

MOUNTAIN SHADOWS BOD EXECUTIVE SESSION MEETING MINUTES

Date/Time: July 6, 2021, 12:30pm – 1:40pm

Location: Virtual

Meeting called by: Bill Klevenberg

Members present:

Bill Klevenberg, President

Scott Anglim, Vice-President

Belinda Pond, Secretary/Treasurer

Bob Hammond, Director

Thor Oden, Director

NEW BUSINESS

1. Special Assessment for Road Paving

Discussion was held as to how and when to send invoices to HOA members.

It was decided to create invoices that offer the option of one time payment or annual payment.

Bill will gather information on how to create such invoices in QuickBooks. Belinda will work with Cherry to get invoices generated and sent via email and US Postal Service. First payment is due August 1, 2021.

Discussion of the steps that will be taken in the event that collections are necessary. They are as follows:

Notification of being past due 10 days after due date

Prior to 30 days place a phone call

Once 30 days has passed send late fee and interest notice (\$25 late fee) – Offer payment plan (1/2 – ½ or 1/3, 1/3, 1/3 or last resort monthly.

Send monthly notices/statements to member

Once 180 days from initial billing has passed if no payment arrangement has been made, administrative fee of \$100 is charged in addition to the \$25 late fee and 12% interest

Provide notice with reference to CC&R's on options, (Water service can be discontinued, all filing fees, Attorney fees etc. will be passed to Owner, etc.)

Prepare a notice of lien claim and file with the Boise County Recorder's office and send a copy by certified mail to the delinquent Owner.

Once lien is filed, prepare and file suit in District Court, filing fee and serving fees are around \$250-\$400.

Once Judgement is awarded, whether Summary or Default, actions may include:

Wages. Under I.C. § 11-207, a judgment creditor may garnish a debtor's wages. Statutory limitations dictate that a creditor can garnish 25 percent of the debtor employee's "disposable earnings," or the amount by which the employee's wages exceed 30 times the current Federal minimum hourly wage, whichever is less.

Bank Accounts. A judgment creditor may generally garnish a judgment debtor's bank accounts by having the sheriff serve a writ upon the debtor's financial institution. Bank Garnishments are subject to statutory exemptions noted above.

2. Discussion regarding getting QuickBooks converted to online version

After invoices for Special Assessment are sent, Belinda will work with Cherry to get conversion done. If necessary, Bill will facilitate the conversion as well.

3. Discussion about three new property owners and how to interface with Special Assessment

The concern is notifying new property owners of the special assessment in a timely manner in relationship to the closing date.

It was reported that all three new members are aware of the special assessment. Authorize Cherry to send the title company the amount of \$8,080.45 as the one-time assessment amount.

4. Discussion about whether to give the Koenigs (Lot 1) forgiveness of HOA dues

It was decided that since the Koenigs/Garden Valley Family Medicine have paid the water portion of their annual dues (\$300), and since the HOA membership recently voted to change the CC&Rs to designate Lot 1 to an offsite water user instead of full HOA membership, the BOD unanimously decided to give the Koenigs a credit for the amount of \$228.67.

Action item: create contract that will be for all offsite water users.

5. Discussion of possible Declaration of Non-Acceptance of the 2019 CC&R Amendment that MSD recorded

Due to time constraints and the complexity of this issue, it was decided to discuss it at a later time.

6. Discussion of the scope of Board Meeting minutes and Executive Session Minutes:

It was decided that the minutes will reflect each Topic, Issue and Outcome of each discussion topic.

7. Discussion of weed spraying on roadsides.

The Hedges have offered to spray the weeds and are already authorized to do so. The paving contractor needs the weeds removed within 2 feet of the road. Evaluation of any remaining weeds prior to paving will be addressed at that time.

8. Discussion of recorded Zoom meetings.

Recordings are for the purpose of composing meeting minutes and notes. They will not be available for general distribution due to technical and storage constraints.