

Approved - CR HOA September 4, 2018, Board Meeting Minutes
(9/27/18 - Typo correction - see pg 9, Line Item Discussion, Item 2)

**Crystal Ridge HOA Board Meeting
Tuesday, September 4, 2018**

Board Members Attending:

Mark Crawford, Tim Evans, Fred Herber, Peggy Kloes, Patti Lundell,
Emory Gearhart, Chong Lam

Committee Members Attending:

Tim Evans, ACC
Jennie Slack, ACC
Fred Herber, ACC
Peggy Kloes, R&R
Dar Nottage, R&R, Monument
Emory Gearhart, Play Lot

Vista Representative: Jenny Ross

Olympic Landscaping Representative: Kyle McCormick

Homeowners Attending:

Charles and Maria Parris, Ruth and Kasey Hanson, Steve and Terri Whitehouse,
Barbara Doyle, Jim Burrage, Jim Rubert, Ran Veeraraghevan, Marcus and Kristy
Rawley, Kevin Miller, Chris Bolter, Elsa Fagg, Claudia and Vic Briseno, Tim
Stidhams, Jason Lombardo, Lai and James Chiang, Elliott Fager, Jeff Oldright,
Alec Chisholm, Lisa Gimmestad, Jana and Mark Dinham

All meetings are scheduled from 7:00 - 9:00 PM

**Board meetings are held in the Puyallup Library Board Room unless
otherwise noted. (Library Board Room seating is limited to 16 occupants
per the Fire Code.) A larger room is scheduled when available.**

October 2, 2018 (Tues.) - Board Meeting

November 6, 2018 (Tues.) - Board Meeting

December 4, 2018 (Tues.) - Board Meeting

January 15, 2019 (Tues.) - Annual HOA Meeting, North Meeting Room

February 4, 2019 (Tues.) - Board Meeting, North Meeting Room

Proceedings:

1. Minutes - July 10, 2018, Board minutes were approved via email prior to the September 4, 2018, Board meeting. Minutes were approved 5-1; Chong Lam voted no with no suggestions for changes or additions to the minutes. The minutes were read by Peggy Kloes.

Statement prior to reading of the minutes by Peggy Kloes: There has been a misconception among some homeowners that the minutes do not reflect what happens at Board meetings. It has even been posted on FB and by word of mouth that the minutes are not accurate. THIS IS NOT TRUE.

The minutes of any HOA meeting are taken in accordance with RCW 64.38.035 and Robert's Rules of Order. They are not a verbatim, everything that was said record, but an accurate record of what was done. However, there are exceptions when verbatim statements are included for context or clarification. On page 146 of RROO, paragraph 1 under Section E it is stated that the minutes should include only what was DONE not what was SAID. It is neither required nor is it appropriate to include all discussion.

Once the draft of the minutes is completed a copy must be sent to all members of the Board for approval. If there are additions or corrections they are made and an amended version is sent out for approval. Minutes are not posted to the website or the DL without Board approval. It has also been reported that I, as secretary, put my "spin" on the minutes. There is no spin since "spin" implies opinion. When a draft is sent to board members for approval, they too should be checking to make sure no opinion is stated and that the actions that were recorded are accurate.

2. Recording Board Meetings: Prior to the motion and discussion on recording Board meetings, Fred Herber noted that a homeowner was recording the meeting without first announcing his intention to do so. The group was informed of the following:

RCW 9.73.030

(3) Where consent by all parties is needed pursuant to this chapter, consent shall be considered obtained whenever one party has announced to all other parties engaged in the communication or conversation, in any reasonably effective manner, that such communication or conversation is about to be recorded or transmitted: PROVIDED, That if the conversation is to be recorded that said announcement shall also be recorded.

Penalties. (1) Except as otherwise provided in this chapter, any person who violates **RCW 9.73.030** is guilty of a gross misdemeanor. (2) Any person who knowingly alters, erases, or wrongfully discloses any recording in violation of **RCW 9.73.090(1)(c)** is guilty of a gross misdemeanor.

No one announced that they intended to record the meeting nor did any one ask permission to record the meeting.

MOTION: Chong moved to allow the recording of Board meetings. **Motion failed for lack of a second.**

MOTION: Peggy moved to not allow electronic recording of Board meetings. Fred seconded.

DISCUSSION: In Favor of Motion: (statement read by Peggy Kloes) There is nothing in our governing documents that permits electronic recording.

The recorder has been viewed as a tool of intimidation. It permits sound or video bites to be taken out of context and used to promote anti-Board agendas. Even if an owner never replays the recording, there is heightened credibility when the owner proclaims: "That isn't what happened. This is what happened..... I know because I was there and I have a recording!" Recordings are often used by owners to argue for changes to even the best kept minutes. Additionally, most directors live with a level of anxiety that something they do will end up in litigation. They may hesitate to fully participate in discussions if they fear their words may come back to haunt them. A recorder can have a very real chilling effect on debate over important issues.

