

Cherry Creek Estates Homeowner's Association

Board Meeting

October 2, 2017

I. Call to Order

President Jeff Moore called the meeting to order at 6:00 PM at the Mid-Columbia Library - Keewaydin Park Branch located at 405 S. Dayton St., Kennewick, WA. Those in attendance were Board Members: Jeff Moore, Frank Bono, Pam Kirkpatrick, Faythe Moore, Chris Arteaga and 11 homeowners (attendance sheet attached) Jeff welcomed the homeowners and explained that the Board had been given inadequate information regarding workshops/meetings. It was never the intent of the Board to be underhanded or secretive. He thanked Paul Porter for bringing it to the attention of the Board that all meetings are to be open to the association members. In accordance with the Washington RCW's, guests will not be allowed to address the board, however, there will be an Open Forum at the end of the meeting for anyone who wishes to do so. In addition, the Board will need to meet in closed session to discuss a couple items which involve individual homeowners so guests will be dismissed from the room during that discussion then reconvened for the Open Forum.

II. Old Business

A. Approval of Minutes from the June 22, 2017 Annual Meeting. This was postponed until the next Annual Meeting to be held October 30, 2017 at 6:00 PM.

B. Lower Retention Pond – Ben Murphy sent the Board an email today stating that Dale Ross had contacted Frontier Fencing and the gate will be moved to a new location to provide easier access to the pond with equipment. Frank commented that in checking further, we will not be able to burn the excess debris in the pond due to the fact that the subdivision is located within the Urban Growth Boundaries for Kennewick. Frank mentioned that Pam stated she has a small trailer that tilts which can be pulled by her quad to help in moving the debris from the pond to larger trailers so the debris can be hauled to the dump. Frank and Pam will determine a date to assemble a work party after the gate is relocated to clear the debris. Homeowners will be notified of the date and asked to help. Frank has continued to spray the vegetation in the pond at his own expense. Jeff encouraged him to submit bills to the Board for payment. Frank mentioned he was contacted by Ken and Cheryl Lockard who own a home adjacent to the pond. They said they were disappointed to see the pond cleared of trees and vegetation as they liked the natural look. Frank suggested that the four families adjacent to the pond get together to determine what they would like done with the pond. The CC&R's state that the Board can opt to ask adjacent homeowners cover the cost of maintaining the retention pond.

C. Garbage Cans – In the email received today, Ben Murphy stated he verified the votes and determined that the requested garbage can language change was passed by 77% of the homeowners, which included Mr. Ross' 3 votes per lot. Chris asked if there were time constraints included in the language change. Times for garbage cans to be placed on the street are 5 PM Sunday to 8 PM Monday.

III. New Business

A. Split Phase I and II from Phase III - As requested by several homeowners who spoke to Ben Murphy after the last Annual Meeting, Dale Ross is in favor of splitting Phase I and II and is pursuing this with the attorney. Frank noted that Ben estimated fees would increase for Phase I homeowners by \$32/yr. if the split did not happen. However, the Board's estimate was closer to \$90 due to maintaining and watering approximately 7 parcels along 42nd and Ely and

maintaining three retention ponds. A permit notice was posted in the newspaper for Mr. Ross to install a retaining block wall.

B. Grass Strip – We have gotten conflicting information regarding whether the “grass strip” between the sidewalk and street can be rock. In Ben Murphy’s email today, he states the City standards state the front yard has to be at least 50% green vegetation. Dave Retter will request builders grass this area rather than rock the area to maintain consistence throughout the subdivision.

C. Grass Strip by Mailboxes – KID has replaced the grass they killed last March when spraying their retention pond weeds.

D. Storm Drains – Ben Murphy advised that it is the responsibility of the builders to keep the storm drains clear. He is checking to see if he can have his maintenance man clear the plugged drains. Jeff is make sure Ben understands that the HOA is not to be billed if his maintenance man cleans the drains. Pam mentioned she checked the drain by her residence and it was plugged with at least 10 inches of sand.

