

Minutes

SCHOA

June 18, 2015

Call to Order: 6:30 PM

Attendance:

Bob Schultz
Michael Morrey
Stephen Barndt
Tim Ramsey
Mario Sericolo
Management Company Representative — Don Campbell

Homeowners in attendance: approximately 20

The board (several months ago) changed the previous order of business so that members of the community are able to ask their questions and deliver their comments at the beginning of the meeting rather than at the end so they don't have to sit through the meeting and are able to leave after the member forum if they wish. (Of course they are always welcome to stay and observe if they so choose).

Open Forum: 6:35 PM

Guests — Grayhawk Homeowner Yoest read a letter that the 'view group' wished to have added into the minutes (attached) regarding the trees and view corridor maintenance that has been at debate for several months. Bob tells the homeowners that he has some legal questions which he plans to present to the HOA's attorney. Board members invited to add to Bob's list. The slope stability is still the primary concern in his mind and this must be kept at the forefront as this issue is further discussed. Bob agrees to get back o the homeowners with the legal answers and again invites anyone who has additional questions to email the board. Some discussion back and forth took place about this same issue. Another homeowner wishes to bring up a proposal for a community garden. Board asks him to put his idea together in the way of a written proposal and they will entertain it.

Minutes: 7:10 PM

Motion made and seconded to approve the minutes from the last meeting;

Regarding the March minutes, once again a board member has to review in order to discuss again at the next board meeting. If he is not done by then, the rest of the board intends to vote on the minutes and approve them as written.

Committee Reports:

1. Crime watch committee:
 - o Deputy P. caught a couple of vehicle prowlers and wished to remind everyone to keep your cars locked and leave NO valuables in them. He also asked that if anyone has an issue to report, please contact 911 NOT Facebook! He cannot help with Facebook whereas reporting to 911 tracks incidents and allows them to do a much better job at helping.
2. Budget Committee:
 - o No Report
3. Community Events Committee:
 - o No Report

Minutes

Officers Reports:

- Treasurer: announced that Capital Expenditures are just about to go over budget.

Management Report:

- Violation and Collection Reports are emailed to board members prior to meetings to save paper costs and to give board a chance to preview. Board members are asked to let us know if they want paper copies at the meeting.
- **Collections report:** Delinquent percentages down from May 18% to June 15%
- **Violation report:** April 178 letters sent; May 180 letters -- the violation synopsis report goes onto the website each month so that members can see that they "are not the only one receiving a letter".
- Per board direction; management company took the following action -
 - Decision made by board to shut down all maintenance to the corner of the new apartment lot (entrance to Silver Creek). Manager went on record to note that when homeowners call they will be told that "*due to the owner of that lot not maintaining the area the board asked to have all maintenance shut down and that the HOA has never owned that area and should not have been maintaining it to date. It was initially maintained by the developer for a nice appearance in order to get lots and homes sold. Now that the apartment project is moving forward the HOA has decided to shut it down as they have not communicated back with us*".
 - Treasurer noted that the monument sign should be removed. And discussion ensued regarding the high expense to move the rock and arches... board to let manager know later what they wish to do.
- Sewer grates have been bolted down for safety where they could (Country Hollow... Hillsboro and the others do not have the capability to have these bolts installed)
 - There were over 200 drain grates... HOA did it as due diligence in attempt to keep them secure and safe
- Gates semiannual maint. complete
 - Ordered strobe sensor replacement and a battery backup for Grayhawk
- Collections note: Management is completing its list of vacant units (verifying which ones are actually vacant) next step - attorney will send final notice to owners (and banks foreclosing if available) informing them that the HOA will file liens in August/September and begin foreclosure of those liens (hopefully in the fall)... the HOA will own these homes subject to first mortgage and will have the ability to rent them out and perhaps make back some of the collection money it has outlaid in its collection efforts.

Regular Business: (items discussed and decisions made between meetings)

- None.

Old Business:

- None.

New Business:

- Playgrounds maintenance: bid received - all (three) wood structures to be refinished/stained and then new play chips to be put down for safety.
- A/C unit at clubhouse had some signs of vandalism over the past several weeks and the electrician who did the repairs recommend that the money be spent to "cage it in" board unanimously decides to have this done which should prevent potential theft of the A/C unit.
 - Motion made and seconded to accept these bids; passed unanimously
-

Motion to adjourn to Executive Session: 7:45 PM

Recall regular meeting to order (out of Executive Session): 8:10 PM synopses of discussions and decisions made:

- Legal matters discussed – no decisions made

Meeting Adjourned. 8:15 PM

Mr. Schulz, Members of the Board of Directors: Good evening.

