

**West Meadows Estates Homeowner's Association
Board Meeting Minutes
July 24, 2012**

Location: 2856 Islander Avenue NW / Salem, OR 97304 (Rose Residence)

Board Members Present: Mike Eastlund, President
Janice Rose, Treasurer
Janet Powell, Architectural Committee
Rudy Deswart, Standards Committee

Board Member Absent: Amy Drennan, Secretary

Meeting was called to order by President, Mike Eastlund at 7:00 p.m.

Minutes of the June 6, 2012 annual meeting was presented by Janice Rose. The minutes were reviewed. A motion was made by Janice to accept the minutes as written, Rudy Deswart seconded the motion. No discussion, a call for a vote by the president. Motion passed unanimously.

Treasurer's Report by Janice Rose

West Coast Bank / Checking	\$13,674.72
West Coast Bank / Reserve (ING Direct)	33,045.08
West Coast Bank / Savings (Professional Fees)	4,481.19
West Coast Bank / Savings (Late Fees)	<u>1,989.73</u>
 Total	 \$53,190.72
 Total Expenses to Date	 \$29,282.58

In addition to the monthly financial report, Janice presented background on four accounts that are one or more years past due and are at the point the board should consider referring the accounts to the attorney for collection and lien as necessary.

Rudy Deswart questioned the wisdom of spending possibly more money than was owed to collect dues. He was referred to the sections of the CC&R document that requires the payment of dues and allows for attorney fees to be charged to a property owner in default. In addition, when a lien is attached to a property, the lien follows the property.

Janice Rose made a motion to accept the financial report as given and that she be directed to forward the four delinquent files to the attorney for collection. The motion was seconded by Mike Eastlund. No discussion on the motion before the vote, which passed unanimously.

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Committee Reports:

CC&R Standards Committee (Enforcement):

Rudy Deswart, Standards Committee Chairperson stated that he has done some traveling and has not had time to get started.

Architectural Committee (ACC):

Janet Powell, Architectural Committee Chairperson reported that the committee has been very busy. There are five new homes in the process of construction. Letters were sent to two builders requesting that trash and debris be maintained in closed containers. One builder was fined for failing to maintain trash and rubbish in an appropriate container.

One builder submitted paint samples to the ACC for approval. The ACC did not approve the plan as presented because the trim color was not an earth tone. Per policy, the issue was referred to the board for direction. The board discussed the pros and cons of the colors presented. A motion was made by Mike Eastlund to accept the gray base color but to reject black as a trim color because black does not meet the requirements of an earth tone color for base or trim. The motion was seconded by Janet Powell. There was additional minimal discussion before the vote. The motion passed unanimously.

Janet reported that there are two homeowners who appealed a request by the ACC to make corrections to structures that did not meet CC&R architectural requirements.

Home Number One:

The owner constructed a roof over a deck without prior ACC approval. In May, the board made a unanimous decision to forward the question to the attorney after receiving an appeal letter from the home owner that presented issues beyond the board's qualifications to address because of the nature of the assertion.

1. The attorney reviewed the appeal of the homeowner.
2. The attorney sent a draft response to the ACC for review and approval.
 - i. The attorney's letter was reviewed by the ACC and Mike Eastlund.
 - ii. It was approved as written and the attorney was authorized to move forward.
3. The attorney sent a letter to the homeowner on behalf of the board.
4. Homeowner responded to the attorney's letter on June 29, 2012. He agreed to remove the non-approved roof remodel and submit plans to the ACC to construct the roof in accordance with CC&R rules. He requested that his compromise be a full and complete settlement of the matter.
5. ACC received and reviewed the plans for the proposed changes.

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The architectural committee requested direction from the board regarding the request of the homeowner to approve the changes as submitted and agree that this is a full and complete settlement as stated in the homeowner's letter, or does the board want to assess the homeowner the fine (\$500.00) and attorney fees of approximately \$380.00.

A motion was made by Mike Eastlund to accept the proposal to remove and replace the non-conforming roofs as illustrated in the plans if all work is done under permit from the City of Salem. That the fine of \$500.00 be waived on condition that the homeowner pays the legal fees of approximately \$340.00. The motion was seconded by Janet Powell. There was additional minimal discussion before the vote. The motion passed unanimously.

Home Number Two:

The homeowner constructed an auxiliary building at the rear of his property. The building was constructed with T 1-11 siding in violation of the CC&R. In the appeal letter the homeowner stated that the installation occurred prior to HOA transfer to the homeowners by Mr. Wyant. (Board policy has been to grandfather existing auxiliary buildings and fences until a property is sold or major repairs occur). In the appeal, the homeowner requested a grandfather provision. The ACC agreed to his request if he could provide evidence to validate his assertion. The homeowner was unable to provide requested documents so the homeowner proposed shielding the structure on the street side with lattice and fake ivy.

The architectural committee requested direction from the board regarding the request of the homeowner. The ACC recommends that if the homeowner cannot provide acceptable documentation for a grandfather provision that he should be directed to remove the structure or install siding that matches the house or shield the structure from view on all sides with evergreen shrubs or a ACC approved fence similar to the fence on the west side of his property. If the homeowner does not comply within a time specified by the board, should the homeowner be fined \$500.00 for failure to acquire architectural approval and the file forwarded to the attorney for enforcement action?

Mike Eastlund made a motion that the ACC notify the homeowner that if he cannot provide documentation that validates an exemption, he has the option to remove the structure, install siding that matches the house or shield the structure from the street and all neighbors' properties by evergreen shrubs or an ACC approved fence and that the original timeline be re-started. If the owner does not comply the ACC should initiate enforcement actions. The motion was seconded by Janice Rose and passed unanimously.

In the absence of actions by the standards committee, President Eastlund and the ACC provided enforcement services. Fifteen homeowners were notified that they were in violation of HOA rules. All homeowners made the requested corrections except two, who have been in violation of landscaping standards for an extended time.

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Two homeowners have received two warning letters and were then assessed three consecutive fines. The landscaping at the two properties has been multiple year ongoing problems and in process this year since spring. The ACC requested permission from the board to follow historical precedent for the fines and refer the homeowners to the attorney for enforcement if corrections are not completed.

Mike Eastlund made a motion that the homeowners be referred to the attorney if corrections are not made within thirty days. The motion was seconded by Janice Rose and passed unanimously.

Welcoming Committee: Amy Drennan not present

Old Business:

The board discussed the status of the traffic calming efforts on Titan Drive NW and the meeting by the engineering department scheduled on Thursday at Salem Downtown Library.

Max Powell provided an update on the issue of school buses on Titan Drive NW.

Stewart Rose reported on discussions with owner's representative for the shed on Flat Rock. Stewart and Mike Eastlund are going to approach the owner again to see if an acceptable solution can be found for the shed.

New Business:

Mike Eastlund presented a report on neighborhood security and the recent rash of thefts and burglaries.

Mike Eastlund presented a report on the National Night Out event scheduled for August 7, 2012 on Horseclover Drive NW.

Rudy Deswart reported that he was concerned that landscaping at Titan Drive NW and Doaks Ferry Road NW was a traffic hazard. Information was presented to him that the ACC is responsible to maintain the wall and shrubbery on common properties and that the issue has been examined multiple times by previous boards who have all decided that little or no improvement would be gained by his idea to remove shrubbery. He did not make a motion, but said he would study the issue again and present his information.

A date for the next board meeting was left open.

Janice Rose made a motion to adjourn, motion seconded by Mike Eastlund and passed unanimously. Meeting was adjourned at 8:21PM.

Submitted by Janice Rose, Treasurer