

**West Fork Village Meeting
May 17, 2012
Minutes**

1. Adam called the meeting to order at 6:31 p.m.

Board Members present:

Adam Lowrance - President - Unit 605
Herb Davidson - Secretary - Unit 1502
Rosann Holman - Vice President - Unit 711

Others present:

Travis Ryan - W.F.V. Manager - Unit 1602
Mary Davidson - Unit 1502
JoAn Nickel - Unit 804
Terri Gimlin - Unit 306
Cathy Bohannon - Unit 1301
Ken Eberly - Unit 509
Dyane Lowrance - Unit 605

2. **Unfinished Business**

- A. **1st Quarter Financial Report - Bruce Lichtenberger**

Bruce presented copies of his report and explained the contents of each page of the report to everyone. Travis brought up the point that on the Balance Sheet at Line Item 1605 - Garages held for sale, that the Board took the garages off the market, thus there are no garages for sale at this time. Bruce said he will change the wording to just Garages.

- B. **Minutes of April 19, 2012 Meeting**

Adam took this opportunity to explain to the Members that the Board decided to meet every month, in order to properly address Members issues and other pertinent Association business. Adam asked for questions on this subject but none were forthcoming.

Herb asked for a motion to approve the Minutes as submitted. Rosann moved to accept the Minutes and Adam seconded the motion. The Minutes were approved.

- C. **Unpaid Charge Summary**

Adam pointed out that this Report is a good example of why there have been "Board Only" meetings. It has been the opinion of this Board and past Boards that "who is past due" should not be public knowledge, but should be handled more discreetly. Adam asked the audience if there were comments or suggestions about the handling of this information. None were forthcoming. Travis gave a brief explanation as to what was being done about those Owners that are past due. Travis was commended for the job he has done in getting the past dues collected. At present the past dues total \$4,834.50.

- D. **Board Budget Approval - 2012**

Rosann questioned why the Board is addressing the Budget again. Herb said that the

Board is supposed to formally accept the Budget before it is presented to the Owners for approval at the July Meeting. Rosann suggested that it seems backwards to present the Budget to the Owners in July, when the year is half over. The question was raised as to how this time period was established. Ken Eberly said that the Project was turned over to the Association on that month, and no formal change has been made since. Adam asked for questions. Ken Eberly asked about Maintenance Wages and Management Fees, and who all is getting a paycheck in those categories. Travis answered the question. Ken explained that it was set up in the past that there was just one check issued for Management, and if the Manager needed help, the Manager paid for the help out of his own pocket. Ken felt like we should go back to that way of handling labor costs. A member of the audience suggested that with the method being presently used, there is more transparency than if the Manager was paying someone out of his own pocket. Ken also brought up a question on the subject of the Board entertaining the idea of purchasing a Unit in foreclosure at a distressed price. Adam explained that it was a topic that was discussed briefly by the Board as a possibility, but never actually pursued. Ken said that the Associations money should always be safe and insured. A question from the audience was "is there a specific reason why the insurance doubled?", and Travis explained that this was an accounting error. There was discussion about the benefits of converting the accounting to the Quick Books program, and the potential of reducing the accounting cost as a result of that conversion. Adam asked Travis if wages could be clarified even more in the Budget, so that it was easier to see who gets what. Travis indicated that he would visit with Bruce for advise on that subject.

Herb moved to accept the 2012 Budget as presented. Rosann seconded the motion and the motion passed.

E. Chase Meeting on 3-15-12 - Overview

Adam explained to the audience that the meeting with Chase Bank and just the Board (not to include all Owners) was at the request of the Chase Bank representatives. Adam stated that he was not super-impressed with what they presented. The presentation by Chase as to what they could do for the Association on the subject of Auto Pay was discussed. It was concluded that the service they presented was not acceptable because of fees they would charge.

F. Resolution 7 - EXHIBIT "A", Review Number Cap & Tags

Herb explained how the Board came to assign a cap (maximum) number to the quantity of dogs in WFV. Herb went on to explain the Boards' position on all items under Association Constraints, and that it is his recommendation that Association Constraints and its contents be dropped from EXHIBIT "A". Herb went on to address item 6. under Additional Constraints which requires a permitted dog to wear a West Fork Village tag on its collar. Herb suggested that the audience be given the opportunity to voice their opinions on this subject before further Board action. Adam asked if everyone was familiar with what a Resolution is. An audience member said no. Adam proceeded to explain what a Resolution is, when it is used, why it is used, and its purpose. Adam went on to explain the reason for Resolution 7 and the purpose it is meant to serve. Adam asked if anyone in the audience had a comment. The Cap was discussed and the consensus was to drop it. Herb moved that Resolution 7 - Exhibit "A" be amended by removing the Association Constraints and its contents, and remove item 6. from Additional Constraints. Adam seconded the motion and the motion passed.

