeowner's real estate. Many subdivisions use collection agencies, to assist in the collection of assessments. Collection agencies typically charge a rate based on a percent of assessments collected.

Filing a Lien

Liens may be placed upon properties which do not pay their required association assessments. A lien is a legal document that becomes a monetary encumbrance on the property deed and is required to be paid as part of the closing when the property is sold. The assistance of an attorney is generally necessary when drafting a lien, especially if the subdivision association has not yet filed other liens that could be used as templates. Once the lien document is prepared and signed by the Board of Trustees or the professional property management company, it is recorded with the St. Charles County Recorder of Deeds.

Trustees

The specific duties of subdivision trustees are dependent upon the provisions of the association's indentures. In general, the Board of Trustees is responsible for the enforcement of indentures along with the maintenance and upkeep of the subdivision's common amenities, (i.e. common ground, swimming pools, playgrounds, trails, etc.). These duties may include:

- Budgeting and allocating funds for necessary maintenance and repairs.
- Working in conjunction with public utility companies to maintain adequate services within the subdivision.
- Contracting for services such as snow removal (if streets are private), tree trimming, and landscape maintenance.
- Approving or denying construction plans based upon subdivision indentures for certain structures in the subdivision, such as swimming pools, fences, decks, and additions to homes.
- Ensuring that the subdivision association and its employees are covered by insurance policies.
- Ensuring that all outstanding assessments are collected during the sale of homes in the subdivision by working closely with title companies.
- Retaining and consulting with legal counsel for issues impacting the subdivision.
- Responding to residents' request for service or other assistance.
- Continually seeking to enhance communication among neighbors, striving for community consensus, and getting residents involved.
- Conducting meetings to review subdivision business and holding an annual general meeting to elect a Board of Trustees.
- Attending municipal or county council meetings and other public events to represent the subdivision association and keep subdivision residents informed.
- Signing documents as official representatives of all residents in the subdivision as allowed by the subdivision trust indentures.

In most subdivisions, the Board of Trustees is comprised of subdivision homeowners who volunteer their time to maintain and improve their respective subdivisions for the betterment and enjoyment of all residents. Generally, the subdivision community elects trustees to their positions at an annual meeting. The duration of service is detailed in the association's indentures and terms are usually staggered to ensure a continuing level of experience on the board.

Professional Property Management

Since trustees often serve their subdivisions on a voluntary basis and earn no salary for their efforts, many subdivisions hire a professional property management firm to provide greater expertise. Generally professional property management firms are able to more adequately respond to the subdivision's needs than could volunteers and to offer residents a specific contact person. Professional property managers typically:

- Collect annual and special assessments.
- Mail out notices and coordinate association meetings.
- Inform trustees of changes in relevant laws and ordinances.
- Prepare financial reports for the subdivision association.
- Provide expert advice while taking direction from the trustees to enforce indentures.
- Manage the day-to-day operations of the association.
- Place liens on homes for failure to pay annual assessments.
- Retain an attorney to take necessary legal actions.

Municipal vs. Private Violations

It is important to note that an ordinance violation is a municipal violation, but an indenture violation is a private matter. If a violation is found to be applicable to municipal code, the City of Wentzville will take necessary steps to enforce the Wentzville Municipal Code. Alleged concerns can be reported by calling (636) 639-2121 (Wentzville Customer Service Center). Violations of subdivision trust indentures are a private matter that should be handled by the subdivision trustees or the private professional property management firm hired by the respective subdivision and not by the City of Wentzville (by law the City can not enforce subdivision indentures).

Subdivision indentures are private, contractual agreements and enforcement of violations (other than those related to municipal code) is a civil action between the subdivision association or an individual property owner making a complaint and the property owner who is allegedly in violation of the indenture. The indentures will typically identify how violations should be enforced.

Common Subdivision Issues

Many subdivision associations find that they have similar issues affecting their neighborhoods. Some of the most common issues are related to common ground, home improvements, and stormwater facilities. In order to help subdivisions address these issues, general information is provided below.

Common Ground

Common ground is the land set aside for open space, including stormwater facilities, lakes, creeks, or recreational use for the owners of lots in a subdivision, conveyed in trust for the benefit, use, and enjoyment of the lot owners. Playgrounds and parks, as well as their access ways, are common ground areas in subdivisions. Portions of the annual and special assessments are typically allocated for the maintenance and upkeep of the subdivision's common ground. Often times, a house may be adjacent to undeveloped property, owned by someone else and not within the subdivision, which is not within the common ground of the subdivision. It is important to note that this property may be developed in the future. During future development, the property could be rezoned. For more information about the City of Wentzville Zoning Ordinance, please see Appendix A.

