

BARRINGTON PARK HOA  
MINUTES OF BOARD MEETING  
October 13, 2011

*Draft Copy*

1. Call to Order: Board meeting called to order at 6:30 p.m. by Greg.
2. Roll Call:
  - a. Present: Greg, Deloris, Charlie, Steve, Sandra, Randy, Matt and Bruce
  - b. Excused: Elden
3. Homeowners: in attendance but no business
4. Minutes:
  - a. September: spelling updated. Motion to approve by Greg. Approved unanimously.
5. Jonathan Rupp: Legislative Changes
  - a. Latitude given to boards regarding enforcing of CC&Rs
    - i. In the past there was concern that the board could not compromise, could be sued for not enforcing the CC&Rs
    - ii. If the board is acting reasonably, they can compromise or choose not to pursue a claim, as long as there is good faith and no conflict of interest, and some other qualifiers, the board does not have to take action
    - iii. If a board has not enforced a rule for a long time, this rule does not allow a change (eg satellites)
  - b. Notice Requirements: no real application to BP
  - c. Budget: no real application to BP, still probably follow CC&Rs. If a homeowner disapproves the board calls a meeting to disapprove the budget
  - d. Liens: non-judicial foreclosures allowed (with restrictions). HOA liens have better priority (not just timeline).
  - e. Termination of Delinquent owner's rights: not much change
  - f. Requiring tenant to pay assessment if owner fails to do so: if owner fails to pay for 60 days, tenant then pays if not paid within 15 days
  - g. Insurance:
    - i. Does not apply if the declaration requires each lot owner to insure the dwelling
    - ii. HOA must insure 100% of replacement cost of building (all except personal contents)
    - iii. Must maintain 10k in reserve OR the full deductible (if deductible is less than 10k)
    - iv. The homeowner must pay the deductible
    - v. So typically a homeowner would want an insurance rider to cover the deductible.
    - vi. HOA can assess the deductible to the homeowner if they do not pay it

- vii. 4,300 would be saved if new coverage was added and deductible increased from 2,500 to 10,000
  - viii. We are unsure if the law requires earthquake insurance. Jonathon will look into this.
  - h. You can put *reasonable* restrictions on signs (cannot restrict political speech). You cannot restrict people from hanging an American Flag.
  - i. Discussion regarding homeowner with water in basement.
6. Budget
- a. Committee suggested a \$30 to \$50 increase with a Wasatch Front Index increase every year
  - b. Proposal by Steve to proposal to homeowners annual assessments of \$30, \$40, or \$50 for the homeowners vote. Seconded. Approved unanimously.
7. Committee Reports:
- a. Architectural: Steve Walker (chair) Nothing to report.
  - b. Compliance & Grounds: Deloris Lenhart (chair).
    - i. Dead grass letter to 1184 South Hampton
    - ii. Maple tree to be planted
    - iii. Dog fine for 1199 Norwalk
  - c. Appeals: Mary McDermott (chair)
    - i. Complaint about fireworks (Andrews), he brought letters to prove his innocence and fine was removed.
    - ii. Motion to approve appeals decision. Seconded. Unanimously approved.
8. Park Report:
- i. Gophers are problematic again
  - ii. Carport fences have been redone
  - iii. Home coatings are almost done
  - iv. Board decisions
    - 1. 4315 Rugby Court: Late fees waiver requested due to family members death.
      - a. Matt motion to waive one of the two late fees. Seconded. Approved unanimously.
    - 2. 4315 Rugby Court: Water Spots on car because sprinkler head had been twisted.
      - a. Steve motion to decline liability for water spots on vehicle. Seconded. Approved unanimously.
    - 3. 1216 W South Hampton: Father was taken to nursing home for recovery. Children stated they will rent the home. Verbally they stated that because he is in the VA hospital the HOA cannot invoke the rental requirements.
      - a. Board suggests the children are informed of the rental policy and a notice is placed on the door stating the property cannot be rented.

Meeting adjourned 8:50 p.m.

Next Board meeting is November 10, 2011 at 6:30 p.m.