

# REGULAR MEETING

**Purpose:** Pinehurst at Waldenwood Homeowners Association (PWhA)  
Board of Directors

**Mtg Minutes Date:** April 27, 2020 on-line via RingCentral

**Next Meeting Date:** May 18, 2020 at 7:00 PM

**Location:** RingCentral On-line Conference (in Response to COVID-19)  
<http://www.pinehurst-hoa.org/>  
[https://caliber.phillipsrealestateservices.net/CaliberWeb2\\_Phillips#/landing/home](https://caliber.phillipsrealestateservices.net/CaliberWeb2_Phillips#/landing/home)

**ATTENDEES:** \* IN ATTENDANCE "X" = YES, "BLANK" = NO

NAME	*	E-MAIL	TITLE	PHONE	INITIALS
Doug Stewart	<input checked="" type="checkbox"/>		President		DS
Chris Winks	<input checked="" type="checkbox"/>		Treasurer		CW
Regina Downey	<input checked="" type="checkbox"/>		Vice President		RD
Mel Diego	<input checked="" type="checkbox"/>		Member at Large		MD
Jason Russell	<input checked="" type="checkbox"/>		Member at Large		JR
Bryan Eppler	<input checked="" type="checkbox"/>		Secretary		BE
Tina Jackson	<input type="checkbox"/>		CAM		PRE
Rick Kocher	<input type="checkbox"/>		CAM		PRE

## AGENDA:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Introduction                       | <input type="checkbox"/> Treasurer's Report                  | <input type="checkbox"/> Maintenance Report     |
| <input type="checkbox"/> Review & Approval of Prior Minutes | <input type="checkbox"/> Phillips Management Report          | <input type="checkbox"/> New Business           |
| <input type="checkbox"/> President's Report                 | <input type="checkbox"/> ACC Committee Report                | <input type="checkbox"/> Establish Next Meeting |
| <input type="checkbox"/> Election Officers                  | <input type="checkbox"/> Homeowner's Requests and Violations | <input type="checkbox"/>                        |

ITEM	DESCRIPTION	ACTION BY	DUE DATE
1.0	<b><u>President's Report:</u></b>		
1.1	<p><b><u>Prior Regular Meeting Minutes:</u></b> Last recorded minutes were from October 2019.</p> <p><b>DECISION(s):</b> M-DS; Motion to approve October 2019 meeting minutes as written. S-CW; Motion carried unanimously.</p> <p><b>ACTION(s):</b> BOD review for approval.</p> <p>DISCUSSION: 4/27/20 - DS and CW were the only board members present at the last Regular Meeting. They reviewed and approved the minutes.</p>	BOD	4/27/20
1.2	<p><b><u>Pavers:</u></b> To be installed at the entrance to the park/ playground. This was just for the first 15 feet of the entrance from the sidewalk to keep the gravel from going out onto the sidewalk and street.</p> <p><b>DECISION(s):</b> CW and DS approved this project to move forward and sent notice to proceed to PRE to have Skinner schedule the work.</p> <p><b>ACTION(s):</b> CW to determine when the work can be scheduled due to COVID-19 restriction and advise the BOD. CW to contact Skinner directly. Skinner is our current landscaping firm.</p>		

