

Fenwick Homeowners Association

Board of Directors Meeting Minutes

Monday, December 15th, 2008

The Board meeting for the Fenwick Homeowners Association was held at Fenwick Clubhouse, 16801 Fenwick Blvd, Oklahoma City, OK.

Call to Order - The meeting was called to order at 7:03 p.m. by Pat Fincher, President.

Attending Board Members

Pat Fincher, Wes Wheeland, Debi Franklin, Mindy Geist, Leland McCling, Floyd Treiber, and Bill Trimble

Absent Members

Jim McGoodwin and Sue Willard

Attending Committee Members and Other Elected Officials

Carl Franklin, Treasurer

FMC: Lindsay Coffman, Troy Fincher

Attending Guests

Gordon Clark

Approval of Previous Board Minutes

Debi, Secretary

Motion was made by Floyd to approve the revised minutes from our Nov 20th, 2008 meeting. The motion was 2nd by Wes and all were in favor. Debi noted that she will be **ordering a new Fenwick Seal and all document pages will be sealed** to aid in tracking the final approved copies of all Fenwick documents, minutes, and other correspondence.

Financial Report

Carl, Treasurer

- The monthly financial report was presented by Carl Franklin. Carl deferred to Debi for a database and invoice comparison analysis he requested due to several returned 2009 HOA invoices being recently returned in the mail. Debi stated she has conducted a comparative analysis and found the following:
 - ✓ ~ 30+ new owners were not invoiced (sent to previous owners instead)
 - ✓ 17 owners who rent out their homes were not invoiced at the correct off property addresses and will need to be re-invoiced
 - ✓ ~ 100+ typos in house numbers has resulted in returned invoices
 - ❖ Debi's recommendation is that she or Carl **sit down with Ashlea and find out why there were so many errors in the recent invoices mailed Dec 1st, 2008**. Carl stated he has spoken with Ashlea and she used a Mar 08 database but thought it was updated with any changes. She couldn't speak to why there were so many typos in

the house address. Debi said that Ashlea manually typed the addresses instead of using accounting software and Carl agreed this may be the problem. This also causes a problem overall and Carl is going to attempt to train himself on Quick Book Pro s/w and help **work with Ashlea to avoid issues in the future.**

- Carl stated signature cards at the banks have been updated to reflect current account signors are Pat Fincher, President; Wes Wheeland, VP, Carl Franklin, Treasurer, and Ashlea Geiger, HOAMS business manager. Gordon Clark's access, which is info only, for reporting and answering questions, has also been updated.
- Carl stated Ashlea notified him that the Tax Commission has approved our request for refund of the penalties we paid for being delinquent on our 2007 property taxes in the amount of \$723.67. In the process of examination they found a deficient amount for 2006 leaving a balance of \$57.32 which will be deducted from the refund amount. 2008 taxes will be paid in full as previously approved by the Board NLT Dec 31s, 2008.
- Carl continued with a review of the figures and financial info. Floyd asked if we could consider changing the frequency of our mowing schedule from every 7 days to 10-12 days. Bill stated that would cause tremendous conflict for any mowing company in aligning schedules for all clients. It was agreed that further discussion on the mowing contract will be addressed at a later meeting and many alternatives and cost cutting initiatives will be investigated as we proceed into the New Year.
- Carl said the previous cash deficit of \$9,465.50 has now been reduced to \$3,327.03. This reduction is a result of income received from the clubhouse and social committee.
- Carl requested the Board allow transfer of residual excess funds from the Quail Creek money market to First Fidelity in the amount of ~\$37K. Carl noted these funds were previously approved in earlier Board meetings to be transferred as the account at Quail Creek is to be for Reserve funds only; however action was never taken to actually transfer the funds.
 - ✓ Pat made a motion to approve the transfer of funds; Debi 2nd the motion and all were in favor.
- Carl's financial report included an actual vs. budget report, balance sheet, bank statements from Quail Creek and First Fidelity, copies of Nov 08 checks and deposit slips from each account, an income statement for Nov 08, Profit and Loss Budget vs. Actual report, collections report, copies of all utility bills reflect current payment status for all with auto pay established, 2009 HOA dues collected thus far (total \$10,527), requested amendments to Ashlea's contract (see details below), an updated vendor list for 2009, promissory note that must be signed by anyone with a committee checkbook (details below), and suggested clubhouse rental instructions, contract, questionnaire, alcoholic beverages addendum, and clean-up checklist (details below under 'Clubhouse Report').

