

Westfield Estates HOA Emergency Board Meeting  
Thursday, November 13, 2008  
@ 962 N. 3550 West

#### Minutes

In attendance: Stewart Rodgers, Brenda Ory, Julie Hillman, Tony Daly, Mike Beaudry, Larry Hansen.  
Absent were Liana Brennan and Mike Adams.

Stewart Rodgers brought the meeting to order at 7:05 p.m.

Stewart gave a brief review of the purpose of this board meeting: our former management company, Realty World, had become delinquent on everything we had contracted with them to do so we fired them last on 11/7/2008. We were able to get out of our contract easily because they knew they were delinquent. We therefore need to move forward as quickly as possible to clean up the mess they've left us in and move the association forward.

Moving forward means hiring a new management company and revising the budget to cover costs.

The board invited FCS property management to make a presentation on a possible contract for becoming Westfield Estates new property manager. FCS Community Management currently manages Wild Horse Springs and Wheatfield Estates HOAs. Michael Anderberg, a managing agent from FCS made the following presentation (basic proposal document attached to the minutes):

- FCS would charge WEHOA (Westfield Estates HOA) \$9/month per unit for basic services such as customer service, accounting, collections, bids, communication with the board, attendance at four meetings/year plus one annual meeting. For additional services, there would be additional charges A La Cart. For example \$300/year for corporate filing (taxes), \$10/each violation letter, \$50/each collection letters, \$.10/copy for paperwork, etc. An itemized list of these costs is attached and titled "Addendum A." Michael also explained the makeup of his company: 45 employees, someone always on call for emergencies, work order system so repair work gets ordered promptly and creates a paper trail for easy follow-up until work is complete, accounting department, collections department, set up bank accounts and take care of all financial dealings.
- Larry asked Mr. Anderberg what the HOA can do if FCS doesn't perform their obligations. He described a process of notifying FCS in writing and getting out of the contract in 30 days if due with due cause and 90 days if no due cause is found. Due cause and fees would be decided by and Arbitrator.

Michael Anderberg left the meeting after the proposal was presented.

Brenda Ory, who had previously been authorized by the board to meet with other management companies, gave her report on what she found: First she and Stewart met with Kier Property Management, but their fees were too high and they only work with bigger properties, but they recommended Welch Agency. Brenda and Tony met with them and were very impressed and

comfortable with their proposal and company. Welch would charge \$10/month/unit, but that number would be nearly all inclusive of all the services we would require to run the HOA. Some things Brenda was impressed with were that they had no set up fees; two people's signatures would be required on all checks. The owner also sent a follow up letter to Brenda after driving over to our property where he outlined some of the issues WEHOA might face in the future. Most important, Welch's fee includes much of what we will require to run the HOA so we won't receive additional bills that are difficult to predict. (A complete list of what their fees include can be found on p.3 of their contract, attached.)

The board began a discussion on which property management option seemed best to pursue, and the discussion quickly turned to support of Welch Agency mainly because their fees were all inclusive and we could be more confident with them in our long-term costs.

Stewart made a motion to hire Welch property management immediately. Brenda seconded the motion and it passed with unanimous support.

Mike Beaudry began reviewing the budget items and adjusted it with the new costs of Welch Agency. The minimum monthly fee we would need to charge homeowner would be \$295/year. The board discussed the importance of building a reserve fund for unanticipated expenses not budgeted such as tree replacement and sprinkling system repair.

Mike Beaudry made a motion to set the annual homeowner assessment at \$297/year. Stewart seconded the motion. The motion carried unanimously.

Larry expressed concerns that homeowners not be allowed to drag out paying their fee through such means as monthly payments. Larry made a motion that the annual assessment be required to be paid in full at the time its' due. Stewart seconded the motion and the motioned carried, with Julie in opposition.

The board discussed getting a correspondence to homeowners as soon as possible in light of decisions made tonight:

List of recent changes

Bill for annual dues

Explanation of recent events and changes

Explanation of late fees

Revised 2009 operating budget

The board decided the correspondence would need to be sent through certified mail in order to insure that everyone receives it. The letter will be sent out through Welch Agency as soon as arrangements can be made. Stewart thinks he can have that taken care of by 11/21/2008.

The board discussed filing complaints against RW with the Better Business Bureau and letters to the editor. Mike Beaudry plans to take them to Small Claims Court if they do not turn over all of the information we need for an audit of their past work, as well as the information on all our account activities. The board discussed the fact that we have at least one outstanding bill from our landscaper

that RW never paid, and were not sure if we are current on utility bills. Brenda pointed out the last balance sheet we've received from RW was from August and we're not sure how accurate it was.

Homeowners who are delinquent on their accounts for 2008 will need to be followed up on. Those in violation of CC&Rs will need to be served notices.

Tony made a motion to adjourn. Larry seconded it and motion passed.