

THE WESTFORK VILLAGE OWNERS ASSOCIATION

**Meeting Minutes**  
**MEMBERSHIP MEETING**

**July 22, 2004**

**7:00 p.m.**

1. Calling of roll and certifying of proxies.
  - 17 voting members were present.
2. Proof of notice.
  - Notices were sent to all members, in accordance with the bylaws, in addition, a sign was posted in the mail room as a further reminder of the meeting.
3. Reports and recommendations of committees were given.
  - a. Recreational Committee report presented by Peter Martin
    - The Recreation Committee of the WestFork Village Owners Association held its organizational meeting on May 20, 2004 at 7:00 p.m. Committee members present included: Jan Overmyer, Irene Gusaras, Travis Lundahl, Peter Martin, Karla VanDenBerg and Sandra Adams.
    - The committee reviewed the charge set forth by the management. The committee reviewed the Clubhouse calendar and discussed activities they would like to see at WestFork. The group suggested that a comment card be developed and placed in the mail room in a future WestFork mailing or at a future Association meeting. This comment card would have a list of suggested activities and would require that the owners mark the activities they would be interested in participating in and submit to the Recreation Committee. The card would ask that the owner leave his or her name and phone number for easy contact from the committee to owners interested in specific activities.
    - The committee suggested ski trips, golf trips, volleyball teams, Clubhouse movie night be included on the comment card. The group expressed interest in finding the "hidden talents" of owners at WestFork and using those people to help develop more activities in the community.
  - b. Audit Committee report presented by Ken Eberly
    - Ken made a request for 6 to 8 more people to join the Audit Committee.
    - The Audit Committee of the WestFork Village Owners Association held

its organizational meeting on May 20, 2004 at 7:00 p.m. Committee members present included: Delight Wakkinen (WestFork Manager), Ken Eberly, and Bruce Lichtenberger (WestFork C.P.A.).

- The committee reviewed the charge set forth by the management.
  - The group then reviewed the working budget of the Owner's Association.
    - The group reviewed the layout and composition of the budget. Delight informed the committee that the figures for May's budget would not be complete until bills for May were received and payment made in early June.
    - Ken, whom has a background in the printing business, suggested that the Association find an alternate publishing company for the quarterly newsletter as the charge for the newsletter seemed high to him.
    - The Insurance line item was then reviewed. Bruce suggested that Delight contact Insurance Agent Scott Bicknell to ask if quarterly billing for insurance would be possible and if in doing so, if the premiums would increase or if other penalties would be incurred. Bruce suggested that if this were possible, that the Association take a quarterly billing approach for the Insurance for the coming year.
  - Bruce requested that Balance and Income Sheets be available at the next meeting of the committee. He further recommended that the management begin to develop a budget binder for owner reference that explains and justifies line item costs included in the budget.
  - Bruce suggested that an estimated 8 members would be an ideal number of committee members for the Audit Committee. He suggested that the committee recruit owners interested in finance or that work in the insurance, banking or other such lines of work. The committee agreed further that the committee should meet four to six times during the course of the year. Wednesday and Thursday afternoons are times that would be suitable for future meetings.
- c. Bylaws Committee report presented by Sandra Adams
- The Bylaw Committee of the WestFork Village Owners Association held its organizational meeting on May 20, 2004 at 7:00 p.m. Committee members present included: Karen Tritch, Cathy Bunting, Pat Pope, Betty Carlo, Howard Wakkinen and Sandra Adams.
  - The committee reviewed the charge set forth by the management. Betty Carlo and Sandra Adams checked out Owner's Association guides from the Association.

### **Special Requests**

- Cathy Bunting requested that the committee review her request to erect a flag pole outside her unit. Chuck Rehmer, president of the Association approved her request.

### **Parking**

- The issue of parking was reviewed. The committee members reviewed the bylaws on this issue. Ticketing and towing policies that the city has in place will be observed.

### **Pet Waste**

- The issue of pet waste was covered. The committee suggested that a certain area be designated for pet waste. The committee recommends to the Executive Board that the business of pet waste be taken very seriously by the Association. The committee recommends that the following procedure take place for monitoring this effort:
  - Each time a complaint is made against an owner, the Association will notify the owner of the regulations regarding their pet and of the consequences of not following the rules set forth in the bylaws.
  - If a second complaint is made, the owner will again be warned and fined \$50.00.
  - If a third complaint is made, the owner will again be warned and fined \$100.00
  - If a fourth complaint is made, the pet will be evicted from the property.
  - The committee further decided that two witnesses must observe that the owner is not properly cleaning up after their pet for an eviction to take place. The committee requests that a copy of the pet permission sheets be compiled for their use.

### **Speed Limit**

- The committee expressed concern that several residents at WestFork speed through the complex. The committee recommends to the Executive Board that a speed limit of 10 mph be put into effect for the complex. The committee recommends that signage reading “NO THRU” and “10 mph” be posted at the entrances. This is suggested to be a starting point, however, the committee agrees that speed bumps may be necessary if the residents continue to drive dangerously within the community.

d. Landlord Committee report presented by Chuck Rehmer

The Landlord Committee, under the auspices of the West Fork Village Owners Association, held its first committee meeting on May 20, 2004 at 7:00 pm. In attendance were Rick Budensiek, Gene Baker, and Chuck Rehmer.