Home Improvements

When planning to add on to, reconstruct, or erect accessory structures to a home, homeowners should be sure that the changes will meet municipal zoning and subdivision requirements. They should also be certain to read the subdivision trust indentures carefully. Often times, indentures are more restrictive than municipal ordinances. To avoid private legal issues and to maintain good neighborly relations, it is recommended that homeowners contact their Board of Trustees before making changes to their home. The City of Wentzville does not have authority over an association's building or other deed restrictions as long as they are not in violation of municipal codes or ordinances. When buying a home that has a swimming pool and/or a deck, it is a good idea to make sure the previous owner had all of the necessary permits for those structures. It is also recommended to have a full survey of the lot conducted to identify official property lines and ensure that all structures meet the required setbacks.

Construction codes and zoning ordinances are enacted to protect the health, safety, and well being of the public. By requiring quality construction and proper land use, property values are protected in our neighborhoods. The City of Wentzville should be consulted for a list of home improvements that require building permits. Appendix A of this document includes a list of typical home improvements requiring permits in the City of Wentzville. Additionally, homeowners living in subdivisions with subdivision trust indentures should inquire about any permits or regulatory reviews that will be required from the subdivision association. Remember, subdivision indentures and municipal ordinances are separate from one another. Indentures are private, contractual agreements between homeowners and associations.

Stormwater Facilities

Stormwater Facilities are designed to capture, hold and slowly release stormwater while trapping sediment and debris. The subdivision association is responsible for routine maintenance of these facilities to prevent flooding and water pollution. Maintenance of stormwater facilities (such as mowing, debris and sediment removal, unblocking outfall pipes, etc.) is essential in order for them to effectively serve their purpose. A malfunctioning system can become an eyesore, a nuisance, a health hazard, and compound the hazards of flooding. To prevent these problems, a Board of Trustees should:

- Review any improvement plans and locate the stormwater facilities in the subdivision.
- Review the subdivision trust indentures and any maintenance agreements. Determine how much money can be collected from each homeowner for stormwater management.
- Gather information about the maintenance of stormwater facilities.
 - What has to be done and when?
 - Who can do the work?
 - What kind of equipment is needed?
 - What is the cost?
- Develop a plan for maintenance, which includes equipment and workers needed, maintenance schedules, costs and fundraising, and response procedures (refer to the City's Stormwater website for a guide, the Detention and Retention Basin Maintenance and a helpful Inspection Checklist for Lakes and Detention Basins at <http://www.wentzvillemo.org>).
- Present plan for maintenance to subdivision association for approval, highlighting the problems stormwater runoff can cause, the problems that dumping in ditches and drains can cause, and what has to be done and what it will cost to manage the facilities in the subdivision.
- Institute the maintenance program. It may be necessary to talk to the City of Wentzville's Stormwater Management Coordinator, an engineering firm with experience in stormwater management or another subdivision Board of Trustees to gather all necessary information. Some of the maintenance work may require the subdivision association to hire a consulting engineer and/or a contractor.

Frequently Asked Questions

What are subdivision trust indentures?

Subdivision trust indentures are written agreements that restrict or limit property use or activities in a subdivision. Indentures also detail the rules and procedures under which the subdivision will operate. These regulations and restrictions appear in the deed records and are private contracts between a property buyer and a property seller. Indentures are legally binding documents, recognized by the State of Missouri and recorded with the St. Charles County Recorder of Deeds.

Who must abide by subdivision trust indentures?

In the City of Wentzville, indentures are binding upon every property owner in a defined private subdivision operating under an indenture. Additionally, all subsequent or future owners of property in a deed restricted subdivision are required to abide by the indenture as well.

How are indentures put into place?

Indentures are usually created and activated on a subdivision by the initial developer. The developers are generally referred to as the “First Party,” and serve as the initial governors, or trustees, of the subdivision. After set percentages of the lots are sold by the developer, the developer begins to turn over the controls of the association to the Homeowners (see your Covenants and Restrictions for the percentages that apply to your Association).

Who is responsible for informing new home buyers of the subdivision trust indentures?

