

## LATITUDE 49 RESORT PARK, a Condominium Association

### ◆ Board Meeting – Monday, January 28, 2008

The Board of Directors met at their regularly scheduled meeting on Monday, January 28, 2008, at 9:30 a.m., with President, Denny Beaudin, presiding. In attendance were: John Courage, Vice President; Ann Archer, Treasurer; Ina Danielson, Director; and, Jim Johnson, Director. PMP representatives in attendance at the meeting were: CindyRae Mehler and Joe Hawks. Board Members out-of-town and not in attendance at the meeting were: Don Schleuse, Secretary; and, Charlie Jenkins, Director.

The *Minutes* from the last Board Meeting of 12-10-07 were approved as to content and form by the Board of Directors.

#### PMP Report/Financial Report.

- (a) A full financial report through 12-31-07 was presented and reviewed.
- (b) The Rent Roll report was reviewed. It was noted that continued progress has been made with collection of delinquent accounts and that the Lien previously filed by the association against one lot is in the process of being cleared by the owner.
- (c) The scheduled monthly on-site inspection and tour of the Latitude 49 complex by a member of the BOD's and a representative of PMP was done. Winter is traditionally upon us, however, the complex is weathering nicely. No leaks to report; no weather stripping is loose; and with the exception of full-time residents, the park is fairly empty this time of year. Employee, Dave Swanson has been busy working under the guidance of Director Jim Johnson. No infractions were cited. The next scheduled on-site inspection will be: Tuesday, February 12, 2008.
- (d) CindyRae reports that Association Attorney Hugh Lewis has responded to the Board's request for his legal opinion regarding the Board's scope of authority to change/amend the Bylaws of the Association and specifically addressing the recent *2<sup>nd</sup> Amendment to the Bylaws* (Proxies and Voting by Written Ballot) adopted by the Board on 10-10-07. It is Mr. Lewis' opinion the governing documents of the Association (the Declaration and the Bylaws) are not cohesive documents. The Bylaws will state one method to accomplish a task; the Declaration will state another method of accomplishing the same task. This creates a conflict in interpretation and execution of Board duties. Mr. Lewis has advised the Board that whenever a conflict arises in interpretation between the Declaration and the Bylaws, the Declaration method prevails.

Therefore, in light of attorney Hugh Lewis' recommendations, Ann Archer motions the Board to follow attorney Hugh Lewis' advice and rescind the previously adopted Bylaw change known as the *2<sup>nd</sup> Amendment to the Bylaws* (Proxies and Voting by Written Ballot). Hugh Lewis will draft the Resolution and submit it to the Board for approval at the next regularly scheduled Board Meeting. Motion 2<sup>nd</sup> by Ina Danielson. PASSED.

The Board directs PMP to contact attorney Hugh Lewis requesting that he prepare the Resolution as noted above.

- (e) Ann reminds the Board that two of the CD's will mature shortly. It was determined that it would be prudent to roll over both CD's for an additional 6-month term.

### Architectural Committee Report.

John Courage submitted a written report from the Architectural Committee for November 2007 through January 4, 2008. (copy attached).

► Issues with Lot 180: John reports the Architectural Committee has reviewed the on-going problem concerning improvements to Lot 180 and issues with the setback requirements not being adhered to by the Lot owners. The Board of Directors determined the Architectural Committee properly approved the structure plans submitted to them by the owners of Lot 180. The owners of Lot 180 and their contractor did not place a structure upon the lot that was in accordance with their submitted plans. The owners of Lot 180 and their contractor did not adhere to the proper set back requirements stipulated by Whatcom County. This matter is a dispute between the owners of Lot 180 and Whatcom County. The Architectural Committee has been in contact with Whatcom County and is attempting to be kept up-to-date on the status of this dispute.

John Courage notes that PMP has submitted recommendations to the Architectural Committee suggesting additional criteria and guidelines to follow regarding processing of future lot improvement forms.

### Activities Committee Report.

- (a) Ann Archer reports that she will be serving as the Treasurer for the Activities Committee and will be responsible for submitting the monthly accounting records to PMP in conjunction with preparation of the Association monthly financial reports.
- (b) Denny Beaudin reviews the Terms of Reference prepared for the Activities Committee. This document serves as an outline to the committee advising them of their scope of duties to the Board and the Association. The Terms of Reference document was finalized and a copy will be given to the Activities Committee by Denny Beaudin.  
*(a copy of the Terms of Reference is attached hereto.)*
- (c) A thorough review of the Clubhouse Rental Agreement was undertaken by the Board. Ina Danielson motions that the Board of Directors accept the newly revised Clubhouse Rental Agreement. 2<sup>nd</sup> by Jim Johnson. PASSED.  
*(a copy of the Clubhouse Rental Agreement is attached hereto.)*

### Budget/Finance Committee.

No Report at this time.

### Grounds/Maintenance Committee.

Jim Johnson reports that repairs have been completed on the main entry gate and maintenance has been completed on the furnace. At this time, all is in good order and routine scheduled maintenance projects are moving along nicely. Winterization has been fully coordinated and we are as prepared as we can be moving into the anticipated cold snap.

### Rules & Regulations.

Ina Danielson advises the committee has no new report at this time.

Correspondence.

None.

OLD BUSINESS.

▶ Nominating Committee. Denny Beaudin reminds the Board that the following members terms of office expire this year:

1. John Courage
2. Ina Danielson
3. Jim Johnson

The committee needs to seek individuals interested in serving on the Latitude 49 Board of Directors to fill these positions.

▶ Internet Connection for Gateway. Jim Johnson confirms that an internet connection has been completed to the computer in the main office for the Gatekeeper System. PMP will coordinate with Gateway Controls to secure an office internet connection for this system.

NEW BUSINESS.

The next Board Meeting is scheduled for Thursday, 02-28-08 @ 9:00 a.m.

There being no further business, the meeting was adjourned at 2:00 p.m.

Respectfully submitted,

*CindyRae Mehler*  
Property Management Professionals, Inc.