

June 13, 2011 Board of Director's Meeting Minutes

1. Meeting called to order at 7pm.
2. Roll call taken and quorum present. In attendance: Kirby Duncan, Derick Brice, Pat Bauccio, Sara Redfield.
3. Minutes from 4/25/11 meeting read and accepted.
4. Reports of officers:
  - a. Treasurer's report – The deposits received since April were \$761.93 for the remaining past due associate dues and the withdrawals made since April were \$5,623.24 and went to All Weather Landscaping, Snohomish County.
  - b. ACC – No ACC meeting in the last month. A complaint was received regarding the landscaping on a rental house, but that has since been resolved. The same lot has a possible violation with a commercial vehicle being parked in the driveway and the ACC/Board will need to further discuss this.  
The pothole in the street by the mailboxes on the small side should be fixed in 2-3 weeks. The County has been contacted and made aware of the problem.
  - c. Social Committee – Heather McKinley is going to save the signs for the garage sale. The garage sale was busy on Friday. The committee is looking at the possibility of only have the garage sale every other year vs. every year.
5. Status of Amendment to Declaration (arbitration clause) – The passed amendment was sent to Snohomish County for recording on June 7<sup>th</sup> to make it part of the Association's official documents.
6. Proposed Amendment to Bylaws (Schedule of Fines) – Our options for enforcement are 1) have an attorney write a letter to the homeowner in violation and 2) obtain a judgment lien on the lot. The Schedule of Fines is designed to avoid going through the litigation process and still enforce the CC&R's. The question arose as to whether it is worth pushing the Schedule of Fines through to a vote given the feedback we received from the community. It was agreed that unless the ACC is fully on board, we would not proceed as the Board will need the ACC's assistance in implementing the Schedule of Fines process with homeowners. The Board discussed outlining the intentions of the Schedule of Fines to be included with the Schedule. The Board's options to move forward are as follows: 1) drop it, 2) re-write the Schedule of Fines to address the community's concerns and 3) send it for a vote as is. The Board concluded that we need to set the proper framework for future boards and decided to hear how the ACC felt about the Schedule of Fines before proceeding one way or the other.

Following the Board's meeting with the ACC, it was decided that the Board would work to put together a list of possible violations and then work to categorize the violations. Sara is going to review the CC&R's for explicit violations stated in the document. Derick is going to draft an "intention statement" that outlines the process and intention of the fines to preface the Schedule of Fines. Once the Board has revised the Schedule of Fines with these changes, it will present a new proposed Schedule of Fines to the ACC for review. Once the ACC has approved, the Board will then present the new proposed Schedule of Fines to the community.

7. Cisterns/catch basins – The Board did additional research on the catch basins in the street and it was discovered that they are actually the County's responsibility to maintain. The Association is still responsible for maintaining the drainage cisterns. The County should be getting back to Pat shortly with a copy of the as-built for the cisterns so the Board can proceed with cleaning those.
8. Old Business
  - a. Cisterns – see item no. 7 above
  - b. Homeowners Dues – One lot still has not paid their dues. Kirby talked to this homeowner. Sara will figure how much is currently due including interest and late payment and submit that to Kirby to discuss with the homeowner.

- c. Reserve study – not discussed
- d. Goals – 2011 goals were approved and will be posted on the website.

9. New Business – none

10. Meeting with ACC – commenced at 8pm

- a. Proposed Schedule of Fines – The ACC feels that the Schedule of Fines needs more definition and clarity and that they have heard this concern from 3-4 homeowners. The Board explained that currently our only enforcement option is getting an attorney involved and proceeding towards a lawsuit with the violating homeowner. The Board also clarified that the Schedule of Fines does provide for notification, an appeal process and a grace period. The Board explained that the Schedule of Fines would not be the first notification of a violation to a homeowner and would normally occur after the Board has already attempted to resolve the issue with the homeowner and either reached resistance or the homeowner simply refused/failed to correct the violation within a reasonable amount of time. The ACC felt that the monetary amounts of the fines were a concern and that the violations need to be listed/categorized with the fines reflecting the severity of the violation. The ACC also suggested outlining the notification process that gets a homeowner to the point of being issued a fine. The ACC agreed that the Board does need teeth in order to enforce the CC&R's and this would help with that.
- b. New/outstanding violations – The Board and ACC briefly discussed the timelines for lots with current violations. The backyard of one lot was discussed but there was a question as to whether the backyard was really in violation since they regularly mow and maintain their yard. The ACC will be conducting a drive through this week to assess violations and present their findings to the Board. The Board clarified that the ACC is to do 4 drive throughs a year to check for violations. The Board also advised the ACC of a known RV violation that has not been dealt with yet.
- c. Old business
  - i. The PSE easement was discussed. The area that was not previously cut back is now approaching 15' tall and needs to be dealt with. The Board and ACC agreed that the easement area would be cut back once a year in its entirety. Chris suggested spreading wildflower seeds over the area. Pat is going to contact All Weather to obtain a bid on adding this area to the contract and for doing the initial cutback of the previously unmaintained upper section. She will also get bids from other companies as well as look at the bids that the ACC received over a year ago. Sara will draft a letter to the affected lots (1-8) regarding the status and action plan for the easement.
  - ii. Jan Bastings is putting together a plan for landscaping our 3 sign areas. After the initial planting and revamping occurs, the landscaper would maintain these areas monthly from April through November, and once in the winter. Chris is going to work with Jan on her plan and put together a proposal for the Board to review.
  - iii. ACC responsibilities were clarified. The ACC is to bring violations to the Board, who will then notify and work with the homeowner in correcting those violations; approve/deny project requests; and field complaints.

Meeting adjourned at 9:35. Next meeting is July 25, 2011 at 7:00 pm.