

Minutes of WMHA Board of Directors Meeting March 23, 2010

The WMHA Board of Directors met at the Lokken home on Tuesday March 23, 2010. In attendance were Bill Lokken, Jon Holland, Ken Helton, Kathy Leslie and Maureen Lokken. . WMHA Special Directors Meeting to hear Resident's appeal for not paying dues.

Agenda

Board members only for 30 minutes

Owner's discussion of dues situation ~ 30 min

WMHA Board presentation of fact-finding and situation summary ~ 30min

Private session: Decision on next steps ~ 45 min

The residents attended and made statements to the Board as to why no dues were owed on their vacant lot. Invoices had been received by the lot owner every year that the Homeowners Association had assessed the residents for the annual dues; 2006, 2008, 2009 and 2010. The Association had done no assessments in 2007, but resumed in 2008. The owners said they had always written "for both lots" on their payment for the lot with their house and considered that action as a legal way to only pay 1 set of dues.

Owners feel dues were never required under WMHA Bylaws because Lots were combined or that past WMHA officials (developer) had waived dues on the vacant lot.

WMHA Board expressed belief that lots were not combined and that dues are owed and will be owed until lots are legally combined. The Board summarized the research done in talking with the same people the owners cited as stating the lots were combined and found that these people did not support the owner's statements. The Board also went through the applicable Bylaw paragraphs which also do not support paying only one set of dues on 2 separate lots where a house is only built on one of them.

The lot owners stated they would sue the Board with an aggressive law suit if we place a lien on their property for the unpaid dues.

The Board felt it would not be fair to all the WMHA lot owners who properly pay their dues to allow this exception, even with the threat of a lawsuit.

Only this abbreviated summary is captured here in these published minutes; however, the detailed handwritten minutes are kept in the Secretary's file and is part of the Board's documentation. In addition the briefing charts prepared by the Board are kept with all the documentation for this situation.

Decisions by the Board from this March 23, 2010 meeting were to consult a lawyer prior to filing a lien.

Maureen Lokken
WMHA Secretary