E. Budget – The proposed 2018 budget needs to be done in time to mail to homeowners on October 16th. Pam stated \$1,729 was budgeted for insurance in 2017. She has been told that as long as Phase I and II are tied to Phase III, no one else will insure the subdivision due to the number of undeveloped lots and potential construction sites. She will contact the current agent to see what splitting from Phase III will do to our insurance premium.

Jeff asked for an update on the number of homeowners delinquent in paying 2017 HOA dues. As of August 31st, 3 homeowners are 90 days or more past due for a total of \$1,463.38.

Frank reported that he requested bids from Epic, Desert Green, A-1 Landscaping and A & H Landscaping, however, had only received responses from Jake at Epic and Chris at Desert Green. The contract with Heritage goes until May and includes 3 cleanups during the winter months. The current (2017-18) bid is for \$2,926.

The Board will meet with Ben Murphy to go over possible changes for 2018 for KID and real estate taxes.

F. Bylaws – Jeff noted a few changes that need to be made to our proposed Bylaws prior to distribution to the homeowners. Language referring to “in good standing” needs to be stricken as the RCW’s regulate that ALL members can attend meetings and vote. We will leave quarterly meetings to be held in February, May, August and November. The November meeting will be the Annual Meeting to approve the upcoming budget. If additional HOA issues arise between meetings, a special meeting can be called.

IV. Closed Session

Jeff asked guests to step out of the room so the Board could discuss a couple private homeowner issues. After discussion, guests were asked to return per the RCW’s and a vote was taken on the following issues.

#1 – Landscaping – Unanimous in favor (Jeff will write homeowner a letter)

#2a – Parking Fine – Unanimous in favor of waiving with stated conditions (Jeff will write homeowner a letter concerning a & b)

#2b – Parking – Unanimous in favor with stated conditions

#3 – Fines – Unanimous in favor

#4 – Change in Point of Contact – Unanimous in favor (Jeff will write Ben Murphy a letter)

Jeff thanked Paul Porter for bringing the meeting criteria to the Board’s attention.

V. Open Forum

Jeff opened the meeting for guests to address the Board. Three homeowners signed up to address the Board.

1. Shannon Bono reminded everyone that the first meeting for the Neighborhood Watch would be on October 24th at 6:00 PM at the Benton PUD Auditorium. She needs an RSVP from homeowners so that she can have enough packets available for everyone. Kennewick Police Department will make a presentation.

2. Mr. Porter stated he received 22 of the 32 available homeowner's signatures on a petition he circulated after receiving a 2nd violation notice for parking on the street. He stated he does not agree with the Board's interpretation of the CC&R's. He talked to Anthony Mowery in the City Planning Department and was told that the issues the Board has with children's safety, emergency response times, street cleaning/snow removal and neighborhood safety are not issues considered by the Planning Department when determining the 45-ft. right of ways. Paul Porter requested the Board form a committee to consider the current on-street parking regulations. Jeff told Mr. Porter that he is more than welcome to form a homeowner committee to write the new language he would like to see. The committee can present this to the Board for review. The Board will then distribute the new language to the homeowners for a vote. A 75% vote in favor of the new language will be required in order to change the current language.

3. Eldon Runge asked Mr. Porter if he is suggesting unlimited on-street parking? Mr. Porter replied he would love to park his boat and other vehicles in front of his residence without restriction. Mr. Runge then responded he is not in favor of Mr. Porter's proposal.

After further discussion, Jeff stated the Board stands on their current interpretation of the CC&R's, however, if homeowners want to develop new language for parking, the Board will send it out for a vote. In the meantime, the Board will enforce no parking on the street for homeowners and encourage any homeowner who has a valid reason for needing to park on the street (either long-term or short-term) to notify the Board in writing to request a waiver.

VI. Adjournment

Pam made a motion to adjourn the meeting. Frank seconded the motion. Jeff adjourned the meeting at 7:44 PM.

Respectfully submitted by Faythe Moore, Secretary