

Westfield Estates  
Annual Home Owners Meeting  
Minutes

The annual meeting of the Westfield Estates Home Owners Association was held on June 12, 2008. Meeting was called to order at 7:10 p.m. by acting HOA President Denise Daly.

**Attendance**

Of the 43 homes in the Westfield Estates Subdivision 22 were required to constitute a quorum for voting purposes. The following HOA members at the indicated addresses signed the roll for the meeting totaling 27 home owners thus constituting a quorum:

FAMILY NAME	ADDRESS
Adams	3485 W 850 N
Ayers	3503 W 775 N
Baggiano	3508 W 850 N
Beaudry	3527 W 850 N
Berndt	3527 W 850 N
Bowden	958 N 3500 W
Brenner	940 N 3500 W
Click	3570 W 775 N
Collier	3474 W 775 N
Collingwood	860 N 3550 W
Daly	902 N 3500 W
Dorn	959 N 3550 W
Gowans	3530 W 775 N
Henson	3543 W 775 N
Hill	939 N 3550 W
Hillman	919 N 3550 W
Kimball	3486 W 775 N
Lafazia	937 N 2500 W
Lund	907 N 3500 W
Nandkeshwar	3023 W 775 N
Ory	3507 W 900 N
Pendleton	3481 W 775 N
Rands	901 N 3550 W
Reed	863 N 3500 W
Rodgers	961 N 3550 W
Southerland	3462 N 3550 W
Thaker	801 N 3550 W

## HOA Management Company Report

The Westfield Estates HOA contracted with Realty World to provide management services for the association. Shelley was present to give a brief report of Realty World activities in behalf of the HOA. Shelley indicated that she has 10 years experience in the management business and that Steve, owner of Realty World, has 30 years in the management business.

The following services were highlighted by Shelley:

- Realty World provides a file system for all transactions between HOA members, management company, and other contacts including Layton City and other contacts.
- Management Company plays the role of “bad guy” instead of home owners having to deal with each other in certain circumstances.
- Realty World manages properties from Brigham City to Provo.
- HOA dues will be announced by letter from Realty World. Due to taking over the HOA from Ivory Homes on January 1<sup>st</sup> initial dues notices were sent out and were due in October 2008. Dues will hereafter be due on January 1<sup>st</sup> of each year. Initial dues were set at \$161.00 per household per year. However, due to final insurance contract involving proration of and an increase of premium dues will be set for the 2008-2009 fiscal year at \$174.57 per household per year and will be due January 1, 2009 and every January 1<sup>st</sup> thereafter. Dues amounts will be subject to service costs on a year to year basis.
- Attorney for Realty World was due to be present but no-showed.
- CC&R's are very important, are reviewed by an attorney and are recorded with the county. Changing the CC&R's requires HOA Board action, home owner approval and re-recording with Davis County.

## Discussion Items

The following items were brought up for discussion before the general body of the HOA:

- Bill Rands wanted to know the procedure for changing the CC&R's and was referred to the CC&R's.
- Tony Daly expressed some concern regarding who pays for attorneys who are retained by individual homeowners.
- Lee Lund wants the street light outside his home to be shielded so it doesn't shine in his window. Individual requests like this are the responsibility of the individual home owners and must be made to and approved by the HOA Board. If approved by the Board, individual home owners will pay for work needed to accomplish the request(s).
- Julie Hillman indicated that there were problems with the current budget and that they would be resolved by the HOA Board over time as each of the budget items is addressed and finalized.

- Stewart Rodgers and Denise Daly emphasized that the HOA Board serves on a volunteer basis and does not get paid at all for services rendered.
- Brad Baggiano requested that the budget be explained before the general body of the HOA voted on it.
- Denise Daly described the “common areas” of the HOA as follows: The area of grass, trees, shrubs and bushes from the gutter along the south side of Gordon Avenue to the white vinyl fence running the full length of Phase 3 of the subdivision. Additionally, the island at the entrance of Phase 3 at 3500 W including all trees, bushes and shrubs contained therein. She added that the HOA is responsible for lawns, bushes, weeding, fertilizer, watering, snow removal and general care and upkeep of the areas described above.
- A question from an unidentified HOA member came up regarding guidelines for budget surplus. Realty World indicated that they provide an annual audit that will generate an annual financial report which will be sent out to all HOA members. Any carry-over funds are to be used at the discretion of the HOA Board.
- Mr. Nandkeshwar expressed concern that the \$2.00 per month allowed in reduced HOA dues for those who have street lights attached to their personal electrical systems was not enough and that he was paying \$8.00 per month before moving into his home. Others with street lights on their property indicated that the CC&R’s allow for \$2.00 per month and that is what they will abide by.
- A question came up regarding selling your home and not paying HOA dues. Shelley indicated that title companies are required to contact HOA’s to determine if there are any outstanding dues. If there are outstanding dues, this could jeopardize the sale of your home.
- A motion was made and seconded that no more than one member of a household within the Westfield Estates Phase 3 subdivision could be elected to and serve on the HOA Board of Directors at the same time. The vote was 27 in the affirmative and 0 opposing.

### **Westfield HOA Budget Review**

The initial yearly Westfield Estates Budget was set as follows and is subject to change as new services are contracted for by the Board. HOA members will be informed of budget changes as they are made by the board. Appeals to the budget will be submitted to the HOA Treasurer who will present the requests to the Board for discussion.

- Power - \$576.00
- Water - \$84.00 (this will change subject to negotiations with whomever buys the “model” as the secondary water for the “common areas” is tied to the “model” secondary water system).
- Street Lights - \$384.00
- Liability Insurance - \$886.00 (This includes \$1 million liability coverage. This is also a prorated amount and will change to \$1300.00 beginning on January 1<sup>st</sup>, 2009)
- Printing and Mailing - \$200.00

- Legal and Accounting - \$600.00
- Landscaping and Snow Removal - \$600.00
- Realty World management fee - \$2580.00
- TOTAL - This budget totals \$5910.00; however, with prorations considered next year's budget is expected to be \$7564.00. With 43 homes in the Westfield Estates Phase 3 HOA this will be approximately \$175.91 per household for the next year. Please keep in mind that these numbers are preliminary and will be finalized by the newly elected HOA Board of Directors.

### **Budget Vote**

A motion was made and seconded and a vote taken to approve or disapprove the budget as shown. The vote was unanimous in the affirmative (27 for and 0 against).

### **Issue Voting**

Proposal to allow vinyl fence colors other than white - Approved

Proposal to allow RV's to be parked on pads beside homes in the community with a minimum setback of 3' without being behind a "screen" - Failed

Proposal to allow sheds larger than specified in the CC&R's - Approved

### **HOA Board Elections**

HOA Board elections were conducted by the Nomination Committee as per the CC&R's. The Nominating Committee consisted of the following and did an excellent job in identifying those individuals for consideration as HOA Board members: Chris Kimball, Katie Bowden, Sonja Hill and Mike Southerland.

The following individuals were elected to the HOA Board:

- Mike Adams
- Tony Daly
- Julie Hillman
- Leanne Brennan
- Larry Henson
- Stewart Rodgers
- Brenda Ory
- Mike Baudry

The meeting was adjourned at 8:55 p.m.