

MEADOWWOOD HOA MINUTES
May 19, 2010 at 7:00 pm
Location: Liberty Lake City Hall

Colette called the meeting to order at 7:00pm.

Attendees:

- **Board Members Present:** Colette Seubert, Jesse Starr, John Mellick, Don Andrews, Michael Walsh, and Bruce Bell.
- **McVicars:** Eric Busch
- **Absent:** Kathy Oliver, Karl Patchin, Scott Kingsford
- **Other:** Jon Seubert

Approval of Minutes:

The April meeting minutes were reviewed and approved via email.
Minutes have been posted to the website.

Introduction of Guests:

Jim Frank

Drew Bennado

Tom Gooden 909 Homestead

Issue: His fence posts are in poor repair.

Posts are rotten and need to be replaced. Eric confirmed that the fence in this area is in poor shape and that repairs have been done in both 2008 & 2009. Colette discussed that the quotes for vinyl fencing ranged between \$20K-\$40K. Bruce spoke to the fence being the property of the homeowner. Jim Frank indicated that the developer purchased the fence bordering common areas to address uniformity and that the homeowner “inherited” the fence with the property. The HOA has taken the “good neighbor” policy and painted the common side of the fence.

Jim indicated that replacement of fencing with like or kind quality vs. vinyl is an ARC issue. He also discussed the option of a standard adoption for fencing (5' or 6' vinyl). This could be a board decision and the ARC could adopt whatever standard is adopted so homeowners wishing or needing to repair/replace an existing fence would have to use the same fence (size, color, type). He also suggested an interim period ~ 5 years to have the work done. Jim indicated that Greenstone is willing to help out in securing pricing for the

fencing through a contractor. \$21.00 per linear foot was discussed between Drew and Jim. Jim also indicated that the ARC could require vinyl replacement when a major repair is required.

Tom indicated that the paint is flaking off and the fence has been painted the past two years. He is concerned about rotting. Tom is aware that this is due, to a great extent, to dirt against the post. Colette communicated that another option may be use of metal posts. He is concerned that if he replaces his posts, (3) in all, that the HOA will require homeowners in the entire area to replace wood fencing with vinyl. Colette directed Tom to the Website and ARC for direction and ARC applications.

The board later discussed the options regarding painting vs. a replacement with vinyl. Colette recommended that we proceed with painting. Jim recommended that we offer the homeowners the amount that would be spent on painting, roughly \$3.40, towards the cost to replace their section of cedar fencing with vinyl.

According to Tom, Homestead to Wright is the worst section.

The board discussed sending a letter to HO's regarding painting and suggest the option of vinyl. The proposed letter would identify cost savings with replacing the fence prior to the HOA incurs the cost to paint. There was concern over homeowners in other areas becoming angry that their fence may not be eligible for subsidy via the board.

Bruce would like to paint Boone to Maxwell upon receipt of ARC communication regarding repair/replace requirements/options. Colette, however, moved to Proceed with painting and repairing, as needed, on Country vista to Maxwell. John Seconded the motion. Motion passed w/out opposition.

BUDGET REVIEW

Delinquency Report

Main – 9 over \$900 past due

Total ~ \$16,300 past due

Rocky ill – 1 HO past due ~ 1K - \$155 past due now (paid \$845).

OLD BUSINESS:

Parks:

Little Bear - Bruce	good shape
Five Fingers - John	good, some gravel out
Pumphouse - Scott and Kathy	good shape. Pavers look good. Bark?

ARC update:

Part of new business.

Old Business:

McVicars Modification/changes to rules and regulations and ARC rules and regulations.

Fences – McVicars recommends painting the west side of Molter for sure. The east side is also in poor shape, but not as bad as the west side.

