

**West Fork Village Executive Board Meeting
March 15, 2012
Agenda / Minutes**

1. Adam called the meeting to order at 7:50 p.m.

Board Members present:

Adam Lowrance - President - Unit 605
Rosann Holman - Vice President - Unit 711
Anita McAllister - Treasurer - Unit 610
Herb Davidson - Secretary - Unit 1502

Others present:

Travis Ryan - W.F.V. Manager - Unit 1602
Zulema Ryan - Unit 1602
Mary Davidson - Unit 1502 (On Agenda)
JoAn Nickel - Unit 804 (On Agenda, support capacity)
Chase Bank (3 representatives) (On Agenda)
Lars Thorgesen - Unit 407 (On Agenda)

2. Agenda Items

A. Mary Davidson - Autopay HOA Dues

Mary posed the question to the Board "would the Board entertain the idea of setting up those Owners that would like to participate, in an Autopay system?". Adam asked if a Chase Rep. would inform the Board as to the cost and particulars involved in an Autopay system. A Chase Rep. said that it can be done, and that the first 25 transactions would cost the HOA \$1.00 each, and an additional 25 cents for all additional transactions. Mary asked if those fees couldn't be waived for the HOA, considering the large amount the HOA has on deposit with the bank. The Chase Rep. said he could run an analysis on the account, but he didn't hold out any real hope that the fees could be waived. The Chase Rep. suggested that he could get with Travis and look into the matter in greater detail. Travis indicated he was open to that idea. Mary thanked the Board for its time, then Mary and JoAn left the meeting.

B. Chase Bank - Financial Advisement

The other two Chase Rep's. introduced themselves and presented the Board with literature exemplifying investment products that they could offer the HOA. They said that whatever amount the Board might entertain for investment, they would be looking at a 3 to 5 year commitment of those funds. Adam suggested that they leave the Board whatever literature they could, and allow the Board time to read it over for further discussion. The Chase Rep's. agreed, and after disseminating their material, left the meeting.

C. Lars Thorgesen - Owner of Unit 407

Note: Lars had been fined for actions perpetrated by his tenant. The fines were for an unauthorized dog, not picking up after the dog, and allowing the dog to be off-leash.

Lars began with a request that certain changes be made to bring his ownership and address current. Adam began by pointing out that the tenant had signed HOA paperwork stating that she had no dog, and that she would request permission from the Board prior to purchasing and housing a dog on West Fork. Lars admitted to having received the same form, but had failed to fill it out and return it to the HOA. An in-depth discussion ensued as to enforcement protocol. Adam pointed out that the Board chooses not to deal with the tenant directly, but instead looks to the Owner, in that the Owner

is responsible for the tenant. Lars said he understands the Boards position, and asked if he could be given some time to address this situation with his tenant, then call Travis. Adam said that would be fine. Lars told Travis he would call him soon and let him know how much time the tenant is requesting to find the dog a new home. With that, Lars left the meeting.

D. Minutes for February 9, 2012

The Minutes of February 9th were reviewed. Rosann moved to approve the minutes, as submitted, and Adam seconded the motion. All members were in favor of said motion.

E. Pet Permission Issues revisited

Rosann requested that the Board members take the material home with them, review it, then get back to her with their input. The material supplied by Rosann was made up of PET RULES AND REQUIREMENTS (1 page), APPLICATION FOR PERMISSION TO HAVE A PET OR ANIMAL AT WEST FORK VILLAGE (2 pages), and a one page form letter addressing an Owner that had not completed and returned the Pet Permission Form. The Board agreed to Rosann's request.

F. 2012 Maintenance Budget revisited

Travis stated that he is in the process of procuring additional estimates for the asphalt and concrete work needed within the Project. The Board visited about the work, but took no formal action as none was required.