- Carl emphasized that the monies reflected in various budgeted categories are not correct but he will assist Ashlea in improving this reporting more accurately in 2009.
- Delinquent HOA dues currently total \$8,460. Pat will provide Carl with the collection attorney's contact info so he can begin to establish a relationship with him.
- Carl stated our business manager contract with HOAMS renews automatically after one year (effective Jan 1st, 2009) on a month-to-month basis with either party then having the ability to terminate the agreement by giving 60 days notice if so desired. Based on that arrangement, rather than renewing the HOAMS contract for another year long period, Carl has requested the Board approve the following amendments to the HOAMS contract effective Jan 1st, 2009:
 - ✓ 2.2.2 Vendors. (add)...The approved Vendor List must be signed by the Treasurer and President (or Vice President) and is considered the Management Company's authorization to pay and will direct account designations. The Management Company (HOAMS) is not to be considered an approved vendor. The monthly recurring fee for property management services will be paid to HOAMS monthly by the Fenwick Treasurer. Any a la carte services outside the recurring contract due to be paid to HOAMS shall be billed by detailed invoice by the Management Company and presented to Fenwick HOA Treasurer for payment. All supplies will be pre-approved by Treasurer and receipts will be presented by the Management Company from those purchases to Treasurer for record keeping and Board explanation of expenses.
 - ✓ 2.2.5 Check Process for Vendors (non-recurring). No invoice or statement from vendors who are not on Approved Vendor List will be paid by Management Company that does not have "OK to Pay" stamp and required signatures (by dollar amount limits). Invoices under \$1,000 require Treasurer's signature on referred stamp with account designation. Invoices over \$1,000 require two signatures from Association and account designation – Treasurer and President or Vice-President.
 - ✓ 2.3.8 Copy of bank statements showing reconciled to books will be presented monthly.
 - Pat asked for clarification to insure the amendments are in line with our current bylaws. Carl stated the amendments are more restrictive and will provide more accountability than the bylaws in that instead of getting two signatures on checks every detailed invoice will require two signatures instead. Gordon Clark informed the Board that the banks do not acknowledge dual signatures anyway.
 - ❖ Debi made a motion to approve; Floyd 2nd the motion and all were in favor.

- It was requested by Carl and agreed to by the Board that **all committees will turn in their receipts at the end of every month** beginning Jan 2009.
- Carl requested a promissory note be approved by the Board and required for the Fenwick Maintenance Committee (FMC) and the Fenwick Social Committee (FSC) and any other future committee(s) who maintain checkbooks for petty cash expenditures. These funds are held in separate accounts isolated from the main operating funds. No additional cash would be paid out or funds replenished to any committee without receipts. If verification of expenditures by receipt indicates a shortage the committee chair will be required to make up the difference if not resolved to the Treasurer's complete satisfaction. Committee chairs will agree not to write checks to reimburse themselves but instead they will receive reimbursements directly from the Treasurer.
 - ✓ Debi made a motion to approve the sample Promissory Note provided in Carl's packet; Wes 2nd the motion and all were in favor. (Sample promissory note is attached to these minutes).

