

**BARRINGTON PARK HOA  
MINUTES OF BOARD MEETING  
NOVEMBER 8, 2007**

Meeting was called to order by Mike Perlman at 6:31 PM

Present were: Dave, Donna, Mike, Thelma, Bruce, Katie, Greg and Cindy

The minutes from the previous meeting, held on October 11 2007 were read. A comment was made by Mike concerning the inappropriateness of the comment Greg had made about him in the meeting. Mike had also included a piece titled: *Balance*. He stated that we all work hard in our lives outside of the board, but being on the board is still work. We need to look at the positives instead of all the "crap". The minutes were read and approved.

Greg arrived after the minutes had been read and approved.

Bruce presented the Park report and the financials for October. He discussed the increase in expenditures was due to the extra amount being paid for Rhino Shield. He then went over the problem accounts with past due HOA fees and assessments.

John Andrews has been sent a final demand letter from the attorney. He has 15 days in which to respond or otherwise foreclosure procedure will be started. Because the bank stands in first position on this property, we as an association stand to lose any monies owed for past due fees.

Bruce has made two calls to the Ashby residence concerning late fees and assessment fees, messages have been left but no calls have been returned.

Concerning the Sepulveda payments; no payments were made in October and if no payments are received by November 15<sup>th</sup>, Bruce will have the attorney handle this issue.

Other problem accounts were discussed.

Bruce also went over the profit and loss detail reminding us that these figures are for September. The P & L statement will always be a month behind in order to ensure that all figures are in place before giving the board the detail of expenditures and income.

We were reminded that the maintenance crew has begun their winter hours. They will be working from 8:00 to 4:30 rather than 7:00 to 3:30 for the winter months.

Discussion concerning the water line breaks at the Pehrson home and who is responsible. The CC&R's are not clear as to who is responsible for this repair. We need to make sure that this is clarified in the CC&R's as to what the homeowner is responsible for and what the responsibility is for Barrington Park HOA. The question was asked as to whether or not the insurance company would cover this expense. This would not be the thing to do in this scenario since there is a \$2500.00 deductible and the damage is for less than that. But it was decided that we need clarification from the insurance company as to how these types of issues would be handled in the future. What is Barrington Park liable for and what is the homeowner liable for and also what would happen if the damage was caused by another homeowner. Bruce is going to look into getting the insurance agent here to meet with the board to answer some of these questions and to clarify the issues in order to define the responsibility in the CC&R's. It was decided that the Pehrson's need to submit a bill to the board before we can decide whether or not the Association will pay for this repair. We also need to make a decision as what our policy will be in the future.

There were two break-ins, one on the corner of Winfield and one at 4321 Haverford. Haverford break-in included the loss of jewelry and a lap top. The Winfield break-in did not involve items of great significance. The Haverford break-in was two days after the Winfield break-in. There was also a car theft on Cromwell that occurred during this same time frame.

President comments: Nothing other than the comments from Linda to be discussed in the CC & R discussion.

#### Appeals Committee

Katy noted that there is an appeals meeting to be held on November 20<sup>th</sup> at 6:00 PM. There are two appeals to be heard and she needs a volunteer from the board to attend that meeting. Cindy agreed to attend as a board member.

#### Architectural Control

Greg talked to Scott Anderson at Salt Lake County about the garbage pickup which would cost \$11.00 per month. This would include a recyclable can that would be picked up every other week as well as the regular garbage to be picked up every week. The recyclable can is the same size as the regular can. We are now paying \$6.92 a month for garbage pickup. This fee comes out of the general fund. If we went with the plan through the county, each homeowner would pay individually for this service and the fee would be included on their property tax statement. The county would also provide, once a year, a large dumpster for spring cleaning and leave these dumpsters for 2 to 3 days. A motion was made and approved to hold this discussion for the annual meeting and let the homeowners decide. Greg will put together the information to present to the homeowners at this meeting.

#### Budget and Finance

Nothing

#### Compliance

Dave went to the Taylorsville police concerning John Andrews and was told they can't say much but that the police will be taking care of the problem and will probably be back at the house in the next few days.

#### Grounds

Nothing

#### Neighborhood watch

There is an article in the newsletter.

