

OCHL - 12 HOMEOWNERS ASSOCIATION

ARCHITECTURAL CONTROL COMMITTEE (ACC) MINUTES

ACC Members: Dani Folsom, Chair, Joe Rystrom, Secretary, MaryLynn Birney, Ahmed ASH Hussain, Michael McMillan, Mark Powers, Al Prescott (Windward Bluff Liaison), Sonu Lamba.

Wednesday, December 4, 2024

ACC Members in Attendance: Dani Folsom, MaryLynn Birney, Michael McMillan, Mark Powers, Joe Rystrom

Others in Attendance: Carol Tento

Meeting called to order at 6:05 PM by Dani Folsom

Approval of Minutes: Minutes for November 6, 2024 are APPROVED.

OLD BUSINESS:

1. Commercial Truck in Driveway on Bayview Dr.

02/07/2024 A homeowner on Bayview Drive was sent a compliance letter for parking a commercial truck in the driveway repeatedly for greater than 72 hours. Fines may begin in March.

UPDATE: 03/06/2024 Truck appears to move every 72 hours. Will research the details of our parking rules and fines.

UPDATE: 04/03/2024 – Mary Lynn offered to research and clarify current parking policy in CC&Rs, will send out to ACC team.

STATUS: OPEN

2. Bayview Playground

05/01/2024 An inspection of the swing set was performed after two concerns were registered with the ACC regarding safety of aging swing set. It was determined to be beyond repair due to age and unsafe. The committee had previously obtained a quote to demo the set. A motion was made to award the work to a contractor and get the safety issue eliminated. PASSED.

UPDATE 06/05/2024 ACC is seeking bids for a swing set replacement.

UPDATE 07/03/24 Motion by Rystrom to award the purchase and installation of a new 3 bay swing in Bayview Park to GameTime - Great Western Recreation: Swing set \$8,088.00, Freight - \$2,208.23, Tax - \$1,060.00. Seconded by Birney. PASSED. Agreement with Windward Bluff contributes 20%.

UPDATE 09/04/2024 Swing set is scheduled to be installed on Sept 16-18.

UPDATE 10/02/2024 Swing set had some bare metal, probably during installation, and vendor ordered new swing hangers with new hardware to replace defective, awaiting installation. Both covered under warranty.

UPDATE 10/02/2024 Swing set has been installed and looks great. Neighborhood kids have already given the new equipment an inaugural swing.

Subsequent to installation, the swing set was discovered to have some bare metal, probably during installation, and vendor was notified. Vendor touched up bare metal, ordered new swing hangers with new hardware to replace defective, awaiting installation. Both covered under warranty.

UPDATE 11/06/2024 Replacement parts have been ordered by vendor, and repair should occur in the first part of December.

12/04/2024 Replacement parts have been installed.

STATUS: CLOSED

3. Annual Meeting

06/05/2024 ACC discussed potential measures for annual meeting, which may include: update view policy, create artificial turf policy, update driveway parking policy, and recommendation on dues increase.

UPDATE 08/07/2024 Discussed potential dates for annual meeting, focusing on first week of November. Will discuss further in September.

UPDATE 09/04/2024 Discussed annual meeting date, and best times. All agreed to Wednesday, November 13, at Rosehill Community Center, Mukilteo.

UPDATE 10/02/2024 Discussion lead by Folsom to consider a fine for view obstruction and non-compliance, to CCR changes in reference to ACC responsibilities, for the 2024 annual meeting. This fine would facilitate and incentivize compliance in a timely matter. Members that are found to be impairing a protected view will still have the opportunity to present their case to the Board, before a fine is

imposed. ACC members were in concurrence and recommend the Board to include this new fine on proposed changes to CC&Rs for 2024 annual meeting.

Discussion lead by Folsom to incorporate the most recent adopted Policies by the Board, to add those policies to the CC&Rs. To include:

- 1) Expand the ACC Team from 5 to 7 positions to better balance the management of the HOA
- 2) Add a process for handling homeowner ACC Submission of Plans application that expands the response time, assesses a penalty if the homeowner does not comply with the ACC final determination within 30 days of such ACC final determination.
- 3) Prohibit the building of Accessory Dwelling Units (ADU's) on existing Homeowner's lots.
- 4) Add detailed Window Policy to the CC&R's.
- 5) Add detailed Solar Panel Policy to the CC&R's.

The Board also discussed adding two additional CCRs, with number seven (7) recommended by the ACC.

6) Transfer all reasonable attorney fees and arbitration fees to the Prevailing Party if Arbitration is pursued by any Party.

7) Add a new fine for view obstruction violation(s) which Homeowner has not resolved after the ACC has sent written notification to Homeowner and a hearing has taken place between the ACC and Homeowner.