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	<p>DISCUSSION:</p> <p>4/27/20 – Work needs to be schedule and is approved.</p> <p>6/17/19 - Park entrance project. Tim Pfohl, President of PRE will get bids for park pavers and DS approves pavers instead of asphalt path. 12-15 ft into path to be paved.</p>	CW	5/6/20
1.3	<p><b>Philips Property Management Group:</b> Attached is the current contract for Phillips Real Estate (PRE) as the Community Association Manager (CAM). It has been determined by prior and current BOD that the contract is very vague and is specifically lacking in the roles and responsibilities PRE is to conduct/perform on behalf of our Pinehurst Community. Because of this vague contract, the BOD has found it very difficult to hold PRE accountable. The current contract does not contemplate any remedies for their lack of action.</p> <p><b>ACTION(s):</b> DS, CW, RD, &amp; BE to hold a separate meeting prior to next Regular Meeting to discuss.</p> <p>DISCUSSION:</p> <p>4/27/20 – Differed to next meeting</p>	DS,CW,RD,BE	TBD prior to 5/18/20.
1.4	<p><b>HOA Insurance Policy (H01):</b> PRE has let us know that our policy will expire 5/4/20 if the BOE has not already signed it and forwarded to Corin Smith.</p> <p><b>DECISION(s):</b> M-CW; Motion to accept the new insurance policy as given; S-JR; Motion carried unanimously.</p> <p><b>ACTION(s):</b></p> <ol style="list-style-type: none"> <li>1. President to execute the agreement</li> <li>2. Treasure to make payment</li> </ol> <p>DISCUSSION:</p> <p>4/27/20 – CW advised that increase seems reasonable based on other reviews.</p>	DS CW	4/28/20 Prior to 5/4/20
1.5	<p><b>Recruit for BOD:</b> Current Board volunteers have served diligent and are well tenured and they need relief. Additionally, vacancies on the Board need to be filled.</p> <p><b>DECISION(s):</b> M-DS; Motion for proposed slate of officer and directors as noted in discussion below. S-CW; Motion carried unanimously.</p> <p><b>ACTION(s):</b></p> <ol style="list-style-type: none"> <li>1. Welcome new Board Members Regina Downey, Mel Diego, Jason Russel, and Bryan Eppler. New members we voted in at the Annual Meeting of the Members in February 2020.</li> <li>2. Elect new slate of Officers at the first Regular Meeting of the Board of Directors (BOD).</li> </ol> <p>DISCUSSION:</p> <p>4/27/20 – Proposed slate CW – Treasurer; DS – President; BE – Secretary; RD – Vice President; JR &amp; MG – Members at Large</p> <p>6/17/19 – New volunteer for Board position- approval by Board next meeting. Any new members will need to be voted in at the annual meeting in February.</p>	President  BOD	4/27/20  4/27/20
2.0	<p><b>Treasurer's Report:</b> PRE posted March 2020 report for review.</p> <p><b>DECISION(s):</b> M-BE; Motion to accept Treasures Report as noted in</p>		

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	the discussion. S-JR; Motion carried unanimously.  <b>ACTION(s):</b>  DISCUSSION: 4/27/20 – CW Reviewed with the group. We are in receipt of the Governor's COVID-19 April 17 <sup>th</sup> Proclamation 20-51. BOD will not be assessing late fees for the stated time frame by Proclamation. HOA previously owed dues and fines are still to be collected by PRE. 6/17/19 – Chris Winks asked about the cost of mailing which seems high. CW approved the \$25.00 over payment by homeowners to be sent back to homeowners as a reimbursement instead of a credit toward 2020 dues.		
3.0	<b><u>Phillips Management Report:</u></b>  <b>ACTION(s):</b> Seven (7) members to be sent late payment letters. PRE to send letters by 6/21/19. See Treasurer's report above.  DISCUSSION: 4/27/20 – Differed to next meeting. 6/17/19 – Eight (8) members late on dues.	PRE	5/18/20
4.0	<b><u>ACC Committee Report:</u></b>  <b>ACTION(s):</b> 1. ACC to review and approved fencing. 2. ACC to send approval for the property that has provided the roofing samples.  DISCUSSION: 4/27/20 – A couple of fencing requests. One roofing request with composition samples provided and waiting on ACC. One roofing request that needs to provide samples for approval.	JR JR	Send approval Send approval
5.0	<b><u>Homeowner's Requests and Violations:</u></b>		
5.1	<b><u>Parking on the Grass (along 47<sup>th</sup> Ave SE):</u></b> The BOD has been faced with the parking on the grass for quite some time now. When attempting to address the issue with adjacent homeowners it has proven difficult because the vehicles in violation are not parked adjacent to lots. Doug Stewart has two recommendations for us to consider. 1.) Provide and install a matching split rail fencing like one at the top entrance of the development, or 2.) We can have the vehicles towed. In order to utilize the towing option, we must first select a towing company and then post signs in the development that improper parking can and will result in a vehicle being towed. This notice must inform the residents of the development who will be doing the towing and where their vehicle can be found. If we use the towing option, it has been recommended that we use Mary's Towing. They are located on Highway 99 not to far from Home Depot by Airport Road.  <b>DECISION(s):</b>  <b>ACTION(s):</b> 1. Request a quote from Skinner or other for split rail fencing. 2. Select a towing company such as Mary's Towing.  DISCUSSION:	CW DS	5/18/20 5/18/20

