

Minutes for October 15th, 2011 Nisqually Estates Homeowner's Association [HOA] Annual Meeting

Attendance: **31 homeowners total.** 14 homeowners present and 17 homeowners by proxy.

Homeowners Present (Lot #): Casey DeBow (114), Thomas Jensen (65), Jessica Symanski (71), Staci Dilg (82), Bonnie Miller (13), Rebekah Jordan (112), Kathy Fields (80), Steve Jasper (1), Ken McCulloch (66), Alison Brackett (4), Rob Mendel (70), Armando Quiroz (40), Keri May (108), Krysta Canova (113). **Total 14.** Note: Many of these homeowners also came with their spouses or co-owners but only one lot owner was counted for attendance and voting purposes. The sign-in roster will be filed with the original minutes as well as being scanned as a PDF file and backed-up online.

Homeowners by Proxy (Lot #): Nicholas Unruh (41), Pamela Snorteland (89), John Gerrits (50), Krista Alwine (106), Ernest Haney (81), Marilyn Newkirk (72), Jennifer Arnone (12), Teresa Hyde (94), Sabrina Thompson (107), Denise Smith (67), Larry Wright (69), Richard Bowles (104), Marian DeVol (91), Bill Allen (92), Richard Barnard (77), Michael Scott (59), Amanda Hill (16). **Total 17.** Proxies will be filed with the original minutes as well as scanned as a PDF file and backed-up online.

- 1) The meeting opened at 9:56 am at the Rosemont Retirement Center LUNCHROOM, 215 Killion Road NW, Yelm, WA 98597. The quorum requirement was met before the meeting began. Rebekah verified no one was recording the meeting.
- 2) Introductions of current Board members: Alison Brackett, Rob Mendel, Rebekah Cade-Jordan, and Erik Dilg.
- 3) Nomination and Election of the 2011-12 HOA Board of Directors. The Board called for any nominations from the floor. There were no nominations from the floor and ballots were collected. The vote count was conducted while the meeting remained in progress. Results will be announced toward the end of the meeting.
- 4) Treasurer's Report
 - a) Expenses for 2011 as of October 14th, 2011 - \$14,398.58.
 - b) Remaining balances in HOA accounts as of October 14th, 2011:
TwinStar Checking: \$3,229.36
TwinStar Savings: \$4,658.35
 - c) HOA annual dues for 2012 are \$145.25 and are due by January 15th, 2012.
 - d) 2012 Budget. The 2012 Budget was handed out to the membership at large for discussion and ratification. The Board approved the budget on October 10th, 2011 and posted it on the HOA website. Expected income from dues were \$17,430.00 and anticipated expenses are \$17,430.00 (see budget for details). There was a line item explanation of each expense category and questions answered by the Board. A motion

was made by Rob and seconded by Erik for the membership to ratify the 2012 budget. All in favor raised their hands (All homeowners present – All lots and proxies). There were no votes against ratification. The 2012 Budget was ratified unanimously by homeowners.

Old Business

- 1) HOA Overview from July 2011 onwards – Rob discussed the current corporation status, reinstatement, and improvements in recordkeeping since discovering missing minutes and records in July. He discussed the Architectural Control Committee (ACC) and the application process for improvements and changes to properties. He also discussed alleged 2003 amendments – no sign-in roster, no proxies and no approved meeting minutes to support a valid passing of amendments. (See the August 8th, 2011 meeting minutes for a copy of the Report of the Condition of the HOA).
- 2) Filing of back taxes with IRS – Alison discussed taxes – 2009, 2010 (advised of no cost to HOA) we filed and mailed to IRS certified mail. Tax forms need to be filed annually for the HOA (See the August 8, 2011 meeting minutes for more information).
- 3) HOA Insurance – Rob suggested that since no claims had been made against the HOA, the Board will plan to rebid prior to next year's renewal based on our good claim history.
- 4) Report on the Condition of the HOA as of July 2011. The report was handed out at the beginning of the meeting. After an explanation and extended discussion of the issues, homeowners were satisfied that Board was taking appropriate action and there were no open issues or questions on the report.
- 5) ACC Procedures and Landscape Contract.
 - a) New landscaping contract for Oct 1st, 2011 - September 31st, 2012. New Contract with LawnPros - \$675/month + tax. Four bids obtained from licensed, bonded and insured landscaping businesses – we took the best one. Factors were price, quality of service and reliability. Negotiated with LawnPros who came down in price (was best way to go).
 - b) Kathy – What would the cost be for HOA if all front lawns in the development were moved under the lawn care contract? Casey opined it should be voluntary. Alison advised it would require a majority vote (may result in substantial increase in dues).
 - c) New ACC design review form was handed out at the meeting and is available online – painting requires samples or codes.
 - d) Rob discussed the possibility of the ACC adopting guidelines as it has done in the past to assist homeowners and committee members in the application of the CC&Rs. The ACC will look into re-adopting guidelines in the future. The Board has sought legal advice on the proper way to do this, probably by vote of the Board after a comment period on proposed guidelines.

