

Minutes of Meeting of the HVPOA Board of Trustees

Meeting was called to order at 6:07 p.m. on Wednesday 17 June 2009 at the Fairview Senior Citizens Center.

Note: The Trustees present requested that Mr. and Mrs. Meyers assist with taking minutes for this meeting. Mr. Walker noted that all Trustees had been notified of today's Meeting of the Board of Trustees by both email and/or telephone. Motion: A motion was made and seconded to have Mr. and Mrs. Meyers take the notes for this meeting. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Widdop voted in the affirmative. The motion carried.

Trustees present were J. Taufer, R. Walker, R. Widdop, and T. LeFevre. C. Johnson was absent, but available if necessary by phone for voting.

Members of the Association present were Annette Grant, Christine and Cody Smith, Jody Taufer, Rita Walker, Mila Widdop, Rachel LeFevre, Brian Cook, and Graciela and Tom Meyers.

1. The first Board of Trustees agenda item was the reading of the notes for the minutes from the 16 May 2009 Meeting of the Board of Trustees, and for the 30 May 2009 Meeting of the Members.

Discussion: The Trustees present read the notes for the minutes. On the 16 May notes, the numbering of the agenda items was in error. On the 30 May notes, Mr. LeFevre asked that his question to attorney Peter Harrison regarding whether legal action would be civil or criminal be included in the minutes.

It was suggested that the notes for the meeting Minutes be sent to each Trustee prior to the next meeting and that they should return their comments to the President within 7 days of the notes being sent, so that finished Minutes can be available for signing at the next meeting. In the event that a Trustee has not complied with this policy, and is not ready to approve the finished minutes, they must submit their comments in writing to the Board within 7 days after said meeting so that they can be attached to the Minutes. If a response is not received within the allotted time, the Minutes are deemed approved and any objections waived.

Motion: A motion was made and seconded to adopt the above process for managing the review and approval of meeting Minutes. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Widdop voted in the affirmative. Mr. Johnson was not called for a vote. The motion carried.

Motion: A motion was made and seconded to approve the notes with corrections, and the Minutes will be signed by the Trustees at the next meeting. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Widdop voted in the affirmative. Mr. Johnson was not called for a vote. The motion carried.

Motion: A motion was made and seconded to have the notes or draft meeting Minutes sent to each Trustee in PDF format for their review prior to the meeting. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Widdop voted in the affirmative. Mr. Johnson was not called for a vote. The motion carried.

2. The second Board of Trustees agenda item was to review the legal requirements placed upon Trustees, by law:

Discussion: The law firm provided information on the responsibilities and duties of Trustees. Mr. Taufer will make copies available to the Trustees.

Motion: No motion was made.

3. The third Board of Trustees agenda item was to review the billing statements for assessments prior to sending them to the members and to discuss the collection of unpaid assessments.

Discussion: Mr. Taufer noted that at the 30 May 2009 Meeting of the Members, the member response by a show of hands to the presentation by the law firm of how they proceed with collections gave the Board a clear idea of what most of the members wanted. The Board decided that they would start processing past due accounts beginning with accounts that are \$1,000.00 or more past due. Mr. LeFevre asked if the members will be notified of how the resolution to proceed with collections would be implemented. Mr. Taufer explained that the \$1,000.00 past due is considered a beginning threshold, and that all Association members will be sent a copy of the resolution so that they would be appropriately informed. He added that the law firm pointed out that enforcing the contract was a matter of state statute, and that each lot owner should be sent a copy of the resolution describing how this would be done. In answer to an enquiry it was mentioned that roughly 36% of the lot owners are not paying their assessments.

Motion: No motion was made.

4. The fourth Board of Trustees agenda item was to discuss the Newsletter.

Discussion: The draft Newsletter was read. The content was discussed.

Motion: No motion was made.

5. The fifth Board of Trustees agenda item was a discussion of the Web Page.

Discussion: Mr. Widdop reported that the web page could be set up by a third party for about \$300 and maintained for about \$30 per month. Items would be posted as directed by the majority of the Trustees. Mr. LeFevre suggested that lots available could be noted on the website.

Motion: A motion was made and seconded to find a third party to develop and maintain a web page for HVPOA, and to control content as directed by the majority of the Trustees. Mr.

Walker, Mr. Taufer, Mr. LeFevre, and Mr. Widdop voted in the affirmative. Mr. Johnson was not called for a vote. The motion carried.

6. The sixth Board of Trustees agenda item was a discussion of the roadwork.

Discussion: Mr. Taufer noted that the rainy weather was delaying work on some of the higher roads. The Trustees discussed culverts that needed to be placed on a priority basis. Plans for moving forward with roadwork were discussed. The Board proposed that Storm Mountain should be the first priority, and that there should be another Board of Trustees tour to assess what needs to be addressed.

Motion: No motion was made.

7. The seventh Board of Trustees agenda item was a discussion of the recent Association Members Petition, and the Mail-in Ballot to address the issue.

Discussion: Mr. Taufer described the Mail-in Ballot, noted that the law firm had reviewed it, and passed it around for review. Mr. Taufer pointed out that Mr. Johnson had made multiple requests and that they would be filled as advised by the law firm. The Petition called for a Special Meeting of the Members and the issue was to consider the removal of Mr. Johnson as Trustee, based on the written complaints that would be sent out for the members to consider, along with the Mail-in Ballot. The lot owners signing the petition represented 65 lots, which exceeds one tenth of the lots in the subdivision. The date to send out the package and the date for counting the Mail-in Ballots was discussed.

The labor was scheduled for 6:30 p.m. on Friday 19 June 2009 at Mr. Cook's residence.

Motion: A motion was made and seconded to send out the written complaints and the Mail-in Ballot for consideration and a vote by the members; and to send the package on or about 20 June 2009, with a due date of 13 July 2009 for return of the ballots, and to count the returned Mail-in Ballots at the Board of Trustees meeting on 15 July 2009. Mr. Walker, Mr. Taufer, Mr. LeFevre, and Mr. Widdop voted in the affirmative. Mr. Johnson was not called for a vote. The motion carried.

8. The eighth Board of Trustees agenda item was a discussion of the proposed Members Breakfast.

Discussion: Mr. Taufer described the Members Breakfast proposed by Mr. Bennie Lee for 11 July 2009 at 8 a.m. at the Pavillion. The Trustees discussed ways to help Mr. Lee with the effort.

Motion: No motion was made.

9. General discussion during the course of the meeting:

Mr. Cook pointed out that the wash that goes through the common area is about twenty feet deep in some places, and that the walls are nearly vertical. He observed that children playing in the wash may be exposed to a collapse hazard. Mr. Cook proposed terracing the wash to reduce the likelihood of an accident. It was agreed to accept Mr. Taufer's suggestion that the item be placed on the next Board of Trustees agenda.

Mr. LeFevre suggested that lot owners be made aware of a product called Cold Fire™, and stated that he could arrange a demonstration for the community.

Mr. Cook expressed concern regarding consistency in handling violations of the governing documents. Mr. Meyers commented that there is an established procedure commonly used. It consists of the Board of Trustees producing a resolution; the law firm looking it over to ascertain that the resolution complies with the governing documents and legal requirements; and finally the adoption of the resolution by the Board. Violations are then consistently and uniformly addressed in accordance with the resolution, which typically involves the mailing of a letter indicating that a violation has occurred and its possible consequences, and requesting a response regarding what action may be taken to correct and resolve the situation.

The 17 June 2009 Meeting of the Board of Trustees adjourned at 8:47 p.m.