

Fenwick Homeowners Association

Board of Directors Meeting Minutes

Thursday, November 20th, 2008

The Board meeting for the Fenwick Homeowners Association was held at the home of Pat & Troy Fincher, 1509 NW 171st St., Edmond, Oklahoma (revised location was posted on the website and @ the clubhouse prior to the meeting)

Call to Order - The meeting convened at 7:17 p.m. after being called to order by Jim McGoodwin.

Attending Board Members

Jim McGoodwin, Leland McLing, Pat Fincher, Debi Franklin, Mindy Geist, Wes Wheeland, Bill Trimble, Sue Willard

Absent Members

Floyd Treiber

Attending Guests

Gordon Clark

Attending Committee Members

FMC: Carl Franklin; Lindsay Coffman, Troy Fincher

Approval of Previous Board Minutes

Secretary

Motion to approve Oct 20th, 2008 and Annual Meeting, Oct 30th, 2008 minutes was made by Mindy and 2nd by Wes. All were in favor. It was noted at the end of the meeting that the quorum count for the annual meeting was 134 and will be added to the annual meeting minutes.

Financial Report

Gordon Clark

As requested by Jim McGoodwin, Gordon Clark presented a financial operations report as follows:

- Total cash on hand from now until the end of 2008 **\$122,000.00**
 - ✓ Includes \$2,000 clubhouse rental income turned in at the meeting
 - ✓ Includes \$7,300 insurance reimbursement
 - ✓ Includes ~\$1,000 unrecorded interest

- Expenses from now to EOY 2008
 - ✓ 2008 taxes due \$ 3,638.00
 - Motion was made by Bill and 2nd by Wes to pay both the first and second halves of the 2008 property; all were in favor.
 - ✓ Management Fees (HOAMS) \$ 900.00
 - ✓ Cost to invoice 2009 dues \$ 850.00
 - ✓ Social committee \$ 900.00
 - ✓ Insurance and fees (estimate) \$ 900.00

✓ Landscaping paid to Bowman Brothers	\$ 15,950.00
✓ Midwest Wrecking due \$69,610 total; ½ @ comp.	\$ 34,805.00
✓ FMC commitment to EOY 2008	~\$ 11,000.00
▪ Includes \$4,840 for bridge saw-cut	
✓ Utilities	~\$ 4,000.00
Total est expenses now to EOY	\$ 72,943.00
➤ CASH ON HAND LESS EXPENSES	\$ 49,057.00
➤ 2007 RESERVES	\$ 13,717.50
➤ 2008 RESERVES	\$ 10,000.00
➤ CASH ON HAND LESS EXPENSES & RESERVES	\$ 25,339.50
➤ MWW 2 nd ½ pmt (due 2009 but obligated 2008)	\$ 34,805.00
➤ Deficit	\$ 9,465.50

Gordon noted that he found overdue property taxes, interest and penalties (\$859.13; \$29 ea time the accounts were billed), fines, and shut off notices, etc. for delinquent payments of utilities and all are areas of concern. Gordon stated we had un-cleared utility payments due to changing the checking account from Quail Springs Bank to First Fidelity, due to not knowing how many different accounts we had, and not notifying the utility companies of the change in banks. This condition is being corrected at this time by notifying the utilities of our new bank account information for all the accounts. The utility companies have not given full assistance to our business manager in changing the bank account information also causing the delay. It is now being corrected.

A history of the property taxes was given and 2007 taxes were paid with interest this week.

Gordon has recommended that our business manager be made aware that it's not appropriate to write checks to herself. A review of the Bylaws disclosed that the only people authorized to sign checks for the HOA are the President and the Treasurer and both of their signatures are required.

The Board is to be applauded for recovery of unpaid dues however they recognize the need to improve their financial processes to insure financial obligations and timely payments become their primary goal and have taken immediate action to improve those processes.

Final recommendation by Gordon is to either raise the dues to cover the \$9,465.50 deficit (\$13.62 per home) or vote to take the deficit monies from the reserves. Further discussion by the Board resulted in an agreement to carry the deficit forward to 2009 and cut spending elsewhere during the year.

Election of Officers

President

- Floor was open for nominations; Sue nominated Debi and Leland nominated Pat. They received 4 votes each and were tied b/c of the absence of one Board member. The floor was re-opened later after Debi withdrew noting her concern of the impropriety perception of the homeowners that there may be a conflict of interest if she is the President and her husband is the Treasurer. Discussion continued re: the bylaws committee possibly looking into an amendment restricting Board members to one per household. The floor was re-opened later after Debi withdrew and Leland nominated Pat; Sue nominated Bill. The final vote was 5-3 in favor of Pat.
- **New President for 2009 is Pat Fincher**

Vice President

- Jim nominated Leland, Debi nominated Sue, Wes self-nominated. The final vote was Leland 1; Bill 3; and Wes 4.
- **New Vice-President for 2009 is Wes Wheeland**