#### Nominating committee

Nothing

#### Welcoming committee

Nothing

### CC & R Committee

Discussion now turned to the responses and issues that were received from the homeowners. The first draft of the response letter was emailed to each board member in order to discuss the issues and the proposed responses.

There was a definition and explanation of the difference between a P.U.D. and a Condominium and how it relates to insurance, insurance carrier and insurance coverage. The main issue as pointed out by Bruce is that the insurance that is carried by Barrington Park HOA is “for the benefit of the homeowners” and the benefit of the Association. We have up to \$23 million in coverage. The insurance carried by the association covers the structures of each home but will not cover the homeowner’s liability. It needs to be explained in the CC&R’s what will happen if a homeowner does not have liability insurance as well as personal property coverage. The association will assess the homeowner if they are responsible for damages to their home or to any other homeowner’s home. Not only do we need to explain the reasoning behind liability coverage to be carried by each homeowner, it would be in our best interest to make it mandatory that they do carry liability insurance. We do need to see if we can make it mandatory and Bruce is going to help us with the wording on this.

There was discussion on renters and it was decided that we would state in the CC&R’s that when a renter moves from a home, that home will need to be sold as a residence and can not be sold as rental or investment property, nor can it be rented out again to someone else. This also needs to be put into the newsletter. The only time someone other than the homeowner can live in a residence is if the homeowner has to leave, i.e.: for a mission or work, or some type of emergency and then the property will be inhabited by a family member. The clause about approving renters can be taken out, because we will not be having anymore renters, but we do need to leave in some sort of notification for the exceptions when someone needs to leave their home for 1 to 2 years and is renting to a family member or leaving a family member in charge of caring for the home.

Bruce suggested that we list out the names of the homeowners or addresses of where the questions came from, but as Dave reminded us this information was designed in the original letter to remain anonymous. However, Katie suggested that headings/ or questions be used to divide the issues so homeowners can more readily find the issues that they were concerned with and how they were answered.

The rule on Pets needs to be reworded and checked for punctuation in order to be understood.

There was discussion on the appeals committee and answering to the board. Some feel the appeals committee should have the final say, but as Katie pointed out the board still needs to oversee their decisions in order to ensure that the committee is not making “heartfelt decisions” but rather making decisions based on fact and the governing rules. The Board would simply make sure that the rules are being adhered to.

There are some issues, as Thelma pointed out that are still being worked on as far as getting answers to homeowners. These are concerning satellite dishes, window replacements, door replacement and the needed approval of the board before going ahead with installation of these items.

Suggest we put in the CC&R's that there will be an emergency contact list maintained at the office if homeowners wish to supply emergency contact information.

Bruce explained the reasoning behind the \$100.00 transfer fee. Many of those homeowners who raised this issue understood that the transfer fee was to be paid by the seller of the home, not the buyer. Bruce explained it is to be paid by the buyer and it helps us to know when a property has been purchased and who has purchased it. We need to make this clearer in the CC&R's.

Discussed mediation versus arbitration and how mediation allows for both parties to work together on resolutions rather than depending on an arbitrator to make a binding decision.

There was one person who asked why we were changing the CC&R's and as Thelma explained there are many things in the current CC&R's that are incorrect, such as the fact that Barrington Park is owned by American Skylines. The reason for changes needs to be thoroughly explained in the letter we are to send to the homeowners.

Thelma stated that we will send the letter to the homeowners showing the issues raised the answers to those issues and the changes that are being made.

Mike feels that we need to have something stating that all homeowners must have a current copy of the CC&R's

Greg suggested we print the changes based on the resident's comments and send with the monthly statements.

Bruce suggested that after sending out the changes that we go out for signatures approving the CC&R's and once we reach the mandatory 65% approval then we rewrite them, file them with the county and give each homeowner a copy of the completed, filed CC&R's.

A motion was made by Katie to revamp the letter with headings for questions and the answers to the questions as well as the changes that are being made. This letter will be sent, along with a sheet asking for a vote. This was seconded by Greg. Discussion by Thelma was concerning the \$250.00 special assessment for catastrophic emergencies be removed and the way the current CC&R's read be put in its place. The motion was passed.

We then went to the Executive committee.

Meeting adjourned at 8:22 PM