

CRUMBACHER ESTATES OWNERS ASSOCIATION

COMMUNITY NEWSLETTER - AUGUST, 2013

COMPLAINT POLICY UPDATE

Last month, the Board adopted a covenant enforcement policy to improve the process of upholding the requirements of the Association. It established the chain of events that should occur when a member brings a concern to the Board about a potential violation and set monetary penalties for various conditions.

To better establish the methods for bringing a concern to the Board, the Complaint Policy (#003) was expanded at the July Board meeting. It is important that the Board act only on factual and verifiable conditions, not on hearsay or rumor, and this policy sets criteria for a credible complaint. It also ensures that the Board will approach each situation in a similar manner in order to avoid arbitrary decision-making.

The policy was adopted as follows:

"It is the duty of the Board of Directors to enforce the protective covenants of the association.

Complaints generally revolve around contentious and potentially litigious issues.

Complaints shall be submitted to the Board of Directors in writing, as approved by majority vote of the Board on January 18th, 2007. The Board shall determine if the nature of the complaint warrants a special meeting, or if the topic can be added to the agenda of the next regularly scheduled Board meeting. Once a motion has been passed addressing the complaint, the complainant shall be notified in writing of the resolution and anticipated outcome.

Complaint Resolution Process, as approved by majority vote of the Board on July 22, 2013:

1. Any alleged or suspected violation or complaint may be presented to the Board by any member of the Association.
2. To be considered an actionable complaint, objective criteria must first be met.
 - a. Physically verifiable violations – the violation must be able to be verified by physical inspection of the property in question, or

- b. Fleeting/Intermittent Violations – the complainant/witness must provide reasonable documentation that the violation is of an ongoing, repetitive nature. This may include, but is not limited to, any of the following means:
 - i. Photo/video/audio documentation with date/time stamps or imbedded data,
 - ii. Written records with dates and times, nature of the offense, and any actions taken,
 - iii. Records of complaints to governmental or law enforcement agencies (for covenants that are also governed by laws or regulations through county, state or federal agencies).

3. The Board will then further determine the validity of the complaint and make a decision according to the following criteria:
 - a. Is the action or condition in violation of a specific covenant? If so, then the Board must decide why or how the alleged violation would be considered out of compliance.
 - b. Could it be reasonably considered to detract from the "good place to live" concept of our community?
 - c. Could it be reasonably shown to have a negative effect on the property values in the Association? Examples or criteria should be presented.
4. The Board will then determine what course of action will be taken.
 - a. If a special meeting is required, the Board will notify the membership of the meeting at which this concern will be discussed.

Any enforcement action shall be carried out according to Policy #009 (Covenant Enforcement)."

While it is the Board's hope that monetary penalties will never be necessary, past experience has shown that some members choose to ignore the provisions of the covenants unless a penalty is levied. Please be a considerate neighbor and show your respect for others by adhering to the covenants.

PAYMENTS IN ARREARS

We were informed that the winning bid for Lot 9 at the recent auction was rejected and the property remains in the bank ownership for the time being. This means that we will not be anticipating full payment by a new owner just yet.

Our attorney was requested to review the current lien and associated covenants and policies. He has provided a written opinion that the Board has full authority to retain the lock on the water service valve until full payment of the past water billings, association dues, late fees, and associated legal fees are paid by the current or any future owner, regardless of the status of any lien filed against the property.

Questions remain about how much of the amount owing must be paid by the bank. State laws may limit the bank's liability, and we are currently working with the attorney to determine the extent of their obligation. Per our covenants, any legal fees associated with the resolution of this account will be billed to the lot owner.

FINANCIAL REPORT – 7/22/13

Bank Accounts:	\$47,125.98
CD 1962 – Capital Improvements	\$5,511.26
CD 8101 – Capital Improvements	\$5,247.38
Checking – Operations	\$7,457.83
Savings – Association Dues	\$5,172.44
Savings – Capital Improvements	\$12,122.74
Savings – Emergency Reserve	\$11,800.00
Savings – Unallocated	\$3.22
Accounts Receivable:	\$6,941.36
Total Assets:	\$54,852.48

UPCOMING MEETINGS

The next Board meeting will be held on August 26th, at the home of President Doug Hale, 4 Norway Pines Drive. The meeting will begin at 7:00 p.m.

CONTACT YOUR BOARD

As always, we value your input and support. Please use any of the following options to contact your Board.

Doug Hale, President	826-1653
Darren Schmidt, Vice President	826-2622
Ken Radford, Secretary/Treasurer	826-1977
Rennie McCormick, Director	826-8034
Roxana Martin, Director	826-3842

Email: ceoaboard@gmail.com

Website: <http://www.crumbacher.net>