

CROSSCREEK HOMEOWNER ASSOCIATION  
Board Meeting Minutes for Sept. 13, 2012

Board Members present: Pam, Tom, Denise, Kelli, Christy, Don (quorum present)  
Staff Members present: Pat, Lee, Vivian (late)

Minutes were read and approved for July (Don abstained from voting). Special meeting minutes for July 29 were read and approved as written (Don abstained from voting)

PIPs, two were signed, one approved and one not approved.

Pres & VP reports: Most of their time was spent doing research, which will be reported later in meeting.

Treas report: Christy reports that the Rec Ctr brought in \$670 June through Sept; Swim Lessons brought in \$3,124 and Guest Swimmers \$758.40 earned.

Property Standards: Walkers are doing a great job, still a couple of abandoned, vacant homes which need to be investigated – see about placing liens on the homes.

Rec Ctr: Kelli reported \$325 earned in August for rentals.

Pool: Lee reported pump on heater needed repair for \$200.00

RV Lot: Denise reported pests in the RV Lot and a couple of complaints about ants. The ants will need to be treated. Lee took care of the “pest” carcass and will get new cord for the gate into the RV Lot. Denise asked for board approval for an RV that measured 31’ 3”, limit is 30’. While it is a bit longer it still fits in the same space just fine and will not impact anyone else. Motion was made to allow, seconded and passed unanimously.

Maintenance: Lee asked about leaves this fall and taking care of the leaves on sidewalks. He would like that to be part of his job. He estimates it will not take him more than an hour and a half for the season. The board approved, as a safety issue.

Old Business:

**New Business:** Brought to our attention was a petition being circulated by a homeowner with the following concerns:

**1. Cease and desist having special meetings not in compliance with ORS 94.640**  
5/20, special meeting called because Board member released private info to homeowner. Board meeting called specifically to figure out how to remedy the situation. In reference to the 7/29, special meeting called to specifically address information requested by lot # 190 – Tom asked Don why he signed the petition, no reply. Lot #189 asked why lot # 190 wasn’t invited. Lot # 47 pointed out that the board members are all volunteers, giving their personal time to research these issues.

**2. Conduct a reserve study and maintenance plan per ORS 94.595 to validate the reserve account.**

HOA is not required to have a reserve study. We currently contribute monies to a reserve account and have been discussing the reserve issue and will be working on a maintenance

plan. The board had been looking into the reserve study and early bids start at over \$3,000 for a study that is not completely inclusive.

**3. Conduct an immediate independent audit of the financial books by a CPA per ORS94.670.**

Petitioner demanded that the VP be removed as signer for checks and the Treas be designated as the authorized signer on all HOA checks. This has been the case since June, as reported in previous meetings.

Per Section 5 of the above referenced ORS, states that the required audit only applies to associations that bring in \$75,000 annually, unless the majority of homeowners request it. Per previous treas, when this board was elected, it was not necessary. Entire board agreed that periodic checks/audits would be a good idea. We would have to find funds to do so, how much will an audit cost, how often it should be done and talk with CPA for more information.

Lot #47 wanted to know how many of these demands had been brought forward as questions in board meetings previously and if many of the people at the meeting at signed the petition. Several of the demands have already been asked in meetings and only 2 of the people present said they had signed the petition.

**4. Produce an annual financial statement and distribute to each homeowner.**

The financial statement will be sent out by the end of September.

**5. Provide a summary of the budget for 2012-2013**

This is the same budget as last year, as reported in the Times and minutes. However, the budget will be mailed out with the rest of the annual financial statement by end of September.

**6. In lieu of lawsuit for removal, declare null and void the Property Standards document of June 7, 2011**

Petitioner complains that paragraph #7, make revisions to the property standards document cumbersome and more difficult to amend. Changes/revisions are to be made at the annual meeting which involves more homeowners. The reasoning is that the annual meeting is the most attended meeting of the year. Then, any changes made at that time will be delivered via mail or other acceptable means, to every homeowner before the changes will be enforced.

Tom went on to read a written statement of support in regard to this matter from our HOA attorney. This is a guideline for homeowners to know what is acceptable and what is not. In November of 2006 a resolution was filed with the same verbiage, attorney states that resolution is synonymous with rules and regulations. No homeowner present expressed any concern with Property Standards Regulations.

**Homeowner comments:** Lot 160 said that he signed the petition because the petitioner used the verbiage of "secret meetings". Another concern was a comment about "revising" property standards. Tom explained that any changes made will only be made at the annual meeting when we have a larger attendance of homeowners, and then any changes would be sent to all homeowners before being enforced. Other concerns presented by resident distributing petition were re daycare and also a lack of openness.

A couple of people who signed the petition said that now everything is clear and they weren't sure why they even signed it. Lot 86 thanked everyone on board for all our work, that the board is greatly appreciated. She also said that CrossCreek is one of the most sought after areas for homes.

**Special Meeting:** Tom and Pam then reviewed bullets of the Special Meeting of 7/29

- ❖ Insurance: Information was given to a homeowner by the insurance agent
- ❖ Taxes at CPA, may look at someone new
- ❖ Reserve Study
- ❖ Property Standards
- ❖ Resolutions

❖ Limits for Board and Staff to spend

Re the limits set for board and staff, \$200 for staff and \$50 for board members, Don objected for maintenance (Lee) and Lee agreed. Don said they can generally look ahead but not always if it is a mechanical issue. If there is an emergency we can always use common sense, Lee can always contact Don, Tom or Pam. The suggestion was made to use the figure of up to \$750 for the Board for maintenance. Tom made the motion that the maintenance board member can authorize up to \$750 for an emergency situation, otherwise the \$200 per project stands. Motion was seconded and passed, with Don abstaining.

Insurance: At the special meeting the decision was made to change agents. The whole issue started when our agent contact Cheryl at her home address, which was an error, and continued with a couple more errors. Tom and Pam met with our agent and felt he was very humble and agreed that they were in error. Don made the motion that we retain our current agent, Tom seconded. Christy and Kelli feel strongly that we should change agents. Christy and Kelli voted to change, Tom and Denise voted to stay, Don abstained. Lot # 40 suggested that we shop the insurance and stay with him for now while shopping and address later.

Tom addressed the employee issues re timecard for maintenance. Ron was suspended for a week and will be reinstated after Tom talked with Lee about several maintenance issues. There were extra hours on Ron's timecard that he had apparently worked earlier in the year. Tom wants Ron's timecard and supplemental sheet filled in 15 minute increments of time. He and the board will have to be more specific with off season work as well. Lee signs off on Ron's timecard. The issues will have to be addressed further.

Ron's mom said his paychecks were in error, that he works a self-imposed 20 hours per week. Tom said he met with Ron for 40 minutes, some it goes back to Lee. Tom explained that with our insurance if he works 10 minutes, he has to write them down. Ron's mom felt he was overpaid, Vivian and Tom will look into it.

Lot #40 thanked everyone for all their work and openness.

Meeting adjourned at 8:55

\*\*Letter and financials sent to homeowners attached to file copy\*\*