

Meeting Minutes
February 21, 2012

Opening:

The Special Board Meeting of Eagles View Homeowners Association was called to order at 7:09 P.M. on February 21, 2012 by William Burris.

Board Members Present: William Burris
Becky Hebda
Stacy Bradfield
Devin Bingham
Dwayne Boyce

A. Approval of Agenda

The agenda was unanimously approved as distributed.

B. Approval of Minutes

Reading of the minutes of the previous meeting was waived.

C. Treasurer's Report

The treasurer's report was read by Devin Bingham and approved as read.

D. Open Issues

1. None

E. New Business

1. Amending Billing, Payment and Collection Policy

Currently the policy of the HOA is to apply a late fee of \$50.00 when the account is 60 days delinquent. This means the account is 90 days past due inasmuch as the dues are due the first of each month and there is a 30 day grace period as indicated in the CC&Rs. If the account remains delinquent not only a late fee but also a penalty fee of \$50.00 is assessed each month the account remains delinquent until a lien is filed. Historically the late and penalty fees have been waived when the account is brought current. Last year there was some consideration of scaling the amount to be waived based on the number of times the account has been delinquent. The original intent of the extremely large late/penalty fee was as an attention getter. Most of the members maintain their account in a timely manner however there are some who wait to pay the dues until they are significantly delinquent counting on the board to waive the late/penalty fees. Amending the policy to make the late fee more in line with the norms eliminates the numerous waivers and makes the late fee more realistic. Waiver of the late fee will be considered only under extreme circumstances after written request from member. Motion by Dwayne was made and seconded to adopt the Billing, Payment and Collection Policy with changes as shown attached. The vote was taken and passed unanimously.

2. Estimated 2012 budget

See Attached This is a cash flow budget based on what was spent last year. The event amounts may be increased depending on the things the board determines needed. Movie Night was not included as an event inasmuch as the cost is negligible. Motion by Becky was made and seconded to accept the 2012 Estimated Budget. The vote was taken and passed unanimously.

3. Bank Signatures

The secretary will take the copy of the January election minutes to Chase Bank meeting with Brad McKee to establish the new officers of the HOA then send an email to the new officers who will go to the bank to sign the signature cards for the HOA accounts.

4. Neighborhood Watch

For the past 5 years the Neighborhood Watch coordinator has been Wynne Wakkila. A get together with Wynne to go over the Neighborhood Watch processes should be scheduled. Dwayne will follow up to verify.

5. Officer Roles & Responsibility

The bylaws establish some of the responsibilities for the HOA officers. A summary of the responsibilities is attached and the officer normally assigned. The Accounts Manager is available to answer questions from any and all officers. The responsibilities of the various positions of the Board were discussed.

F. Adjournment:

Meeting was adjourned at 8:08 P.M. in Tigard, OR. by William Burris. Next meeting scheduled for March 20, 2012

Minutes submitted by: Becky Hebda, Secretary



15685 SW 116th Avenue # 235
King City, OR 97224

Billing, Payment and Collection Policy

WHEREAS, Article VI of the Bylaws of the Eagles View Homeowners Association grants power to the Board of Directors to conduct Association business, and Section 19 of the Covenants, Conditions and Restrictions grants the authority to levy assessments against owners. Because the Association's economic well-being relies on the timely payment of assessments and other allowable charges, it is the Board's duty to use its best efforts to collect funds owed to the Association.

LET IT BE RESOLVED THAT these billing, payment and collection procedures shall be followed:

