

Notice of Special Meeting for Ratification of Budget and Bylaws Amendments

Special Meeting of Weatherby Homeowners

1 December 2008

Date: 18 December 2008

Time: 6:30pm

Place: Alf's Pizza

There will be a Special Meeting of the Weatherby Homeowners to ratify the 2009 Budget and vote on 9 (nine) Bylaws Amendments. If you cannot attend the meeting but would like and are eligible to vote, included are two separate proxy forms for you to cast your vote ahead of time and return to the Association Secretary. They must be returned prior to the beginning of the meeting on December 18th. Everyone's participation is **critical**— we need to get at least 75% of households favorably responding to pass the Bylaws Amendments.

Subjects:

1. Ratification of 2009 Budget
2. Bylaws Amendments Vote
3. Signature for email communication
4. Nomination Committee

1. Ratification of 2009 Budget

Per the Bylaws, Article X, the Board of Directors is to set the Budget and allocate the assessment rate for the following year. The first purpose of this meeting is to present the budget to the members for ratification. If the Budget is not ratified, then the previous year's assessment and Budget stays the same. The 2009 budget is attached.

2. Bylaw Amendments

There will be a vote on 9 (nine) Bylaws amendments. After carefully reviewing the Bylaws with our Attorney, there are 9 (nine) items which need to be addressed. For the proposed Bylaws amendments to pass, 75% of the votes of the entire membership of those eligible to vote are needed. Per the Bylaws, those who have not paid their 2008 assessment will not be eligible to vote (Bylaw Article III, Section 3.3).

A summary of the proposed Bylaws Amendments which have been reviewed and approved by our Attorney are as follows. The actual Bylaws Amendments are attached, which show present and proposed wording.

Amendment 1: Increase the number Directors from 3 to 5. This will give a greater representation and a broader perspective from our diverse community. The directors will consist of: President, Vice President, Secretary, Treasurer, and ACC Chairperson.

The Board of Directors and our Attorney have both determined that 3 Directors is too few. We need to increase the number to 5 for the following reasons:

- 1) All Officers will be Directors and have voting rights.
- 2) The current Board feels strongly that we need greater community representation on the Board.
- 3) The work of the Directors will be spread between 5 people instead of 3.

Note: This must be passed in concert with Amendment 2.

Amendment 2: Increase number of Board of Directors Numbers from 3 to 5 and define Terms of Office. *This amendment cleans up verbiage later in the Bylaws so that it's in agreement with section 5.2.* Note: *This must be passed in concert with Amendment 1.*

Amendment 3: Clarify section 9.1 of Bylaws "Officers and Their Duties." Currently, the Bylaws contradict the CC&Rs and are confusing. This will make the Bylaws and CC&Rs consistent with each other.

OVER

Amendment 4: Allow communication to the Weatherby Community by email and website for time and location of Board Meetings. The Board would like to encourage the use of the Weatherby Estates website as a vehicle of communication to the community and use email when possible to reduce postage costs to the Weatherby HOA.

Amendment 5: Allow 1 director per committee rather than require 2 directors per committee. The Board believes that 2 Directors per committee is overkill and redundant.

OVER

Amendment 6. Corrects a simple typographical error in the Bylaws.

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Amendment 7. Allow communication via email for quick board business

Amendment 8. Allow additional ways of resignation of Board members to be by email or verbally.

Amendment 9. Per our Attorney, it is mandatory to pass this amendment to bring the language of our Bylaws in to compliance with Washington state law.

3. Signature for email communication

At our last special meeting (called by Members) the attending Members, by majority, voted that we use email in lieu of mailings to save money for the Association. Our attorney advised to protect the association that we keep signatures on file of those people who elect to use email as their main way of communication from the Association, accepting the risk of spam filters, and other cyber-mishaps that can happen. Where the governing documents specifically state that something needs to be mailed, we will continue to use the United States Postal Service. Otherwise we will continue to communicate via email, using a distribution list for those that elect this.

4. Nomination Committee

Per the Bylaws (Section 6.1) nomination for election to the Board of Directors shall be made by a nominating committee. Steve Berner to start the process for the 2009 Annual Homeowners Meeting (slated for the third Tuesday in March 2009 at 7:30 pm). There will either be 3 or 5 positions (depending on if the amendment passes to allow 5) for a length of 1-3 years initially, so that there is always a vote for a Director at each annual meeting, and subsequent terms are for 3 years each.

Other Important Announcements:

Change of date for the December Board Meeting:

The date of the monthly regularly scheduled Board Meeting will be December 14th, 6:00 PM at 20611 104th St. SE Snohomish, WA 98290.

New ACC Forms on Website

We would like to take this opportunity to inform you of two (2) ACC forms on the website that will assist both the homeowner and the ACC in evaluating any change requests by helping to make sure all needed information is gathered up front so the approval process can be streamlined. The new forms are found on the web site under the ACC Committee tab:

Homeowners Checklist for ACC Approval: http://weatherbystates.org/ac/Homeowner_Checklist_for_ACC_Approval.pdf

ACC Approval Checklist : http://weatherbystates.org/ac/ACC_Checklist_Approval_Form.pdf

When submitting a proposal for ACC approval, please include both the ACC Approval form and Homeowner's Checklist for ACC Approval.

Three New Resolutions Passed by Board in November

These are on the Weatherby Estates website under Resolution & Policy Log <http://www.weatherbystates.org/resolutions.htm>

Resolution 8 – DEFINITION OF WHAT IS A RECORD AND RETENTION TIME: Definition of an Association Record and clarifies length of time that Association Records must be retained.

Resolution 9 – REQUEST AND ASSOCIATED FEES: Establishes a policy to handle document requests from community members and others.

Resolution 10 – NUMBER OF VOTING MEMBERS IN SAME HOUSEHOLD: Limits the number of voting members on the Board of Directors to ONE per household to avoid any conflict of interest, or apparent conflict of interest or collusion.

For any further questions or clarifications please feel free to contact any of the Weatherby Estates Officers, Board of Directors and ACC, whom can be found on the WeatherbyEstates.org website. Email contact information can be found there as well.

Best Regards, Weatherby Estates Officers, Board of Directors and ACC