

## MEADOWWOOD ESTATES III HOA

Annual Meeting

November 19, 2010

The Annual Meadowwood Estates III HOA was called to order at 7:07 P.M. at the Liberty Lake Sewer & Water District office by President Lori Peters. Twenty-nine (29) homeowners were present with an additional four (4) represented by proxy. A future homeowner also attended. The Board of Directors, Marie Swigard from Premiere Properties Management, and homeowners introduced themselves.

Paulette Carter stated for the record that the Board of Directors on September 20, 2010 passed a resolution to hold this year's Annual Meeting in November which accounted for the November meeting date. Paulette read the minutes from the Annual Meeting of September 28, 2009.

A correction was made to the minutes on the gate closure vote. A quorum of homeowners was not present at that meeting. A new vote was taken via mail. The result of that vote was to leave the gate open during the day 35-24.

Board Members Lori Peters, Bob Skattum, and Marty Trzeciak reported on the following issues:

Gate/Common Area

Entry Lighting

Avista Billing Error

Financial Status

Non-Resident Using HOA Property

Enforcement of CCR's (Covenants, Conditions, and Restrictions)

Election of Board of Director (1)

**Gate/Common Area:** Our gate system which is 8 years old has been upgraded with a five (5) year warranty. The new controller unit includes an override for police and fire that the old one did not have. Homeowners have their own personal four digit code that may be used to open the gate or a call can be made from the gate phone to a home to allow entry. The new system has additional security features as well. In September the gate was vandalized. It has been repaired, a police report has been filed, and an insurance claim for repairs will be filed. Adding a security camera is an option if there is further damage. The drainage ditches have been repaired. There is another one in need of repair. The swale on Dunbarton needs to be cleaned up. Several homeowners on their own have helped keep out the weeds. A tree has been replaced by the mailboxes and a dead tree has been removed from Terrace Lane.

**Entry Lighting:** Only a few lights were working at the entry. They have been replaced with low voltage lights.

**Avista Billing Error:** Jeff Clacy, who was contracted to do the entry lighting, discovered that we were being billed for another subdivision's mercury vapor lights. Avista has refunded the HOA \$3100. Gordon Finch is looking into whether he also paid that bill when he was in charge of the HOA.

**Financial Status of HOA:** The Board has not had to dip into its reserves nor raise dues in 2010 even though there have been improvements and repairs made.

**Non-Resident Using HOA Property:** A homeowner brought to the Board's attention that approximately 1800 square feet that is technically owned by the HOA is being marketed as part of their property which is for sale. This issue is still being investigated. If a vote by HOA members is necessary to resolve this issue it will be done by mail.

**Election of Officers:** During the previous year Deen Lady 2009-2010 Board President resigned. Lori Peters agreed to become President. In accordance with the By Laws and the CCR'S the vacant position was filled by Marty Trzeciak. Deen Lady was thanked for the time he served on the Board.

**Enforcement of CCR's (Covenants, Conditions, and Restrictions):** The Board of Directors is required to enforce the CCR'S The Board, with the assistance of Premiere Properties, identified homeowners who had previously been sent violation notices. Many of these notices were ignored. At the 2009 HOA meeting it was noted that the Board would if necessary retain an attorney to assist in enforcing the CCR'S, potentially imposing liens and other actions on noncompliant homeowners. In February, 15 letters were sent from the retained attorney. The majority of recipients complied or provided a time frame for completion of violations. Three owners were in foreclosure and three other owners either did not respond or stated they were not going to comply for various reasons. Corrective assessments were made. One (1) homeowner satisfied the requirement and their assessments were ended and the HOA released the lien. Two (2) homeowners retained an attorney and filed against the liens. The judge ruled the liens were invalid. The Board's attorney filed a motion of reconsideration which has not been decided as of this meeting. The judge did not rule regarding the validity of the corrective assessments.

The Board had the rear banks of the three (3) homes in foreclosure trimmed due to fire danger and the unsightliness of the tall grass and weeds. One of these homes has been sold and another one is a pending sale.

Marie Swigard told homeowners that the Board takes the duty of enforcing the CCR'S to heart. All homeowners need to be treated the same. Our economy has changed. Every board faces hard decisions. There are many HOA's that are being sued for not doing their jobs.

Several HOA members spoke.

An HOA member questioned why letters were sent from a lawyer first.

An HOA member questioned the amount of the lien on one of the foreclosed properties and wanted assurances that the Board would work with the bank to allow the property to close.

An HOA member spoke about the assessments that were made.

An HOA member stated that when they moved in they were told what they had to do. The City of Liberty Lake actually was involved at the time making sure that their front and back landscaping was complete before they would issue a Certificate of Occupancy.

The Board stated that they intend to move forward in positive fashion, at the same time still fulfilling their duties of enforcing the CCR'S. They cited that they have recently met with Gordon Finch, Premiere Properties and several homeowners about the CCR'S and what other HOA's do in similar situations. As a result the Board decided not to have their attorney present at this meeting as was previously stated in a letter to HOA members. Also the Board will rely on Premiere Property Management versus legal counsel to handle homeowner complaints and make resources available to assist noncompliant homeowners. Gordon Finch has agreed to help resolve the landscaping issues by working directly with homeowners primarily those with steep hillsides on Dunbarton.

The Board re-emphasized that maintaining our property is critical to the value of all homes in our HOA. The Board thanks all homeowners who have completed landscaping and maintained their property.

An HOA member said what the board is doing is difficult. They send letters with no response. In support of the Board, it takes a lot of courage to say maybe we have handled this wrong.

An HOA member said they've lived in the neighborhood for 8 years. I love it and love the people. It is a great neighborhood.

An HOA member said the CCR'S are to protect everyone. The homeowner stated that they had lived in a neighborhood where they were not enforced and it was the worst.

An HOA member said there are many of positive things about our neighborhood.

Remember that questions should go through Premiere Property Management first. The Board will respond through them. In addition, the Board would like the HOA to remember that they hold full-time jobs in addition to serving as a volunteer on the HOA Board. Thus, it may take longer than a homeowner expects to receive an answer from the Board as they need to all weigh in and communicate via email and/or phone before a decision is made.

The Board wants to establish a committee that has an HOA member from each of the streets and one from the townhouses. A homeowner suggested it be called Community Outreach. Ravi Mangipudi from Dunbarton and Norma Guillaume from the townhouses volunteered.

**Election of Board Member:** Marty Trzeciak (18) and Cengiz Tanak (15) were nominated. Marty was elected to serve for one year.

Meeting was adjourned at 9:10 PM

Respectfully Submitted

Paulette Carter

Secretary Treasure