Old Business

- Actions taken by e-mail and letters sent
 - ✓ 1440 NW 168th St., advertising wrap on truck: compliance; **send thank you note**.
 - ✓ 17125 Wales Green, 6th notice drafted; revised and in review/re-work cycle.
 - ✓ 17017 Fenwick Blvd, SUV parked on grass and 4-sale shoe polished on window; have not complied; 2nd, letter approved and mailed Dec 15th, 2008.
 - ✓ 1305 NW 170th: Abandoned house was secured by neighbors; need to **locate correct mortgage company** for future property upkeep and payment of future HOA dues.
 - ✓ Debi stated she received an e-mail from a previous Fenwick resident who recently moved out of the Fenwick subdivision. The complaint appeared to be retaliatory in nature. After discerning the complaint was not valid and was initiated by a non-Fenwick resident, no further reply was sent to the complainant.
- Thorton and Fenmoor strip of land
 - ✓ Approach discussed; Bud Bartley has agreed to investigate and possibly handle this matter from a developer's perspective if the Board will send the request in writing. The Board is in favor of this approach and agrees they have no jurisdiction for this strip of land. **Letter will be sent to Mr. Bartley with a copy of the survey** and no further action will be taken by the Board if Mr. Bartley agrees to intercede.

Duties and Special Assignments

- Current Duties were reviewed and volunteers were assigned as follows:
 - ✓ Posting info on bulletin board – Floyd Treiber will post agenda from e-mail for monthly meeting and other postings (to be provided to him).
 - ✓ Pool manager – Jim will interface with NW Pools for management keeping in mind they have a \$100 limit for repairs and anything above that should be relayed to the FMC for troubleshooting/review; Pat will manage/oversee the pool access process.

- ✓ Clubhouse manager – Leland McLing
- ✓ Phone message line – Wes Wheeland
- ✓ Architectural chair – Mindy Geist
- ✓ Mailings coordinator – Debi will research cost comparison
- ✓ Volunteer data base(info from main DB) – Debi
- ✓ E-mail database(info from main DB) – Debi
- Other Duties
 - ✓ Violations/enforcements – ALL as complaints are brought forward from the community (residents and homeowners only).
 - ✓ Fundraising – Sue agreed by phone to investigate possibilities
 - ✓ Signage – Mindy will inventory and report if additional/new signs are needed (Leland will assist).
- Incorporated Duties
 - ✓ Election procedures reviewer (to be assigned later in the year)
 - ✓ Property Inspector – not necessary or desired
 - ✓ Conflict resolution – not necessary
 - ✓ Playground inspection – 2x year by FMC
 - ✓ Community security – Leland
 - ✓ Newsletter/postcard – not yet assigned.

Maintenance Committee Report

Bill, FMC Chair

- Status of Midwest Wrecking removal of dam/bridge, trash and tree clean
 - ✓ Still no specific date provided by MWW Co.; **FMC will press them after the holidays to get the work accomplished.** Assistance can be given if needed to prep the area for the clean-out effort.
 - ✓ It was noted that a complaint has been received about the height of the water in the creek area when it rains due to blockage; Troy Fincher informed the Board he broke down a sizable beaver dam today which will aid in the flow of the water and keep it from flooding until MWW can come in and clear the debris and dead trees.
- West pond cattails – the volunteers and some FMC members agreed at the last cattail clearing event that leaving a small amount of cattails will provide a refuge for the ducks. Everyone agreed the ponds look good right now and thank FMC and the volunteers for their hard work this past year.
- Bridge – discussion resulted in FMC agreeing to **construct and add simplistic hand rails for safety.** Debi made a motion in support of this approach when time and funds are available; Mindy 2nd the motion and all were in favor.
- Temporary Signs – FMC has ordered 5 yellow signs with black letters to assist in engaging volunteers for work days (minor work only to be accomplished in and around Fenwick such as painting handrails, pulling weeds, picking up trash, etc.). **These will be picked up and paid for with 2009 funds.**
- Brick wall repair & insurance claim on 168th and Western: result of auto wreck. Bill has contacted State Farm (the insured responsible). We have 2 years to fix the damage. Boughman Bros provided a quote to replace one 7” diameter Loblolly Pine tree, ~\$2300; Bill could not get any one company to bid on the repair of the brick wall in its entirety so he submitted a written quote for estimate purposes only in the

amount of \$2800 and State Farm has agreed to release the funds. Discussion regarding **how to fix the brick wall followed and will be further investigated**

- New lighting layout at 4 main entry locations – no new info – will be briefed at a later date.
- Pat pointed out that Bill is very busy with his job as FMC Chair and should not be expected or required to take on additional duties.

