

SWARM Board Meeting Minutes

Meeting date: September 28, 2010; Catrina Fish's house, 7:00pm

Board Members in Attendance: Catrina Fish, Linda Jarvis, Brian Corzilius, Doug McHart, Brad Sears [quorum] {absent: Valerie Kanonchof, Craig Mountain}

Visitors Present: none

The purpose of the meeting was to elect new officers and to bring Board members up-to-date on individual gate road work, etc. Catrina, presiding as the 2009/2010 president, chaired the meeting and welcomed the new Board members.

Officer Appointments and Documents. A motion was put forth for Catrina Fish as President by Brian. Brad Sears seconded. Brian nominated Linda to serve as Treasurer with Catrina seconding. Catrina nominated Brian as Secretary with Linda seconding. The new Board members were queried as to whether they needed a hard copy of the Bylaws and other Association documents, and both stated they did not and would use the website copies as needed. Previously a copy of the member lists had been mailed to the new Board members along with a parcel map. These documents were briefly explained and discussed.

Minutes. The minutes for the 2010 annual meeting had been previously distributed via email and no amendments had been put forth. The minutes were not reviewed at this meeting.

Financial Report. Linda gave the account balances as follows: 1st Gate: \$2217, 2nd Gate: \$2905, 3rd Gate: \$4534. These amounts do not reflect work in progress (not yet billed), nor the reserve that must be maintained for general expenses (mailings, etc.).

Maintenance. The process of deciding on road work was discussed (budget projections – overhead expenses, highest traffic impact areas to lowest, all Board members from the particular gate deciding). The discussion of the use of recycled asphalt came up (it had been previously discussed at the annual meeting). Everyone present felt it would be good to get as much as we could (budget) down on the trouble spots.

Old / Outstanding Business. Four items of unresolved business were presented by Brian based on previous minutes. These included the following: 1) Secure storage of the Association records, 2) Billing on properties that have been split into multiple APNs, 3) 1st Gate signage, and 4) On-going problems with Title Companies processing property sales without contacting us to ensure road maintenance dues are paid and up-to-date.

Of these, the last item was presented as crucial due to unresolved issues with at least two properties. Of issue are: 1) the County database does not show liens when searched by APN (only when searched by property owner name), 2) that the Title Companies are not contacting us (as already noted), ignoring our inquiries or disavowing representing the property, and 3) what happens when the aggregate liens on the property exceed the property's listed (county record) value?

Regarding the Title Companies, they seem to be stating that any road dues outstanding are irrelevant unless a lien exists to that fact (actually part of their disclosure documents). This brought out the comment reflecting on whether we are expected to file liens on all property owners following our normal billing to address this problem.

Currently we working with a Mortgage company regarding one property on Third Gate that was sold without substantial past-due fees collected, even though we had been in contact with the Title company regarding the sale (we carried the billing, and hence, the eventual lien forward to the new owners).

It was suggested that we budget an hour of a good attorney's time to present our dilemma to see where we stand before any further interactions with the Title and Mortgage companies. Brian will put together a summary list, supporting documentation and make an appointment. Several Board members expressed a desire to be present at such a meeting.

Regular Meetings. The group discussed the meetings generally scheduled during a year (January & June billings, annual meeting preparation), stating that other meetings are set as items come up that need discussion.

Next Meeting.

Undefined at this time

The meeting was adjourned at approximately 9pm.

Minutes recorded by Brian Corzilius

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