G. Resolution 9 - Review (addressing C.C.&R. section 15.12.1)

Adam asked if the Attorney had gotten back to us on Resolution 9? Herb said that she had not specifically mentioned Resolution 9, but what she did say was in agreement with what Resolution 9 is all about. Herb read section 15.12.1 for the benefit of the audience. Herb then stated that presently we have 82 Units occupied by the Owners and 98 Units occupied by Renters. Herb then read Resolution 9 to the audience. Herb stated that his wife had called 3 banks for him, with the question of "what is the maximum acceptable Owner occupied vs. Nonowner occupied Ratio allowed to qualify for a mortgage?", and she was told 50 percent. The banks indicated that this percentage comes from Freddie Mac and Fannie Mae. One banker went on to say that they would require that 70 percent of the Units be occupied by the Owner if they made the loan to keep in house. A person in the audience asked if the present Landlords had applied for permission to rent/lease their Unit. Herb asked Travis if he has seen any letters of request or letters of authorization in the files. Travis said no. Ken Eberly said that putting Resolution 9 into effect will cause a "particular" Unit Owner to sue us, and she will win because it is her private property. Herb stated that this Resolution does not state that the request would be denied, it states that the Owner must apply and be approved by the Board, realizing that we will probably only attain the 50 percent through attrition, but the Board is obligated to work toward that goal for the benefit of the Owners. Herb stated that the governing documents have put this obligation on the Boards' head, and to ignore it is not a justifiable alternative. The question was asked as to whether the Association could be sued for not enforcing Section 15.12.1. Herb said yes, as set out in Section 4.11. Herb read Section 4.11 to everyone. There was much discussion about the consequences of going forward with Resolution 9. Herb said that it would not hurt his feelings if it is not accepted, because he felt he had performed his obligation by writing and proposing Resolution 9 as a solution. An Owner in the audience expressed concern over the number of rentals, and went on to iterate that she thinks the offsite Owners need to be accountable for what has transpired as a result of their non-compliance with the governing documents. After further discussion, Herb moved that Resolution 9 be accepted as presented and Adam seconded the motion. The motion passed with a majority vote. Two women from the audience indicated that they are willing to donate their time to help with various small projects, such as mailings, etc.

H. Resolution 6 Review - Add Exhibit for Persons & Pricing

Herb read the Resolution to everyone. Travis stated that a resident had requested that this Resolution be addressed and possibly revised. The requesting resident was supposed to be in attendance, according to Travis. Herb asked Travis if he could ask the resident to reiterate his/her request for a future meeting. Travis said he could.

3. New Business

A. Maintenance/Assistant Manager Position opening in August

Travis said he would be accepting resumes starting July 1, 2012. He said Eric's last day will be August 5th. Herb asked Travis what his method of advertisement is going to be. Travis said he is going to put it on the bulletin board in the mail room. Rosann suggested that Travis begin his advertisement a bit earlier than July 1. Adam thought that made sense and Travis agreed.

B. Spring Newsletter

Rosann passed out copies of the newsletter to those that had not received it yet, and invited everyone to participate with recipes, articles, etc. The audience was very complimentary of the newsletter.

4. Additional Information needed to be discussed

A. Window Tinting Discussion

It was noted that two Units have foil over their sliding glass doors for window tinting. Rosann presented window tinting products for approval. She pointed out what she believed to be the pro's and con's of each. Rosann stated that an Owner had expressed an interest in applying a window tinting to keep the heat out from the sun, but has hung shades up since. Rosann suggested that everyone give it thought and come up with a suggestion.

B. Pet Permission Form update

Rosann stated that out of the 180 forms sent out, 18 have not been returned. She gave us a report showing those that have not replied (complied). She stated that 14 of those that have not complied are offsite Owners. Rosann was commended for her persistence on this issue. Rosann said that an additional letter will be mailed to those that have not complied.

Adam asked if anyone else had anything to address. Nothing was said.

3. Adjournment

Adam adjourned the meeting at 8:37 p.m.

Next Meeting will be June 14, 2012

Rosann Helmen VP
Aidy Helmen Pres.
Beil Davidson Sect.