By-laws Committee Report

Pat, Pres & Bylaws Chair

- Pat stated the next bylaws committee meeting is not firmed up yet but may be scheduled for mid-January 2009.
- 2007 Annual Meeting minutes will be annotated with a reference to the Nov 20th, 2008 Board meeting minutes which reflect more clearly that the revised bylaws were approved including the revised FMC paragraph. Debi stated the Dec 07 revised bylaws have been signed by her in front of a notary on Dec 15th, 2008 and will be **reposted to the Fenwick website after each page is embossed with the new Fenwick seal.**
- Topics to submit (Rules/By laws) – **Pat will request any Board input prior** to the January 2009 meeting.

Fenwick HOA Website Report

Dallas, Webmaster

- In Dallas' absence, Carl reported the PayPal service on our website does appear to be working. One homeowner has used it to pay 2009 dues; funds are being held by PayPal to avoid depositing into our account in 2008 instead of 2009. **The payment will be released after Jan 1st, 2009**
- **Ashlea has not yet confirmed her e-mail notification**

Social Committee Report

Diane/Mindy, FSC Chair

- In Diane's absence, Mindy reported the sleigh rides were postponed due to inclement weather and are rescheduled for Tuesday, Dec 16th.
- There is still no volunteer to take Diane's place as FSC chair however further discussion indicated various ladies are interested in individually managing various events. It was requested by the Treasurer and others on the Board agreed based on the aforementioned information the **FSC checkbook should be turned in at the end of 2008.** Future funds can be provided for each event individually as required.

Pool Report

Pat/Jim

- NW Pools Contract
 - ✓ Jim McGoodwin has received the 2009 NW Pools contract. It was agreed that if the contract is the same as last year with the exception of 6.2% increase as previously estimated by Mr. Keller, President of NW Pools (see attached cost projection memo dated July 10th, 2008 for 2009 cost projection details) the contract should be approved.
 - ✓ It was also noted that various pool companies were contacted last summer by Debi Franklin for cost comparisons and different approaches to pool maintenance, management, and safety were reviewed and compared to our current management philosophy. At that time no other pool company was

- located who provides the total care management offered by NW Pools. Approaching pool management from a segregated approach (i.e., paying separately to open and close the pool, for weekly cleaning and flushing of the pump, checking the chlorine 4x each day and logging the readings as required by the OK State Dept. of Health Consumer Protection Division, and providing safety) is time consuming and not considered a viable option at this time.
- ✓ Adding a 3rd lifeguard or admin person to assist in checking wristbands or other appropriate entrance identification was discussed and it was agreed that this would aid, at a minor cost to the community, our ability to limit the use of the Fenwick pool to qualified Fenwick residents and their guests only. It was noted that we have a very large subdivision with ~705 homes. Limiting the admission to only those qualified is crucial to enhance the ability for those who do qualify to take advantage of this privilege. It was further noted the cost of a 3rd lifeguard was included in the 2009 budget.
 - ✓ It was also noted that all pool repairs over \$100 requires Board approval ; as our interface with NW Pools for the 2009 season, Jim McGoodwin will assist in insuring all repairs over \$100 are forwarded through the FMC for review and troubleshooting.
 - Debi made a motion the President, Pat Fincher, sign the new 2009 contract with NW Pools for the 2009 summer season after a review has been conducted by Pat and/or Jim to determine that the new contract is the same as the 2008 contract to include the \$100 repair limit with only a minor cost increase for inflation (see NW Pools projected costs memo for 2009 pool season for details). The motion also included approval to hire a 3rd lifeguard or assistant to monitor admission as discussed above; Wes 2nd the motion and all were in favor.
 - Fencing around pool
 - ✓ This was budgeted for in 2009; need to apply a bid process to receive quotes
 - Pool Furniture
 - ✓ This was also included in the 2009 budget. Invite Mike Lipps, Fenwick Frogs, to a meeting in Feb or Mar 2009 to partner with them on purchasing chairs and other pool furniture.
 - ✓ Request a Fenwick Frogs report to clarify what the funds support, etc. Need to insure we hold a certificate of liability insurance from Chesapeake.

