

Silver Firs II Board Meeting Minutes November 28, 2005

Date: November 28, 2005

Location: Fire Station #13, Puget Park Drive

Board Members in Attendance: Debby Smith, Leonard Ross, Kathy Thomas, Erin Thomsen

CWD Group: Julie Gray

Homeowners in Attendance: Bill Duncan, Chris Gerbasi

6:05 p.m. Meeting called to order by Debby Smith, SFHOA President

Finance Report – CWD/Bill Duncan

- **Motion:** On October 19, 2005, a motion was made, seconded and passed by unanimous vote to proceed with five lawsuits against delinquent accounts.
- **Motion:** A motion was made, seconded, and passed by unanimous vote to deny a homeowner's request to waive late fees.
- There are currently 38 delinquent accounts, including several large balances owing. Four homeowners have filed bankruptcy, which may have an effect on 2006 budget.
- 2005 budget was discussed. Although still within budget for 2005, it is possible we may end the year slightly over budget due to dangerous trees needing to be removed in Pembridge.

Communications Committee Report

- October's meeting minutes approved.
- Peter Truss has agreed to remain webmaster as needed.

Operations Committee – Debby Smith

- The installation of a park bench in memory of past president John Elliott is planned for spring 2006.
- Two new basketball hoops were installed in the Sherwood Sport Court.
- Pembridge entry light out again. It has been determined the landscape company is responsible and will reimburse for repairs.

Landscape Committee – Debby Smith

- **Motion:** A motion was made, seconded, and passed by unanimous vote to take down common area trees in tract 5024 per homeowner complaint.
- Contract with Total Landscape will soon be up, and we will need to either enter into a new contract, or receive bids from other companies.

- Pressure washing of sport courts and painting of common area fences is planned for spring 2006.

Rules/ACC – Leonard Ross

- **Motion:** A motion was made, seconded, and passed by unanimous vote to number the last 3 policies that were adopted from the policy log. The delinquency policy adopted 3/24/03 shall be #56. Portable basketball hoop policy adopted 5/20/03 shall be #57. The fee for lack of ACC submittal policy adopted 12/20/04 shall be #58.
- **Motion:** A motion was made, seconded, and passed by unanimous vote to pass Policy 59 (Exhibit A, below).
- **Motion:** A motion was made, seconded, and passed by unanimous vote to pass Policy 60 (Exhibit B, below).
- **Motion:** A motion was made, seconded, and passed by unanimous vote to pass Policy 61 (Exhibit C, below).
- There are currently 49 open violations.

General Board Business

- T-Mobile lease has been signed to place antennae on electrical towers.
- Insurance claim against Silver Firs II, for an individual who was injured in a fall on a raised sidewalk, has been deemed the responsibility of Snohomish County.

Meeting adjourned at 7:26 p.m.

Exhibit A

Policy # 59, Adopted November 28, 2005

Notification Process for Rules Violations

This policy replaces policies 22, 41, 42, 43, 46, 48 and 50.

Purpose of policy: To create a more efficient and less costly system for processing rule violations.

Authority: Washington State RCW 64.38.020 (1) grants the Association power to “adopt and amend bylaws, rules and regulations”.

The first violation notice may be in the form of a letter mailed via first class mail, certified mail, or sticker/decal notification placed on the door of the homeowner whose lot is not in compliance with the rules, or directly on the item that is out of compliance. The first violation notice shall include the specific rule that has been violated, a reasonable time frame in which to comply, and a method in which the homeowner may contact the Property Manager, Rules Committee or Board of Directors in order to discuss the violation.

If the reasonable time frame allowed passes, and the violation has not been remedied, a second notice will be sent by first class and certified mail. This notice shall include a time and date for a hearing in which the homeowner may provide testimony, and information regarding the fine, such as how much the fine will be per day and when fining may begin.

Each case shall be judged on its individual merits, and any previous enforcement of the same or similar violations shall not be binding upon the Board in its decision. Any prior Board decision shall not be considered a new rule unless it is agreed to in the normal process of motion, vote, documentation and notice sent to the owners.

Following the hearing the homeowner in violation will be notified by mail of the Rules Committee or Board's decision regarding fining and other enforcement actions that will be taken to bring the lot into compliance. In keeping with the CC&Rs (Covenants Conditions & Restrictions), Article VIII.1, the board or its agents may enter upon the lot to bring the lot into compliance, and pursuant to Article X.1, may take legal action against the homeowner.

One exception to this notification process would be an ACC violation. If a homeowner is in the process of completing a project that did not receive ACC approval, or if a homeowner has completed a project that did not receive ACC approval, one letter explaining the ACC's next step, the date and time of the hearing, and the possible fees and fines that may be assessed will be sent to the owner by first class mail and certified mail.

Another exception would be a documented reoccurring violation. The homeowner will receive one letter, sent by first class and certified mail, that provides the date and time of a hearing, and the fining information.

Exhibit B

Policy # 60, Adopted November 28, 2005

Fines and Fees

This policy replaces policies 23, 31, (46 -last paragraph mentioning reoccurring violation), 47 and 49

Purpose: To save the Association money by encouraging quicker compliance of the rules by removing the cap of the previous fining policy and to explain the fee for lack of ACC submittal.

Authority: Washington State RCW 64.38.020 (1) grants the Association power to "adopt and amend bylaws, rules and regulations".

A fine of \$10.00 per day, per violation, may commence the day following a hearing before the Rules Committee or Board of Directors. There is no cap (maximum).

There are two exceptions to this policy. The first exception is for a violation that is a documented reoccurring violation. The fine of \$10.00 per day will accrue upon verification of the violation and be assessed to the lot the day after a hearing. The Rules Committee or Board of Directors may waive or reduce the fine based on testimony presented at the hearing.

The other exception is the \$250.00 fee for lack of ACC submittal. \$250.00 will be assessed to the lot the day after a hearing. The Rules Committee or Board of Directors may waive or reduce the fine based on testimony presented at the hearing. In addition, if the ACC does not approve the project, the homeowner will be given 30 days to remove the project or modify the project to meet the ACC's requirements for approval. If the lot is not in compliance after 30 days, the \$10.00 per day fine will be assessed in addition to the \$250.00 fee for lack of ACC submittal.

Exhibit C

Policy # 61, Adopted November 28, 2005

Alternative Roofing Materials

Numerous requests have been made to allow alternative roofing materials on homes that now have wood shake roofs. The main reasons given in the requests are fire hazard and short lifespan of wood shingles. The ACC & Rules committees reviewed several products.

Article VII Section 1. of the CC&R's (Covenants conditions & Restrictions) The following restrictions are applicable to all properties:

- A. All roofing material in Divisions 6A1, 6A2, 6A3, 6B, 7 & 8A shall be wood shake or approved equal.

ACC and Rules committees have determined the following products to be an acceptable alternative, for durability, fire protection, esthetics and compatibility with the existing wood shake roofs:

1. Certaineed Landmark TL in 3 shades
Shenandoah (dark brown)
Weathered Wood (medium brown with subtle gray & green highlights)
Cobblestone Gray (medium gray)
2. Elk Domain Ashford in 3 shades
Brown Castle (dark brown)
Ravenswood (dark to medium gray)
Stonehenge (medium gray)

These products are a high profile shingle, which should be compatible with wood shake roofs and are to be installed with a high profile ridge shingle.

Re-roofing with any product, including wood shake requires a written submittal/request for the ACC to review, and written approval from the ACC, before any work may begin.

Requests for re-roofing using a different high profile product other than those on the approved list will require a product investigation by ACC/Rules committees and if deemed an acceptable alternative, will be submitted to the Board of Directors for approval.