

## **VILLAGE AT ELK HILLS HOA #1 BOARD MEETING SCHEDULED AGENDA**

**October 07, 2020 4:00 PM**

**ZOOM: Meeting ID: 843 330 609 Passcode: 272316**

**A. Call to Order—John Nugent**

**B. Consideration for Removal of Officer(s) (Bylaws 5.4 page 17)**

**C. Approval of Minutes/Interim Items**

1. September 03, 2020 Meeting Minutes
2. Remove/replace/decontaminate insulation in attic above 5110 #7 due to moisture from dryer vent-Gatewest
3. Emergency Repairs to sidewalk in front of 5106-Pro Sweep \$1,025.00

**D. Treasurer Report**

- a. August 2020 financial statement
- b. 2021 Budget

**E. Scheduled Items to be Heard by Board (Bylaws 4.8 page 15)**

- a. Landscape Report-Terri Goldich
- b. Building and Unit Numbers Installation per fire department-Sheryll Rainey
- c. Consideration of Board policy clarification regarding owner's responsibility for repairs/maintenance/replacement being defined by Declaration of Unit Ownership 1 (n). page 3 and 4 and Declaration of Restrictions For the Village At Elk Hills 6.3 page 21 "exclusive use"
  - a. Clarification/Policy on Responsibility for exclusive use windows
  - b. Clarification/Policy on Responsibility for doors, including exclusive use glass and garage doors
- d. Reaffirmation of Implementation of Water Intrusion Damage Policy per Declaration of Restrictions 8.15 page 29 and Declaration of Unit Ownership 1 (n). page 3/4
- e. Establishing a process and criteria for addressing member requests for reconsideration of policies, issues, inquiries and/or claims, beginning on November 06, 1996, denied by the membership, an HOA Board member, the HOA Board as a whole or an agent acting under authorization of and for the HOA Board.
- f. Establishing a process and criteria for addressing issues and/or establishing fines for members (original or inherited through a real estate transaction) regarding the installation of 2nd floor flooring without HOA Board approval.
- g. Establishing a committee to recommend changes/amendments of HOA VEH Governing Documents to membership.

**F. Member requests to address the Board (Bylaws 4.8 page 14)**

**G. Adjournment: Next Regular Meeting Date – Wednesday, November 04, 2020**

**Notes:**

The meeting will be held by Zoom technology:

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/843330609>**

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**+1 253 215 8782 US (Tacoma)**

**Meeting ID: 843 330 609 Passcode:272316**

The Village at Elk Hills (VEH) HOA #1 governing documents: 1. Articles of Incorporation 2. VEH Declaration of Unit Ownership, 3. VEH Declaration of Restrictions and 4. VEH Bylaws governing documents can be found, reviewed and downloaded, under the Document tab on the VEH website: <https://villageatelkhills.com>

**The Village at Elk Hills  
HOA 1 Board Meeting  
Wednesday, September 2, 2020, 4PM  
Meeting held via ZOOM**

**Board members present:** John Nugent, Claudia Christensen, Terri Goldich, Sheryll Rainey, Bob Worthington.

**Call to order by John Nugent at 4:02 PM**

**Agenda:** Addition of action item to discuss approval of dog in 5110 #7.

**Approval of minutes:** The minutes of the August 2020 Board meeting were approved as written.

**Treasurer Report:** The financial statement for the seven months ending July 31, 2020 was reviewed. There were no questions or clarifications.

**Committee Updates**

**Landscaping:**

A motion was made and passed to pay the invoice for Able Tree Service for recent trimming of trees on the compound. Weeding of the grounds has been completed. Additional weeding of the berms behind 5108 will be done as well as application of organic weed treatment. There was discussion of the timing of watering of the north hillside adjacent to building 5100 as well as timing of watering on the compound. This will be looked into and addressed.

**Social/Picnic:** Nothing to report.

**Architectural:**

A resolution regarding painting of staircases is delayed and will be presented at the next board meeting in October.

At the recommendation of the fire department, all buildings and garages should be numbered with 5 inch, black, reflective numbers for easier identification in emergencies. A request will be made to Gatewest to order and install the numbers.

**Moose Can Gulley Neighborhood Group:** Nothing to report.

**Action Items:**

Status of management company committee. Two local property management companies responded to requests for quotes on managing VEH 1 for the coming year. Both declined due to pandemic issues. A motion was made and passed to approve Gatewest as management company for 2021.