Treasurer

- Carl Franklin was nominated by Jim McGoodwin for Treasurer. He is not a Board member, however the Bylaws do not require that the Treasurer be a Board member. There were no other nominees for Treasurer. Carl accepted the nomination and provided a list of processes he would like the Board to review and commit to. Discussion re: check signing approval on the Fenwick Main HOA bank account(s) which must be approved in the minutes resulted in the President, Pat Fincher; Business Manager, Ashlea Gieger; and Treasurer, Carl Franklin being approved to be added to the bank account(s) effective immediately.
- **New Treasurer for 2009 is Carl Franklin.**

Secretary

- Pat nominated Debi for Secretary; there were no other nominees.
- **New Secretary for 2009 is Debi Franklin.**

Old Business

- Actions taken by e-mail and letters sent:
 - ✓ Sept 15th, 2008 meeting minutes were unanimously approved by e-mail.
 - ✓ Dallas was authorized to post the Architectural application on the website if possible and not too difficult.
 - ✓ 1440 NW 168th – Brightly colored truck advertising business; visited and notified this truck does not meet the interpretation of 'conventional passenger vehicle' as required in the C&Rs. He has

requested time to consult with a contractor re: widening his garage. Will be resolved by Nov 17th or he will present update to the Board at that meeting (e-mail sent to Mr. Miller Nov 10th notifying him of the change in meeting date and location). Visited again for update Nov 19th. They don't agree with the Board's position and may present their case @ a meeting. Board discussed in length and reached a majority agreement that it is in violation of non-conventional vehicle...commercial vehicle with more than measurement of 1' by 1' for advertising...making it a sort of "moving billboard", not conducive with the neighborhood. First letter will be initiated.

- ✓ 17125 Wales Green weeds trimmed Oct 27th or 28th, 2008; city inspector on property Oct 28th.
- ✓ 1401 NW 171st – wrecked car reported; not a violation – car is in operable condition and tag is current – no further action required.
- ✓ 17017 Fenwick Blvd – SUV parked on grass with 4-sale sign; sign is not a violation but parking on the grassy area is; visited Oct 28th and will move the vehicle to the driveway. As of 11/20, vehicle not moved. Info received indicates they have contacted a contractor. Debi will re-verify and if still non-compliant will initiate first notice.
- ✓ 17012 Bedford Dr – overgrown shrubs and rats; mattress at curb for bulky trash day but will interfere with trick-or-treaters. Wes visited Oct 29th, 2008 and helped them put the mattress back in the garage until after Halloween. Note taken that Wes' son mows this yard and there is no violation of tall grass or weeds.
- ✓ 1308 NW 171st – RV in drive; visit by Debi Nov 6th, 2008. Residents understand the flexibility of the Board to pack and unpack an RV should not exceed 2-3 days. They just returned from a long trip and have been ill. The RV will be removed Nov 7th. No further action necessary.
- ✓ 1305 NW 170th – abandoned house; break-in – resident in the area requests house be secured. Health Dept investigating resident repairing fence Nov 22nd. Visit by Health Dept. official Charles Bertush, 11/20/08; left card with Julia Morgan @ 1309 NW 170th St.; if transient spotted again report to Mr. Bertush immediately they will 'plaquered' the house by posting a sign then when/if police are called they can make an arrest. Health Dept. works with the city and if a house is plaquered the city will secure it. Charles @ the Health Dept. will verify process for securing the home ASAP and see if the city can secure prior to the house being 'plaquered'.

- ✓ 16900 Parkhurst – car wreck on Western has damaged brick wall in his backyard; Bill Trimble visited and is working the claim.

Social Committee Report:

(Diane)

- Diane was not present but Mindy brought a request to have Santa Clause pay a visit at the clubhouse - charge for kids to have their picture taken with Santa. No one opposed this idea.
 - ✓ Funds received will be used to reimburse the photographer
- Question regarding where do profits from sleigh rides go?
 - ✓ Back into the main account; it is understood that such income is subject to taxes.
- Authorization requested for Dallas to post a form on the website that can be printed for sign up of sleigh rides.
 - ✓ Debi made a motion and Wes 2nd, all approved if Dallas can accommodate

New Business:

- Seasonal lighting was voted down because it was not previously approved in the budget and there were no excess of funds.
- Motion was made by Debi to waive late fees, remove the lien, and accept Pennington-Moore late dues of \$200 based on a calamity of errors and proof received that the homeowner made a good faith effort to pay the dues on time; Pat 2nd the motion all were in favor.
- It was agreed the annual meeting minutes from Nov 30th, 2007 should be corrected to reflect the revised bylaws were approved. A 'yes' vote was to collectively accept all the changes recommended by the Bylaws Revision Committee including the revised para applying to the maintenance committee.
- **Adjournment**

The meeting was adjourned at 10:00 p.m.

Next Meeting of the Fenwick HOA Board of Directors will be Monday **December 15th** at the clubhouse, 16801 Fenwick Blvd.