Since subdivision trust indentures are referenced on the title insurance policy, homebuyers should become aware of the indentures at closing. Also, it is common for trustees or a “Welcome Committee” of the subdivision association to educate new homeowners about the indentures after they move in. Associations may wish to contact local realtors and listing agents on “For Sale” properties to ensure that they are aware of the subdivision trust indentures.

Why are use restrictions important for my neighborhood?

Use restrictions are intended to preserve a subdivision’s aesthetic appearance by setting standards for property maintenance, rules for construction on new or existing structures, and regulations for allowing or prohibiting certain uses or activities within a property in a subdivision. Before beginning any home improvement projects, it is wise to contact the subdivision trustees and review the subdivision indentures to ensure compliance.

What information should I expect to find in my subdivision trust indentures?

A well-written indenture will typically include the following components:

- A preface giving the legal description of the subdivision property, the parties involved, and the purpose and details of all restrictions.

- A description of the use restrictions placed on the properties within the subdivision. These restrictions can include limits on the use, type, and size of buildings, fences, swimming pools, or other structures, the quality of construction materials, provisions for architectural control committees, maintenance funds, yearly assessments, boards or trustees, meeting regulations, descriptions of common land, easements and election information.
- Definitions of key terms, specifications for the duration of the indenture and restrictions, their renewal and maintenance, enforcement, provisions for amendments or appeals and application.

How long do subdivision trust indentures remain in effect?

Most indentures are drafted with perpetual life spans and have clear provisions for renewal. However, the length of time indentures remain in effect can be determined by a variety of factors: first, some indentures stipulate that they are tied into a particular parcel of property. In this sense, the indenture is said to “run with the land.” The indenture is said to run with the land because it will always apply to the land, even if the land is sold from one owner to another. Secondly, some indentures specifically detail the timeline for which the restrictions and by-laws are valid. Lastly, if an indenture has not been enforced or maintained for a long duration of time, a judge can deem the indenture invalid due to lack of enforcement.

What can I do to help maintain compliance with the indenture in my subdivision?

The most effective way of maintaining or enforcing indentures is through active participation in the subdivision association. An active group of neighbors will provide an effective voice for proper land use and maintenance. Attending monthly and annual meetings will also keep trustees and residents well informed about current events, policy updates, and legislation that can effect your subdivision. Solid communication between neighbors will allow problems to be worked out more effectively.

How can our association enforce our indentures and deal with violations?

First and foremost, carefully read the indentures to be sure that the issue at hand is actually a violation. Then, speak with the owner of the property in question, this may solve the problem, since it is possible that the property owner did not know that the indenture was violated. If a problem persists, approaching the subdivision trustees is a good next step. The trustees can take the necessary steps to attempt to remedy the situation. They can also decide at which point the assistance of an attorney will be necessary. It is important to note that government authorities do not enforce subdivision trust indentures; indentures are private, contractual agreements between a subdivision association and an individual property owner.

Our subdivision's trust indenture is old and outdated. Is it possible to amend our indentures to make it more effective?

Yes. It is quite common for indentures to be updated or rewritten when they are old or are lacking substance. The ease or difficulty of amending a subdivision's trust indenture depends on the procedures established in the documents themselves. A well-written indenture will usually have a clearly defined amendment provision. It is recommended that

subdivision associations enlist the assistance of an attorney in creating or updating their indenture. Since indentures are legal documents, attorneys have the necessary expertise to ensure a subdivision association drafts a properly structured and legally sound document.

Can my subdivision join or consolidate with an adjacent subdivision?

Adjoining subdivisions may find it advantageous to consolidate their developments and manage them under one trust indenture. An attorney should be obtained to assist in this process

What is a mitigation area?

Wetlands and streams provide important environmental functions including protecting and improving water quality and providing habitat to fish and wildlife. Some subdivisions have set aside mitigation areas to establish, preserve, or restore other aquatic resources in order to offset those impacted by the development. This process seeks to replace the unavoidable loss of existing wetland and stream functions and area. Mitigation areas are typically recorded easements or deed restrictions to assure long-term avoidance of the mitigation area. Maintenance requirements and monitoring schedules are determined by the Army Corps of Engineers during the development process and can be found in the subdivision indentures. Typically, there are restrictions regarding the removal of trees or plants, mowing, draining, or recreational use of the area. These requirements remain in perpetuity. For more information, please contact the U.S. Army Corps of Engineers, St. Louis District at (314) 331-8068 or at their website <http://www.mvs.usace.army.mil>.