New owners of 5110 #7 are requesting to keep a dog over the 25 pound limit. The board approves the request with the stipulation that the owners adhere strictly to the regulations stated in 5.3.10 of the Bylaws, and understand that infractions could result in fines or removal of the animal.

As there was no other discussion/homeowner or resident questions, the meeting was adjourned at 4:58 PM.

Respectfully submitted,  
Claudia Christensen 9/4/2020

Village at Elk Hills Association  
Income & Expense Statement  
For the Eight Months Ending August 31, 2020

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
Revenues				
Monthly Dues	9,650.00	10,350.00	84,550.00	82,800.00
LATE FEES	35.00	8.33	112.50	66.64
Total Revenues	<u>9,685.00</u>	<u>10,358.33</u>	<u>84,662.50</u>	<u>82,866.64</u>
Expenses				
Management Fee	810.00	810.00	6,480.00	6,480.00
Accounting	0.00	0.00	100.00	100.00
Bank Charges	0.00	0.83	0.00	6.64
Legal Fees	0.00	8.33	0.00	66.64
Office / Postage	40.22	25.00	191.32	200.00
Licenses	0.00	0.00	25.00	25.00
Insurance	1,439.00	1,458.33	12,072.00	11,666.64
Power	123.68	250.00	1,410.68	2,000.00
Professional Fee	0.00	41.67	0.00	333.36
Water-Domestic	888.44	875.00	6,865.19	7,000.00
Water-Irrigation	974.70	1,525.00	1,678.81	5,775.00
Sewer	0.00	0.00	6,202.18	7,000.00
Plumbing Repair	47.50	166.67	797.50	1,333.36
Electrical Repair	0.00	125.00	0.00	1,000.00
Maintenance	614.50	416.67	3,463.74	3,333.36
Asphalt Maintenance	0.00	83.33	0.00	666.64
Building Repair	0.00	1,666.67	2,400.10	13,333.36
Painting	0.00	166.67	3,702.50	1,333.36
Snow Removal	0.00	0.00	3,441.93	8,000.00
Supplies-Maintenance	18.98	75.00	425.56	600.00
Yard Care/Improvement	3,786.08	2,300.00	8,711.19	12,200.00
Total Expenses	<u>8,743.10</u>	<u>9,994.17</u>	<u>57,967.70</u>	<u>82,453.36</u>
Net Income	\$ <u>941.90</u>	\$ <u>364.16</u>	\$ <u>26,694.80</u>	\$ <u>413.28</u>

Village at Elk Hills Association  
Balance Sheet  
August 31, 2020

## ASSETS

Current Assets	\$	32,011.39	
Cash in Checking		52,528.69	
Cash in Reserve			
			84,540.08
Total Current Assets			
Property and Equipment			
			0.00
Total Property and Equipment			
Other Assets			
			0.00
Total Other Assets			
Total Assets	\$		84,540.08

