

Uplands at Timberhill Homeowner Association

Annual Meeting

Sunday, January 13, 2019 2:00 pm

Timberhill Athletic Club

AGENDA

- | | |
|---|------------------|
| 1. Welcome, Introductions, Quorum | Jennifer Klammer |
| 2. Proof of Notice of Meeting | Dave Stubbs |
| 3. January 2018 Meeting Minutes, review, <i>APPROVE</i> | Dave Stubbs |
| 4. Director Reports | |
| Landscape Report | Christy Peterson |
| Treasurer Report | Kathleen McBride |
| 2018 Report | |
| 2019 Proposed Budget, <i>VOTE</i> | |
| Welcoming Report | Carolyn Miller |
| Neighborhood Watch Report | Nancy Ulman |
| 5. 2019 Board Nomination, <i>VOTE</i> | Jennifer Klammer |
| 6. CCR Review | Karyn Bird |

Welcome, Introductions

Quorum

Jennifer Klammer

- 18 members are needed for a quorum

_____	Members present
_____	Proxies
_____	Total

- Do we have a quorum?

Proof of Notice

Dave Stubbs

- Not more than 50 days but within 10 days
- Emails were sent on Wednesday, January 2, 2019
- Neighborhood Watch Captains hand delivered notices
- Reminder email Saturday, January 12, 2019

2018 Annual Meeting Minutes

Dave Stubbs

Uplands at Timberhill HOA Annual Meeting Minutes
Sunday, January 21st, 2018 at 2:00 p.m.
Timberhill Athletic Club

Board Members Present

Jennifer Klammer, President
Doug Wentworth, Acting Secretary
Kathleen McBride, Treasurer
Christy Peterson, Landscape
Carolyn Miller, Welcoming
Larry McBride, Member-at-large

HOA Members Present

Nancy Ulman
Ray Tucker
Dave Stubbs
Betty Brose
Marion Wong
Ron Miller

Proxies Received From

Phil & Luann Ermer
Thomas & Norene Nordby
Bill & Sandy Hostetler
Jay & Tracy McDougal
David & Melissa Goodrum
Carl Wu & Jian Wang
Evan & Martha Smouse
Robert & Susan Schwartz
James & Karyn Bird
Jerry Witkowski
Colleen Works
Darren & Cori Bland
Joah & Jane Casey
James & Sarah Miller
Greg Keene & Anne Adams
Kevin Cuccaro & Janet Chang
Ralph Showalter & Malgo Pesznka
Curtis & Deborah Rose
David H. Schudel Revocable Trust
Hong Li & Kai Lu
Brian & Melinda Lind
Jason & Naomi Oak
Griff Liang & Marion Wong
Sherril & Susie Pitkin
Marilyn Carl

Call to Order

Jennifer Klammer, President called the meeting to order at 2:00 p.m.

Roll Call

HOA members in attendance introduced themselves. Eleven members were in attendance and 25 proxies were collected. The required quorum of 18 needed to vote on issues was exceeded.

Proof of Notice

Notice of the annual meeting was made by e-mail on Thursday, January 11 which is within the required "before 10 days but not sooner than 50 days" by-law requirement. Also, Watch Captains hand delivered paper notices a few days before the meeting as a reminder.

Guest Speaker

Jennifer Klammer introduced Kevin Higgins, manager of the Benton County Emergency Services Division for a presentation on emergency management.

Following are highlights of Mr. Higgins' presentation:

- The Emergency Services Division is responsible for assisting residents to prepare for emergencies and to render assistance during natural or man-made disasters.
- Emergencies include: earthquakes, fires, floods, ice/snow storms, cyber attacks and electrical power outages.
- Residents should keep a supply of food and water on hand to last several days.
- A portable camp stove or barbeque stove should be on hand for cooking and boiling water in case of gas or electrical outages. These should not be used indoors unless specifically rated for indoor use because of the danger of carbon monoxide poisoning. Most hot water heaters can hold 50 gallons of water which can be used for drinking in an emergency.
- Each household should designate pre-arranged meeting places where family members can re-join if separated during a disaster.
- If you must evacuate your home be sure to shut off water, gas and electrical power. Keep a list of essential information such as medications and prescriptions, financial account numbers, insurance policies, passwords and ID numbers and medical providers with you.
- Keep an Out-Of-Area Contact Person card in wallet or purse that has name and phone number of person(s) that should be contacted in the event of emergency.
- Sign up for the Linn-Benton Alert Emergency Notification System to receive alerts to phones in areas affected by an emergency.
- Become a volunteer member of CERT -- Community Emergency Response Team. Volunteers receive training and learn skills needed to help family and neighbors during a disaster.