Should my subdivision have liability insurance?

In most subdivisions that have common elements such as common ground, private streets, recreational facilities, and other amenities for the use and benefit of the subdivision residents and their guests, the subdivision association is responsible for the proper management of these elements. It is therefore suggested that the Board of Trustees or the subdivision's professional property management company have liability insurance. The policy should provide coverage from accidents and personal injury that may occur in the common elements of the development. In addition, to cover trustee's actions in their official duties it is recommended that the Board of Trustee's explore Trustee Error and Omissions Insurance.

I live in a subdivision which is not complete and the original developer is no longer developing in our subdivision, how do I determine who is in charge of the development?

Sometimes a developer has gone out of business or otherwise abandons development of the subdivision prior to completing the subdivision and prior to passing on control of the Homeowners Association to the homeowners. In these situations, it may be hard for homeowners to get information about the financial status of the Homeowners Association, who is in charge, or any other information. In those situations, a homeowner or group of homeowners may have to look for outside help to determine a course of action. The following is a list of resources:

- ***The City of Wentzville:*** The City will have the name and last known address of the contact person for the developer. The City will also have information as to whether there are any new submittals or plans for the subdivision. Beyond that, however, the City may not have any more information than the homeowners as to the status of the subdivision. The Wentzville Community Development Department can be reached at (636) 327-5102 or on the internet at <http://www.wentzvillemo.org>.
- ***Missouri Attorney General's Office:*** While the Attorney General's office does not have any information on specific subdivisions or their management, a homeowner can file a complaint with the Attorney General's office if the homeowner believes that their assessments are being mishandled or otherwise mismanaged. The St. Louis office of the Missouri Attorney General's Office can be reached at (314) 340-6816 or a complaint can be filed online at <http://ago.mo.gov/Consumer-Protection.htm>.

Glossary

The following is a list of useful definitions of terms typically associated with subdivision associations. The Wentzville Zoning Ordinance and the Subdivision Ordinance have a more extensive listing of pertinent definitions for subdivisions. For more information on these ordinances, please see Appendix A.

Architectural Control: A power of a subdivision association to restrict the types of structures, alterations, or improvements permitted on property within the subdivision and to require the approval of the trustees or the architectural review committee before they are made.

Articles of Incorporation: A document that typically specifies the purposes and powers of the association, what officers it has, and essentially creates the association.

Assessments: An amount of money levied by a subdivision association on its members for the maintenance and upkeep of the association and its common property. Assessments are sometimes referred to as "dues."

Board of Trustees: The governing body of a subdivision association.

By-laws: The operating procedures of a subdivision association, which regulate such matters as the election of trustees, the nature of meetings, quorums and proxies, and other matters related to the operation of the association. By-laws can usually be modified, either via the Board of Trustees or by a vote of the association's members.

Common Ground: Land set aside for open space, including stormwater facilities, lakes, creeks, parks and recreational areas, for the owners of lots in a subdivision. This land is conveyed in trust for the benefit, use, and enjoyment of the lot owners.

Covenant: A covenant is a written agreement to do something or to refrain from doing something. The actual covenants that govern the rights and responsibilities of individual owners within a subdivision are detailed in a subdivision's trust indenture.

Covenant Running with the Land: A recorded, written covenant that is tied into a particular parcel of property. The covenant is said to run with the land because it remains with the land, even when the land is sold from one owner to another.

Easements: Areas of land set aside for public utilities (gas, electricity, phone, cable); storm sewer, sanitary sewer and water main lines, and surface drainage. Easements give utility companies, municipal and county workers, etc. the right to conduct work on the property within the easement boundaries. In most subdivisions, easements are platted.

Floodplain: An official zoning category as designated by the Federal Emergency Management Association (FEMA) Flood Boundary and Floodway maps. Such designation causes land to be subject to flood plain regulations as specified in the municipal or county zoning ordinance. FEMA's 100-year flood plain designation is intended to include all land that has a one (1%) percent chance of flooding in any given year.

Indenture: Any recordable instrument by which common ground is held or maintained or assessments in a subdivision are levied for the administration of specific maintenance obligations or both. An indenture creates the common ownership of common land and defines the covenants, use restrictions, access agreements, insurance requirements, the rights of members, and the authority of the association and its trustees. The indenture also details processes for amending association regulations and documents, as well as assessing and collecting assessments. Indentures are private, contractual agreements between a subdivision association and an individual property owner. Within a private subdivision association, no owner can avoid being subject to the provisions of a trust indenture.