1. AMOUNTS PAYABLE TO THE ASSOCIATION include, but are not limited to, regular assessments, special assessments, rules enforcement fees, legal fees and other costs associated with collection of funds on behalf of the Association.
2. PAYMENT SCHEDULE. The regular assessment is payable the first of each calendar month. Assessment payments not received or postmarked by the 30th (28th in February) will be considered past due.
3. Definitions
 - a. The *Due Date* is defined as the first day of the month for which the assessment is being charged as described in Section 19 of the Declaration of Covenants, Conditions and Restrictions.
 - b. The *Cut-Off Date* is defined as the last day of the month the statement will show activity.
 - c. A "*delinquent account*" is an account for which assessment payment has not been received (or postmarked) 31 days after the assessment due date.
 - d. *Delinquency time count* means the number of days the assessment remains unpaid once the account becomes delinquent beginning day 31 after due date. Partial payments do not restart the delinquency time count.
 - e. *Transfer Fee* means fee payable from buyer at time of property purchase.
4. Billing/Payment System
 - a. Effective October 1, 2006 assessment statements will not be mailed to members with zero or credit balances.
 - i. Assessment statements will be mailed on or about the last day of the month.
 - ii. The assessment statement will display the activity on the account during the month thru the 25th of the month and the balance due as the balance of the account on that date.
 - iii. The assessment statement will state payment is due by the 10th of the month to encourage early payment.
 - iv. Included with the statements mailed will be a copy of the monthly newsletter and a notice of any regular Board of Directors meeting scheduled during the coming month.
 - v. For those with zero or credit balances the monthly newsletter will be available on the website.
 - vi. Notices of Regular Board of Directors meetings will be mailed to all members regardless of account balance.
 - b. The *Cut-Off Date* will be the 25th of the month.
 - c. All payments received by the *Cut-Off Date* will be processed prior to preparation of the statement.
 - d. Effective October 1, 2006 members with current accounts who pay the assessment charges for a year in advance will be given a 10% discount ~~currently amounting to \$32.40.~~
 - e. The annual payment discount policy will remain in effect unless repealed by the Board of Directors.
5. TRANSFER FEE, LATE FEES, PENALTIES, NSF AND INTEREST CHARGES.
 - a. **Effective immediately** ~~A late fee of \$50~~ **five (5) percent of balance due will be charged each the first month an account is 60 days or greater delinquent beginning immediately which will increase to ten (10) percent starting on the second month an account is delinquent until the account is brought current.**
 - b. ~~In addition to the late fee, a penalty fee of \$50 will be charged for an account delinquent 90 days and each month thereafter until the account is paid.~~ **Waiver of late fees will be considered upon the written request of the member with demonstration of severe circumstances causing delinquency.**
 - c. A \$25 NSF (Non-Sufficient Funds) charge will apply to any returned check.
 - d. Any balance older than 30 days will incur an interest charge of 12% per annum (calculated monthly) until paid.
6. ORDER OF CREDITING PAYMENTS. Payments received shall be first applied to interest, late fees, penalties, legal/collection expenses, other charges as described below, then assessment payments beginning with the oldest charge first.
7. PROCESS OF DELINQUENCY NOTIFICATION. For all balances that are ~~sixty (60)~~ **one hundred twenty (120)** days delinquent, as defined in number 3 of this policy, the following notification process applies:
 - a. ~~First~~ Notice of past due charges will be sent by First Class Mail to an Owner ~~whose balance is sixty (60) days delinquent~~ requesting full payment within thirty (30) days.
 - i. Notice to include copy of collection policy **and Section 19 of CC&Rs.**
 - ii. ~~Board of Directors may waive late fee upon receipt of payment.~~ **Each monthly statement will show amount due.**