After additional discussion, motion by Folsom to place the following CC&Rs on the 2024 ballot:

- 1) Expand the ACC Team from 5 to 7 positions to better balance the management of the HOA
- 2) Add a process for handling homeowner ACC Submission of Plans application that expands the response time, assesses a penalty if the homeowner does not comply with the ACC final determination within 30 days of such ACC final determination.
- 3) Prohibit the building of Accessory Dwelling Units (ADU's) on existing Homeowner's lots.
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Seconded by Rystrom. PASSED.

UPDATE 11/06/2024 Discussed and confirmed agenda, delegation of duties.

STATUS: OPEN

4. View Issues

07/03/2024 Homeowner on Club House Lane asked the ACC to re-open previous view complaint of home below on Preswick Lane near Bayview. Stated trimmings of branches have re-grown into place, again partial blocking of view. ACC will further investigate and address as appropriate.

UPDATE 08/07/2024 Homeowner on Preswick Lane is looking into remedies, and should have additional information in September.

UPDATE 08/07/2024 New complaint from homeowner on 59th on neighboring home, golf course view.

UPDATE 09/04/2024 Homeowner on Preswick Lane, with an active view impairment against the property, homeowner, provided a printed presentation of what he has done so far to remedy the view complaint. The homeowner stated that there are other trees to the right and to the left of his trees that also block the view of the homeowner on Club House Lane and that it is not fair to be singled out. The ACC will coordinate with the Club House Lane homeowner to initiate a view impairment complaint against all offenders.

UPDATE 10/02/2024 New view impairment complaint from homeowner on 59th and St. Andrews Complainant has attempted to make contact with member potentially affecting the view, to no avail, and has requested assistance from the ACC. Birney and Rystrom performed a site visit on Sept 11, with printed photos. Homeowners declined to look at, or receive the photos, and stated that they will have their landscapes cut back some of shrubs blocking the views. Compliance letter mailed on approximately September 14, 2024.

UPDATE 11/04/2024

59th and St Andrews view issue: Homeowner impairing the view completed some trimming, however, it doesn't appear to the level necessary for the allowable 25%. A second compliance letter was sent out on October 18, 2024. Both parties have retained legal counsel. HOA will still be involved.

STATUS: OPEN

4. End of Year Projects

The following projects were discussed and approved:

1) To have the trail network and greenspace re-graveled in bare and soggy areas , improve drainage and bridge work done. A quote from Oak and Magnolia has been submitted for approximately \$6,900 to improve accessibility, safety and erosion prevention, with this project, including culvert pipes, 2

yards of gravel, mini skid rental, pressure treated lumber. Motion by Folsom to award work to Oak and Magnolia. Seconded by Rystrom PASSED. Agreement with Windward Bluff contributes 20%.

2) Routine maintenance of bio pond at the bottom of St Andrews, to include removal of silt and vegetation, which is necessary in order to prevent flooding. Bid by Green World to be prep work (weed whack and debris removal) for \$800, and major work by Bodine Construction for Motion by Folsom, to accept bids and start the work as soon as possible before heavy rain commences. Seconded by Birney. PASSED. Agreement with Windward Bluff contributes 20%.

3) Replacement of perennials around the two monuments at St Andrews and Clubhouse Lane are dated, and not uniform, and are not becoming of our neighborhood. Discussion by Tendo and Folsom to fresh all four monuments, and fall all is best time to replace, with a mix of Gualtaria wintersplash, Thunja Foreever Goldy, Acer Koto Maru, Plum Pine Jalako, Bergenia Baby Doll, and Hakonechloa aureola, for a total of around \$2,050 including delivery from Sunnyside Nursery. A quote from Greenworld was \$1700 plus tax for planting, compost, red fine mulch and removal and disposal of old plants. Motion by Folsom and seconded by Birney to accept Sunnyside and Green World bids. Windward Bluff and OCHL South will contribute their respective amounts, per agreements.

UPDATE 12/04/2024

1) All trail work scheduled for 2024 has been completed.

2) Both Bio-ponds had their perimeters fully cleared and most foliage cut-back or removed. Attention to the drains will need to be monitored during our rainy season. Monarch owes us a drain clearing that was contractually scheduled for November.

Bodine cannot do anything until we have a few days without rain. Tentatively, this work will happen sometime in early spring based on their recommendation. ACC will continue to monitor the bio-ponds and did have Jim from Bodine out to weigh in on whether this could wait. Jim was not worried about the lower bio-pond and was only going to address the upper bio-pond when the weather cooperated but he did say they would not work on this until February at the earliest.

Discussion on trimming Rhode's by the bio-ponds. Decision was made to trim these in the spring after they bloom since this is the ideal time for trimming Rhodes.

3) All work for the monuments scheduled for 2024 has been completed. Plants are expected to grow and fill up the space where they were planted over the next several years.

STATUS: CLOSED

NEW BUSINESS

N/A

Backyard project on 59th - *Approved*

Meeting adjourned at 6:50 PM by Dani Folsom.