

Weatherby HOA

Meeting Minutes: 06/19/2011

Board Members in Attendance: Steve Berner, Brian Vocca,
Raymond Swearingen

Meeting Location: Lot 11, Steve Berner's residence

Community Member in Attendance: None

Guest in Attendance: Anne Marie Bauer - Alderwood Property
Management, Inc.

Meeting called to order at: 6:07 pm

Quorum: Yes

1) Bring Meeting to Order

2) Review and Approve Minutes for 5/15/11 (with 2 minor corrections)

- MSP 3-0 – Minutes Approved

3) Open Forum: Annie Marie

- Discussed landscaping and native plant use
- Discussed Terry Waller using his tractor / front end loader to help spread bark in 205th Ave. Cul-de-sac area. He also leveled out area on 205th DR that will be barked eventually. Would have cost over \$135 to have rented one.

- i) MSP 3-0 to pay Terry \$50 for gas and equipment usage

4) ACC Committee Report

- No ACC members present - Steve presented on their behalf
- Discussed two specific homeowners who have done good job fixing up their properties and bringing into compliance
- Discussed specific homeowners in mid-state becoming compliant
- Discussed specific homeowners getting better
- Discussed specific homeowner not paying fines and their plan to rectify when financially stable
- Discussed no word from attorney of specific homeowner with non-compliance fine and no plan to bring property into compliance. Homeowner had requested board work through their attorney to resolve issue.
- Discussed specific homeowner who has resolved compliance issue

- Discussed specific homeowner who has minor compliance issues and had not paid annual dues for 2011. Discussed homeowners statement their tenant will pay dues but legal relationship is with homeowner and therefore the homeowner is responsible.
- Discussed plan to landscape HOA property in back of neighborhood next
 - i) Progress being made by individual homeowners but work left to do
- Discussed Rich is taking ACC duties seriously and getting things done

5) Financials Updates

- Martin not present, Steve presented on his behalf
- Discussed bills from bark and associated expenses for 205th Ave Cul-de-sac project turned in and paid
- Discussed repairs to waterfall. First half paid, 2nd half will be paid on completion
- Discussed we are in good shape bank balance wise
- Discussed delinquent home owners that are getting paid up
- Discussed interest charged on un-paid HOA dues
- Discussed putting lien on homes of homeowners not paying dues
- Discussed specific homeowners making progress on paying overdue dues
- Discussed specific homeowner who has not paid dues at all this year. They have received monthly notices and Anne Marie to send lien letter
- Discussed specific homeowner with outstanding non-compliance fine. No word back from their attorney. Discussed initial conversation between their attorney and Anne Marie. Posed questions for their attorney and how to resolve fines and non-compliance issues. Discussed how homeowners response to offers from the community to help bring them into compliance were responded to by contacting their attorney. Anne Marie to draft letter to homeowner requesting compliance plan.
- Discussed specific homeowners who are past due on HOA assessment and their lack of response to balance due letters. Lien letters to be sent
- Discussed county single family dwelling laws and rumors of household that may be in violation.
- Instructed Anne Marie to write-off 90 cent balance of specific homeowner.

- Discussed fine situation with a specific homeowner that Steve is handling personally. Already have lien in place. If plan is not followed foreclosure would be next step.

6) Landscaping plans for HOA roadside areas

- Done for this year until fall planting season
- Other projects pending funds being available
 - i) Discussed barking of 205th DR if we have the funds. Decided to wait until more cushion in bank account.

7) Pond and waterfall plans

- Discussed results from county regarding ponds and process to have county do needed work. County not done with it yet but in progress. Discussed possibility of no pond expense thanks to county maintenance program.
- Discussed waterfall plan to reduce electrical expenses

8) Distributed signed copies of hazardous tree policy to board members present

9) Discussed draft of updated collection policy. Change was to dates and procedures

- Discussed changing wording to read the board retains the right to mail lien to the court rather than board will mail lien.
- Discussed situations when it may not be worth the expense to file a lien.
- Discussed handling issues on a case by case basis and if legal consequences for not being completely consistent in all situations. There are legitimate reasons for flexibility due to expenses involved. These are civil actions not criminal.
- Discussed that current interest charge on past-due balances is 12 % and this works out to 1% per month. Discussed if this is enough incentive for people to comply. Currently only interest is charged, no late fee.
- Discussed changing policy to charge late fee in order to recoup additional work needed to collect from delinquent homeowners and encourage homeowners to pay HOA dues on time.
- Discussed when to make new late fee effective - Aug. 1st, \$100 a month
- Discussed homeowners currently on payment plans. Board will accept current payment plans to end of year and will not be subject to new late fee.
- Discussed late fee waived if making payments but will retroactively apply if payment missed.

- Discussed if delinquent homeowner enters payment plan then 12% interest will apply and monthly late fee will not. If no payment plan, then fine \$100 per month until paid.
- Motion to change collection policy as follows:
 - i) If dues are not paid on time a \$100 per month fine will be charged but no additional interest.
 - ii) If delinquent homeowner enters payment plan, the \$100 per month fine will be waived.
 - iii) Payment plans will include 12% annual interest.
 - iv) If payment is missed \$100 fine will be retroactively applied.
 - v) New late fee policy effective August 1st, 2011.
 - vi) Change wording of section 5.f - ... "Board retains right to place lien"... instead of "Board will place lien"
 - vii) HOA assessment due date change to March 1st.
 - viii) MSP 3-0

10) Discussed permitted parking resolution for November annual meeting

- Updates to definition of trailer in section 2.3
- Initial draft from HOA attorney distributed
 - i) Board members asked to review and consider rough draft and propose changes

11) Discussed Anne Marie's contract

- Duties as stated in contract include
 - i) Respond to requests from board
 - ii) Fiscal accounting duties
 - iii) Make sure proper insurance retained
 - iv) Prepare and distribute mailings
 - v) Attend annual meeting and up to 3 board meetings per year
 - vi) Maintain mailing list
- Discussed she has helped with negotiations of potential legal issues

- Discussed that use of Anne Marie to patrol neighborhood for HOA violations is not included in base services. If we ask her to do that it will cost \$85 an hour from time she leaves her office until she returns
- Discussed asking Martin to post her contract on HOA website. Anne Marie has no objection.
- Discussed sending letter to community outlining total cost of Anne Marie for patrol and enforcement duties. Steve to ask martin to post and send letter.

12) Barking dog complaints and dogs at large in neighborhood

- Discussed section 6.21 in CCR's regarding nuisances
- Discussed county laws and complaint process
- Discussed ensuring nuisance complaints are for correct dog
- Discussed if our CCR's allow HOA to remove nuisance dogs
 - i) Section 6.21 nuisance dogs - Board has right to tell a homeowner a pet cannot leave their property and board may order removal of nuisance pets. This to be included in future dog warning letters.

13) Discussed if HOA can get credit or debit card

- Can use debit card to pay for large expenses. Anne Marie to inquire with bank

14) Discussed fines for residents improperly using HOA properties. i.e.: Motor vehicles without permission

- Discussed HOA land use statement previously sent out. It includes civil and criminal penalties but nothing about fines.
- Decided to leave alone unless or until it becomes a chronic problem
- Discussed speeding cars in neighborhood
 - i) Sherriff will respond to speeding complaints
 - ii) Discussed sending out letter to warn about speeding cars
 - iii) Brian to draft email / letter

15) Discussed if we want to use Anne Marie to assess neighborhood and cost benefit.

- Discussed ACC already does weekly compliance checks
- Discussed why people want Anne Marie to inspect neighborhood

16) Adjournment 8:13 PM

- MSP 3-0 to Adjourn