Collection Policy
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- ~~b. Second Notice of past due charges will be sent by First Class Mail to an Owner whose balance is ninety (90) days *delinquent* requesting full payment within thirty (30) days.~~
 - ~~c. Notice to include:~~
 - ~~i. Home Association may place a lien on the Owner's property at a cost to the Owner.~~
 - ~~ii. Copy of collection policy and CC&R's section 19.~~
 - ~~iii. Board of Directors may waive late fee and/or penalty upon receipt of payment.~~
 - ~~d. Demand for payment will be sent by First Class Mail to an Owner whose balance is one hundred twenty (120) days *delinquent* requesting full payment within thirty (30) days.~~
 - ~~e. At one hundred ~~twenty (120)~~ **fifty (150)** days *delinquent* a **notice of intent to file a property lien will be filed** with Washington County.~~
 - i. Notice to include:
 - (1) Notification of lien to be placed.
 - (2) **Intent to Board may** turn the matter over to an attorney for collection enforcement.
 - (3) If a delinquent account is referred to an attorney for collection, the Owner shall be charged the Association's reasonable attorney fees and related costs as described in CC&R's section 19 subsection D.
 - (4) Attorney actions may include but not limited to filing a personal judgement against the Owner and property foreclosure.
 - f. At one hundred ~~fifty (150)~~ **eighty (180)** days *delinquent* ~~referral to attorney for~~ a lien to be recorded.
8. LEGAL SERVICES. If a delinquent account is referred to an attorney for collection, the Owner shall be charged the Association's reasonable attorney fees and related costs.
9. OTHER CHARGES. The Association may charge the Owner for:
- a. Fees charged to collect funds payable to the Association:
 - b. Owner Bankruptcy
 - c. Foreclosure action or deed in lieu of foreclosure
 - d. Notification, filing and satisfying liens
 - e. Enforcement of the Association's Rules, Bylaws, Declaration or Policies
 - f. Cost of litigation

Recorded in the Book of Minutes this 23rd day of March, 2007 [Amended July 17, 2007] [Amended August 21, 2007]. [February 21, 2012]

President, Board of Directors
Eagles View Homeowners Association



15685 SW 116th Avenue # 235
King City, OR 97224

Billing, Payment and Collection Policy

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7. PROCESS OF DELINQUENCY NOTIFICATION. For all balances that are one hundred twenty (120) days delinquent, as defined in number 3 of this policy, the following notification process applies:
 - a. Notice of past due charges will be sent by First Class Mail to an Owner requesting full payment within thirty (30) days.
 - i. Notice to include copy of collection policy and Section 19 of CC&Rs..
 - b. At one hundred fifty (150) days *delinquent* a notice of intent to file a property lien with Washington County.
 - i. Notice to include:
 - (1) Notification of lien to be placed.

- (2) Board may turn the matter over to an attorney for collection enforcement.
 - (3) If a delinquent account is referred to an attorney for collection, the Owner shall be charged the Association's reasonable attorney fees and related costs as described in CC&R's section 19 subsection D.
 - (4) Attorney actions may include but not limited to filing a personal judgement against the Owner and property foreclosure.
- c. At one hundred eighty (180) days *delinquent* referral to attorney for a lien to be recorded.
8. LEGAL SERVICES. If a delinquent account is referred to an attorney for collection, the Owner shall be charged the Association's reasonable attorney fees and related costs.
9. OTHER CHARGES. The Association may charge the Owner for:
- a. Fees charged to collect funds payable to the Association:
 - b. Owner Bankruptcy
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President, Board of Directors
Eagles View Homeowners Association

**Eagles View HOA
Profit & Loss Budget Overview
January through December 2012**

Income

Assessments, Fees & Interest

Monthly Assessments	34,887.50
Total Assessments, Fees & Interest	<u>34,887.50</u>

Clearwire Rental	7,379.11
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Interest

Bank Operating Interest	0.60
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Bank Reserves Interest	18.00
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Total Interest	<u>18.60</u>
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Total Income	<u>42,285.21</u>
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Income

Expense

Accounting & Management Fees

Accounting Services	3,690.00
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Insurance	1,842.00
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Miscellaneous	180.00
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Office Supplies	240.00
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Postage	70.00
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Taxes	2,617.00
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Total Accounting & Management Fees	<u>8,639.00</u>
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Association Operations

Fixed Asset Repairs	600.00
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Landscaping

Commons	19,450.00
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Landscape Projects	900.00
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Total Landscaping	<u>20,350.00</u>
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Utilities

Electricity	1,277.19
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Water	9,629.71
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Total Utilities	<u>10,906.90</u>
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Total Association Operations	<u>31,856.90</u>
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Event Expenditures

4th of July Bike Parade	96.81
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Easter Egg Hunt	100.24
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Garage Sale	53.75
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Neighborhood Party	1,233.84
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Welcome Basket	180.00
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Total Event Expenditures	<u>1,664.64</u>
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Total Expense	<u>42,160.54</u>
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Summary of Eagles View Board of Directors Responsibilities