Lien: A claim upon the property of a debtor as security for a debt. A lien is a legal right of a creditor to force the sale of property of a debtor to satisfy the debt.

Lot: A parcel within the City of Wentzville created under the provisions of the City Subdivision Ordinance intended to be separately owned, developed, or otherwise used as a unit.

Mitigation Area: Land set aside to establish, preserve, or restore a wetland, stream, or habitat conservation area in order to offset those adversely impacted by development. These areas are governed by the U.S. Army Corps of Engineers, have land-use and maintenance restrictions, and are typically recorded as perpetual easements or deed restrictions.

Plat: A land survey in two dimensions that gives the legal descriptions of pieces of property by lot, street, and block numbers, establishes common ground, and dedicates public streets. Plats are recorded at the St. Charles County Recorder of Deeds office.

Right-of-Way: A strip of land reserved or acquired by dedication, prescription, condemnation, gift, purchase, eminent domain, or any other legal means occupied or intended to be occupied by a street, sidewalk, railroad, utility, sewer, or other similar use. Normally, right-of-way is fifty (50') feet wide whereas the street pavement is twenty-six (26') feet wide; thus, the right-of-way covers an area that includes both sidewalks and the road pavement.

Sanitary Sewer: A system of pipes that collects wastewater and directs it to a wastewater treatment plant, where it is treated and released.

Special Assessment: An assessment levied to finance a single project. Special assessments are separate from a regular assessment, which is levied once per month or once per year to finance the regular operations of an association.

Storm Sewer: A network of inlets, manholes, underground pipes or an open ditch that carries rainwater.

Stormwater Facility: Manmade structures or natural areas such as detention or retention basins, wetlands, infiltration trenches or swales designed to manage flooding or improve water quality of downstream creeks or lakes.

Water Main: A system of pipes that brings potable water from a water treatment plant to homes and businesses.

Resources

Community Associations Institute

Community Associations Institute (CAI) is a leading national advocate for subdivision associations providing education, networking opportunities, and other important resources to its members. The CAI mission is “to assist community associations in promoting harmony, community, and responsible leadership.” CAI can be accessed online at <http://www.caionline.org>. Resources include:

- Seminars, workshops, conferences and education programs.
- Online tools and resources
- Advocacy and legislative support.
- Networking and referral opportunities.
- Up-to-date information regarding best practices, management procedures and policymaking.
- Seven specialized newsletters, *Common Ground Magazine*, and other books, pamphlets and guides.

Membership fees are based on the number of units within each association:-

The Uniform Common Interest Ownership Act (UCIOA)

Originally promulgated in 1982 by the National Conference of Commissioners of the Uniform State Laws (ULC), the UCIOA is a comprehensive act that governs the formulation, management, and termination of a common interest community. In 1994, the ULC promulgated a series of amendments. The Act as a whole can be found at <http://uniformlaws.org/Acts.aspx> (Common Interest Ownership Act 1994).

Internet Resources for Subdivision Associations and Homeowners:

The City of Wentzville:

<http://wentzvillemo.org>

Community Associations Institute:

<http://www.caionline.org>

National Board of Certification for Community Association Managers:

<http://www.nbccam.org/about>

Community Tool Box:

<http://ctb.ku.edu>

Neighborhood Link:

<http://www.neighborhoodlink.com>

Conducting Effective Meetings:
<http://www.effectivemeetings.com>

Soil & Water Conservation District, St. Charles:
<http://www.swcd.mo.gov/stcharles>

National Program for Playground Safety (NPPS):
<http://www.uni.edu/playground>

Institute of Real Estate Management:
<http://www.irem.org/index2.html>

Building Owners & Managers Association:
<http://www.boma.org>

HOATalk.com:
<http://www.hoatalk.com>

The Office of the Secretary of State Missouri Public Library:
<http://arthur.missouri.edu>

