

**Park At Timberhill Owners Association**  
**Minutes of the December Board of Directors Meeting**  
**February 28, 2007**

**Call to Order**

President Todd Lewis called the meeting to order at 7:05 P.M. A quorum was confirmed: Board members Todd Lewis (President), Fred Bruck (Treasurer), and Brian B. Egan (member-at-large and acting Secretary) were in attendance; Kathryn Higley was absent; Curt Wright had resigned effective January 26, 2007. Also in attendance were Community Manager Dave Stubbs of DLS Associates and owners Rizwana Rehman and Ben Herman.

**Open Forum**

Todd introduced tonight's guest: David Hamby, Ward 8 Corvallis City Councilman. David described the boundaries of Ward 4, and gave a brief history of his time in Corvallis. He is an OSU Professor and is very interested in helping all homeowners' associations in his ward. He asked people to contact him with any questions or concerns: 738-6204, david.hamby@comcast.net. David related that neither the City nor the police department could enforce CC&Rs. Dave Stubbs clarified by saying that CC&Rs definitely can be enforced by the Associations, and were empowered to levy financial penalties for non-compliance; by State law, these penalties can generate statute-mandated liens against the offending property. David is collecting information on Ward 4 homeowners' associations and will distribute that to all interested parties.

**Election of Board Member**

Fred moved that the Board acknowledge Curtis Wright's resignation; Brian seconded, and the motion passed unanimously. Brian moved that the Board thank Curt for his service; Fred seconded, and the motion passed unanimously.

The floor was opened for nominations for the vacant position, whose term runs until the Annual Meeting in December, 2008. Candidates:

- Ben Herman. Ben introduced himself as an engineer at CH2M-Hill, married to Heather, an ICU nurse at Good Samaritan Regional Medical Center. They have two children.
- No other candidates were presented.

An election was held, and Ben was elected unanimously. Ben then agreed to fill the office of Secretary, beginning with the next meeting.

**Approval of Previous Meeting's Minutes**

Fred moved to accept the minutes as posted on the web site; Brian seconded, and the motion passed unanimously (Ben had to abstain because he had not been present at the previous meeting.)

## **Management Consultant's Report**

Community Manager's report by Dave Stubbs of DLS Associates:

- All HOA assessments have been paid.
- 1099 tax forms and 1120H and state form 20 are complete and filed.
- There were two open issues:
  - 3340 NW Poppy (Seshadri) CC&R compliance issue (see below).
  - 3377 NW Poppy (Condrea) being late on assessments, paying the basic amount but not accrued penalties. There was a brief discussion about how a late fee of \$25 is technically due today, and another \$25 could be assessed every month. Brian moved that Dave assess the late fee, but waive it if payment of current overdue interest and fees is received within 10 business days of the letter being sent; further, the implications of not paying (lien, etc.) should be made very clear in the letter; Fred seconded, and the motion passed unanimously.
- Landscape contractor Stutzman has reportedly finished pruning street trees.
- A replacement tree has appeared on 29th in PATOA's area; we have not been asked to pay for it.
- The Meadows at Timberhill's Tract A, the retention pond between Daylily and Huckleberry on 29th, is the Park's responsibility to maintain (and MTH's responsibility to irrigate). Ben moved that we confirm the earlier e-mail vote to tentatively approve adding maintenance to PATOA's contract with Stutzman landscaping service for an incremental \$960 per year. Fred seconded, and the motion passed unanimously.

## **Treasurer's Report**

Fred Bruck reported that all statements from DLS Associates and our banks were reviewed and approved. Reserves are fully funded; and allocations are being made monthly; cash on hand is ~\$17K.

## **Standing Committee Reports:**

- ARC: chair Jim Bowey was not in attendance. Brian reported that only one new ARC Request had been submitted, for a satellite dish at 3317 NW Poppy; this was still in the approval process. The disapproved shed at 3341 NW Foxtail had not been removed; Dave will send a reminder letter to the owner.
- Welcoming Committee: chair Rizwana presented welcome baskets to three new neighbors; she was able to get great contents at a very good price.
- Landscaping: Kathy McLane was not in attendance.

## **Old Business**

Encroachment into common areas discussion was opened at previous meetings, and was not resolved. Due to time constraints, this discussion will be postponed until the April meeting.

## **New Business: 3340 NW Foxtail CC&R Compliance**

Mr. Prakash Seshadri joined us for a hearing on his home. Mr. Seshadri has talked with Dave on the phone, and with Brian in person during a casual visit. He felt that watering grass in high summer is a waste, and he removed some of the grass and put down bark dust (no ARC Request was filed for this). He did not respond to letters because he felt he was being singled out – other homes have similar problems. Todd explained several times during the meeting that all policies

were being enforced uniformly, and that no homes were being singled out or exempted from the CC&R enforcement.

Mr. Seshadri stated that he has had very little time to work on his yard. He affirmed that he did want to have a neat yard, but with substantially less grass than was usual in The Park; he would base his landscaping on that at 3350 NW Poppy.

Fred thanked Mr. Seshadri for coming to the meeting and sharing his intentions. Todd explained that the ARC process would have to be followed, and explained the basic steps. Mr. Seshadri enquired about how enforcement is done, since he has seen a variety of other homes that are not in compliance; Brian informed him that a friendly face-to-face visit is the preferred first step; further monitoring and action is done by DLS Associates.

Mr. Seshadri stated that he would be submitting an ARC form no later than March 31; he will indicate a specific timeframe on the form. Dave affirmed that the back yard would need to be maintained to standards, regardless of any planned changes to the front yard; Mr. Seshadri stated that the weeds would be maintained to the best of his ability within his schedule.

The Board gave Mr. Seshadri considerable description of the process of notifying owners about changes to documents (e.g., the Financial Penalties Resolution), the purpose and implementation of the Bylaws and CC&Rs, the duties and responsibilities of the Board, and so on. Mr. Seshadri expressed the hope that PATOA was more than a policing body, and expressed interest in participating in the future and suggesting some new ideas.

### **Next Meeting**

The next scheduled Board meeting is Monday, April 16 at 7:00 at Kings Crossing, Corner of Kings Blvd. and Walnut Blvd.

### **Adjournment**

There being no further business before the Board, President Todd Lewis adjourned the meeting at 8:55 P.M.