- e) Bonnie asked what can/can't be done to a property – Rob advised that right now our best resource is the CC&Rs and that the ACC is more than willing to work with homeowners to research issues and answer questions as they come up.
- f) Staci and Casey volunteered to be ACC committee members.
- g) Rob discussed ACC observations and violation notification process (Covenant/By-laws) and the decrease in number of observations since July when the ACC began monthly neighborhood observations. The observations and monthly report are made a permanent record in the HOA files. Courtesy letters and violation letters are also made part of a homeowner's file.

New Business

- 1) New website: <http://www.nisquallymeadows.org> is up and running and has received lots of positive feedback. The old website was not user friendly, contained corrupt files, dead links and did not provide good technical support. The new website will be frequently updated and help the HOA in reducing paper and admin costs by quickly getting information out to homeowners and residents.
- 2) Steve Jasper asked about liens – How many for 2011? Five liens filed on October 10th, 2011 bring the total current active liens to 15 on seven (7) separate properties. Rob stated that the Board could not file new liens until the dissolution of HOA issue was resolved – (See the August 8, 2011 meeting minutes for more information).
- 3) Going green – trying to move to email instead of snail mail – form from Attorney for HOA members to sign. Alison advised of benefit and cost saving with approximately 90 emails collected for homeowners. Advised email of dues and annual meeting notices would be voluntary.

Question and Answer Period

- 1) Bonnie has concerns about fireworks in the community during 4th of July and New Years, especially debris landing on homes and being a safety hazard or nuisance – Rob advised of city ordinance that allows fireworks in community during both holidays; however homeowners should show courtesy and clean up after themselves.
- 2) Kathy – question on animal nuisance complaints – Best course of action is usually first to contact neighbor who owns the animal in a friendly manner, then file Yelm animal complaint form and advise the Board to possibly pursue using nuisance clause in CC&Rs.
- 3) Jessica – question on playground use by bigger kids – unstable platform, drug paraphernalia, etc. Board discussed plan to remove structure and replace with something low maintenance.
- 4) Keri - Speed bumps (Board will inquire with city again) – Casey said speed bumps often don't work and become a noise nuisance.

- 5) Future of annual garage/yard sale – Alison advised we need a volunteer to organize – Keri has signs for garage sale. Reminded homeowners of the requirement to have a permit (free) from the City of Yelm.
- 6) Easement and trees between sidewalk and street – low hanging branches obstructing pedestrians. HOA Board or ACC can notify the homeowner and request them to trim back branches.

Announcement of Election Results for the new 2011-12 Board of Directors

All five (5) homeowners listed on the ballot were elected to serve in the five open 2011-12 Board positions (clapping and approval). There were no nominations from the floor during the meeting and no write-in candidates on any ballots. The new Board positions run until the adjournment of the 2012 Annual Meeting. New Board members are listed below in alphabetical order. Board positions will be determined by consensus of the newly elected Board members.

- a) Alison Brackett
- b) Rebekah Cade-Jordan
- c) Erik Dilg
- d) Rob Mendel
- e) Denise Smith

A raffle for door prizes (all donated) was conducted.

Thank you to the Board from Kathy and Steve.

Meeting adjourned at 11:06 am.

Minutes approved by proper vote of the HOA Board as indicated by the signatures below.