Approval of Annual Meeting 2017 Minutes

Minutes from the 2017 annual meeting were unanimously approved.

Neighborhood Watch

The HOA now has seven Neighborhood Watch captains:

Luann Ermer (Crocus PI)

Marion Wong (Snowbrush PI)

Janet Chang (upper Silktassel Dr)

Melisa Carter (lower Silktassel Dr)

Tracy McDougal (Goldenrod PI)

Al Palmer (Firefern PI)

Dave Stubbs (Huckleberry PI)

HOA Board Members

Board members nominated and elected for 2018 are:

Jennifer Klammer

Kathleen McBride

Christy Peterson

Dave Stubbs

Carolyn Miller

Marion Wong

Karyn Bird

Following the annual meeting, the HOA Board will meet and determine which board officer positions will be assigned to these members.

Landscaping

Christy Peterson reported that the HOA landscaped area has received several compliments this year on the fine condition of the turf. The work on reseeding, thatching, new sprinkler heads and revising the watering schedule is reflected in the improvements. Forty new sprinkler heads will be installed in 2018. The landscaping contractor will not increase labor rates in 2018. A question came up regarding the schedule for mowing the strip of turf along the bike trail east of Huckleberry Place. Christy will check the landscaper contract to verify that. Two areas where the tree roots have pushed up the sidewalk panels have been repaired.

Treasurer's Report and Budget

Kathleen McBride presented the treasurer's report as of December 31, 2017.

Financial Statement for Uplands at Timberhill HOA						
				As of: 12/31/2017		Proposed
					Budget	Budget
	2014	2015	2016	2017	2017	2018
Beginning Balance	\$5,824	\$4,563	\$5,162	\$6,569		
Expenses						
Administrative Costs	\$300	\$297	\$289	\$283	\$300	\$360
Annual Meeting	\$0	\$0	\$0	\$0	\$0	\$0
Electricity	\$318	\$325	\$403	\$410	\$405	\$490
Landscape Maintenance	\$12,854	\$15,245	\$14,390	\$16,350	\$17,000	\$17,000
Water	\$9,105	\$5,034	\$5,013	\$7,646	\$7,000	\$7,100
Taxes	\$185	\$0	\$0	\$0	\$0	\$0
Total Expenses	\$22,762	\$20,901	\$20,095	\$24,689	\$24,705	\$24,950
Income						
** Dues	\$21,500	\$21,500	\$21,500	\$26,100	\$25,800	\$25,800
* Interest Earnings	\$0	\$1	\$1	\$1	\$1	\$1
Miscellaneous	\$0	\$0	\$0	\$0	\$0	\$0
Total Income	\$21,500	\$21,501	\$21,501	\$26,101	\$25,801	\$25,801
Ending Balance	\$4,563	\$5,162	\$6,569	\$7,981		
* Net amount of interest earnings in Savings Account						
** 2017 Dues income includes \$300 of prepaid 2018 dues						
As of:	31-Dec-14	31-Dec-15	31-Dec-16	31-Dec-17		
Checkbook Balance	\$2,873	\$2,272	\$2,478	\$2,688		
Savings	\$1,689	\$2,890	\$4,091	\$5,293		
Ending Balance	\$4,563	\$5,162	\$6,569	\$7,981		

Expenses for 2017 were \$16 under budget. For the 2018 budget, we expect that the rate for electricity (for which we pay only required minimum) will increase by \$85. Also, the City of Corvallis will increase water rates by about 1%. The slight increase in administrative budget anticipates costs of proposed updates to the CCR's (e.g. fencing, parking in street). And the Landscape Maintenance includes replacement of 40 sprinkler heads.

The 2018 budget was moved and adopted.
Meeting was adjourned at 4:00 p.m.

