

Turtle Creek Homeowners Association

June 13, 2016

Roll Call of Board Members:

Reading of minutes from previous meeting September 2015:

Old business and unfinished business (September 30, 2015)

New business:

Old business and unfinished business:

1) Request for Irrigation County Parcel – SE corner of parcel, Moen & 11TH Ave:

- i) Board voted to approve the land improvement project at the Spring /Meeting for:
 - (1) \$3,200 Meter and Landscaping cost of \$4,965.
 - (2) Board received actual cost increase from County:
 - (a) Actual Cost \$6,300
 - (b) Grade, Install Sprinkler, Seed \$4,965

(i) Vote: Jim Kale and Sue Willard voted via e-mail not to proceed with work. Mark Hammons voted yes.

(ii) Re-Vote in Fall Meeting

Fall Vote:

2 no Jim Kale, Sue Willard

1 yes Mark Hammons

Item is closed at this time.

2) Fence Along Barker Repair or Replace:

- i) The Fence along Barker is owned by the Homeowners and it's their sole responsibility to replace or repair at their cost per the Bi-Laws.
- ii) Board voted to obtain quotes for replacement and repair:
 - (1) Repair Cost \$9,800
 - (2) Board voted not to repair fence.
 - (3) Board felt we should obtain additional estimates on the repair and painting of the fence along Barker.
 - (4) Board in disagreement if the fence is worth repairing or if a new fence is actually a better option.
 - (5) Replacement quoted at \$15,000

Issue is to Amend Bylaws

- (a) If we do not amend Bylaws, each owner needs to pay for replacement or repairs.
- (b) Board has final say on type of fence and material used.
- (c) Mark Hammons felt the Board should replace fence with special assessment which includes other upgrades to entire development.
- (d) Requires new Vote or Action Items at Fall Meeting.**

Vote: No vote was taken at the fall 2015 meeting.

No Quorum was reached: Section - Page 35 – Section 8.18 states the fence shall be maintained by homeowner.

See New Business:

3) Install new pathway from 11th AVE to Pump House:

- i) Budget is \$1,413 for fence – Installed
- ii) Retaining Wall / Pathway
- iii) HOA to provide update at Fall Meeting**

(ii) Re-Vote in Spring Meeting

Fall Vote:

1 no Jim Kale

1 yes Mark Hammons

1 sustained Sue Willard

Item is pending Jim's recommendation for further development of wall height.

4) Barker Tree Replacement Program:

- i) The Board contacted four landscaping companies about replacing trees along Barker.
- ii) None would offer a bid to replace trees due to power, gas and water lines under the trees.
- iii) Board asked the County for permission to plant trees in the swale along Barker. Request denied.
- iv) Open – Review at Fall Meeting**
- v) Should we continue to explore replacement options?**

The board decided not to move forward with tree replacement based on utility location and no bids from landscaping companies. Item is closed at this time.

Fall Vote:

3 yes

- 5) Board voted and approved Four Seasons for 2015 Landscaping: Board received five bids.
- i) Budget for South \$3751
 - ii) Budget for Combined \$4764
 - iii) Board removed sprinkler repair from Four Seasons in 2015
 - iv) Vote to extend Four Season contract for 2016

Fall Vote:

0 no
3 yes

- 6) **Review Homeowner Association Contract for 2016**

Fall Vote:

0 no
3 yes

Approved HOA contract for 2016

- 7) **2016 Homeowner Dues – Vote to increase (20% INCREASE)**

Fall Vote:

2 no Jim Kale, Sue Willard
1 yes Mark Hammons

- 8) **No homeowners volunteered to become board members or place name on ballot.
Next election Oct. 2016.**

- 9) **Board voted on proposed improvement plans: Total budgeted \$32,000**

- i) **New meter, landscaping on 11th Ave Common Area**
- ii) **New path with retaining wall**
- iii) **Mailbox repair**
- iv) **Park lighting**
- v) **Park Extension**
- vi) **Replace Barker RD. Fence**

Fall Vote:

2 no Jim Kale, Sue Willard
1 yes Mark Hammons

Since October 28, 2010 these improvements along with other recommendations have been presented to the board. Each meeting the board voted not to proceed with these improvements. The board has \$30,000 in funds.

Please submit ideas with detailed plans to the board on TCS improvements or changes you would like help to implement into our community. Please include (2) bids, drawings and timeline of each idea. The board will consider each idea.