Clubhouse Report

Leland, Clubhouse Manager

- Cleaning Service
 - ✓ Local resident has resigned. Leland is collecting bids and only considering those with liability insurance.
- Inventory List
 - ✓ Leland will provide an inventory listing of all clubhouse furniture (chairs, tables, small appliances, etc.) – due at the next meeting, Jan 19th, 2009.
- Procedures for improvement of clubhouse rental payments procedures were discussed. Carl requested a copy of the 2008 clubhouse rentals from Leland be provided ASAP to assist in accounting and documentation of payments for 2008.

- Leland will keep a 2009 calendar annotating all rentals by residents' name. A copy of each month's calendar and all checks for rental payments will be provided monthly NLT the end of the month to the Treasurer, Carl Franklin (can be deposited in the clubhouse mail box).
- The Board discussed the missing rental check for Cobb, Feb 08. It was agreed Carl will contact the Cobbs and ask the check be re-written. Debi made a motion to accept re-payment in the amount of the clubhouse rental of \$75.00, less any bank fees to stop payment on the check; Wes 2nd, the motion and all were in favor of this approach.
- Leland made a motion to set the 2009 clubhouse rental fees at \$75.00 for weekdays, Mon-Thurs, and \$100.00 for weekends, Fri-Sat, effective Jan 1st, 2009. Debi 2nd the motion and all were in favor. It was also agreed that beginning Jan 1st, 2009 every renter of the clubhouse shall be required to sign a contract.

Architectural Committee Report

Mindy, FAC Chair

- Nothing new to report; Mindy will check with Wes or Dallas to insure the application for architectural projects did get posted to the website – or insure it is posted ASAP if not yet posted.

New Business

ALL

- Reports of Violations
 - ✓ No new violations reported
 - ✓ It was noted that complaints reported from non- Fenwick residents are not valid and will not be reviewed by the Board.
- Protocol for Responses
 - ✓ First visit protocol was discussed and it was agreed whoever engages residents on the initial visit, which is not required but desired if possible, should maintain a level of kindness and understanding only identify the problem while attempting to make the resident aware of the potential violation.
 - ✓ We will continue to use prior correspondence as templates
 - ✓ Debi will work to put a continuity book together of past letters and templates

The meeting was adjourned at 9:22 p.m. by Pat Fincher, President.

Next Meeting of the Fenwick HOA Board of Directors will be Monday, Jan 19th, 2009 and will temporarily begin @ **7:15** p.m. (instead of the typical 7:00 start time) to accommodate our Secretary's class schedule (Jan-Apr 09).

PROMISSORY NOTE FOR HOA COMMITTEE CHECKBOOK OPERATING FUNDS

I, _____, hereby accept responsibility (accidental, intentional, or otherwise) for this checkbook, account # _____ with HOA delegated funds starting with a balance of \$2,000.00 and agree to use these funds exclusively for expenses incurred in the execution of my duties as _____ for Fenwick HOA budgeted operations not to exceed \$1,000 per purchase.

Furthermore, I agree that at no time may I issue checks to myself. I will provide receipts for all expenses monthly by the last day of each month to the Treasurer of Fenwick who shall then use the receipts to verify, report, and reimburse. I understand and accept that the Treasurer will transfer funds to replenish this account equal to the exact value of the receipts. If at the end of the month the full amount of original operational funds cannot be restored by this process the shortage shall either be approved by the Treasurer as temporary and unavoidable or immediately payable by me on demand of the Treasurer.

DATE OF RECEIPT OF CHECKBOOK _____
INITIAL _____

BY SIGNING BELOW, I AGREE TO OPERATE WITHIN THE ABOVE PRACTICES AND PROCEDURES AT ALL TIMES WHEN IN POSSESSION OF FENWICK COMMITTEE CHECKBOOK AND WHILE OPERATING AS THE DESIGNATED FIDUCIARY APPOINTEE FOR THE FUNDS OF THE FENWICK COMMITTEE.

PRINTED NAME

SIGNATURE OF RESPONSIBLE PARTY

FENWICK HOA TREASURER'S SIGNATURE

FENWICK HOA PRESIDENT'S SIGNATURE