2018 Annual Meeting Minutes

APPROVE

Landscape Report

Christy Peterson

Treasurer's Report

Kathleen McBride

- 2018 expenses were below budget overall which increased our savings account balance
- 2018b Total income reflects \$300 annual dues collected per lot from 86 lot owners
- 2019 Proposed budget
 - 2% increase in water costs
 - Administrative cost to record updated CCR's
 - Maintain \$300 annual dues assessment per lot

2019 Budget
VOTE

Jennifer Klammer

Welcoming Report

Carolyn Miller

Neighborhood Watch Report

Nancy Ulman

- Met with Varian Tilton, CPD Crime Prevention, Varian would like each of the groups to hold NW meetings
- Met with group leaders
- Snowbrush and Crocus neighbors met at Marion Wong's home for a NW meeting. Varian Tilton gave a presentation and provided information about the Neighborhood Watch program. He brought several items to hand out, including window decals for individual homes. The event was well-attended.
- A street sign at the entrance to Crocus Place has been added
- Most areas held an event for Neighborhood Night Out

2019 Board Nominations

Jennifer Klammer

VOTE

Proposed CCR Updates

Karyn Bird

Thank you to our Uplands at Timberhill HOA Board of Directors for taking on the year-long task of digitizing, reviewing and proposing changes to our Covenants, Conditions and Restrictions. It's been 25 years since the original 1993 recording, so we felt this was a great time to consider updates.

1. An electronic document was created replicating the information from the 1993 photocopied document.
2. Revisions for clarity, consistency, eliminating repetition, grammar, punctuation and spelling were made.
3. The board unanimously recommends the adoption of the changes as noted in the attached document.

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Proposed CCR changes - Assessments

- In 2018, the regular annual assessment is \$300 for each lot.
- The Board of Directors may increase the annual assessment by up to \$50 without a vote of the members.
- Above \$50 increases in the annual assessment must be approved by 2/3 of all members of the HOA

Article IV, Section 3A, 3B (*Pages 3-4*)

Section 3. ~~Basis and Maximum Annual Assessments~~: Starting in 1993, the regular annual assessment was One Hundred Dollars (\$100.00) per year for each Lot. In 1996, the regular assessment was changed, by 75% vote of the membership, to One Hundred and Fifty Dollars (\$150.00) per year for each Lot. The Annual Assessment will be levied on all Lots on March 1 of each year. **The base regular annual assessment of Three Hundred Dollars (\$300) per year for each HOA lot was established in January, 2018. Regular annual assessments are levied on all HOA lots on March 1 of each year.**

A) ~~From and after March 1, 1993,~~ **The maximum annual assessment may be increased up to fifty dollars (\$50)** by the Association's Board of Directors, effective on the first day of March following such decision without a vote of the members. ~~The increase shall be a maximum of the cumulative change of the Consumer Price Index (published by the U.S. Department of Labor) from January 1, 1993, to date fixed by the Board.~~ Increases will be rounded to the nearest Five Dollar (\$5.00) increment.

B) ~~From and after March 1, 1993,~~ The maximum annual assessment may be increased above **fifty dollars (\$50)** ~~that determined by reference to the Consumer Price Index as aforesaid~~ by a vote of the members, provided that any such increase shall be approved by the affirmative vote of not less than two-thirds (2/3) of all members of the HOA in person or by proxy, at a **special** meeting duly called for this purpose **or the annual meeting**, written notice of which shall be sent to all members not less than **ten (10)** ~~thirty (30)~~ days nor more than **fifty (50)** ~~sixty (60)~~ days in advance of the meeting setting forth the purpose of the meeting. If the required number of votes is not cast in person or by proxy due to low attendance at the meeting, the Board of Directors may continue to gather the proxies required for a two-thirds affirmative vote of the HOA membership.

Article IV, Section 3A, 3B (Pages 3-4)

Proposed CCR changes - Signs

No sign of any kind, **except one a single professional sign of not more than five (5) square feet of surface advertising the property for sale or rent**, shall be displayed in public view on any building or building site, ~~except one professional sign of not more than five (5) square feet of surface advertising the property for sale or rent.~~ If a property is sold or rented, any sign related thereto shall be removed immediately, except that a “sold” sign may be posted for not more than thirty (30) days. **Additionally, a single security sign of not more than one (1) square foot may be placed so that it is visible from the street.**

Article VI, Section 5B, 8 *Page 11*

Proposed CCR Additions –Solar Panels

Solar panels on the roof are encouraged. Solar panels on the roof must comply with Oregon Structural Specialty Code, Section 3111, and local building codes. If solar panels are visible from the street and do not follow the approximate slope of the roof, the neighbors in the immediate area must be consulted and the design submitted to the HOA Board for approval prior to installation. Free standing solar panels are not encouraged or recommended.

