

Meadowridge at Timberhill
Homeowners Association
Board of Director's
Emergency Meeting
May 31, 2008
Minutes

Emergency Meeting: Reason was owners of lot 81 have lodged complaints regarding view obstruction and RV parking.

Board Attending: Marshall Brooks, Bill Buckley and Walt Griffiths

The agenda was to deal with only the two stated issues. Discussion by the board of directors concluded, after investigation of the current CC&Rs and the lack of tools to use for enforcing CC&R compliance, that a resolution, procedures and fine structure be established.

Bill Buckley reported that equipment had been driven across the HOA common area on Arrowwood for the construction of a new home being built by Russ Peterson and appears to have damaged the irrigation system, turf and planting area. Mr. Peterson needs to be made aware of this and our landscape maintenance service needs to fix the problem at the expense of Mr. Peterson.

It was noted that the Collections Policy was the board's first resolution.

The following resolution was proposed and Marshall Brooks moved, and Bill Buckley seconded. Motion passed.

Meadowridge at Timberhill HOA - Policy Resolution # 2 - Schedule of Fines

WHEREAS Section XI of the Bylaws grant the Board of Directors with the power to conduct Association business and, to protect community harmony by providing guidelines and a procedure for address conditions that disrupt that harmony,

LET IT BE RESOLVED THAT the following Schedule of Fines will be followed:

1. The Board of Directors is authorized to enforce timely assessment payments from owners, compliance with Rules and Regulations and other policies enacted in accordance with the governing documents by assessing monetary penalties against owners, their guests, family and renters who are violation.
2. Fines for specific offenses are attached as Exhibit A:
3. All unpaid fines are subject to the Collection Policy.
4. **Appeal Process** Any Owner receiving a fine who believes no violation occurred, may submit a written explanation to the Board of Directors. The owner will be given an opportunity for a hearing and no enforcement fee will be imposed until after the hearing.

Recorded in the Book of Minutes: May, 2008

Signed: May 31, 2008

Walt Griffiths
President - Board of Directors

Marshall Brooks moved and Bill Buckley seconded, that the Schedule of Fines, Procedures and information be adopted as Exhibit A to Policy Resolution #2. Motion passed. Exhibit A is attached to these Minutes.

The board further decided to send a copy of these minutes to all Association members by regular mail. Mary Morris, as their agent, will send a copy to all new members (buyers into the neighborhood) with their first dues statement.

Next issue was the complaint of view obstruction.

Walt Griffiths reported that he had personally visited the owners of lot 81 home and observed the alleged violation of the CC&R. He reported to the owners of lot 81 the members of the Architectural Review Committee had received their complaint, assessed it (including inquiry to the City of Corvallis) and that they did not deem the planting as a violation. Upon the owners of lot 81 further complaints, the ARC members were not willing to consider the matter further. The owners of lot 81 were concerned with the decision, citing a lack of specific criteria as the basis for their concern.

Mr. Griffiths did report that he, not as official act, did contact the owners of lot 82' via an e-mail to ask if they would consider keeping their bamboo trimmed to approximately 8 feet. At this time, no reply had been received.

Walt Griffiths spent considerable time reviewing other HOA activity on view protection and legal actions in and outside of Oregon. Almost all CC&R's are written with similar vague language, but that absent an express written agreement or restriction (like protecting the view of the ocean or a specific mountain), there is no view protection. Since the current CC&R's, like most all others, do not stipulate any criteria, he found the ARC had correctly addressed the issue.

A resolution was created and Bill Buckley moved and Marshall Brooks seconded the following resolution. Motion passed.

Meadowridge at Timberhill HOA - Policy Resolution # 3 – View Preservation

WHEREAS Article VIII Section 2.f and Article IX Section 8 of the CC&Rs gives general guidelines for view protection, the Board of Directors with the power to conduct Association business and, to protect community harmony by providing guidelines and a procedure for address conditions that disrupt that harmony,

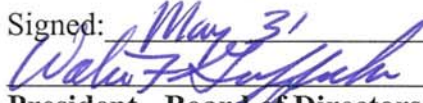
LET IT BE RESOLVED THAT the following consideration will be followed:

1. As of this time, the Board of Directors are not aware of any law or provision in the CC&R's that allows for right to air, light (other than solar access) or an unobstructed view other than terms like "preserve as much of each lot owner's view" or "unreasonably interferes with the view of other lot owners". Absent an express written agreement or restriction, there is no view protection.
2. It is the HOA Board's desire that neighbors work with each other to maintain harmony and respect for each other using common sense.