Further, some internal Board emails have been published on FB out of context and without permission. There have been inaccurate reports on FB regarding Board discussions when the person posting was at the meeting. We will not get into a tit-for-tat discussion of HOA business on FB,* and neither should we allow recordings so that sound or video bites can be posted.

Anyone who violates **RCW 9.73.030** by recording any meeting without permission is guilty of a gross misdemeanor. (2) Any person who knowingly alters, erases, or wrongfully discloses any recording in violation of **RCW 9.73.090(1)(c)** is guilty of a gross misdemeanor.

*The Board passed an action in July 2017 that it will not conduct HOA or Board business on FB.

Against the Motion: Many government, church, and public proceedings are recorded and sometimes broadcast so why shouldn't homeowners be able to record Board meetings and post on FB? It would help those who find it inconvenient to attend Board meetings to know what is happening. Further, the RCWs allow the recording of open meetings.

Rebuttal: Emory Gearhart pointed out that the law applies to public meetings and a Board meeting is actually not open to the public. It is open only to the members of the association. In this case, there is an expectation of privacy that would be violated if meetings were recorded and posted on FB.

Vote: 6 Yes; 1 No; motion passed. Board meetings may not be electronically recorded.

3. Board Code of Conduct: Mark Crawford presented the Board Code of Conduct that was adopted by the Board August 1, 2018. The Code is posted on the HOA website.

This Code of Conduct has been signed by the following Board Members:

Mark Crawford, Emory Gearhart, Tim Evans, Patti Lundell, Peggy Kloes, and Fred Herber

Mark Noll (not a Board member but signed as webmaster for CRHOA)

**This Code of Conduct has NOT been signed by the following Board member:
Chong Lam**

4. Play Lot: Emory reported that the play lot cannot be completed until the City installs the water meter. Mark stated an application was sent to the City on June 20, 2018; the City responded on July 20; a check in the amount of \$500 was sent to the City; and in August the City notified the Board there is only a stub at the site and a new meter must be installed. The cost is an additional \$2,100, but will not put the project over budget. The HOA sent a check to the City in the amount of \$2,100 and the meter should be installed in approximately a week.

5. Landscape: Kyle McCormick, maintenance manager for Olympic Landscaping, addressed concerns from homeowners and the Board.

- Background: The son of the owner of JAC purchased Olympic Landscaping and basically took the maintenance division with him to Olympic.

- He expressed that Olympic does not want to lose the Crystal Ridge account and understands that homeowners want to see measurable results in a timely manner. He stated that earlier in the spring the crews had little supervision resulting in missed areas and poor workmanship.
- JAC may still be in the area for other contracts such as tree replacement and some work on the play lot completion.
- Homeowner Jason Lombardo expressed that his biggest concern is having Olympic complete the work they were contracted to do; i.e. weekly mowing and edging.
- A spreadsheet with the scope of work required of the landscaping company was sent to all Board members in August. Olympic is working to catch up and stay on task going forward.
- Kyle stated the current priorities are:
 1. complete work on the irrigation system; the irrigation currently is running at about 95%; irrigation turns off around October 1st depending on the weather
 2. address the mowing and edging
 3. keep up the monument areas
 4. fertilize
 5. this winter work on retracing wiring for irrigation control and complete wiring to one controller; currently there are 18 - 19 separate battery-operated controllers
 6. pruning
 7. 6 sprayings of Speed Zone to kill weeds

A homeowner had a concern about maintenance of an open space area connecting to the greenbelt located between his home and the Highlands on 34th. We will research ownership and notify the homeowner as to who is responsible for upkeep.

6. CRD Monument: Fred reported that the Board was notified by the City that the final options for settlement with CR HOA for the monument area are:

- Option 1: The final offer is \$99,000 for the easement, razing, and replacement of the current monument.
- Option 2: Leave the monument as is. The City can redesign the area so that the current monument will remain with less of a green space between the monument, sidewalk, and bike path. No money involved.
- Option 3: City negotiates with the owner of the property just north of CRD for an easement to allow the HOA to have 2 smaller monuments on either side of CRD entrance off Shaw Road. Fred stated he has tried to negotiate with the owners of this property before and he doesn't believe the owner will sell.

MOTION: Fred moved that the Board accept option 2 and leave the current monument as is and have the City design around it. Patti seconded.

No further discussion.

VOTE: 7-0; motion passed unanimously to accept Option 2.

7. **ACC:** Jennie Slack presented ACC recommendations for new standards for flagpoles and storage sheds.