President

1. Set and attend meetings date, time and place
 - a. Meeting of Members - give notice from 7-30 days in advance of meeting date
 - 1). Written notice required
 - 2). Notice to include agenda items to be discussed
 - 3). Submit agenda with any informational attachments in sufficient time to be included in monthly billing prior to meeting
 - b. Special Board of Director Meetings
 - 1). At least 3 days notice to the Board Members
 - 2). Agenda with any informational attachments forwarded to Board members
 - c. Executive meetings - give notice at least 3 days in advance of meeting generally to immediately follow a special meeting
 - 1). Members of Board only
 - 2). Used for financial or sensitive issues concerning privacy
2. Conduct meetings in business-like informal manner
 - a. Open meeting on time
 - b. Keep discussions on point
 - c. Keep meetings from becoming unreasonably long
3. President to appoint the nominating committee and nominations committee chairman
 - a. Appointment to be made in September each year in preparation for election
 - b. Ballots to be mailed to members sufficiently prior to January meeting to allow return of vote
 - c. Nominations committee chairman and inspector appointed by President to count ballots at January meeting and certify the election
4. Monitor Common Area maintenance contract to ensure sub contractor is performing appropriately

Vice President

5. Board to appoint a neighborhood watch Coordinator
 - a. Facilitate the neighborhood watch program
 - b. Assist members who need information relating to the Association
 - c. Conduct meetings in absence of President

Secretary

6. Maintain minutes of all meetings
 - a. Minutes to include
 - 1). Type of meeting
 - 2). Date and time of meeting
 - 3). List of board attendees
 - 4). Board Members absent with brief explanation for absence if known
 - 5). Names of persons present
 - 6). Actions taken on the minutes of previous meeting
 - 7). Motions
 - i. Exact wording of motion
 - ii. Name of person making the motion
 - iii. Eventual action (ie passed, failed or withdrawn)
 - 8). Hour of adjournment
7. Minutes to be distributed to Board members within 3 days following meeting
 - a. Once approved by all Board members minutes to be placed on website
 - b. Notes of minutes to be maintained in Secretary book
8. Maintain treasurer's reports given at each meeting
9. Maintenance of a correspondence file

Summary of Eagles View Board of Directors Responsibilities

- a. Includes:
 - 1). Correspondence to members and others
 - 2). Copies of monthly newsletters
 - 3). Association survey summaries
 - 4). All documentation relating to any litigation

Treasurer

- 10. Establish budgets for any Association project expenditures
- 11. Prepare an estimated budget of expenditures for each year
- 12. Monitor asset depreciation and reserves status
- 13. Provide treasurer's report at meetings
 - a. Report to include
 - 1). Current Bank balance(s)
 - 2). Outstanding accounts payable balance
 - 3). Specifics regarding payments as needed
 - 4). Outstanding accounts receivable balance
 - 5). Specifics regarding collection of assessments as needed
 - b. Report to be submitted to Secretary for inclusion in Secretary Book

Officer at Large

- 14. Maintain Association website
 - a. Ensure that website provides information to members of
 - 1). Meetings and events scheduled
 - 2). Prior meeting minutes, treasurer's reports and newsletters
 - 3). Rules and policies
 - b. Ensure email communications from members to Board of Directors
 - c. Provide community information important to the subdivision
 - d. Provide links to areas regarding the community such as City of Tigard, State of Oregon and Washington County
- 15. Monitor Monthly Newsletter content
 - a. Include items requested by the Board of Directors or other homeowners
 - b. Keep the homeowners briefly updated on what is happening
 - c. Point homeowners to website for more information

Accounts Manager

- 16. Maintain financial records as per Accounting Service Contract which includes:
 - a. Prepare Annual Balance Sheet and P&L Statement
 - b. Prepare checks to pay Association bills
 - 1). Send members billing statements
 - i. Collect and deposit payments
 - ii. Attach to bank receipt to copies
 - iii. Make deposits at least once a month
 - 2). Complete and file annual tax returns
 - c. Correspond with Escrow companies relating to the member account information requested