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	4/27/20 – We need to protect the landscaping and our property. Visitor parking is allowed in the street. The use of this space for parking is being used almost daily. Place signage for no towing and post notice of towing company. We are also exploring split rail fencing in this location to block the area from parking.		
5.2	<p><b>Lot 1-146 - 10905 51st Ave SE:</b> Yard and fence issues. The referenced address has had a vacant home with dilapidated yard and fencing and associated rodent infestation. The BOD has fined the owner of the home and charged him for upkeep of his property. The property owner by default has made us his property managers. This must not continue. This lack of care and concern should not be his neighbor's responsibility or that of the BOD.</p> <p><b>DECISION(s):</b></p> <p><b>ACTION(s):</b></p> <ol style="list-style-type: none"> <li>1. MG/DS to re-document with photos of the current state of vegetation overgrowth as best you can and please send to the board. Take several photos at different angles including your fence being pushed down. At that time, we will issue another notice of continued noncompliance and issue another fine in accordance with the fine schedule.</li> <li>2. PRE please secure a landscaping agreement to include an advance quote of NTE with a landscaping company that can and will enter upon the property and make the needed corrections so that the adjacent properties are in no way hampered by the homeowner absence and neglect and that yard neglect is not visible from common areas i.e. sidewalks. This direction sent to PRE on 4/21/20.</li> <li>3. PRE request HOA attorney to draft a notice to the homeowner of the boards next planned course of action to remedy the concerns. Please submit copy to HOA/BOD. This direction sent to PRE on 4/21/20.</li> <li>4. Once we have a quote in hand then PRE is to send that notice to the homeowner with a 15 working days allowance for corrective action at which time we as an association will take corrective action charging any and all cost incurred to the homeowner.</li> <li>5. PRE to have and plan and progress report for next Regular Meeting of the BOD.</li> </ol> <p><b>DISCUSSION:</b> 4/27/20 – Member has been fined. He states he has paid for thousands of dollars of upgrades. Picture from this week demonstrate that the property is not being maintained and has not been for quite some time.</p>	<p>MG/DS</p> <p>PRE</p> <p>PRE</p> <p>PRE</p> <p>PRE</p>	<p>Complete</p> <p>5/18/20</p> <p>5/18/20</p> <p>5/18/20</p> <p>5/18/20</p>
5.3	<p><b>4502 114th PI SE:</b> Parking of Boat Trailer. This home has had and continues to have recreational vehicle parking violations on their driveway. The BOD has sent half a dozen photo's and requested notices of noncompliance, and levied fines since this time last year for improper storage and parking of boat and trailer.</p> <p><b>ACTION(s):</b> PRE to send notice of fine if the boat is not moved by 5/8/20.</p> <p><b>DISCUSSION:</b> 4/27/20 – Continue to send fines. This Member is also three years</p>	<p>PRE</p>	<p>5/8/20</p>

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	behind on dues. We will discuss liens on this property at next Regular Board Meeting.		
5.4	<p><b><u>Lot 1-032 - 4611 113th St SE:</u></b> Parking van on street.</p> <p><b>DECISION:</b> No further actions unless parking on the street resumes.</p> <p><b>ACTION(s):</b></p> <p>DISCUSSION:</p> <p>4/27/20 – Notices of fines completed on 2/25/20 and 4/14/20. See general parking below. Other cars near this home were provided written notice and those vehicles were moved onto the driveways. Special consideration does not apply for CC&amp;R's and Rules &amp; Regulations.</p> <p>4/16/20 – The homeowner is refuting the fine stating special conditions with a disabled son.</p>	CLOSED	
5.5	<p><b><u>Lot 1-037 - 11306 45<sup>th</sup> Ave SE:</u></b> Nuisance, parking and noise issues. This lot has had numerous complaints given and Sheriff notified. The Sheriff was notified five times as given below. Notes are from Member Neighbor (MN) filing the complaint.</p> <ul style="list-style-type: none"> <li>• 4/19/20 – Another incident reported where Sheriff was called. Sheriff showed up twice because tenant refused to turn down their music. It has also been noted by the MN that tenant appear to be in non-compliance with COVID-19 social distancing and other current restrictions. MN is now contemplating civil legal action.</li> <li>• 4/18/20 - Party in their back yard with loud music and yelling. The Sheriff came by twice. <i>Incident # 2020000058066</i></li> <li>• 4/10/20 - Another birthday party for someone not in house. The Sheriff was called about 10:30 PM and then again after 11:00 PM. The Sheriff did go next door and did not call us back.</li> <li>• 2/22/20 - Large party with loud yelling, music, and revving of cars. The Sheriff arrived after 12:03 AM. <i>Incident # 202028895</i></li> <li>• 12/29/19 - Large party. The Sheriff was called 12:07 AM, 12:56 AM, and again at 1:53 AM.</li> <li>• 9/22/19 – One of their cars was blocking the neighbor Member's driveway.</li> </ul> <p>Member Neighbor (MN) has attempted to work this issue through with the Owner and the Tenants. Owner was first called by MN at the end of December/Early January. Instead of calling the Sheriff they contacted the Owner about a half dozen times until March 21<sup>st</sup>. After that the Owner acknowledged to the MN that the HOA Rules and Regulations prohibited loud noises. At this point it was assumed by the MN, that after this acknowledgement the issue was remedied, otherwise there would have been many more calls to the Sheriff. The MN has gone back through their pictures and can identify that almost every weekend from the end of December has been at least one party each weekend. MN sentiment about these parties is that they are not the equivalent of an adult "get together." They are similar to a "frat party" that spills out on the street. Further, beyond the "frat parties" there are many other occasions when a few individuals were over, and music was playing later into the evenings including weekdays and weekends. MN states that, "Since December there is about a 90% chance that we will be up late due to noise on a Friday/Saturday/Sunday." MN continues to have disruptions during the week. The nature of their ongoing disturbances includes revving vehicles, vehicles parked up and down the street from</p>		

