

# MINUTES

## Spring Meadow HOA Board Meeting

### February 23rd 2016

The Board Meeting of the Spring Meadow Homeowners Association was convened at the YMCA in Albany, OR 97321 at 7:01pm by President Darrick Christensen. Board members Darrick Christensen, Linda Howe, Craig Tress, Bev Weaver, Brian Ashdown, and Tammy Quinn were present. One owner from an adjacent HOA was present. Kurt Powell, Willamette Community Management, was also present.

The Board **ADOPTED** the minutes from January 26, 2016 with a motion by Craig.

**Financial Report:** As of February 22nd 2016, there is \$36,136.72 in the operations account. As of January 31st 2016, the key bank reserve savings account currently has \$170,120.05. The Board **ACCEPTED** the treasurer's report from Linda Howe.

**Homeowners Forum:** Nothing to report.

**Landscape Report - Barky Knoll:** WCM contacted the City of Albany who tentatively agreed to allow installation of asphalt on the common area tract and the City's property as well. However, the City would need to review the details of a "barrier fence" prior to allowing it's installation outright. There is no additional report at this time.

**ACC Report:** Nothing to report at this time.

**Website Report:** Darrick Christensen will contact Jeffery Evans to give him instruction to give full access rights to Kurt Powell, Troy Bagnall, and Linda Howe to the website and Facebook accounts.

**Traffic and Safety:** The Board **ADOPTED** a motion by Darrick to request that the City of Albany paint the section of curb yellow for the mailbox on the corner of Kodiak and Mallard Circle. In addition, the Board requested that WCM contact the City of Albany to see if they could paint the curb yellow next to the stop sign on the west corner of Falcon and 53<sup>rd</sup> and the curb on the northeast corner of Bobcat and Chinook due to visibility issues.

**Choose Regular Meeting Place:** Brian Ashdown noted that his business is available for a meeting location if the Board would like to do it. The Board **APPROVED** a motion by Linda to have the March 22<sup>nd</sup> 2016 meeting at the Ashdown foot clinic.

The Board **ADOPTED** a motion to request that WCM ask the YMCA if they would negotiate a lower price for the meeting room if the Board of Directors made a 10 month commitment for an evening meeting each month.

**New Notification Sign:** WCM will review the email sent last month regarding signs for attachments on the email and re-send with the correct attachment.

**Backflow Testing for Homeowners:** The Board of Directors asked that WCM contact Midway Plumbing to get a quote for backflow testing for the neighborhood. The Board of Directors **APPROVED** a motion by Craig to have WCM review the covenants for the current status of easements for vendors acting on behalf of the association to enter onto owners lots to perform backflow testing.

The Board requested that WCM meet with F&W fence out of Salem to gather a quote for the replacement cost of fencing in the association for the purposes of defining items in a reserve study.

**WCM Report on Enforcement Topics:** The Board requested that WCM research various questions regarding enforcement. The following is a result of those questions.

Are tree branches overhanging sidewalk a violation? *Yes, they could be.*

Albany Municipal Code 7.98.130 Pruning, corner clearance. states in part:  
Every owner of any tree, located on private property, overhanging any street or right-of-way within the City shall prune the branches so the branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection, traffic sign, or traffic control device, and so that there shall be a clear space of 14 feet above street surface, and eight feet above the sidewalk surface. Said owner shall remove all dead, diseased, or dangerous trees, or broken or decayed limbs that constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the light from any street lamp, or interferes with visibility of any traffic control device or sign or vision clearance area at intersections and driveways. Tree limbs that grow within 10 feet of high voltage electrical conductors shall be maintained clear of such conductors by the electric utility company in compliance with any applicable franchise agreements and AMC 7.98.110, Private utility tree policy. (Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.080).

What is the front yard setback? *For Spring Meadow, the first 15 feet between the inside edge of the sidewalk and the home is the front yard setback.*

Can you park in the Front Yard Setback if you are not on the driveway? *No, generally you cannot.*

Albany Development Code states: 3.250 Parking and Other Restrictions in Setback or Yard Areas.

(1) Vehicles in daily use may not park in the front yard , except on the paved driveway leading to a garage or carport or a driveway that provides required parking spaces. Trailers, boats, campers, and other vehicles not in daily use may not park in the required front yard setback for more than 48 consecutive hours. Recreational vehicle, trailer and miscellaneous storage pads or buildings are not allowed in the required front setbacks. (See Section 22.400 for the definition of yard.)

Are owners that allow a dog to defecate without cleaning it up a violation of City cod? *As stated below, yes.*

Albany Municipal code 6.04.170 Public nuisance – Designated states in part:

Dogs shall be considered a public nuisance under the meaning of this chapter in the following instances:

(4) Any dog which trespasses on private property other than its owners' or on public rights-of-way;

(5) Any dog(s) which through the negligence of the owner causes animal waste to accumulate on any premises to a degree that offensive odors can be detected from an adjoining street, yard, or residential unit;

(8) Any dog, except for a service dog whose owner is legally blind, which deposits solid waste matter on any improved property, including public parks and school grounds, other than that of the dog owner. It shall be a defense to this section that the dog owner immediately removes the solid waste. (Ord. 5685 § 2, 2007; Ord. 5313 § 1, 1997; Ord. 5026 § 1, 1993; Ord. 4840 § 1, 1988; Ord. 4557 § 5, 1983).

Can a person live in an RV in Spring Meadow? *Sometimes.*

Albany Municipal Code states in part: 13.36.180 Motor vehicle or recreational vehicle use for sleeping or housekeeping purposes and related parking restrictions.

It is unlawful, within the City limits, for any person to use a motor vehicle or recreational vehicle for sleeping or housekeeping purposes except as follows:

(2) On the premises of a private residence and with the consent of the occupant of the residence provided that such use by any number of vehicles is limited to not more than seven days in any 90-day period;(3) Within a required front yard setback, as established by the Albany Development Code, parking of such vehicles is limited to not more than 48 hours; (4) Within a public right-of-way, parking of self-contained recreational vehicles is limited to 48 hours with the consent of the adjacent property owner. In addition, parking of any such vehicle is further limited by the provisions of AMC Section 13.21.030 and all other regulations pertaining to the parking of vehicles;

(5) With the consent of the property owner and all adjacent property owners, the City Manager may approve a special temporary use permit for recreational vehicle use of up to 90 days duration in order to alleviate a temporary housing hardship which cannot otherwise be satisfied within a recreational vehicle park. Such approval may be subject to any conditions which the City Manager deems appropriate to maintain public safety and community aesthetics. In addition, any such permit may be revoked by action of the City Council.

The Board **APPROVED** a motion to ask WCM to notify an owner that their dog is defecating near a mailbox on Kodiak.

The Board **APPROVED** a motion to ask WCM to contact a lawyer to get an opinion on the scope of authority to the ACC regarding maintenance to homes and structures.

The Board **APPROVED** a motion to ask WCM to create a first draft of wording to define commercial or business purposes and to further define "beside a garage built specifically for that purpose."

The next meeting of the Board of Directors is scheduled for March 22nd 2016 at 7pm at the Albany Foot Clinic in Albany OR.

The Board meeting adjourned at 8:45pm.