Village at Elk Hills Association  
Budget Comparison

**Budget Year Jan 1 - Dec 31, 2021**

	2018 Actual	2019 Actual	2020 Budget	2020 Actual through August	2021 Budget
Revenues					
Monthly Dues	\$112,740.05	\$117,145.00	<b>\$125,550.00</b>	\$84,550.00	
LATE FEES	\$325.00	\$40.00	<b>\$100.00</b>	\$112.50	
Interest Income- CDs	\$0.00	\$0.00		\$0.00	
Lawsuit Related		\$46,228.69			
Miscellaneous Income	\$430.00	\$0.00		\$0.00	
<b>Total Revenues</b>	<b>\$113,495.05</b>	<b>\$163,413.69</b>	<b>\$125,650.00</b>	<b>\$84,662.50</b>	<b>\$0.00</b>
Expenses					
Annual Meeting Expense	\$0.00	\$0.00	<b>\$0.00</b>	\$0.00	<b>\$0.00</b>
Management Fee	\$8,640.00	\$8,640.00	<b>\$9,720.00</b>	\$6,480.00	
Accounting	\$100.00	\$100.00	<b>\$100.00</b>	\$100.00	
Bank Charges	\$2.00	\$4.00	<b>\$10.00</b>		
Legal	\$0.00	\$0.00	<b>\$100.00</b>	\$0.00	
Office / Postage	\$168.00	\$304.64	<b>\$300.00</b>	\$191.32	
Window/Building Washing	\$3,200.00	\$3,260.00	<b>\$0.00</b>		<b>\$0.00</b>
Licenses/Memberships	\$20.00	\$25.00	<b>\$25.00</b>	\$25.00	
Insurance	\$15,917.00	\$17,090.00	<b>\$17,500.00</b>	\$12,072.00	
Power	\$3,857.00	\$2,688.17	<b>\$3,000.00</b>	\$1,410.68	
Professional Fee	\$240.00	\$3,067.50	<b>\$500.00</b>		
Water-Domestic	\$10,352.42	\$10,168.24	<b>\$10,500.00</b>	\$6,865.19	
Water-Irrigation	\$9,247.95	\$7,016.80	<b>\$8,500.00</b>	\$1,678.81	
Sewer	\$6,607.18	\$6,607.18	<b>\$7,000.00</b>	\$6,202.18	
Electrical Repair	\$4,690.43	\$1,594.50	<b>\$1,500.00</b>		
Plumbing Repair	\$497.50	\$3,536.00	<b>\$2,000.00</b>	\$797.50	
Maintenance	\$6,671.93	\$5,359.52	<b>\$5,000.00</b>	\$3,463.74	
Building Repair	\$13,201.25	\$22,686.00	<b>\$20,000.00</b>	\$2,400.10	
Heating Repair			<b>\$0.00</b>		<b>\$0.00</b>
Painting			<b>\$2,000.00</b>	\$3,702.50	
Snow Removal	\$11,668.69	\$23,743.10	<b>\$15,000.00</b>	\$3,441.93	
Supplies-Maintenance	\$716.66	\$726.22	<b>\$900.00</b>	\$425.56	
Yard Care/Improvement	\$14,479.25	\$16,606.90	<b>\$14,500.00</b>	\$8,711.19	
Asphalt Maintenance		\$11,737.50	<b>\$1,000.00</b>		
Lawsuit Repairs		\$2,360.00	<b>\$0.00</b>		<b>\$0.00</b>
<b>Total Expenses</b>	<b>\$110,277.26</b>	<b>\$147,321.27</b>	<b>\$119,155.00</b>	<b>\$57,967.70</b>	<b>\$0.00</b>
<b>Net</b>	<b>\$3,217.79</b>	<b>\$17,092.42</b>	<b>\$6,495.00</b>	<b>\$26,694.80</b>	

**THE VILLAGE AT ELK HILLS CONDO HOME OWNERS ASSOCIATION**  
**RESOLUTION # 001-2020—Windows and Doors**

**WHEREAS:** The Village At Elk Hills (VEH) has Covenants, Conditions and Restrictions (CC&R's) hereafter referred to as the Governing Documents, consisting of 1. Articles of Incorporation, 2. VEH Declaration of Unit Ownership (the Condominium Plan), 3. VEH Declaration of Restrictions, and 4. VEH Bylaws: and

**WHEREAS:** some of the VEH Governing Documents **are found** to be contradictory, conflicting, and inconsistent: and

**WHEREAS:** the VEH Governing Documents provide for the ranking, priority, and precedence of the Governing Documents as: 1. Articles of Incorporation, 2. VEH Declaration of Unit Ownership (the Condominium Plan), 3. VEH Declaration of Restrictions, and 4. VEH Bylaws, (VEH Declaration of Restrictions 14.15 page 40): and

**WHEREAS:** the VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan) is established as taking precedence over other VEH Governing Documents, namely, the VEH Declaration of Restrictions, and the VEH Bylaws: (VEH Declaration of Restrictions 14.15 page 40): and

**WHEREAS:** the overriding VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan), defines a Condominium (1(f), page 1) and defines a Unit (1(n), page 3 and 4): and

**WHEREAS:** the overriding VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan), further states (#3, paragraph 3-line 2 page 5) "Each Condominium shall include any doors or windows within a perimeter wall...": and

**WHEREAS:** the overriding VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan), further states (#3, paragraph 4 page 5) "Each Owner shall be responsible for the upkeep and maintenance of the interior of his or her unit and for the upkeep of all other areas, features or parts of his Condominium...";

**NOW THEREFORE,** The Village At Elk Hills (VEH) Home Owners Association Board of Directors (BOD) tasked with the responsibility to implement the VEH Governing Documents,

**HEREBY AFFIRMS AND RESOLVES** that based on the overriding VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan) which takes precedence over other VEH Governing Documents, each Condominium Unit shall include any doors (including garage doors) or windows within a perimeter wall, and

each Owner shall be responsible for the upkeep and maintenance of the interior of his or her unit and for the upkeep of all other areas, features or parts of his Condominium, including windows and doors regardless of the wording contained in Article Six of the lesser VEH Governing Document, the VEH Declaration of Restrictions pages 20-24.