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	<p>the Tennant house, vehicles with a flat tire [presumed left unattended], vehicles parked at an illegal distance to MN's driveway, commercial vans or other vehicles parked in front of MN home, chopping wood on the side of our house, an off-leash Akita, specific noise complaints, and many other issues. The MN has told the BOE that they have pictures as stated above, video, and other information available regarding the incidents as described above. [clarification added by BOE]</p> <p><b>DECISION:</b></p> <p><i>April 23, 2020.</i> BOD directed PRE to send a Regulation Violation Warning Letter where compliance is required. Letter was sent on April 23, 2020. The notice of warning is for several violations.</p> <ol style="list-style-type: none"><li>1. Declaration (1999), Article 7, Section 7.33 – Nuisance</li><li>2. Declaration (1999), Article 9, Section 9.1.2 – Compliance of Lessee</li><li>3. Rules and Regulations (2010), Rule 14 – Noise Control</li></ol> <p>The Member (Owner) is required to ensure that all noise disturbances and offensive activity ceases immediately and does not reoccur. Per the Association's Declaration, any continued disregard for the provisions of the Association's Governing Documents constitutes a default of the lease agreement between the Member and Lessee.</p> <p><i>September 24, 2109.</i> BOE directed PRE to provide a Regulation Violation Warning Letter where compliance is required for not submitting an Owner / Resident Information Form to the Association through PRE. A letter was sent September 24, 2019. As the Unit Owner, they are required to complete an Owner / Resident Information form and submit it to the Association through PRE which reports to the BOD the name and address of their successor(s) in interest.</p> <p><i>September 17, 2019.</i> BOE directed PRE to provide a Regulation Violation Warning Letter where compliance is required for vehicles associated with this Lot for vehicles parking day and night on the street and on the sidewalk in violation of the Association's Rules and Regulations. A letter was sent on September 17, 2019. As Member, they are required to ensure vehicles are parked in the garage or on their driveway.</p> <p><b>ACTION(s):</b></p> <ol style="list-style-type: none"><li>1. PRE to follow-up on parking fine status for last year (2019).</li><li>2. If parking is not remedied in fifteen (15) days PRE is to then issue daily or weekly additional fine notices as observed.</li><li>3. Obtain copies of the two police reports for reported noise complaint.</li><li>4. If noise complaints filed confirm noise nuisance, then send fine letter. If additional complaint occurs after fifteen (15) days send additional fines and each incident thereafter.</li></ol> <p><b>DISCUSSION:</b></p> <p>4/27/20 – In summary we have COVID-19 social distancing violations, parking violations, noise violations, dog off leash violations, and lessee non-compliance. We must protect the integrity of the community. BOD must pursue all fines until the lessee situation is remedied.</p> <p>4/20/20 – We have had several requests for help from the neighbor (Mr. David Ochs) requesting our help in resolution. The sheriff has been called several times. The Sheriff recommends HOA should become involved, notice against owner for allowing a neighborhood nuisance,</p>		<p>5/8/20 5/12/20 and daily thereafter Filed On-line</p> <p>Pending Receipt of Report(s)</p>
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	civil suit against the tenants and the owner. Mr. Ochs' is starting to investigate hiring a lawyer.		
5.6	<p><b>General Parking:</b> We had several notices of violation of parking. PWHA continue to have many vehicles that are not parked in keeping with Rules and Regulations (2010), Rule 2 – (Parking Restrictions).</p> <p><b>ACTION(S):</b> BOE needs to continue to note violation and send PRE locations for both warning and fine letters.</p> <p>DISCUSSION: 4/27/20 – We need to pursue each incident to get the neighborhood into compliance.</p>	BOD	5/18/20
5.7	<p><b>Lot 1-158:</b> The Member has asked about trimming a cedar tree branches allegedly blocking to sun on her yard that prevents grass/plant growth.</p> <p><b>ACTION(S):</b></p> <ol style="list-style-type: none"> <li>1. PRE is working to obtain more details as to where the tree is located at on the property or common areas. PRE is awaiting a reply.</li> <li>2. DS believes he knows who the Member is and will investigate the validity or the request.</li> </ol> <p>DISCUSSION: 4/27/20 - Differed until next Regular Meeting.</p>	PRE  DS	Pending Member  4/27/20
6.0	<b>Maintenance Report:</b>		
6.1	<p><b>Pond Cement:</b> The pond cement needs repair.</p> <p><b>ACTION(S):</b> DS to negotiate with Silverlake Water District. See easement below.</p> <p>DISCUSSION: 4/27/20 – See if Scott with Silverlake Water District is willing make repairs in consideration of the easement assignment. 6/17/19 – Pond</p>	DS	5/1/20
6.2	<p><b>Pond Easement:</b> DD has provided us with the attached the easement request from Scott Smith with the Silver Lake Water and Sewer District (SLWSD).</p> <p><b>DECISION:</b> M-DS; Motion is to approve the additional easement as requested by SLWSD. S-RD; Motion carried unanimously.</p> <p><b>ACTION(S):</b> DS to notify Scott with SLWSD. DS to sign easement assignment / consent form.</p> <p>DISCUSSION: 4/27/20 – No impact to us.</p>	CLOSED  DS	  5/1/20
6.3	<p><b>Power Line Easement:</b> An easement at the top of the development has been requested for power line work by SLWSD. Again, DS has reviewed the impact(s) to the adjacent homes, and it appears to be temporary. Once the work is completed, it does not appear to have any long-term impacts to the development. SLWSD has said that they will bring the work area back to its original state and that they will enhance the surrounding area.</p> <p><b>DECISION:</b> M-DS; Motion is to approve as requested. S-RD; Motion</p>	CLOSED	



