

Westfield Estates HOA
Minutes of Regular Board Meeting
May 12, 2010, 7 PM, Layton, Utah

Present at the meeting were Stewart Rogers, Tony Daly, Brenda Ory, Mike Southerd, Larry Henson, Julie Hillman and Brigitte Tucker. Jerry Whitaker participated via phone. Also present by invitation was Brian Morris from the Welch Agency.

1. Mr. Rogers called the meeting to order. He asked if there were any issues board members wanted to bring before the board.
2. **Minutes:** Brigitte requested the board approve the previous meeting minutes, which included those from the past two meetings. She made a motion to do so, Tony seconded the motion, and the motion passed unanimously.
3. **Yards:** Brenda requested the board discuss yards within the HOA which are not being properly cared for. "An unsightly yard is the same as having a junk car in the driveway in the way it detracts from the beauty and value of a neighborhood." This is also addressed in the community covenants, Article IV, 28: "All landscaping shall be maintained in an aesthetic, tasteful, clean, safe, sanitary, neat and orderly fashion."
The board discussed recent wet conditions that may have contributed to homeowners not being able to do the proper work on their property. Brenda asked that a reminder to homeowners about their responsibility in regards to yard maintenance be included in the upcoming letter sent out by Welch.
4. **Fees:** Brenda asked that homeowners be reminded again (annually) of fees/fine if they have a violation.
5. **Liens and late fee collections:** Brian Morris gave a progress report for three homeowners who are currently delinquent in their obligations to the HOA. Progress is being made. He explained possible options for dealing with delinquent issues in the future: It currently costs \$165 to place a lien on a property, though eventually that cost should be returned when the debt is collected. However, there is another option for collection without the HOA paying such costs up front. This new process would be turning the debt over to an attorney who specializes in collection after a 30 day grace period. The down side of that is we won't receive payment for any of the delinquent fees until he has collected 100 percent owed. However, the positive side is the HOA budget doesn't have to cover any legal fees up front that may not ever be collected, as in the event of foreclosure.

The board discussed this and unanimously recommended Welch pursue this option.

6. **Budget:** Brian presented the current 2010 budget, including actual vs. what was budgeted. The board discussed the need to raise HOA assessments to cover the shortfalls created by delinquent homeowners and how to communicate that necessity to homeowners. Last year's assessment was \$304; this year's assessment was projected at \$325. (However, in a post-meeting communication, after further review of this year's budget performance, Brian proposed this year's assessment only contain a 4 percent increase to \$316) Brian was asked to provide budget vs. actual reviews for 2009 as well, which he will do via email to the board in the coming days. The budget will be presented to the HOA in a letter and reviewed at the annual meeting.
7. **Insurance:** Insurance policy for the HOA will stay the same but is moving agents to SIR Insurance Group where it can be overseen by Westfield HOA Board president, Stewart Rodgers. Stewart agreed not to take an agent fee, but to pass that savings back to the HOA for community use. He will review the policy now that he is over it and let us know his recommendations, if any changes are needed, but at first glance it looked good.
8. **Annual Meeting:** The annual HOA meeting normally takes place in June—the board decided on the date of June 16, 7 p.m. Julie will try to make arrangements to have it at one of the Davis County library meeting rooms, preferably in Layton. This will need to be communicated 15 days in advance through a letter.
9. **Letter**—the board requested that a letter informing residents about the upcoming budget, assessments and other aforementioned items be sent to homeowners. As discussed in previous meetings, we want to inform them of the option to begin paying next year's dues as early as July so that they don't have to pay during the Christmas holidays as in previous years.
10. **Landscaping Issue**—Brian presented a complaint filed by a homeowner who has a serious problem with water from an adjacent lot draining into his lot causing significant flooding issues. The board discussed several options regarding the HOA's responsibility and potential liability regarding this and similar issues. The trustees requested that the management company prepare a policy outline for discussion and vote at the next meeting. This policy should be written in a way that strongly encourages the violating homeowner to quickly resolve the situation, but one that also protects the HOA from undesirable liability.
11. No other business came before the members and the meeting was adjourned at 9 p.m.

