

Newberry Homeowners Association

P.O. Box 1554

Lee's Summit, MO 64063

MINUTES – Annual Meeting

January 13, 2009

7:00 p.m.

Board Members in Attendance: Dick Horton, Dave Estes, Anthony Lomonte, Charmin Savoy, Meagen Tripses

CPA Volunteer: Eric Allee

With a quorum present, President Horton called the meeting to order.

1. Introduction of Board Members
 - a. President Horton introduced all the Board Members and the CPA Volunteer.
2. Reading of the Annual Association Meeting Minutes 2008
 - a. Board Secretary Tripses read the minutes of the Annual Association Meeting from 2008. Horton moved to accept the minutes as presented. Savoy seconded the motion. The Board Members unanimously approved the minutes as read.
3. Horton asked Treasurer Savoy to review the annual financial report for the Homes Association. Treasurer Savoy deferred the review to CPA Volunteer Allee. Allee noted that the ending bank balance for 2008 was \$10,923.17. The Association's income from 2008 was \$34,033.82 and expenses for the year were \$34,300.25, leaving a net contribution to the fund balance of (\$266.63).
 - a. Allee presented the proposed budget for 2009. Board Member Savoy noted that there was not going to be a 10% increase in dues approved by the Board per the requirement of the CC&Rs.
 - b. Savoy distributed the receivables report for the Association and indicated that lawsuits that had been filed had rendered judgments.

- c. HOA members questioned allocation of funds, on the Pool Dues, Dues Collection, and Bookkeeper Cost. President Horton Addressed the Pool Dues with clarification that this is allocation per home to the pool for maintenance and upkeep. Horton addressed the collection fees, that they were adjusted in the 2009 budget due to a learning curve in legal fees. Book keeper's fees were addressed by Treasurer Savoy, allowing funds to be allocated if the board moves in the direction of having a book keeper manage the administrative duties of the board.
4. Horton asked Treasure Savor to review the Dues/Review of Properties that have liens filed due to non-payment of the homeowner's association dues.
 - a. Savoy clarified the lien/judgment schedule for default on dues. Year 1 – Legal Notice; Year 2 – Lien; Year 3 – Petition.
 - b. Horton explained that the cost incurred from legal fees is dumped back to the resident legal fees. The Judge won't approve legal fees. Homeowner P. Allee suggested requested a different judge as the sitting judge is known for this behavior.
 - c. Savoy suggested the ideas of payment plans for delinquent residents to avoid legal action. And possible collection agency for resident's past the 3 year legal level.
5. Horton reported on the Vote to change or not change Article VIII, Section I, regarding storage sheds in the Declaration of Covenants, Conditions and Restrictions.
 - a. Horton reported that currently there have been 110 votes casted for the amendment, 145 votes are required to enact the amendment.
 - b. Discussion opened among the floor with regards to Storage spaces, sheds, what the restrictions are, if an attachment to the house is made this does not fall within the shed guidelines must follow city codes. Also included was if residents who were delinquent were allowed to vote, length of voting time, new residents, etc. The discussion ended with motions.

MOTION: Resident Culpepper motioned to kill the Shed Amendment Vote and reopen a new ballot. Seconded: Cave

MOTION: Resident Lighthizer' motioned to End the Shed Vote. Seconded: Culpepper.

MOTION: Resident Culpepper proposed to terminate current vote as is. Seconded: Lighthizer.

VOTE: Passed

MOTION: Resident Lighthizer motioned to restart Shed Amendment Seconded: Yount

VOTE: Failed

- c. The Vote to change or not change Article VIII, Section I has not passed.
Currently sheds or outside storage areas are not allowed in Newberry
6. Horton reported on the development of the Associations property at 15th and Cape. It has been reviewed and reported that the HOA cannot build any facility with a foundation on the property. Suggestions are offered, and the Board is going to find a solution in 2009.
7. Horton asked Lomonte to give an update on the activities of the Architectural Review Board. He reviewed typical activities of the Board and types of improvements reviewed by the Board. And noted that any changes to a Newberry structure must submit blueprints to the ARB for approval.
8. Tripses stated that the website had been updated and will continue to provide enhancements throughout the year. 2009 projects will include a resident forum, and currently PayPal is available for dues payment.
9. Board Member Elections:
 - a. Board Members explained the process for the election of the one open Board term. The term will be three years. The Board member is elected to the Board and offices are determined at the first meeting of the Board after the annual meeting.
 - b. Horton opened the floor for nominations.
 - i. Pam Allee was nominated by Charmin Savory. She accepted the nomination
 - ii. Justin Culpepper was nominated by Jessica Culpepper. He accepted the nomination
 - c. With no more nominations from the floor, Horton closed the nominations. A ballot vote was held by all present residents.
 - d. Horton announced that the new Board member was Pam Allee.
10. Adjournment
 - a. Lighthizer moved to adjourn the meeting. Culpepper seconded the motion. The meeting adjourned at approximately 9:23 pm.