Section of Fence	Approx Liner Ft.	Paint Date
West side of Molter from Boone to Maxwell	879	2006
West side of Molter from CV to Boone	885	2006
East side of Molter from LDS to pathway	964	2007
Southside of Mission from pathway to Malvern	1373	2009
North side of CV from Five Fingers to Knudsen	1093	2008/2009
North side of CV from Knudsen to Settler	362	2008/2009
Common area by Kelsea and Settler(both sides)	72	2009
Common area by Kelsea and Settler(both sides)	91	2009
	5719	

The board approved \$6,900.00 bid by King of colors for the paint work required on the right/west side of Molter (includes a 4 yr warranty). *The closest competitor was 35% above this cost.

The section on Mission is holding up well (painted last year).

NEW BUSINESS:

There was a tree lost near post office (opposing side of street). The same company that performed the removal will handle the replacement.

The board discussed the meeting between Bob McVicars and Jim Frank:

HOA's attorney

- Greenstone's email to homeowner regarding parking of trailer
- Our further participation in the ARC (board would like equal voting power)

Discussions circulated regarding specific regulations for specific structures (greenhouse, play, sheds, etc.) and to what degree something is considered a temporary structure.

RV – Jim asserts that he has the authority to determine if a HO can park a trailer in their backyard.

According to Jim, he reviewed the letter from Doug Edwards, board attorney. Jim communicated that the covenants are the controlling document and are clear that when there is confusion between documents (Bylaws, Rules and Regulations of Board of Directors and ARC Regulations), the covenants control. Jim's contention is that neither the board nor any other entity has the authority to impose additional standards that are more stringent than the covenants.

Sect. 8.13 of the covenants was discussed and Jim indicated that there was never an intent to tell people that they cannot park in front or in back of their home (car, trailer or otherwise). Doing so, in Jim's opinion, would be unreasonable.

John mentioned conversations with Meadowood Glen resident(s) and the clarification that they do not allow anything in the back yard. Anything visible by the public is prohibited.

Don asked why Jim feels he can make these decisions and/or interpretations with complete disregard to the will of the majority of HOA members.

Jim stated that it was around 1990 that Greenstone began developing in Liberty Lake. Jim asserts that he wrote the covenants and that they were written so as to allow Greenstone to retain the authority and to determine what constitutes appropriate screening. John mentioned that he has spoken to homeowners concerning trailers and that the majority does not want them in the development.

Jim is open to allowing the HOA to control the ARC South of Mission (fully developed) if the common vision and philosophy can be agreed upon. Jim's stipulation includes an agreement on philosophies on common issues. He gave a specific example:

Paint Colors:

Originally, the color range was "Builder Beige". With recent development, Jim wants to see consideration for a range of colors, regardless of the homes location within the community.

Jim is looking at public detriment. He asserts that the covenants cannot be read literally but rather in light of the private rights of homeowners. If an encroachment is significant enough, then the covenants should be consulted and applied. According to Jim, each issue or situation should be evaluated based upon the level of its detriment to the community. This is how the ARC currently evaluates each issue or application.

Jim was asked for a definition and/or example of "Adequate Screening". According to Jim, screening includes a fence or some landscaping around an object, structure, vehicle or trailer. He also stated that they prefer to see proposals or placement of trailers, boats and the like to be directly adjacent to the garage and should not be above the fence "beyond a little bit".

Jim does not believe that the garage is the issue, but rather that the screening is not attached to the screening. He discussed that if the majority of homeowners (90%) do not want RV's parked at a home, it would be considered for exclusion. Jim would "probably consider" an enforced exclusion.

Jim is willing to meet with the board if our position is not to ban RV's. He would like to meet to discuss appropriate screening. He would like 2-3 people from the board to act as a study group. Jim would like these individuals to read the ARC regulations, make note of any additions they would like, items they disagree with, etc.. Jim is looking at the infringements.

Steps:

Contact Board for interest (Don, Bruce and John are interested).

Appoint committee

Colette will have the committee contact Jim

June meeting:

The board determined that it will meet in June.

The meeting was adjourned at 9:18pm.