

Crosswinds Homeowners Association

Minutes: Emergency Board Meeting

29 October 2006

7pm – Furnee Residence

Recorded by Secretary, Melissa Kistler

Present:

Peter Furnee	Ken Binder
Tamara Thompson	Javan McCutcheon
Patrick Moylan	Alicia Payne
Ron Kelley	Mel Kistler

Purpose of Meeting:

- Outline primary short-term objectives
 - Identify and assign action items to encourage swift, smooth transition of leadership
 - Discuss issues of immediate concern for Association Members in regards to leadership
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HOA Bank Account

- Need an immediate transfer of controllers.
- Minimum of 2 signatures for expenditures on account
 - David Kamp had changed this to 1 signature.
 - Whose signature is on checks to date?
 - How does this affect individual liability regarding funds?
- Immediate freeze of account pending fiscal review

HOA Legal Counsel

- Braun Hamstead (current) will have until 5pm Monday to recognize the new board
- If he refuses or continues to work with ejected officers, employment terminated
- Possible replacements: Charles Harwood, Mr. Hammer
 - Javan states he will provide contact info for additional attorney
 - suggestion to contact Locust Hill HOA – recently replaced Mr. Hamstead as counsel

Timetable: Action Items

- Monday – 30 Oct.
 - Peter and Tammy will go to City National Bank with a copy of minutes from Special Meeting and request transfer of account controllers.
 - 5pm deadline for Attorney Hamstead
- Tuesday – 31 Oct.
 - Javan will attempt to speak with Angie Moore and persuade her to cooperate with the new leadership
- Wednesday – 1 Nov.
 - Begin process of retaining new legal counsel (if needed).
 - First task for attorney: subpoena for all HOA records in possession of former treasurer
 - \$150 approx. filing fee for subpoena
 - Tax records only documents publicly available

Other Items:

- Tammy will contact Buck Wheaton for the HOA crate of paper and fax/copy machine

HOA Dues:

- Dues are \$100 per year
 - Adjusted for Consumer Price Index, assuming compound increase back to HOA founding, max dues would be approximately \$150
 - The \$200 is a one-time special assessment.
 - MUST go to a separate account established for stated purpose of funds
 - Resurfacing of Neighborhood Roads in 2009

HOA Records:

- Greatest immediate importance:
 - Record of who has paid dues (and/or special assessment)
 - Currently contracted vendors and terms of contracts
 - Association recurring expenditures (water, insurance, etc.)
 - Corporate Seal
- What records are currently kept vs. what April Robins established as of 3 years ago?

Misc. Regarding Declaration and Covenants:

- Only one change in covenants filed at the courthouse
 - Amendment reducing the requirement for a majority from 80% (53 lots) to 66% (44 lots).
- Suggestion for change as a priority
 - Amendment to require compliance with WV 36B in entirety