(Note: Board Member Chong Lam installed a flag pole at his home just a few days before this vote knowing full well that a vote on these standards would take place at this meeting. The installation presently violates several of the approved standards and is not one of the four existing flag poles to be grandfathered in for approval. In addition, he has a clear conflict of interest in this matter.)

ACC RECOMMENDED STANDARDS FOR FLAGPOLE INSTALLATION

1. Maximum pole height 20 feet
2. No closer to the sidewalk than 60% of the distance from the sidewalk to the front of the home (not including the garage). Owner to specify with final location determined by the ACC
3. Illumination from top of pole only
4. US Flag displayed per US Flag Code
5. Poles must be removed by owner upon listing home for sale
6. Metal poles only – no wood
7. No metal cables
8. 3’x5’ maximum size US Flag
9. Only US Flag may be flown
10. Grandfather 4 existing poles except no flags other than US Flag
11. Flag, pole and lights must be maintained in good condition.

MOTION: Peggy moved to accept the ACC recommendation of standards for the installation of flagpoles. Patti seconded.

LINE ITEM DISCUSSION and VOTE:

1. **Height** - Amendment: Fred moved to change the maximum pole height to 25 ft or no higher than the peak of the home's ridge line; Tim seconded.
VOTE: 4 Yes; 3 No — motion passed; Height changed to 25 ft.
2. **Location** - Amendment: Chong moved to allow the homeowner to make the choice of location. Homeowner to set the standard and work with ACC for reasonable standard. Fred seconded and amended Chong's motion. Fred moved to keep #2 as is and to allow pole closer than the 60% if the ACC agrees with homeowner on location. Chong accepted Fred's amendment. Patti seconded Fred's amended motion.
VOTE: 4 Yes; 3 No—motion passed; Location changed to: No closer to the sidewalk than 60% of the distance from the sidewalk to the front of the home (not including the garage). Owner to work with ACC for final location.
3. **Illumination** - Motion: Peggy moved to leave #3 as is and have illumination from the top only. Fred seconded; Amendment: Tim moved to allow illumination from the ground; Peggy rejected Tim's motion for amendment;
VOTE: 5 Yes; 2 No—motion passed; # 3 stays as is—Illumination from the top of the pole only.
4. **U.S. Flag displayed per U.S. Flag code - MOTION:** Fred moved to leave #4 as is; Mark seconded.
VOTE: 7 Yes; 0 No; motion passed
5. **Removal of pole upon sale - MOTION:** Mark moved to have poles removed by owner upon listing the home for sale; Fred seconded. Amendment: Tim moved to have flagpole removed upon sale unless the new homeowner, prior to the close of escrow, elects to retain the pole and submits a new mod request to the ACC to keep the pole.
VOTE: 7 Yes; 0 No - motion as amended passed. Homeowner will remove the pole upon sale unless the new homeowner, prior to the close of escrow, elects to retain the pole and submits a new mod request to the ACC to keep the pole.
6. & 7. **MOTION:** Peggy moved to accept #6 and #7 as is with the addition to #7 of no metal fasteners; Emory seconded. **VOTE: 7 Yes; 0 No; motion passed.**
8. **Size of flag - MOTION:** Patti moved to accept as is with a maximum flag

size of 3' x 5'; Peggy seconded. Amendment: Fred moved to include a 4' x 6' flag for a 25 ft. pole and a 3' x 5' flag for a 20 ft. pole. Tim seconded.

VOTE: 7 Yes; 0 No; motion as amended passed.

9. **Only U. S. Flag may be flown. MOTION:** Emory moved to accept as is and only allow the U.S. Flag to be flown on a flagpole. Patti seconded.

Amendment: Fred moved to allow a second flag of the homeowners choosing to be flown on the pole at the same time. Emory rejected the amended motion.

VOTE: 4 Yes; 3 No; Motion passed—Only a U.S. Flag may be flown on any flagpole.

10. **Grandfather 4 existing flagpoles, except no flag other than the U.S. Flag.**

MOTION: Mark moved to accept # 9 as written; Fred seconded.

VOTE: 6 Yes; 1 No; motion passed as is.

11. **Flag, pole, and lights must be maintained in good condition. MOTION:**

Mark moved to accept #11 as is; Fred seconded.

VOTE: 7 Yes; 0 No; motion passed

NEW ACC FLAGPOLE STANDARDS AS ADOPTED BY THE BOARD

1. Maximum pole height 25 feet or no higher than the peak of the home's ridge line.
2. Pole may be located no closer to the sidewalk than 60% of the distance from the sidewalk to the front of the home (not including the garage). Owner to work with ACC to determine final location.
3. Illumination from top of pole only.
4. US Flag displayed per US Flag Code
5. Homeowner will remove the pole upon sale unless the new homeowner, prior to the close of escrow, elects to retain the pole and submits a new mod request to the ACC to keep the pole.
6. Metal poles only
7. No metal cables or fasteners
8. 3'x5' maximum size U.S. Flag for 20 ft pole; 4' x 6' maximum size flag for 25 ft pole
9. Only U.S. Flag may be flown
10. Existing 4 poles are grandfathered, except no flags other than U.S. Flag.
11. Flag, pole, and lights must be maintained in good condition.

