

**Fairview Acres Lateral Water Users Association**  
**Annual Meeting Minutes**  
**March 24, 2023, 7:00 PM**  
**Recycled Minds Club, 121 E 34<sup>th</sup> St. Garden City, Idaho 83714**

- I. Roll Call & Proxy Certification (Majority vote of members present at meeting constitutes a quorum): 113 votes represented by either person or proxy. The majority vote is equivalent to 58 votes. A quorum was confirmed. 22 Owners were present, including Board members. Proxies were spread among 11 owners with the majority going to members of the Board. Current Board members present were Jason Jones, Hannah Ball and Katie Painter.
- II. Proof of Notice – Proof of notice is available at the DS Property Management office and is evident by the attendance in person and by proxy.
- III. Reading of the Minutes- A motion from the floor to waive the reading of the minutes from the March 18, 2022, Annual Meeting may be entertained to expedite the meeting. On a motion duly made, seconded, and unanimously carried it was resolved to waive the reading of the 2022 Annual meeting minutes and approve as published.
- IV. Reports of Officers
  - A. Presidents Report: President Jason Jones gave an overview of the last year, noting minor maintenance repairs and changes in the administration. He introduced DS Property Management, who was in attendance, noting that DS is a full-service company which will assist in bringing all aspects of the administration under one roof for better follow-up and monitoring. With DS being a full-service team, they will be able to better field complaints and maintenance request. Accounts will be reported monthly to the Board for constant review, and collections of past due accounts will be escalated making sure we are capturing funds owed. He also updated members present the Board had been working diligently to update the Bylaws for the Association.
  - B. Treasurer’s Report – 2022 Year End Financials: Hannah Ball went through the 2022-year end financials with the members. After discussions on expenses were completed and no other unanswered questions, the financials were approved.
  - C. Review the proposed 2023 Budget: The 2023 budget was presented, with DS having limited access to prior years financial a full assessment of needed funds was skewed, the Board assisted in seeking a manageable number that was consistent with years past. With no unanswered questions on a motion duly made, seconded, and carried it was resolved to approve the 2023 budget.

V. New Business

- A. Amendment to the Bylaws: A copy of the proposed changes along with a ballot to vote for each individual item was provided to the members present for discussion and vote. Katie Painter went through the items one by one for the members. With lots of interruption and lengthy discussions on items not concerning the Bylaw amendments, but primarily the proxy protocol, Katie Painter was able to get through all the items being presented for the members present. DS captured all of the ballots for the vote, and after tabulation of the ballots on the items being presented to amend the Bylaws all passed. After discussion with the membership about discontinuing the PO Box the current Board felt this was not a priority and based on the feedback provided the Board determined the PO Box will remain intact for the Association.
- B. Withdrawals for Eligible Members: Jason Jones discussed the protocol to allow folks that have no access to water out of the Association. Folks that have no access can submit a withdrawal form for review and consideration. If deemed correct then the withdrawal would be granted, and the owners will no longer be assessed fees for water they cannot get. There was some pushback on this from previous Board members who felt this was against the law and could not be completed. The Board explained they had vetted this project with legal and it was determined this was a workable plan.
- C. Proxy Protocol: This was a heated topic, causing lots of discussion on the number of proxies an individual can have and should there be a limit to this amount. The discussion determined based on the governing documents, there is no limit to the number of proxies one person can have, and that each owner can provide a proxy to whomever they want and as such any individual can go around and assist in gathering the proxies for the said purpose of conducting business at a meeting. It was noted in most Associations of any kind the Board of Directors end up with majority of proxies because that is who owners feel more comfortable giving them to. Proxies for this meeting are in abundance given the number of homeowners involved. There are approximately 800 people in the membership and the meeting was represented by only 113 including proxies. The majority vote of member in attendance either in person or by proxy are what determined the quorum. The discussion took the majority of the meeting to no end result. No action was taken at the end of this discussion, despite a motion being made to limit the number of proxies one person can have. There was no second and no vote taken.
- D. Other New Business: Most of new business was owners submitting maintenance requests and noting their concerns. DS to note all repairs and maintenance issues and get with the Ditch rider Kolby Fuller for scheduling.

- VI. Election of Directors: Currently seeking one position: DS noted ballots were provide to all in attendance and there was only one nominee on the ballot that had provided a submission prior to the meeting to be on the Board and that was for Brian Price.
  - A. Open Nominations from the Floor: DS opened nominations from the floor. One nomination was received and seconded and that was for James Hebert.
  - B. Close Nominations: With no other nominations received the nominations were closed and folks were asked to vote for one of the two nominees; Brian Price or James Hebert.
  - C. Accept Nominations: All nominees were accepted.
  - D. Vote by Ballot: DS collected all of the ballots and the votes were tabulated. James Hebert was elected by majority vote.
  - E. Vote Tabulation: Welcome James Hebert.
  
- VII. Adjournment: With no other business to discuss, on a motion duly made, seconded, and unanimously carried it was resolved to adjourn the meeting at 9:12 pm.