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	<p>carried unanimously.</p> <p><b>ACTION(S):</b> DS to notify Scott with SLWSD. DS to sign easement assignment / consent form.</p> <p>DISCUSSION: 4/27/20 – No impact to us.</p>	DS	5/8/20
	<b><u>New Business:</u></b>		
1.6	<p>COVID-19: The Governor's has issued proclamations regarding community associations. The proclamations affect the below issues.</p> <p>Condo Law Group is posting weekly zoom meetings presenting current information and open Q&amp;A sessions at <a href="http://www.condolaw.net/Webinars.html">http://www.condolaw.net/Webinars.html</a></p> <ul style="list-style-type: none"> <li>• Late Fees: no late fees or interest is to be assessed between 4/17/20 and 5/17/20 (5pm).</li> <li>• Delinquency Letters: cannot include language charging or threatening to charge late fees.</li> <li>• PRE will create "COVID-19" letter with softer language and no mention of late fees. Letters will also include language obtained from attorneys at Condo Law Group for owners having payment difficulty due to COVID related issues.</li> <li>• NSF (returned check fee): charges in excess of bank fees cannot be assessed to Member(s) of the Association as an NSF fee, this fee will be charged to the Association during the period set forth in the Proclamation.</li> <li>• Fees assessed by the bank will continue to be charged back to the Member(s), these are not considered fines/penalties.</li> <li>• Assessments: applicable only to WUCIOA communities.</li> <li>• Because the penalty component for assessments is included with the charging of assessments in section 64.90.480 and 64.90.485, and the intent of the Proclamation was to waive penalties, the attorney feels that continuation of assessment collection for WUCIOA communities is appropriate.</li> </ul> <p><b>ACTION(S):</b></p> <ol style="list-style-type: none"> <li>1. PRE will remove all late fees and interest charged to ledgers between to 4/17/20 to 5/17/20 (this includes collection and bankruptcy accounts). If any Members have made payments for those fees, the payment(s) will be applied towards other outstanding charges or future assessments, whichever is applicable (please ask if you have questions about this).</li> </ol>	INFORMATION	INFORMATION

These minutes are provided to document PWHA Board of Directors Regular Meeting discussions, decisions, and current activities to the best of our understanding. Please provide comments, corrections, or revisions within the next seven days following receipt of these minutes. If no comments or exceptions are received, these minutes shall be deemed agreed to by BOD and will stand as published until officially reviewed and accepted at the next Regular Meeting.

Prepared by:  
**Secretary, Board of Directors**



Bryan Eppler

END OF REPORT