ACC RECOMMENDED STANDARDS FOR SHED INSTALLATION:

1. Maximum 120 sq. ft. floor area
2. Maximum 10' height
3. Located in rear or side yard
4. Not or minimally visible from the right of way
5. Constructed of similar siding, trim and roof material as the home
6. Painted to match the home.
7. Interior illumination only
8. Minimum 3 ft set back from side and rear property lines
9. Grandfather in all existing sheds
10. All non-conforming sheds shall be removed or relocated upon listing of the home for sale. (This applies primarily to corner lots.)

LINE ITEM DISCUSSION and VOTE:

1. **Maximum 120 sq. ft. floor area. MOTION:** Mark moved to accept as is. Patti seconded. Amendment: Fred moved to allow a larger shed if the homeowner has one of the larger lots in Crystal Ridge. Tim seconded. Mark rejected Fred's motion. Fred offered a second friendly amendment. He moved to allow, with ACC approval, a homeowner to construct a shed larger than total 120 sq. ft.—up to 199 sq. ft., for larger lots. Mark accepted the amended motion. Chong seconded.
VOTE: 4 Yes; 3 No; motion passed as amended. With ACC approval, a homeowner may construct a shed larger than 120 sq. ft.—up to 199 sq. ft., on larger lots.
2. **Maximum 10 ft. height. MOTION:** Mark moved to accept as written. Peggy seconded. Amendment: Fred moved to allow a 14 ft. height. Mark seconded.
VOTE: 3 Yes; 4 No. Motion failed.
Amendment: Chong moved to allow a maximum height of 12 ft. Patti seconded.
VOTE: 6 Yes; 1 No. Motion passed as amended. Maximum height 12 ft (corrected typo - chgd "Max height" from 10 ft to 12 ft per approved vote).

- 3. Location in rear or side yard only. MOTION:** Mark moved to accept as is; Patti seconded.
VOTE: 7Yes; 0 No. Motion passed as is.
- 4. Not visible or minimally visible from the right-of-way. MOTION:** Mark moved to accept as is. Patti seconded.
VOTE: 6 Yes; 0 No; Chong did not vote. Motion passed as is.
- 5. Constructed of similar siding, trim and roof material as the home. MOTION:** Fred moved to accept as is with the notation that homes with tile roofs in the Estates, use roofing material approved for the Estates. Peggy seconded.
VOTE: 7 Yes; 0 No. Motion passed.
- 6. 7. 8. & 9. MOTION:** Mark moved to accept #6, #7, #8, and #9 as is. Tim seconded.
VOTE: 7 Yes; 0 No. Motion passed.
- 10. All non-conforming sheds shall be removed or relocated upon listing of the home for sale (i.e. sheds that do not comply with item #4). MOTION:** Mark moved to accept as is. Patti seconded.
VOTE: 6 Yes; 1 No. 1 Motion passed.

NEW ACC SHED STANDARDS AS ADOPTED BY THE BOARD

1. With ACC approval, a homeowner may construct a shed larger than 120 sq. ft.—up to 199 sq. ft. on larger lots.
2. Maximum 12 ft. height
3. Located in rear or side yard
4. Not or minimally visible from the right of way
5. Constructed of similar siding, trim, and roof material as the home; except those in the Estates who have tile roofs may use Estate approved roofing material.
6. Painted to match the home.
7. Interior illumination only.
8. Minimum 3 ft. set back from side and rear property lines.
9. All existing sheds are grandfathered.
10. All non-conforming sheds shall be removed or relocated upon listing of the home for sale (i.e. sheds that do not comply with item #4).

8. ACC Revised Roof Requirements:

Classics :

- Composition: Minimum 1/2“ thick as measured at the thickest point or minimum 325 lb. per 100 sq. ft weight

Estates:

- Composition: Minimum 11/16“ thick as measured at the thickest point or minimum 425 lb. per 100 sq. ft. weight
- Cedar Shake: No change from CC&Rs
- Cement Tile: No change from CC&Rs

MOTION: Fred moved to accept the revised roof requirements as written. Patti seconded. **VOTE: 6 Yes; 0 No. Motion passed.**

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ADDENDUM: Since there was a clear conflict of interest on the part of Chong Lam, the Board will debate the actions taken on the flagpole and shed standards at the next Board meeting and, if necessary, revote on the ACC recommendations.

Meeting adjourned at 9:55 PM

Respectfully submitted,

Peggy Kloes

CR HOA Board Secretary