3. Appeal Process Any Owner who believes that a view violation has occurred, may submit a written explanation to the Board of Directors. The owner may be given an opportunity for a hearing.

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President - Board of Directors

Bill Buckley moved and Marshall Brooks seconded the motion that "The Board of Directors affirms the ARC decision that there is not a violation by the owners of lot 81; the current planting of bamboo does not unreasonably interfere with the view of owners of lot 82 per the current CC&R language." Motion passed.

Mr. Buckley indicated that the Board would send a copy of the HOA budget along with the minutes in early June.

A copy of the signed resolutions (and exhibit(s)) will be maintained in the corporation files.

The meeting was adjourned.

Attachment – Exhibit A

Meadowridge at Timberhill Homeowner Association

Exhibit A Fine Schedule

Examples of CC&R violations

1. Building, altering, or removing structures such as Decks, Patios, Drainage, Driveways, Additional Parking Spaces, Dog Runs, Walks, Exterior Lighting, Fences, Garages, Greenhouses, Hot Tubs (Spas), Storage Sheds, Swimming Pools without the specific and written approval of the Architectural Committee.
2. Initiating major landscaping changes from the original approved plan without the specific and written approval of the Architectural Committee.

3. Re-painting and changing the original and approved color of one's home or attachments without the specific and written approval of the Architectural Committee.
4. Creating neighborhood nuisances such as, but not limited to, poorly placed woodpiles, garbage cans, unapproved signs (Article IX Section 2), waste or offensive conditions or items which are offensive to prudent people or of a general nuisance due to the appearance, noise or order they generate.
5. Exterior antennas or small satellite dishes must be approved by the ARC prior to installation.
6. Allowing one's pet(s) to be a nuisance due to their barking, fouling or losses incurred to other homeowners property and/or common area (Article IX Section 3).
7. All fences, screens and structures must be approved by the ARC prior to construction.
8. Not maintaining one's property to a point where it becomes an eyesore to neighbors and a detriment to Meadowridge at Timberhill's general appearance and the value of the surrounding property (Article VIII Section 2.d).
9. Parking Motor Homes, Trailers, Campers and other Recreation type vehicles on one's property in violation of Article IX Section 7 Parking of the CC&Rs.
10. Failure to keep vacant lots mowed from July 1 to October 1 is a violation.

These are examples only, drawn from the experience of the Architectural Committee and the Board of Directors of the HOA. Any violation of the CC&Rs, Architectural Committee Regulations or other governing documents of the Association may be subject to fines.

Association Member Schedule of Fines	
Architectural	\$250 per occurrence
Attorney Fees	Collection Policy
Excessive Noise	\$250 per occurrence
Interest Charge	Collections Policy
Late Payments	Collection Policy
NSF Checks	Collection Policy
Parking	\$250 per occurrence
Pet	\$250 per occurrence

Procedure

1. Violations must be submitted in writing and delivered to Meadowridge HOA Board of Directors, c/o Mary Morris, Paragon Bookkeeping, PO Box 1087, Corvallis, Oregon, 97339 either by USPS or in person. E-mail delivery or phone calls are not acceptable. The complaint must include the documented violation including the section address of the CC&Rs, the date, time, and infraction description. A photograph of the infraction should also be attached. The complaint must be signed by the person submitting the violation.
2. Violations may be observed and presented by members of either the Board of Directors or the Architectural Review Committee directly to the Board for the Board's immediate consideration.
3. A copy of the complaint (including the identity of the association member) will then be sent to the homeowner alleged to have violated the CC&Rs as a warning and reminder of the issue(s). No fine will be assessed with the warning.
4. If the violation is not corrected within five days, or in any greater amount of time as the Architectural Committee or Board of Directors, in their sole discretion, shall grant, the homeowner will be assessed an initial fine of \$250. If a second complaint is presented, an additional fine in amount of \$500 may be assessed. Additional fines may be assessed for each five day period that the violation is not corrected or additional complaints are presented to a maximum of \$1000. On the third notification of complaint, and if all fines are not paid immediately, a lien will be filed and proceed to collections.

CONTRACTORS FINE SCHEDULE

The Board of Directors has adopted the following Fine Schedule for violations by Contractors and their subcontractors. Homeowners are responsible for informing and supervising their contractors. Fines shall be levied to the Homeowner member of the Meadowridge at Timberhill HOA.