St. Charles County Assessor:
<http://assessor.sccmo.org/assessor/>

St. Charles County Recorder of Deeds:
<http://recorder.sccmo.org/recorder/>

U.S. Army Corp of Engineers, St. Louis District:
<http://www.mvs.usace.army.mil>

City Phone Numbers

City Hall.....	(636) 327-5101
<i>(Mayor, City Administrator, Board of Aldermen, Purchasing and Information Technology)</i>	
Customer Service Center	(636) 639-2121
Police Administration (non-emergency).....	(636) 327-3109
Police Dispatch	(636) 327-5105
Municipal Court	(636) 327-5141
Parks Department	(636) 332-9236 or (636) 327-7665
Public Works Building.....	(636) 327-5102
<i>(Building, Code Enforcement, Economic Development, Engineering, Planning, Streets, Water & Wastewater)</i>	
Utility Service Center	(636) 639-2155
<i>(Finance)</i>	
Water Emergency (after hours)	(314) 404-0612
Wastewater Emergency (after hours).....	(314) 460-0606

Appendix A:

Information specific to the City of Wentzville

Code Enforcement

Code Enforcement can address many concerns regarding property maintenance issues within the City of Wentzville. Ordinances enforced by Code Enforcement were established to help protect against neighborhood deterioration and blight within the City of Wentzville.

This office is responsible for inspecting existing housing for code violations and ensuring that violations are corrected in a timely fashion. By correcting code violations, neighborhoods can enjoy sustainability in their property values. If you would like Code Enforcement to investigate a property, please call the Customer Service Center at (636) 639-2121 or email them at customerservice@wentzvillemo.org to file your concern.

Zoning and Subdivision Ordinances

The City of Wentzville Zoning Ordinance, adopted in 1959, is the regulatory tool used to secure coordinated development within the City. Every parcel of land within the City has a zoning designation. The zoning district defines the types of land uses or development that are allowed within that district. Within each district, standards such as building setbacks, minimum lot area requirements, parking needs, and sign provisions are specified. Please visit the following link to view the Zoning Ordinance <http://z2codes.sullivanpublications.com/sullivan/Z2Browser2.html?showset=wentzvilleset> (section begins in Title IV more specifically Section 405).

The purpose of the City of Wentzville Subdivision Ordinance is to control the division of land within the city limits of Wentzville. Legal parcels of land in the City (usually found on plats recorded in the Recorder of Deeds office) can be subdivided in accordance to the regulations found in the Subdivision Ordinance. Please visit the following link to view the Subdivision Ordinance <http://z2codes.sullivanpublications.com/sullivan/Z2Browser2.html?showset=wentzvilleset> (section begins in Title IV more specifically Section 410).

Building Permits

A building permit ensures that your building project is structurally sound; that it complies with the building and zoning codes, and that the structure is built to ensure the health, safety and welfare of all occupants.

A building permit is needed to:

- Install a room in a basement.
- Install or relocate interior walls.
- Install retaining walls over three (3') feet in height.
- Replace or install new plumbing, electrical or mechanical work (unless of a minor nature).

- Install a swimming pool.
- Install an irrigation system.
- Install a fence.
- Install a deck.
- Install a porch.

A building permit is not needed to:

- Tuck point, plaster or paint.
- Repair or replace gutters.
- Install new exterior siding.
- Repair existing windows.
- Install storm windows and doors.
- Build a utility shed 120 square feet or less.
- Install a retaining wall under two (2') feet in height.
- Reshingle a roof.

For a more extensive list of projects that do or do not require a building permit as well as information on how to apply for a building permit, please visit the Building Division's home page at <http://www.wentzvillemo.org/building-division.aspx>. The Building Division can be contacted at (636) 327-5102.

Grading

For changes in existing grade, please contact the City's Engineering Division at (636) 327-5102.

Appendix B:

Toolkit for Trustees

We've got to Stop Meeting Like This! 8 Great Tips for More Effective Meetings

If your subdivision meetings last too long, are low in attendance or never seem to accomplish anything, read on for some great tips!

1. Plan Ahead.

Did you know that up to eighty (80%) percent of the work that goes into a meeting occurs before it even begins? Take time to get organized and determine the purpose of the meeting, who needs to be there and what materials are needed to be provided. Assign pre-meeting tasks to participants, if needed.

2. Give People a Reason to Meet.

Why meet? Let people know the reason for the meeting and why they should attend. Is it to share information that impacts the community? Solve a neighborhood problem? Reach consensus and vote on an issue? Simply knowing a meeting's purpose can boost attendance and keep participants focused.