This resolution was brought by \_\_\_\_\_, seconded by \_\_\_\_\_ and was adopted at the October 08, 2020 Village at Elk Hills HOA #1 Board Meeting by \_\_\_\_\_

Dated \_\_\_\_\_ October 2020.

By: \_\_\_\_\_  
HOA Secretary/ Treasurer

By: \_\_\_\_\_  
HOA President

The Village at Elk Hills (VEH) HOA #1 governing documents: 1. Articles of Incorporation, 2. VEH Declaration of Unit Ownership (the Condominium Plan), 3. VEH Declaration of Restrictions and 4. VEH Bylaws governing documents can be found, reviewed and downloaded, under the Document tab on the VEH website: <https://villageatelkhills.com>

**THE VILLAGE AT ELK HILLS CONDO HOME OWNERS ASSOCIATION**  
**RESOLUTION # 002-2020-- Water Intrusion Damage**

**WHEREAS:** The Village At Elk Hills (VEH) has Covenants, Conditions and Restrictions (CC&R's) hereafter referred to as the Governing Documents, consisting of 1. Articles of Incorporation, 2. VEH Declaration of Unit Ownership (the Condominium Plan), 3. VEH Declaration of Restrictions, and 4. VEH Bylaws: and

**WHEREAS:** some of the VEH Governing Documents **are found** to be contradictory, conflicting, and inconsistent: and

**WHEREAS:** the VEH Governing Documents provide for the ranking, priority, and precedence of the Governing Documents as: 1. Articles of Incorporation, 2. VEH Declaration of Unit Ownership (the Condominium Plan), 3. VEH Declaration of Restrictions, and 4. VEH Bylaws, (VEH Declaration of Restrictions #14.15 page 40): and

**WHEREAS:** the VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan) is established as taking precedence over other VEH Governing Documents, namely, the VEH Declaration of Restrictions, and the VEH Bylaws: (VEH Declaration of Restrictions #14.15 page 40): and

**WHEREAS:** the overriding VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan), defines a Condominium (1(f), page 1) and defines a Unit (1(n), page 3 and 4): and

**WHEREAS:** the overriding VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan), further states (#3, paragraph 3-line 2 page 5) "Each Condominium shall include any doors or windows within a perimeter wall...": and

**WHEREAS:** the overriding VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan), further states (#3, paragraph 4 page 5) "Each Owner shall be responsible for the upkeep and maintenance of the interior of his or her unit and for the upkeep of all other areas, features or parts of his Condominium...; and

**WHEREAS:** the overriding VEH Governing Document, the VEH Declaration of Unit Ownership (the Condominium Plan), being silent on water damage or intrusion to a Condominium Unit, from either the General Common Elements or Limited Common Elements (as defined in the VEH Declaration of Unit Ownership (the Condominium Plan 1 (i) and 1 (j), page 2);



**NOW THEREFORE**, The Village At Elk Hills (VEH) Home Owners Association Board of Directors (BOD) tasked with the responsibility to implement the VEH Governing Documents,

**HEREBY AFFIRMS AND RESOLVES** that the policy on water intrusion into a Condominium Unit, from any source, is governed by the Water Intrusion Damage Policy in the Governing Document Declaration of Restrictions #8.15 page 29 which states: **"Water Intrusion Damage. An Owner shall be responsible for, and may obtain and maintain such insurance, at his or her sole expense, to protect against any damage to, loss of, or the cost of repair or replacement of (a) personal property, (b) decorations, (c) floor or wall coverings, (d) appliances, (e) fixtures and (f) other similar items within a Unit due to water intrusion. The Association shall not be liable to any Owner or his or her tenants, guests or others, for damage to such property resulting from water which may leak or flow from outside of any Unit or from any part of the building, or from any pipes, drains, irrigation system, conduits, appliances or equipment or from any other place or cause, unless caused by the gross negligence of the Association, its Board, officers, agents or employees."**

This resolution was brought by \_\_\_\_\_, seconded by \_\_\_\_\_ and was adopted at the October 08, 2020 Village at Elk Hills HOA #1 Board Meeting by

Dated \_\_\_\_\_ October 2020.

By: \_\_\_\_\_  
HOA Secretary/ Treasurer

By: \_\_\_\_\_  
HOA President

The Village at Elk Hills (VEH) HOA #1 governing documents: 1. Articles of Incorporation, 2. VEH Declaration of Unit Ownership (the Condominium Plan), 3. VEH Declaration of Restrictions and 4. VEH Bylaws governing documents can be found, reviewed and downloaded, under the Document tab on the VEH website: <https://villageatelkhills.com>