

Westridge Place Homeowners Association
Board Meeting
February 28, 2005

The meeting of the Westridge Place Homeowners Association Board of Directors was called to order at 7:05 PM at the Design Center.

ATTENDANCE:

Present – Directors: Rick Bowler, Lance Boyce, Anita Anjoubault, Jim Cochran, James Bangert, Miron Washington and Catherine Reneau.

No Directors were absent.

Other attendees: Homeowner and ACC committee member Ruth Clowes, Homeowner Mr. David Hill.

ESTABLISHMENT OF QUORUM:

Rick Bowler called the meeting to order and established a quorum.

REVIEW, AMEND AND APPROVE PRIOR BOARD MINUTES:

The minutes from the January 20, 2005 meeting were presented and reviewed

Rick Bowler motioned and Jim Bangert seconded to approve the minutes as presented. The motion carried unanimously.

FINANCE REPORT;

Catherine Reneau presented a revised December 2004 and January financial statement reflecting the removal of voided checks and the adjusted 2004 deficit of \$5,288.26 carried over to 2005. Catherine also presented a cash flow statement showing the projected cash on hand as of 2/28/05 of \$30,264.60. She also presented a listing of outstanding dues as of February 23, 2005. A discussion of developing a Board Policy on handling delinquent accounts ensued. The Board feels it is important to promptly collect dues and, in addition to the late fee and interest policy established in 2004, the Board discussed establishing a policy of filing liens for unpaid dues. Once again, dues are still outstanding for more than one year for James Morkert 19211 Se 9th Circle of \$694.94 and Jennifer Ellsworth 718 SE 200th Pl. of \$940.12. In addition, the dues from Sheriam Weir who has sold her home still remain uncollected from the Title Company. Except for these three items, the HOA has unpaid dues and late fees/interest of \$7,833.43. Catherine feels that these are ultimately fully collectible.

Catherine Reneau motioned and James Bangert seconded to establish as Board Policy the mailing, via certified mail, of a Notice of Delinquency letter at 90 days past due and the filing of a lien against the homeowner at 180 days past due. The motion carried unanimously.

OLD BUSINESS:

Architectural Control Committee: Rick Bowler discussed that it was unfair to ask the ACC committee to take on the duties of managing the ACC until we have a draft document about the functioning of the Committee. The Walker's blue tarp (dry rot) and the Horowitz play structure were discussed. The general consensus was that the Walker's have already had the accommodation of time to correct their situation and the HOA has been sensitive to their situation in their lawsuit against their builder. Miron Washington suggested the HOA do a follow up with the Walkers to see where they are. Jim Cochran agreed to work with the ACC committee to get a draft document prepared.

Status of the draft proposals on the Satellite Dishes and Flag Poles and Overnight Parking were referred to the ACC committee for further development.

Issues of the tall trees were discussed and Rick Bowler brought up his feelings about ensuring that the trees are preserved. Jim Cochran reported that many of the trees are stressed and at least one tree will be dead by summer. Lance Boyce proposed the Board prepare a communication to homeowners reminding about maintaining the trees on their property. Jim Cochran volunteered to develop a list of arborists to recommend to the community.

A brief discussion was held on the condition of the boulevard fence and whose responsibility it is to maintain the fence along the boulevard. Catherine read from CC&R Article I, Section 4, which describes the open space required to be maintained by the HOA. The boulevard fence is not mentioned while all other boulevard maintenance is taken care of by the HOA. The Board agreed to continue this discussion in the future.

NEW BUSINESS:

The recently filed Declaration of Covenants, Conditions and Restrictions of Westridge Place Gated Community were discussed. These were filed by the Developer and recorded on October 15, 2004. The Board discussed that these CC&Rs state that they are subject to the Declaration filed on Sept. 29, 1998 under recording number 3011123. As such, they are subject to a vote of the members of the Association prior to adoption. The Board members expressed concern about the Developer recording CC&Rs that are not in compliance with our existing covenants and concern was expressed about the enforceability of this document. Rick Bowler stated that he had obtained signed agreements with the purchasers in the Gated Community agreeing to these CC&Rs.

The discussion then moved to the topic of legal title to Common Areas such as the retention ponds and the lot south of the Gated Community. Rick Bowler indicated there is no specific time for transition of the common areas. The next step is to deed them to the HOA. Catherine pointed out that the HOA does not have legal title to any of the

common areas that are separate legal lots and that our insurance policy most likely does not cover those lots.

Jim Cochran discussed that the common areas do not belong to the HOA until they are deeded. Until then, they are private property. The lot south of the Gated Community with the Gazebo on it needs to be gated and locked to prevent unauthorized access. Rick Bowler indicated that One Pacific has paid the outstanding electrical bill for the fountains in the Gated Community and requests that the HOA take responsibility in the future for these bills. The Board once again indicated that there were insufficient funds generated by the Gated Community to pay for the expenses of the Gated Community. Catherine will separate these expenses in the proposed budget for the next meeting.

At this time, Rick Bowler informed the Board that he would like to step out of the HOA. He feels the Board can manage the HOA without him. He would like to do it under contract to protect his remaining investment if the Board will enter into a contract to do specific things. Rick will put together “deal” points that are critical to him. He proposed that One Pacific would forgive all of the unpaid “management” fees if the Board would agree to reimburse One Pacific for the legal bill One Pacific incurred suing Schuler Homes and DR Horton in 2002. Rick felt this was a good opportunity to clean things up for the HOA and do the right thing.

Jim Cochran noted One Pacific would have to give up their power of appointment and consent and a timetable must be developed. Catherine suggested that we wait for Rick to put his proposal in writing to the Board and then we could discuss it more specifically. Rick indicated he could have something to the Board in a couple of weeks.

They're being no other items for discussion; the meeting was adjourned at 9:10 pm.

Submitted by:

Catherine R. Reneau
Secretary/Treasurer
Westridge Place HOA