G. Update on Owner/Renter Ratio - 83/97 and proposed Resolution #9

Anita asked if an Owners loan could be called by their Lender if the Owner/Nonowner occupancy ratio exceeded the percentage acceptable at the time the loan was approved. Herb said it is very doubtful that would occur, but that the Association can be sued for allowing it to happen. Herb referred the Board to the Declarations, Article 4 - MEMBERSHIP AND VOTING RIGHTS; ASSOCIATION STRUCTURE AND OPERATIONS, Section 4.11 *Rights of Action*, as relates to the enforcement of ARTICLE 15 - USE RESTRICTIONS, Section 15.12 *Leasing*, Subsection 15.12.1. Adam asked the Board if proposed Resolution No. 9 (PROJECT UNIT OCCUPANCY RATIO), should be reviewed by our Attorney prior to the Board taking action on it. Herb said that Resolution No. 9 establishes a quantitative figure for the Board to achieve as a ratio/percentage. Adam asked how it would be enforced. Herb suggested that the Resolution and a letter would be sent to all Owners. The letter would explain the date enforcement will begin, and that Owners renting, or desiring to rent their Unit should submit a written request to the Board for permission to do so. The postmark date on the envelope will determine where they are in priority for approval. Then, attrition would come into play. Wherever a Unit Owner is on the Permission Request List would determine if they would be dropped out (be denied) when their Unit became vacant, and they submitted a request to re-rent/re-lease their Unit. Anita stated that, as she remembers it, the purchase documents said that 25 percent, or 4 Units per Building could be rentals. Herb said that Resolution No. 9 is much more lenient than that. Travis asked if a copy of proposed Resolutions should be sent to the Attorney prior to Board action. Herb said definitely yes. Anita stated that this issue has been hashed out over the years, yet it has yet to be resolved, because it was not going to be a popular issue to enforce. Rosann concurred. Adam stated that he is in favor of Resolution No. 9, but wants to be legally right when it comes time to defend it. Anita asked if it would make any difference for those that had always rented their Unit. Herb said that in his opinion, no, in that he didn't feel that the Board would be allowed to discriminate. Herb said that any Owner that could produce a letter with a prior Boards acceptance would automatically be on the approval list, but based on the Minutes he has, no Board has addressed such a request, let alone approved one. Herb said that each time a rented/leased Unit became vacant, the Owner would have to reapply for permission to re-rent/release that Unit. That way the Board could make its decision based on its history, addressing questions such as timely dues payment, violations, etc. Adam made a motion to accept Resolution No. 9, subject to the Attorneys review and concurrence, or with changes as suggested. Anita seconded the motion and all voted in favor.

H. Proposed Resolutions 10 and 11

Herb suggested that Resolution No. 10 (OWNERS EQUALITY) be tabled until next meeting, but go ahead with addressing Resolution No. 11 (DIRECTORS). Herb explained that the Articles of Incorporation and the Bylaws obligates the Board to select the number of Directors that will represent the Owners. Rosann moved to adopt Resolution No. 11 as submitted, and Adam seconded the motion. All members voted in favor of the motion.

3. Additional Information Needed to be Discussed

A. Letters

Travis asked the Board if he could now send out the Attorneys response to the last questions asked by the Board. It was decided that he can. Adam noted that the Governing Documents make allowance for a Corporate Attorney, yet previous Boards did not appear to have one. Rosann asked if the letters addressing the storm door issue could be sent out. The Board agreed that the letters can be sent, in that the Attorney has reviewed and approved them.

B. Unit 801 Issues

Herb asked where the Board is with this issue. Travis said he is still working on the letter to incorporate what Adam suggested. The Board listened to the phone recording associated with this topic.

C. Anything else that needs to be addressed

Herb said there is something that he would like the Board to hear, then proceeded to read an excerpt from a book called The Homeowners Association Manual. The excerpt had to do with who could attend closed meetings, and what their rights are. Accordingly, Members have a right to attend a closed meeting, but not the right to participate unless given permission to do so by the President, or Officer presiding over the meeting. The information was duly noted by the Board.

4. Adjournment

Adam adjourned the meeting at 10:38 p.m.

**Upcoming Meeting:
April 19, 2012**

Andrew M. [Signature], Treas.
Bob [Signature] Voting Member
Adam [Signature] Pres.
Rosann Holman VP
Herb [Signature], Sect.