

Weatherby HOA

Meeting Minutes: 12/15/2013

Board Members in Attendance: Steve Berner, Raymond Swearingen, Rich Tarter, Craig Cox

Meeting Location: Lot 11, Steve Berner's residence

Community Member in Attendance: None

Meeting called to order at: 6:05 PM

Quorum: Yes

1) Bring Meeting to Order

2) Review and Approve Minutes for 11/17/13

- MSP 4-0 – Minutes Approved

3) Financials report

- Savings and checking balances discussed
- We will start year with reserves and savings
- Discussed budget needs
  - i) Legal fees
  - ii) Maintenance items
  - iii) Additional maintenance free landscaping where possible
  - iv) Paying landscaping to ensure regular spraying happens
  - v) Rich to contact landscaper for estimates and recommendations
  - vi) Estimate \$1500 needed for landscaping maintenance needs, leaves \$5000 for remaining rock project
- Discussed recouping from significantly past due homeowners
  - i) Claim filed in small claims court
    - (1) Filing fee was more than expected
    - (2) Even though one homeowner owes more than max small claims amount, they will owe additional amount
    - (3) Once Judge makes a ruling we can establish garnishment

- (4) Discussed possible responses from homeowners and expected court proceedings
    - (a) If both party show up in court a mediator will most likely be assigned to attempt to work out payment otherwise court will proceed
    - (b) Discussed what we would accept for mediation
- Discussed major budget line items
  - i) Don't expect significant legal fees
  - ii) Potential landscape projects
  - iii) Expect \$2-2.5k carry over to next year
  - iv) Potential of recouping legal fees from past due homeowners but don't expect it
- Discussed response from attorney regarding question of requesting escrow for homeowners dues for new homeowners
  - i) Some banks now require that as part of loan
  - ii) HOA cannot mandate it
- Discussed proposed assessment for 2014
  - i) Lower amount could inspire more work parties
  - ii) Reserves looking good
    - (1) Pond maintenance reserve
    - (2) We have reserves and less work needed for next year over last year
  - iii) Proposed 2014 assessment amount \$475
    - (1) Current budget at \$475 would leave shortfall
    - (2) Discussed what expenses could be cut
      - (a) Legal fees by \$1000
      - (b) Maintenance costs by \$1000
    - (3) Currently in good shape barring unexpected expenses
      - (a) Have resources if needed
      - (b) If a significant unexpected expense comes up we could address with a special assessment if needed or insurance claim if applicable

- Motion to change budget and set 2014 assessment at \$475

- i) Reduce legal fees line item by \$1000
- ii) Reduce maintenance line item by \$1000
- iii) MSP 4-0

#### 4) Report on recovery plan discussion with Anne Marie

- Two homeowners being taken to court over repeated failure to pay assessments
- Court dates set for 2/11/14 and 2/25/14
- Steve and Anne Marie to attend
- Discussed concern of spending more money to get situation resolved
  - i) If HOA prevails defendant is accountable for all related costs
  - ii) Must have court judgment to pursue further
  - iii) High probability of success
- Discussed if Anne Marie successful then makes her more than worthwhile
  - i) Anne Marie also paralegal and good negotiator
- Rich to arrange a visit with a specific homeowner to discuss possibility of working for assessment plan

#### 5) ACC Report

- Discussed process to finalize CCR change regarding non-permitted parking
  - i) Raymond to correct CCR amendment document as prepared by Phil
    - (1) Correct approved count from 26 to 25
    - (2) Verify lot numbers
    - (3) Spelling corrections
    - (4) Verify section 8.6 and wording of 6.23
  - ii) Steve and Raymond to arraigned time and place to sign document and have it notarized
- Discussed balance of homeowners on a payment plan
  - i) One homeowner no longer needs to consider work for dues plan and they have paid ahead

- Discussed desire to get all remaining landscaping project done in 2014 if possible
  - i) Should leave fewer things for board to pursue in 2015
- 6) Discussed need to correct minutes for CCR meeting regarding vote count
  - Motion to correct Oct. 22 minutes for CCR meeting
  - MSP 4-0
- 7) Discussed pending court issues and concerns regarding specific past due homeowners
  - Discussed past changes in their explanations and how past attempts to address issues and collect past due assessments have not been successful
- 8) Craig to price arborvitae
  - March probably ideal time frame to plant
  - Discussed where to plant and on which side of fence
    - i) To be discussed with neighboring homeowners
- 9) Discussed problem with screws being removed from catch basin
  - Second time this has occurred
  - Needs to be fixed but don't understand who is removing them or why
- 10) Adjournment 7:30 PM
  - MSP 4-0 to Adjourn