HOA address is: Homeowners Association Services, 11808 E Mansfield Ave. Suite 1, Spokane WA 99206 online: hoaagent.com.

10) Mail Stanchions

- i) Mail stanchions are in need of repainting and repair.
- ii) Still open – no decisions have been made at this time.

11) Process to extend the park into the field:

- i) Natural area can be planted with Natural Bent Grasses if the board feels it would increase habit and reduce fire hazards.
- ii) Mowing is allowed with a 4' buffer along pathway and 75' along other areas to reduce risk of fire.

12) Park Light using homeowner electric for park:

- i) Board decided not to pursue adding lighting to the park.

New Business:

1) Selkirk Estates access to 11th and 12th AVE. In TCS. - Spokane County

This particular development is on a hillside above ours. The Chapman Road extension and the attendant water runoff issues and the riparian impact to Turtle Creek and the adjacent properties demonstrate the sensitive nature of this area. There are multiple wetland issues, runoff problems and traffic concerns that need to be carefully studied and considered.

Action:

- a. Send letters to County Commissioners:
- b. Hire Lawyer - Retainer of \$3,500 to conduct an initial investigation of the issues and report to the HOA.
- c. How to move forward with the BARKER RD video.
- d. HOA management group is authorized to move forward and will pay the invoice for the video at net 30 upon receipt.

Note: Twin Bridges and Morrison Ranch Development:

Open discussion:

Board to vote on allocating funds:

2) Add signage to the park hours sun-up to dusk and fines for citations

- a. Litter
- b. Graffiti
- c. Sexual & drug paraphernalia
- d. Animal feces
- e. Destruction of trees

Board to vote on adding signage and hiring security service for random patrols

3) Board vote on actions RE: S. 1134 Moen Rd.

- a) They have cleaned up their front yard. Their fence has never been in conformance with the CC&Rs. The backyard is an out of compliance. A shed was built/installed without approval. The CC&Rs allows for affirmative action with the help of the HOA enforcement.

4) Board to vote on taking actions on Fences out of code:

- i) 18114 E. Crescent Rd
- ii) 18504 E. 11th

- 1. 18114 E. Crescent Rd turned in an architectural request to build a fence. It was approved with the condition that the fence could not extend beyond the front of the house and within county regulations. We even had the request revised to show it would be in compliance.
- 2. 18504 E 11th extended his fence beyond his garage as well. It is a minor extension but will be notified to correct it so it conforms within the county regulations.

5) No Quorum was reached at the September 30, 2015 meeting.

- (i) Board must conduct business:
- (ii) Board has the right to exercise any other powers conferred by the bylaws:
- (iii) After review of the Declaration of the Covenants, Conditions and Restrictions for Turtle Creek South it has been determined that “The

Board” has the power to make amendments and changes to the bylaws per sections 1.6 and 2.5 and 2.5.1.4. However, these changes must comply with State of Washington **Chapter 64.38 RCW HOMEOWNERS' ASSOCIATIONS Codes.**

(iv) The TCS Members / Homeowners have failed to reach a quorum on any business matters in over four (4) years.

(v) RCW 64.38.040 WA State

(vi) Washington State law requires 34% for a Quorum

(vii) TCS requires majority vote with 50% Quorum

Definition of a Quorum: minimum number of members who must be present at a meeting to transact business. The requirement protects the organization by preventing a very small number of members from taking action on behalf of the entire organization

Mark Hammons request the **Board send an Amendment of Notice to all homeowners per section 13.2.**

Change to section 4 of Bylaws, Quorum to read:

“The votes shall be counted and accepted if a quorum is present throughout any meeting of the association if the owners to which thirty-four percent (34%) of the votes of the association are allocated are present in person or by proxy at the beginning of the meeting. Amendments to be effective, must be approved by in writing by the record holders of a majority vote of the current mortgages (homeowner) on all of the lots in Turtle Creek South at the time of such amendment, based on one (1) vote for each mortgage owned. If, however, such quorum shall not be present or represented at any meeting, the members present entitled to vote shall have the power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented. The Board reserves the right to hold a second meeting within 30 days of the aforementioned meeting to reach a quorum. If the quorum is achieved, the Board reserves the right to exercise its powers to conduct business and approve addendums. “