My name is Steve Yoest and I have been a homeowner in the GrayHawk subdivision continuously since 2002. On behalf of the residents of GrayHawk, we want to first thank you for your service to our community. Leadership is hard, and we appreciate the difficult choices you undertake on the community's behalf. We particularly want to thank you for reconsidering our request for view maintenance. We recognize that this is a subject that can be approached from several different perspectives, affects all Silver Creek residents, and evokes strong feelings among a few of our neighbors. We want to assure you that we have always strived to be sensitive to the interests of all homeowners in presenting this request.

When GrayHawk was being constructed in 1999, Pierce County approved lots within GrayHawk as "mountain view" property. Folks who bought homes paid a steep premium and were promised in good faith by builders' representatives that our view would be preserved. County assessments still reflect this status as "mountain view" property, and owners continue to pay a significant tax premium for that view. In 2007 and at the Board of Director's request to streamline the review process, GrayHawk submitted its first consolidated request for tree trimming in the wooded area behind our homes to preserve our views and home values -- a request that was ultimately approved by the Architectural Control Committee (ACC). We understand that the ACC also approved GrayHawk residents periodically trimming the trees every 3-4 years, provided that the Board be notified prior to proceeding, that trimming be performed by a reputable firm, that bids be presented to the Board for prior review, and that GrayHawk homeowners pay all expenses. We fully stipulate to these conditions.

The request before you now is the natural consequence of 8 years of unfettered tree growth. And we appreciate your work in considering it. However, we are concerned that Board members may not have had access to all the available information in making this decision. We have therefore resubmitted a copy of our complete 2007 request for view maintenance, to include the following:

- The necessary Architectural Submittal Form
- View Maintenance Signature Sheets documenting the support of 40 homeowners in the GrayHawk subdivision
- Our response to the Board of Directors' request for proposed View Maintenance Guidelines specifying recommended policies and procedures for future view maintenance requests
- The community arborist's (Thundering Oak Enterprises) opinion that creation of view corridors is technically feasible, aesthetically pleasing, meets the intended need, and actually improves the health of the forest.
- A letter from Pierce County Department of Planning and Land Services dated November 9, 1999 approving "view corridor pruning and/or limbing of trees within phase 4 – Community Park..." subject to the inclusion of language in the CC&Rs notifying residents of Silver Creek that Pierce County has approved view corridor

pruning within phase 4. We note that the CC&Rs does contain language in Section 7.7 specifying proper procedures for the Silver Creek HOA to independently review and approve such requests.

- A letter from Silver Creek Development dated 20 January 2000 authorizing Benum Enterprises to proceed with pruning operations.

We have supplemented that packet with:

- A letter from the Silver Creek HOA dated July 11, 2007 approving our request.
- Photographs of typical views before and after tree trimming, documenting the aesthetic achievements of the arborist who performed the work.

Furthermore, at the Board of Director's request, GrayHawk residents paid for a professional geotechnical consultation by AGES Geotechnical and Environmental Engineering LLC to assess the risk of a slide hazard. We understand the firm's report confirmed that tree trimming poses no threat of soil instability or erosion.

In 2013, when we first submitted our current request, we became aware that some Silver Creek residents believed we were requesting to actually remove trees. This led to a spirited round of postings on the HOA's Facebook page, and ultimately, a petition opposing our request. We do not believe that the signatories to that petition were accurately informed. To be clear, GrayHawk residents have never requested or supported the clear cutting of trees, nor would we. We have been, and remain, committed to maintaining the health and beauty of the Community Park. We value the aesthetic qualities and privacy that the wooded area affords both us and the residents of Country Hollow, and we are simply asking for selected pruning or limbing of trees by a professional arborist in accordance with the 2007 Guidelines to establish view corridors that support of the values of all homes in the community. Indeed, none of the trees trimmed since 1999 has died and no slope erosion has occurred.

The architectural control guidelines establish that the most important considerations in deciding whether or not to approve any request for modifications in the community ought to be the proposed work's impacts on community aesthetics and home values. We acknowledge that our many subdivisions each have unique amenities the board must maintain to preserve home values and to keep the community of Silver Creek a beautiful and desirable place to live. The Board might be called upon to maintain the ball fields, the community center, pocket playgrounds, trails, tennis courts, or the many grassy areas. Each subdivision within Silver Creek deserves to have their unique amenities properly maintained. GrayHawk's appeal and its home values are linked directly to its unobstructed view of Mt. Rainier. Well more than 3-4 years have now passed since the ACC approved our last request, and view maintenance is now simply required to preserve the value of all homes in Silver Creek.

Gentlemen, GrayHawk residents have made painstaking efforts to comply fully with the requirements of the CC&Rs and the requests of the Board of Directors to ensure that the reasonable interests of all Silver Creek homeowners are upheld in these proceedings. And we will continue to work with you in good faith to preserve home

values in Silver Creek while also protecting the health of the forest. And so we ask that you favorably reconsider last month's decision to disapprove our request and cast your vote in its support of view maintenance for GrayHawk residents. Thank you for your time.