3. Prepare an Agenda in Advance.

Always use an agenda and circulate it in advance whenever possible. Take advantage of e-mail to get the word out. Can't make copies for everyone? Write the agenda on a flip chart for all to see. The agenda should include topics for discussion, who will lead the discussion and the time allotted for each topic.

4. Start and End on Time.

Be punctual and do not encourage bad meeting behavior by backtracking for latecomers or ending late because you started late. Build in socializing time before or after the meeting. Designate a time keeper to help stay on schedule.

5. Establish Meeting Procedures.

If your meetings are a "free for all" then you need to establish some ground rules. Develop your own procedures or agree to use a version of Robert's Rules of Order. Simplified versions are available for small groups, such as trustees.

6. Stick to the Agenda.

The role of the chair or president is to keep the group on the agenda and on task. What happens when an issue is going nowhere or someone goes off-topic? Impose a "5 or 10 minute rule" so participants can call the rule when discussion is repetitive or unproductive.

7. Learn to Neutralize Problem People

Nothing is more frustrating than a meeting that gets derailed. Develop strategies in advance to address these problem personalities. Use a neutral facilitator, especially if the topic is controversial or it is important to reach a consensus.

8. Be a Model Meeting Participant.

It is everyone's responsibility to practice good meeting etiquette. Do your part by coming prepared to the meeting, being on time, sticking to relevant issues, offering solutions and respecting differences.

Bonus Tip: Boost Meeting Attendance

Having trouble getting your neighbors to attend the annual association meeting? Try awarding an attendance prize. Either purchase or ask a local merchant to donate a gift certificate (restaurant certificates are popular) and do a drawing at the end of the meeting. The winner must be present to win. Find more meeting tips at <http://www.effectivemeetings.com> (*this article was reprinted from the Fall 2003 edition of the St. Louis County DIRECT newsletter*).

Creating Newsletters

Newsletters are a great tool to share information and updates on subdivision related issues and events. A well-designed newsletter with interesting and pertinent articles and graphics helps the reader understand the message and perhaps get more involved in community activities. Here are a few tips to get you started on your subdivision's newsletter.

1. Decide on the Newsletter Content

Most often, subdivisions publish newsletters for homeowners on a monthly or quarterly basis. Therefore, stories will not be late breaking news but rather more general items or announcements that affect your target audience. Be sure to make the text interesting but remember to keep it short. Pictures, graphics, and quotations always make a newsletter more interesting to read. It may also be useful to publish a community calendar for people to cut out and save for upcoming events.

2. Hints on Newsletter Design

In order to make a newsletter easy to read be sure to follow the following design tips:

- Use only two or three different fonts, or typefaces, in the entire newsletter.
- Make sure the font size is easy to read (usually 11 or 12 font size). If you make the font too small in order to fit in more text it makes the newsletter hard to read and feel cluttered. It is better to shorten stories or add more pages.
- Reserve plenty of white space (areas with no pictures or text).
- When using photographs or graphics be sure to select quality images. Images attract people to the information in your newsletter and may also help enhance their understanding of the message. Use captions underneath photographs.
- Create your own style. Use a logo that represents your subdivision association so it is easily recognizable for homeowners. Be consistent from issue to issue by placing reappearing sections, articles, and calendars in the same location. Be creative with the number of columns used or the use of bullet statements.

Use your subdivision association newsletter to:

- Announce an upcoming subdivision association meeting or committee meeting.
- Share the agenda for the upcoming association meeting.
- Recruit volunteers for a neighborhood clean-up or family fun event.
- Announce an important issue to be voted on at the next association meeting.

3. Final Steps

Always, always have a person who is not involved in the writing or design of the newsletter to proof the newsletter before printing. By proofing, you will be able to catch typos and make sure the articles flow together and that paragraphs are not dropped, pages numbers are correct, captions are included and contact information is correct. Printing can be as easy as making copies or as complex as a multi-color production. Your printing budget will determine what is best for your subdivision's newsletter. Distribution of your newsletter will also be determined by your subdivision's budget. Depending on the size of your area, mailing may be your best option. If you will be mailing it, contact your local post office to learn about reduced mailing costs such as bulk mail permit for groups mailing to 200 or more.

Putting together a newsletter can be a lot of fun. Remember to follow the tips above to make your newsletter a must-read for all homeowners in your subdivision (*adapted from: National Park Service, Rivers & Trails Program, Community Tool Box, Newsletters. http://www.nps.gov/phso/rtcatoolbox/writcom_newsletters.htm*).