

Westfield Estates HOA
Minutes of Annual Board Meeting
June 18, 2010, 7:30 p.m., Layton, Utah

Board members present at the meeting were Stewart Rogers (president), Julie Hillman (secretary), Brenda Ory (treasurer), Mike Southerd, and Brigitte Tucker. Larry Hensen, Jerry Whittaker and Tony Daley were excused.

Homeowners present at the meeting were: Jim Lamb, Leonard Nandkeshwar, Bill Berdt, Krista & Brad Baggiano, Movel family (by proxy), Roberts family (by proxy), Adams family (by proxy), Gowans family (by proxy), Kimball family (by proxy), Click family (by proxy), Collier family (by proxy), Pickard family (by proxy), Newman family (by proxy).

1. Mr. Rogers called the meeting to order. He presented the following agenda and explained the procedure for making comments to the board would be that each person may have two minutes to state his/her case, then the board would have two minutes to respond:
 - Call the Meeting to Order
 - Verify Quorum Requirements
 - Introductions
 - Board Member Introductions
 - HOA President Address
 - Management Introduction
 - Budget & Financials
 - Budget Approval
 - General Question & Discussion
 - Adjourn Meeting

2. Brad and Krista Baggiano expressed a concern that not all the board meetings were being announced. He attended a meeting last year and can't find the minutes for it. (Julie will review to find out why). Additionally, they want to make sure all of the bylaws are being followed consistently—"all or nothing." Stewart explained that each previous meeting should contain an announcement regarding the next HOA meeting so that is where homeowners can find that information.

In addition, Stewart explained that if a homeowner would like to look at the HOA's financials, he/she can obtain a username and password for electronic access to that information.

3. Stewart presented the budget (see attachment). Highlights of the presentation include: 1) there will be a \$2 increase in homeowner assessment this year. 2) \$900 in bad debt has been reduced to \$500 because of a payment received today. This refers to the money we expected to receive in assessments, but haven't yet. 3) This next year is the first year the HOA will have three years of

financials to compare when creating a budget, so from here on out, we should have pretty good numbers. It has been a learning curve, previously. 4) The board has adopted a new collection policy as outline in a letter recently sent to homeowners. It reads:

“If homeowners fail to pay the full assessment by December 31, 2010, late fees and interest will be applied to individual home owner accounts. Also, a 30-day notice letter will be sent to past due accounts reminding them to pay the assessment, late fees and interest. If by January 31, 2011, the outstanding balance is not paid, the account will be turned over to an attorney for collections which may result in judgments in district court, liens, attorney’s fees and other costs associated with the collection process.”

Krista Baggiano suggested another attorney to use as a collection agent for the HOA. His name is Vial Fotheringham. She explained he will go through the CC&R’s and do a collection resolution. If the board likes his assessment and chooses to use his services, he will then charge a one time fee of \$250 for collections. Stewart agreed to look into his services, but as of right now, the board will proceed as previously outlined.

5) The board has been working to create a reserve for future capital expenses such as fence replacement, landscaping, light replacement, etc. It hopes to have \$5,000 in that reserve account in the next year or so.

Krista Baggiano provided the board with copy of a new Utah law requiring a reserve study for HOA’s. Right now, getting one done is quite expensive. We have until July 2012 to complete it and the board will need to look into having one done and plan accordingly. The board acknowledged its appreciation for Krista’s diligence getting the information to the HOA.

Brad Baggiano said he previously had concerns about the budget, but once it was explained at the meeting, he was fine with it. He feels to board needs to communicate better. Brad expressed concern about the budget listing unpaid dues as “bad debt.” Several homeowners concurred. The board decided a better reference for that would be “uncollected debt.”

4. Stewart made a motion to pass the budget. Brenda seconded the motion. The budget passed 10 for; 9 against (by proxy).
5. Stewart called for general questions and discussion.
 - a. Krista Baggiano said all the board members must be re-elected this year, according to the bylaws on p. 22, #2, item c. After some discussion, the board and homeowners opted to call a special meeting to elect new board members, and a nomination committee was set in motion with Krista Baggiano and Bill Berndt serving on that committee. Krista was asked to find another person to serve on that committee. The same board members currently serving may be asked to serve again for the purpose of continuity, but the vote must take

place. The special meeting was scheduled for Tuesday, August 3, 7 p.m., at Stewart Rodger's home.

- b. Brad Baggiano wants a commitment to follow all the CC&R's or none of them. He asked for a special meeting where we review the CC&R's with the homeowners and decide whether or not to change any of the CC&R's with the homeowners present; pay the recording fees and be done with it.
 - c. Leonard Nandkeshwar said he has never been received a reimbursement from the HOA for the street light connected to his home. The board agreed to follow up to find out why and to do an audit for the reimbursements to make sure the proper homeowners are being paid.
6. Stewart moved to close the annual meeting.