Article VI, Section 2B, 12 *Page 8*

Proposed CCR Additions – Wind

The HOA Board must approve the design plans for construction and placement of any **urban wind generation structure**. Statements of support from neighbors must accompany the design plans submitted to the Board for approval. Oregon and local building codes must be followed. An urban wind generation structure must not be visible from the street.

Article VI, Section 2B, 13 *Page 8*

Proposed CCR Additions - Burning

No burning to dispose of garbage or trash or incineration of weeds is allowed on any lots or common areas. Fire pits are allowed, but must follow City of Corvallis code requirements.

Article VI, Section 5B, 7 *Page 11*

Fire Pit – HOA Member Response

“No burning to dispose of garbage or trash or incineration of weeds is allowed on any lots or common areas.” – this part is agreeable and no objections.

“Fire pits are allowed, but must follow City of Corvallis code requirements.” – we object to this modification with the following statements:

We have three wood burning firepits that our bordering neighbors have installed that are surrounding our house. For the most part (2 out of 3 of the firepits), they are considerate and the wood smoke is not an issue. We have had a problem with one of our neighbors (they have since moved but it is something that could come up again) so we would like to provide input.

Linda is a cancer survivor and (like everyone) we like to avoid second hand smoke if at all possible since it is a proven carcinogen (one article among many <https://www.scientificamerican.com/article/fire-pit-environmental-dangers/>). During the summer months we often like to have our windows open when it is cool at night rather than run the air conditioning. We have had many times where our house and/or outdoor deck gets filled with wood smoke from our neighbor's fire pit that he liked to use on cool summer evenings (when we liked to have our windows open). We did contact him several times with our concerns and in spite of that he still chose to use it since his adult children liked it. We asked him to call us for consent before using it and had mixed results from that request. He did have the fire department check it and it did comply with city code (placement, size, etc). So our only recourse at that point was to call the fire department during one of his burns and they would douse it if they deemed necessary. Obviously, we would like to avoid this situation in the future if possible.

In the CCR amendments, the proposed additions regarding fire pits above sound like they are basically saying to follow city code (which everyone in our neighborhood already has to comply with) so it doesn't seem that language adds any value. The way it's written sounds like they are more acceptable than I think it should be for a caring neighborhood like we have. We would prefer additions/modifications be something like this:

Woodburning fire pits are discouraged; however, burning is only allowed if there are no objections from neighbors and must follow City of Corvallis code requirements. If fire pits are installed, gas fire pits are preferred and must meet City of Corvallis code requirements.

Rob and Linda Blair, 3295 NW Silktassel Drive

Proposed CCR Additions - Rentals

Rental: No parts of a dwelling may be rented or leased for a short term (less than three (3) months). The homeowner is responsible for discussing the covenants with the renters and providing them a copy.

Article VI, Section 5B, 5 *Page 10*

Rentals – HOA Member Response

I wanted to provide comment to one aspect of the proposed revisions, that is 'Rental'. It basically prohibits AirBNB rentals. We have rented other properties through Airbnb on a number of occasions our selves and think it is a good service to utilize resources that would otherwise be underutilized. A certainty is that property taxes will increase, at least double in the next 15 years. As our neighborhood retires & ages, an occasional Airbnb rental could help to supplement income and allow a homeowner keep their house. While we have no plans to do this ourselves in the near term, I feel as a homeowner we should be able to keep it as an option.

While I think it is reasonable to prohibit a vacant house to become a year round Airbnb rental with a large churn and uncontrolled noise levels, I would like to propose a middle ground. That is to allow an Airbnb rental for houses that are still owner occupied. The owner would be around to monitor and control the rental. So the verbiage in bold that would be added to paragraph 5d is:

No parts of a dwelling may be rented or leased for a short term (less than 3 months) **unless the dwelling is occupied by the owner at least 9 months per year.**

This would allow an owner to take extended vacations themselves while allowing a controlled rental situation at their dwelling.

Thank you, Phil & LuAnn Ermer, 4440 Crocus Place

Proposed CCR Additions – Sidewalk Damage

Damage to public sidewalks must be reported to the City of Corvallis Department of Public Works and to the HOA Board.

Article VI, Section 5B, 6C *Page 10*

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Article VI, Section 5B, 6C *Page 10*

CCR Proposal – Next Steps