

# ***Alaskan Bay Owners Association, Inc.***

Minutes of 16 November 2015

## **Attendees:**

Randy Bañez (President/Board), Mark Smith (Telephonically) (Vice President/Board) Mike Bridges (Treasurer/Board/ACC Chairman), Lisa Rogers (Grounds Committee) and David Riley (Accountant) were present. Kay Waitman (Secretary/Board Member) was absent.

Deanne Tuckerman represented Ben Marsh & Associates Inc.

Shane Osowski the attorney for the association was also present as a guest visitor and to update the board on several legal issues, and Dan Vest a homeowner.

## **Call to Order:**

The meeting was called to order at 6:33 PM.

## **Quorum:**

Quorum was established with 3 out of 4 Board members present.

Deanne recommended that we allow Dan Vest and Shane Osowski talk to us before we continue with normal business. The board agreed.

## **For the good of the community:**

Dan Vest reported to the board he is feeling harassed by some of his neighbors. He moved in on the 14<sup>th</sup> of August and has had Animal Control visit him on his dog on two occasions. Both visits resulted in no citations being issued or fault found with how the dog was being kept. The dog is an inside dog but also has a very elaborate dog house outside. The dog house is heated has windows, and straw on the floor. There is always dog food and a heated water dish. The dog is a husky mix (Alaskan Sled dog appearance). First complaint was the dog was malnourished. The second complaint was for the dog appearance again and also barking. Mr. Vest also has a shock collar to keep the dog from barking.

Dan Vest also stated he would like to be on the board. Mike Bridges told him to be at the annual meeting and there is one vacant spot on the board right now and two of the officers are at the end of their term.

Shane Osowski stated there was nothing the board should do or could do unless complaints came in from the neighbors with a specific violation broken. Unfortunately the house rules do not cover all instances of good neighbor conduct. Deanne verified the management company had not heard a word from anyone about this particular dog.

## **Legal Report**

Shane Osowski reported on the three homeowners who have not paid their 2015 Homeowner Dues. Case 1, is a case that has been ongoing for several years. The homeowner was turned over to Shane and he got a signed Confession of Judgment and payments have been coming in on schedule till PFD time this year which would have had the old and 2015 dues paid. She did not come in to give her final pay off. After some phone calls Deanne talked with the homeowner and found she has filed a Chapter 13 Bankruptcy to hold off Wells Fargo's foreclosure notices. Shane reported Wells Fargo objected to the Chapter 13 so there is more to come. Shane explained even though we were not notified we are not allowed to

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call her or send her any bills since we have discovered she has filed for bankruptcy. We will get our money sometime but the bankruptcy has possession of all her money and they will pay us according to schedule. Shane further explained the homeowner did this to try to keep her house. There is over \$200,000 worth of equity in the house and under \$170,000 to pay on the house. Mike Bridges moved to follow and watch for 60 days, after that follow legal opinion. Randy Bañez seconded the motion. Motion carried.

Case 2, is the homeowners are getting a divorce. Mike Bridges reported he drove by and noticed a notice on the door so further checked out the notice and found the house is in foreclosure. Both members of the household have moved out. One member has moved out of state. Shane's recommendation is stop the process as it more than likely will be throwing money away.

Case number 3, the owners have been sent two (2) demand letters. The homeowners have not responded to the demands. The next step is to proceed with the foreclosure hearing. Mike Bridges moved to proceed with the attorney's recommendation. Randy Bañez seconded the motion. Motion carried.

### **Agenda:**

Randy Bañez moved to approve the Agenda. Mike Bridges seconded the motion. Motion carried.

### **Approval of Minutes:**

The minutes of the 19 October 2015 meeting were reviewed. Randy Bañez moved to approve the minutes. Mike Bridges seconded the motion. Motion carried.

### **Financial Report:**

David Riley presented the financial reports for October 2015. David Riley also presented a comparison of unpaid dues as of November 16<sup>th</sup>: 2011 = 22; 2013 = 16; 2014 = 11 and 2015 = 16. The 3 year average is 14.3; the 5 year average is 17.4.

Currently we are at 97.04% of our budget. This includes projects we had not planned for this fiscal year.

Randy Bañez moved to approve the Financial Report. Mike Bridges seconded the motion. Motion carried

### **Grounds Report:**

Mike Bridges reported there was a light out at the sign on Bayshore and 100<sup>th</sup> Avenue. He has fixed it. Mike got a complaint about the leaves that were mulched did not look good. Mike went over on his riding mower and mulched them up much better.

Lisa Rogers reported a willow tree in Track I that is causing problems. She will mark it with tape. Mike Bridges stated he would take his chain saw and cut away the problems.

Deanne asked the board to take a look at the Amendment for the Mowing Contract and see if that is what they wanted. The board approved the Amendment the Bañez brothers will sign and then Mike Bridges will also sign.

Dan Vest asked the proper way to handle tree branches hanging over the fence. Mike Bridges recommended talking with the neighbor before cutting on someone else's tree.

Dan Vest had a couple of other items but they fell under ACC so Mike Bridges will get with Dan and see what he needs to do.

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Mark Smith moved to approve the Grounds Report. Randy Bañez seconded the motion. Motion carried.

### **Architectural Committee Report (ACC):**

Mike Bridges reported all is going smooth with no now projects now.

### **Manager's Report:**

Deanne reported nothing new on drive through garbage cans are still the biggest offender. Deanne made changes to the Annual meeting package and would like everyone to check it before it go to press. There were a couple of minor corrections that were made and the final draft will be sent to the printer in January.

Mark Smith moved to approve the Manager's Report. Mike Bridges seconded the motion. Motion carried.

### **Welcoming Committee:**

David Riley stated he just got a Warranty Deed in the mail. He will send the address so the welcoming committee can get a gift to them.

### **Old Business:**

Newsletter: Randy Bañez stated he is still working on the newsletter.

The homeowner at 2920 Rocky Bay has a hockey rink with the flood lights that shine in everyone else's houses and all the noise from the pucks being hit is causing problems. Mike Bridges wants a certified letter sent quoting nuisance and unauthorized construction. Give them 7 days to take it down.

Randy Bañez moved to approve the Old Business. Mike Bridges seconded the motion. Motion carried.

### **New Business:**

None

Hearing no more business Mike Bridges moved to adjourn the meeting. Randy Bañez seconded the motion. Motion Carried

Next meeting will be 18 January 2015 at Mark Smiths home 3041Admiralty Bay.