

TREASURER PROJECTS THE HOA WILL BE \$20,000 OVER BUDGET IN 2024. THE HOA IS NOW SEEKING ACCESS TO EMERGENCY FUNDS WITHOUT A VOTE OF THE MEMBERS.

In the April 20th board meeting, the Treasurer announced he anticipated all budget categories, except water, will be over budget this year. At the May 18th board meeting we got a number, \$20,000 over budget for 2024.

One main reason for this is the bridge painting project. The painting company gave a bid of \$24,660.41. Half way through the project the painting company said, they had run into unexpected complications and cost overruns and needed more money. It was said that the HOA really had no choice but to pay this extra cost because the painting company threaten to stop work. In the April board meeting it was authorized to pay the painting company up to \$10,000 more.

Now it may be expected to have overruns of 5% or maybe 10%, but 40% ??

By now members should have received the notice for a Special Members Meeting that will be held on June 15, 2024. Under 'New Business' the first agenda item is, "Define and revise spending authority process for accessing emergency funds "

Our Bylaws define what an emergency is to authorize spending. If the Board wishes to redefine what an emergency is, they must go through the amendment process spelled out in the Bylaws.

The second part of this first agenda item is to authorize the Board to access emergency funds without a vote of the membership.

This brings us to the second agenda item under New Business, a membership vote on using emergency funds to repair some metal infrastructure on the bridge, the real reason for this Special Members Meeting.

The Bylaws define what Emergency Maintenance is and gives the Board authorization to access funds under those conditions. Any questionable definition of an emergency must have the vote of the membership to access funds.

The third agenda item is to use emergency funds to repair the decking and walkway on the bridge. Repairs are needed but in my opinion this is not an emergency but normal maintains and should be voted down. Major repairs will have to wait until next year as the HOA is way over budget for this year.

The last agenda item is, “vote on how to fund the future emergency fund”.

This implies if the Board of Trustees has total access to the fund, they will spend it down to nothing and a new emergency fund will have to be created. (Currently the Emergency Fund has a balance of \$47,877.03) As members we can't allow this to happen in this way.

This meeting is scheduled from 10:00 to 12:00. There is no way to go through this agenda in any real depth in just 2 hours. I would move to have all agenda items except the repair of the metal infrastructure (what this meeting was actually called for) be tabled until the Annual Members Meeting where the 2025 budget can have these items addressed.

At the end of last year the HOA 2023 budget had a surplus of \$23,890.71 which raised the HOA operating capital (cash on hand) on Jan. 1 2024 to \$59,040.90. The idea of using some of last year surplus to pay for some of the bridge work is now gone with the projected budget overruns already for 2024.

This is a Members Meeting where members can and have the right to debate and put forth motions with a vote under New Business.

I encourage you to visit (4seasonspark.com). This is a private website dedicated to the members of Four Seasons Park. There you can find news, information and highlights of HOA meetings, the HOA founding documents and much more.

Mark Zinicola

GUIDELINES FOR BOARD OF DIRECTORS

DEFINITIONS

A. ORDINARY MAINTENANCE: Ordinary maintenance is maintenance on the roads and water system which is necessary, assuming gradual deterioration of the roads or water system from ordinary use, and not a sudden or unexpected deterioration caused by natural or unexpected occurrences such as landslides, washouts, cave-ins, earthquakes, storms, floods, etc.

B. EMERGENCY MAINTENANCE: Emergency maintenance is maintenance required to correct those defects which appear suddenly in the road and water systems (or those which appear over a short span of time) and which incapacitates the systems either partially or wholly. Examples are: a washout on the road, a water pump failure, or a storage tank failure.

C. IMPROVEMENTS: Improvements to the road and water systems are those projects which upgrade, or in any way change, those systems. Examples are: paving a section of road; replacing or moving a section of waterline under other than emergency conditions; replacing or adding water pumps; widening roadways; adding traffic bumps; large scale road grading.

EXPENDITURES BY BOARD

A. ORDINARY MAINTENANCE EXPENDITURES: May be approved and authorized by the Board provided expenditures don't exceed budget amounts projected for the fiscal year.

B. EMERGENCY MAINTENANCE EXPENDITURES: May be approved and authorized by the Board under the following conditions:

(1) At any time emergency measures are necessary and the expenditure, when included with ordinary maintenance, can be made within the projected budget.

(2) When the emergency results in a complete loss of water or road access to two or more residences in the community, the Board may authorize the minimum expenditure necessary to restore access or water service regardless of the projected budget

(3) When the emergency (though not a complete loss of water or access) results in a substantial inconvenience to the majority of the residents, regardless of the projected budget.

C. IMPROVEMENTS EXPENDITURES: May be approved and authorized by the Board in any of the following conditions:

(4) When the improvement is specifically included in the approved budget and the bids do not exceed the projected amount.

(5) After majority approval of the membership (by ballot) provided the bid amount does not exceed the figure stated in the ballot by more than five percent (5%).

ARTICLE VI – BOARD OF TRUSTEES

Section 2: POWERS AND LIMITATIONS:

The Board of Trustees shall have the general management and control of the business and affairs of the Community Club, and shall exercise any and all of the powers that may be exercised or performed by the Community Club under the law, Articles of Incorporation, and the Bylaws. The board of Trustees may make and enforce such rules and regulations as they deem necessary, conducive, incidental, or advisable to accomplish or promote the objects and purposes of the Community Club and the use of its property, assets, and facilities; so long as said rules and regulations do not conflict with Bylaws which shall be controlling:

PROVIDED, HOWEVER THAT THE MEMBERS SHALL HAVE SUPERIOR POWER TO MAKE, MODIFY, OR REVOKE SUCH RULES, AND PROVIDED FURTHER, THAT SALE OF COMMUNITY PROPERTY OF THE CLUB SHALL BE ONLY BY MEMBERSHIP VOTE, AFTER DUE NOTICE; AND PROVIDED FURTHER THAT THE BOARD OF TRUSTEES SHALL NOT AUTHORIZE OR CONTRACT FOR ANY EXPENDITURE OTHER THAN NORMAL MAINTENANCE, REPAIR OR NORMAL OPERATING EXPENSE WITHOUT APPROVAL OF THE MEMBERSHIP.