

CRHOA Board Meeting - March 7, 2014

BOD Members present – Fred Herber, Eric Lynn, Kierston Creech, Mark Noll, Tim Evans, Vance Butler

Meeting called to order at 7:05

Business:

- 1) Met at Eric & Kierston’s home.
- 2) Mark Crawford, President, was unable to attend due to business travel.
- 3) Fred Herber talked about the tree removal request from Dick Fox (4011 Crystal Lane Loop SE) and said the estimate from JAC was \$450. He also mentioned that 7 other trees needed to be removed due to damage to sidewalks. The estimate for all 8 trees would be \$300/tree to remove and grind the stumps. Fred requested approval to proceed. Board approved with 6-0 vote.
- 4) Estate Roof Material – Board discussed this issue at length. Summary:
  - a. Topic of allowing Certainteed Presidential Shake TL has been discussed at Board meetings since January 2013. In August 2013, Brian Fosnick presented a case at our Board meeting justifying the use of the new material and making an amendment to the CCRs. It was stated from Brian Fosnick that he knew 9 years ago that his house needed a new roof and it was stated by a board member that his emergency should not be a HOA emergency—this was discussed at length with board members not agreeing on this topic.
  - b. In January 2014, the Board asked Brian Fosnick and others in the Estates to take a poll of the residents in the Estates to see if there was support for this amendment. Brian Fosnick and Steve Collins made the effort to contact all 80 lots in the Estates to complete this poll in time to present at the March 4<sup>th</sup> Board meeting.
  - c. Topic was discussed again at the March 4<sup>th</sup> Board meeting. Brian Fosnick, Steve Collins and other interested Estate residents attended to show support. Brian and Steve submitted their signed polls they had collected by personally contacting residents in the Estates (copy of signed poll attached). At the meeting, Steve Collins also submitted a Mod Request and requested a variance so he could fix his a leaky roof with the new material. His request for variance and Mod Request were not approved at the meeting. Board said they would meet within a week to discuss this topic and let them know the results by March 11<sup>th</sup>.
  - d. The summary result of the Estates poll (copy of analysis attached):

|        |    |      |
|--------|----|------|
| i. Yes | 68 | 85%  |
| ii. No | 1  | 1.3% |

|                   |    |       |               |    |      |
|-------------------|----|-------|---------------|----|------|
| iii. Abstain      | 1  | 1.3%  |               |    |      |
| iv. Not collected | 10 | 12.5% | = Estate Lots | 80 | 100% |

- e. Board considered this sufficient support for the amendment with 85% supporting it.
- f. Discussed the CCR requirement for 75% of lots vote for an amendment. During the discussion a majority of the Board decided that for this vote, the 75% vote could be applied to the Estates only. Obtaining votes from the Classics and Janelle Estates was considered to be not necessary and unproductive because the amendment only affects the Estates and only affects an Estates section of the CCRs. The only residents affected are in the Estates. Also discussed what the results of voting by the Classics and Janelle Estates would provide to solve this issue. If the entire vote was 100% yes, 100% no or 100% abstain, the need to amend the CCRs for the Estates residents would still be outweighed by the Classic and Janelle Estates vote. Then the Board would still need to address the needs and will of the Estates vote. Still concerns were raised about the legality of this strategy and we decided to get a legal opinion on this strategy from our lawyer.
- g. Discussed the pending Mod Request submitted by Steve Collins and all concerned felt he did need to repair his roof since he was having a leaking problem. And it made sense to make an attempt to allow him to use the material.
- h. Then the Board decided that we could draft wording for a CCR amendment to the affect that “Presidential Shake TL (architectural grade composite) or better” would be approved and to provide more flexibility to the Board to consider and approve future improvements in roofing materials. Fred will draft the amendment wording for Board review.
- i. It was discussed by board members that if an amendment could not be accomplished by the vote of the Estates only that variances would be given for comp roofs. There was discussion about how the CCR’s state clearly that no comp roofing was allowed in the estates but there was also discussion about how variances could be granted by the ACC if there was “better” or new products available and it improved the neighborhood. It was discussed that any variances would have to be on a case by case basis and no blanket variances were to be given.
- j. After all discussions were complete, Eric made two motions which were seconded and the Board voted:
  - i. Board voted 6-0 to approve Fred to direct our lawyer to draft a CCR amendment with our approved wording; and that submission to the lawyer would be by Mar 11<sup>th</sup>; and that this would be a check point for a legal opinion on this amendment; and after receipt of amendment from the lawyer, that Fred will submit the amendment to Pierce County for incorporation into our CCRs; and

that the timeline to complete these steps are within 10 business days of submitting the information to the lawyer.

- ii. Board also voted 5-1 that if the amendment process is not complete within 10 business days, then the Board will grant a variance to Steve Collins to use the new material to fix his roof; and that efforts will continue to amend the CCRs.

- k. An update to Brian Fosnick & Steve Collins on the Board decision will be sent on March 11<sup>th</sup>.

5) View Protection

Board feels that this is still a neighbor-to-neighbor issue in the hands of Cross, Do & Able. The Board has made efforts to mediate the problem between the neighbors with some success but no apparent progress. Cross & Do continue to look to the Board for support and action to solve this problem. Board agreed that it would be useful to have a meeting with our lawyer in person, via Skype or other means to be able to ask questions and fully understand what our legal authority and obligations are with respect to protecting view lots. This would help the Board to develop a consistent strategy to deal with this type of issue. Also discussed a possible amendment to the CCR for view protection. Actual wording still needs to be developed.

- 6) Board discussed other possible CCR amendments that may be needed to update our CCRs. This may include fencing, siding, view protection, 75% vote requirement and possibly other updates needed or errors found in the CCRs. The strategy to develop these amendments and obtain votes needs to be developed.

Meeting adjourned at 9:15 pm.