

FENWICK ANNUAL HOMEOWNER'S MEETING – October 29, 2009

Meeting called to order at 7:05 p.m. by Pat Fincher, President.

President's Report:

- 1.) **Thanks** - President, Pat Fincher thanked all residents/board members for their help.
- 2.) **Rules** - Reminder that rules/doc's are extremely important and help keep Fenwick the kind of community we all want to reside in. Rules have been challenged throughout the year with excessive pets, chickens, excessive vehicles in driveways, and flowerbeds left unattended.
- 3.) **CMS** – Hiring CMS was a major accomplishment. They handle many things such as mailings and collections of delinquent dues.
- 4.) **Recognition** – **2009 Maintenance Man of the Year** - awarded to Bill Trimble.
2009 Volunteer of the year – awarded to Dallas New, who maintains the Fenwick Community website.

Board Nominees – There were 4 nominees for the board: Glynda Emerson, Laura Lee Williams, Floyd Treiber, and Mindy Geist. All of the nominees with the exception of Ms. Emerson are currently Board Members. Each nominee rose and spoke about themselves and explained why they wanted to serve on the board.

2010 Budget Overview: Presentation by Treasurer, Jeff Hutson. Jeff explained that the budget came about from the Budget Committee and help from CMS. The base assessment per family will be \$350.

Discretionary Budget Items: Seven (7) concrete park benches to be voted on for a total cost of \$3500. The need for this item was solicited from board members.

Bylaws: The people who serve on the Bylaws Committee were introduced: Lindsay Coffman, Wes Wheeland, Mindy Geist, and Kelly Moore. The proposed bylaws revisions that were to be voted on were explained in detail. The following is a list of those proposed bylaw revisions:

- 1.) ***Article V Section 2, Election – Spouses on the board.*** (new bylaw) – Restricts 2 or more family/household members from serving on the board at the same time.
- 2.) ***Article VII Section 2. Duties. Para c. (1): Assessments*** – Double lot assessments (amended bylaw) – An owner of 2 adjacent lots will be assessed dues for each lot even if there is only one house erected.

- 3.) **Article XII Assessments: Collection procedures clarified** (amended bylaw) – Clarifies procedure for when homeowners’ dues are owed.
- 4.) **Article IX Section 2 Para e.: Bylaws/Rules Committee** (new bylaw) – The board has given “permission” for the committee to meet in the past. With the new bylaw the Bylaws Committee can address issues without board permission.
- 5.) **Article III Section 5: Proxy Explanation** (amended bylaw) – Clarifies use of proxy.
- 6.) **Article VIII Section 8. Duties. Para c. & d: Secretary/Treasurer Duties** (amended bylaw) – Clarifies Secretary & Treasurer duties. Note: the previous Treasurer duty requiring annual audit has been deleted. Jeff Hutson, Treasurer explained that an annual audit costs thousands of dollars and would be a waste of money. He further explained that an audit committee could review the books and this would accomplish the same purpose as an audit without the additional cost.
- 7.) **Article VIII Section 8. Duties. Para e: Audit Committee** (new bylaw) - The audit committee will review the books annually.
- 8.) **Article IV Section 5: Voting in Absence of a Meeting** (amended bylaw) – Defines how the board can make decisions in absence of a meeting. However the board can only authorize budgeted items.
- 9.) **Article IX Section d. Para (2) Fenwick Maintenance Committee (FMC)**(amended bylaw) – FMC must get bids before work is done & present to Board for its approval.
- 10.) **Article IV Section 1.** (Edited bylaw) – Clarifies that Board members must be residents.
Exception : In the event there is no resident willing to serve then a non-resident may serve as a board member.
- 11.) **Article IX, Section 2, Para a.** (edited bylaw) – Residents interested in being elected to the board must submit the required application to the Board supplying specified information. Nominees from the floor are required to give the same information to all homeowners at the annual meeting.

Vote & Collection of Ballots – At this point all homeowners were given time to cast their ballots and then the ballots were collected.

Revised Rules – Presentation by Pat Fincher, President. Explanation that the Board can make rules as long as there is no conflict with the Bylaws. If the Board adopts a rule and gets it to the homeowners within 30 days, it goes into effect. Rules are what are violated the most. They are a user-friendly version of the CC&R's. The Rules Document is a good thing to keep – it contains the rules for the pool, and architectural guidelines. It is not filed with the city. People need to understand the rules since Fenwick is a restricted neighborhood. Fenwick residents should consider their neighbors and live by the “golden rule”.

2010 Budget Detail: Presentation by Carl Franklin, of CMS. Detailed explanation of given of following items:

- 1.) Interest – Interest for 2009 went down.
- 2.) Clubhouse Rental income – Approximately \$6000 for the year.
- 3.) Administrative, Clubhouse, & Pool Actual & Estimated Future Expenses – Explanation of: bank charges, insurance and taxes, legal, professional fees, licenses/fees, printing & postage, HOA community activities, pool management, utilities, clubhouse, and clean up charges.
- 4.) Landscaping & Grounds (Required Maintenance) – Totals \$102,076.
- 5.) General Maintenance Requirements – Totals \$15,500.
- 6.) Reserve Funds – Totals \$143,700.
- 7.) Required Repairs – Totals \$274,935.

Ballot Results: All by-law revisions passed. The discretionary item (7 concrete benches) passed – which is an additional \$5 per household making the 2010 dues total \$355 per household.

The following nominees were elected to the board for a term of 3 years: Mindy Geist, Floyd Treiber, and Laura Lee Williams.

Questions from the floor – discussions:

- 1.) **Lawn care/ Ponds/wetlands:** Question from floor as to who does the lawn care.
Answer: Bowman Bros. Ponds – they are now clear. Wetlands: It was necessary to hire someone to remove beavers. The wetlands could not be cleaned up without removal of beavers. A stuffed beaver was on display of the stage for all to see.
- 2.) **Flooding concerns** – A resident was concerned about flooding where he lives. Carl Franklin addressed this. Advised the resident about whom to call – Storm Water Quality.
- 3.) **Widening of 164th Street** – Gordon Clark advised all to call Pat Ryan, City Councilman, at 297-2404 with questions, concerns and to speed up the process. Pat Fincher, President,

advised that if we get update on the progress of the widening, we will post this information to our website.

- 4.) **Garbage cans in front of garages** – A resident was concerned because this is a violation of the rules to have trash cans sitting in the driveway. Pat Fincher answered that the Board is not the “Police”. If she is concerned about this, or any other violation, she should call and report it to the information line. The offending resident will get a letter and this will start the process for violations procedures.
- 5.) **Resident concerned about different colored roofs** – Pat Fincher addressed this concern, and explained that there are Architectural guidelines that must be followed. If residents do not apply for approval and completely bypass the system, they will be fined a \$1000 penalty.
- 6.) **A resident asked about getting a copy of the income and expenses.** Carl Franklin answered that maybe we could put this on the website due to the costs involved in mailing this out to all residents. Pat noted that we will provide financial information on the community website quarterly.
- 7.) **Resident wants Bowman Bros. contract and all contract details on the website.** Pat advised that the Board does not normally put contract details on the website, but that if a resident wants the information it will be provided. The board is not hiding anything.
- 8.) **Question from resident** as to whether she has to pay for everyone when she pays her homeowners’ dues: Carl Franklin answered here. He explained that you pay according to where you live. In the gated sections, you are paying for gates and streets. The streets are privately owned, and are therefore maintained by the residents. You pay for where you elected to live.
- 9.) **Question from resident as to how reserves money is determined:** Carl Franklin answered this – explained that the money sits there until it is needed. It is the years required for the project divided by the projected cost.