The question of landlords using clubhouse privileges in addition to their tenants was raised in regard to double usage and fairness to occupant owners. Rehmer

cited the Executive Board Policy in place allowing one pass card per bedroom; landlords with two bedrooms could share their two cards with their tenants. The Executive Board's policy allows this until a subsequent board, or Association vote (if required) would change this policy. Rehmer asked if there were specific problems or incidents that needed to be addressed and there were none. It was discussed that the maximum potential of 30 active landlords may still not impact the overall usage of the oversized clubhouse facility. The committee agreed to table this issue pending any continued problems.

Author's Note: It could also be argued that active landlords involved in clubhouse use would also be more active about supervising their tenants, and exhibiting the pride of ownership that benefits the entire project.

Potential problems with education of tenants about Declaration Restrictions of Use was discussed. It was decided to mail out the applicable use restrictions paragraph (Article 15) regarding restrictions of use to all non-owner occupants and to all landlords as a reminder that restrictions are in place.

Article 15.12 was reviewed (Leasing). It was determined that all owners should be notified with a reminder that the Association has the right to adopt Rules and Regulations with respect to the Leasing of units to non-owners; and that "any owner wishing to lease a unit...must first apply for authorization from the Association for any non-owner use". (15.12.1). The Declarant has been controlling this through limitations on sales to Landlords (30 total units). With the transfer of Declarant Control to the Association, a mechanism should be implemented to review said applications and to track the total number of non-owner occupied units. The Executive Board can direct the On-site Managers to perform this task. Recommendation is that this be tabled to the incoming board.

Authors Note: It should be noted that unreasonable restrictions on renting could be determined an infringement upon owner rights; the paragraph is rather specific primarily regarding negative impact to "federal mortgage eligibility requirements".

Contact Information about Tenants was deemed important and it was decided that the on-site manager shall continue to track non-owner occupant information for maintenance and emergency responses. This should be in the reminder letter to Landlords to provide this information upon Tenant turnover.

Complaints about insensitive Tenants were discussed. The current policy is for all complaints to be submitted in writing to on-site manager who then forwards them to the Executive Board for review and action--typically warnings to landlord and tenants. It was noted that Landlords should be notified of all Tenant Problems. The Declaration specifies the right of eviction in the event of failure to comply

with the terms of the Declaration and Bylaws (15.12.2.4).

4. The motion was made to have Chalice Springfield and Sandra Adams be inspectors of ballots. It was seconded.
5. Election of Board of Directors and voting per committee recommendations.
  - a. It was motioned to elect 4 directors for the WF OA board. It was seconded.
  - b. Voting took place via private ballots. Gene Baker, Ken Eberly, Don Cherne, and Chuck Rehmer were the 4 directors elected.

Two amendments proposed by the bylaw committee (see bylaw committee notes above) were also passed. The two amendments included a 1) WF roadway speed limit of 10 mph (signage reading 'No Thru' and '10 mph' will be posted) and 2) a procedure to be put into force to monitor the effort to reduce pet waste at WestFork. The procedure includes the following:

- Upon receiving an initial complaint against an owner, the Association will notify the owner of the regulations regarding their pet and of the consequences of not following the rules set forth in the bylaws.
  - If a second complaint is made, the owner will again be warned and fined \$50.00.
  - If a third complaint is made, the owner will again be warned and fined \$100.00.
  - Upon the fourth complaint, the pet will be evicted from the property.
  - Two witnesses must observe that the owner is not properly cleaning up after their pet for each registered complaint. Single witnesses to an event are encouraged to immediately call the management to serve as the second witness.
6. New business:
    - East side of building 6 still has tire tracks from snow removal vehicles.
    - Some new trees are dying.
    - Sod is drying in various places throughout the complex.
    - North of the garbage enclosure (by the clubhouse) has some concrete that needs repair.
    - WF street cleaning was discussed. Quotes will be obtained for street cleaning after the construction crew is done.
    - Pigeons building nests in some of the eaves in building 10. Discussion of this topic took place and it was determined that WF residents are not to feed pigeons or encourage their habitation in the eaves given the potential waste hazard that comes from their presence.

Agenda Items requested in writing:

- a. Request to place gazebos on patios.
    - This request was discussed and granted. However, issues like this will be forwarded to the bylaws committee for final details / consideration. Some details discussed included the following: 1) If one would like to have a gazebo on their patio, the owner must have the appropriate liability insurance and 2) insure that the gazebo will stay on their patio with either sandbags or weights.
    - Flower pots on the second level – If this becomes a problem (falling down), then this will be reviewed by the bylaw committee.
  - b. Parking issues around buildings 13, 14 and 15, limited spaces, larger vehicles protrude out into the street, marked parking spaces, observation of fire lanes.
    - Fire lanes were discussed. For all parking issues (fire lanes and spaces), further attention was requested to determine what would be best (e.g., painting curbs, signage, etc...) for the entire complex.
7. Adjournment was motioned and seconded. The meeting was adjourned at approximately 8:15 p.m.