1. Starting construction prior to ARC written approval is a violation of the CC&Rs.
2. Damage of any kind to HOA or a neighbor's property shall be a violation and also require repair and/or restitution.
3. Allowing waste or excess material to accumulate on or near the site.
4. Contractors must contact adjacent landowners and gain permission to stage materials on their property. Staged materials must be removed within 72 hours of placement. Additional materials may be staged with additional 72 hours.
5. Portable toilets shall be placed on the job site at least 20 feet from the street to minimize visual impact to the neighborhood.
6. Work shall not commence prior to 7:00 a.m. and must stop prior to 7:00 p.m.
7. Excessive noise or music shall not be permitted at anytime.
8. A garbage dumpster shall be allowed on the street, but must remain closed and kept clean of overflowing debris.
9. Equipment, commercial vehicles, including trailers, shall not be allowed to remain parked overnight on the street.

10. These are examples; Notification by a board member or ARC member of an issue of maintaining the enjoyment or value of current residents shall also be considered as a warning prior to violations being imposed.

1. For the first violation of any provision, the Contractor will be assessed an initial fine of \$250. The Contractor will have five working days to correct the violation and pay the fine. If the violation is not corrected within the time permitted, or in any greater amount of time as the Architectural Committee, in its sole discretion, shall grant, an additional fine in amount not to exceed \$500 may be assessed. Additional fines may be assessed for each five day period that the violation is not corrected.

If the violation is corrected, but the fine remains unpaid, the Association may add late fees of \$25 per day until all fines and late fees are paid.

The Contractor may appeal the fine and/or violation initially to the Architectural Committee, and subsequently to the Board in Executive Session. However, imposition of late fees will continue until the fine plus all associated late fees are paid. Should the fine be excused, either by the Architectural Committee or the Board, the amount of the fines and late fees will be returned to the Contractor.

Notices of violation and all other correspondence sent to the Contractor will also be sent to the Owner of the Project Lot.

2. Additional violations by the Contractor of the original or any other provision of the provisions will be assessed an initial fine up to \$500. In all cases, the violation must be cured in five working days, or additional fines will be assessed. Continued violations of the policies by the same Contractor may result in fines up to and in excess of \$1000 per violation.
3. A Contractor who develops a history with the Association of continued violation of the Contractor Rules and Regulations may be required to post a bond assuring compliance with the HOA policies, and guaranteeing payment of fines. Failure to provide a bond so demanded by the Architectural Committee will be cause for the Committee to refuse to approve the project.
4. Upon completion of the Improvement, any fines remaining unpaid by the Contractor may be assessed against the Owner.

The above schedule is approved as of May 31, 2008 and shall be sent to all members of the association as soon as possible.

Frequently Asked Questions on Fines and Violations

Why did I get a covenant warning or violation notice?

You likely received a notice because a neighbor identified a violation of the covenants for your home and reported you. It is the Board of Directors desire that neighbors just work with other neighbors to get along and resolve their own differences.

Why did I get a notice when other residents did not?

The covenants are here for all the homeowners, however, some neighbors are less concerned over some of the codes and covenants than others. The HOA does not seek out violations, but responds to them.

What happens if I don't correct my covenant violation within the designated time?

There is a procedure for the enforcement of the covenants. Homeowner complaints will be accepted at any time. A reminder letter will be sent to the homeowner following the identification of the violation. The homeowner will have a designated time period after receiving the notice to correct the violation. If it is not corrected, a violation notice and notice of a fine will be sent, giving the homeowner a designated time to correct the violation. If it remains uncorrected, notices will be sent and increasing additional fines levied according to the schedule approved by the board of directors. Fines will continue to accrue and a lien will be placed on the home. To clear the lien, all fines must be paid. Fines and due are subject to collection and must be paid on time.

Why should I follow the covenants when others don't seem to care?

It is the responsibility of ALL homeowners in Meadowridge at Timberhill to try their best to follow the covenants as they are written. Unfortunately, other homeowners may not share the same commitment to following the covenants as most do. We must strive to do the best WE can as individuals to help maintain the community, report violations to your board members and provide a good example for how we want the neighborhood to be. The board does not want to be a "policing agency" but will strive to uphold the CC&Rs for the Association.

What happens when I report covenant violations?

When homeowners file a complaint with the HOA, the HOA makes every attempt to verify the problem and notify the resident of the issue in an attempt to correct the violation. The complaints are handled through the appropriate measures set out by Resolution 2 of the HOA board of directors. The board strives to handle these complaints as expediently as possible, but due to the time necessary to allow the homeowners to correct the violations, may take up to or greater than 60 days depending on the circumstances. All complaints become part of the HOA record and are open to all HOA members.