

**One Clubhouse Lane Sector 12 Homeowners' Association**  
**2024 Annual General Membership Meeting Minutes**

**Wednesday, November 29, 2024 (and updates for 2<sup>nd</sup> Annual General Meeting on January 6, 2025, to meet Annual HOA Meeting Quorum Requirements)**

**BOARD OFFICERS:** Dani Folsom, President; Joe Rystrom, Vice President; MaryLynn Birney, Treasurer; Ahmed ASH Hussain, Secretary; Carol Tendo, Member-at-Large.

**ACC COMMITTEE MEMBERS:** Dani Folsom, Chair; MaryLynn Birney, Mike McMillan, Joe Rystrom, Mark Powers.

**1. Call to Order and Welcome**

The meeting was called to order by President, Dani Folsom at 7:05 PM at Rose Hill Community Center. Dani introduced guest speaker, Mukilteo City Council Vice President (and HOA member), Tom Jordal. City Councilmember Jordal spoke about various local issues and initiatives in our community and city, including Mukilteo's new tree policy for removal or alteration; its plans for the old Honeywell site; its plans for the old waterfront ferry parking areas and an update on local towns surrounding Mukilteo. Mukilteo Councilmember Jordal introduced Crime Prevention Officer Nathan Fabia. Officer Fabia spoke about:

1. Home break-in prevention. We have several homeowners (primarily along the golf course) that have had their homes broken into over the past several years. Our HOA, however, has the lowest crime rate in Mukilteo.
2. Traffic Issues We have more traffic on the Speedway with the closure of the Edgewater Bridge connecting Mukilteo to Everett. Project is expected to last for 12 months.
3. OCHL-12 An HOA member requested that a speed monitor/detector be added to 59<sup>th</sup> Place SW since there seemed to be several occurrences of HOA members speeding along that road.

4. Changes to number of police in Mukilteo Levy to add more police did not pass so the police department is working within the current quota of police budgeted.
5. Officer Fabia emphasized the impact with crime and SOCIAL MEDIA. Crime is on the rise, particularly with teens, because of their ability to "organize" on social media platforms.

Current Board and ACC members introduced themselves, recognition given to past HOA volunteers.

## **2. Architectural Control Committee Report**

The main duties and responsibilities of the ACC were reviewed by Joe Rystrom. We are always looking for volunteers to support the ACC team. All added members must understand and follow the CC&Rs. There are main enforcement items we focus on including: a) property neglect (fall leaves are not raked, weeds are in beds, dead and dying shrubs and lawns have not been addressed), b) trash bins and recycle green bins are stored in locations visible from the street, c) RVs (including boats and trailers) and work trucks are parked in driveways (for more than 72 hours which is prohibited). Also, it's required that ACC members know view impairment rules, and how to mitigate with our HOA homeowners for quick resolution. Lastly, ACC approvals must be obtained **prior** to the start of any exterior change or addition to your property.

## **3. Treasurer Report**

Our Treasurer, MaryLynn Birney, distributed copies of the 2025 budget which show annual dues increasing to \$477/homeowner. This increase is necessary due to rising costs, particularly with insurance and overall inflation. MaryLynn advised that all homeowners should be prepared for a more substantial increase to our dues for 2026 because our two and a half year, fixed cost, grounds care contract is expiring in October 2025 and will be rebid. The current contractor was the low bid when we rebid in 2022/23 and is not meeting expectations. We predict a higher frequency/service contractor can better serve our community but will come with a higher cost. Anything exceeding 10% increase will need a 50% + 1 vote from the membership (i.e. 89 votes in favor). More to come as we move through the bidding process.

A motion was made to bypass the state requirement for an external CPA audit and to use our volunteer audit committee to reduce costs for this effort. Seconded, PASSED.

#### **4. HOA CC&R Changes for HOA Approval**

The following CC&R Amendments were discussed. Most of these CC&R Amendments had been voted on as part of the 2022 Annual HOA Meeting. Since we did not meet a required 1993 CC&R provision, that required approval from more than 50% of the HOA Members (which represents more than 89 votes or over half of 176 households to pass each Amendment), these Amendments were reintroduced for vote.

**Amendment 1: Expand the ACC team from 5 members to 7 members to handle increased workload.**

**Amendment 2: Add rules to address ACC Applications that have either been completed or started in advance of submitting the application.** The intent of this change was to allow the ACC the ability to deny or request changes for ACC applications that were submitted after the HOA member had started or completed their project and ***to remove the 30-day response requirement that is given to applications received by the ACC before the project is started.***

**Amendment 3: Prohibit the building of Accessory Dwelling Units (ADU's).**

**Amendment 4: Add a Window Policy.** The intent of this policy is to ensure that HOA members' windowpanes, grids and frames are harmonious with the current design and installation on their home. We are trying to avoid homeowners replacing windows that don't match their current installation and without approval by the ACC. Deviations from current installation/design need ACC approval.

**Amendment 5: Add a Solar Panel Policy to limit HOA members from installing solar panels on the street facing side of their homes.** This recommended policy complies with current Revised Codes of Washington (RCW) solar panel installation. This policy also has an allowance for HOA members to add street facing panels if they are located on the side of the home on which

the **largest** roof slope surface faces “south”. South is defined as the forty-five-degree section between 157.5°-202.5° between SSE and SSW.

**Amendment 6:** Add rules regarding who pays for arbitration and attorney fees when arbitration is requested by a homeowner based on ACC guidelines.

**Amendment 7:** Add a monetary fine that the HOA member must pay where the HOA member takes no action to correct the view obstruction, provided the two following actions have taken place:

- 1) the ACC verifies in writing to the HOA member that the subject view obstruction is out compliance with current HOA CC&R's, and
- 2) after a subsequent formal hearing is held between the HOA member and the ACC which results in a final decision by the ACC that the HOA member's view obstruction must be brought into compliance.

## **5. Open Session**

Various topics were discussed including the Solar Panel litigation outcome between the HOA and a Bayview homeowner who had installed their solar panels in advance of submission of an application to the ACC. Final judgement was that the homeowner would be “grandfathered-in” for approval without further penalty, and that the Solar Panel policy met all WA State Solar Panel requirements, thus each Party would be responsible for their legal fees incurred during this litigation. The HOA had Board insurance which reduced the HOA's financial exposure to \$1,000.

## **6. Raffle and Adjournment**

Raffle was done for those present at the meeting. Four \$50 cards were distributed.

Annual meeting adjourned at 9 PM.

## **7. Meeting Quorum**

Based on the HOA Bylaws, a quorum of sixty-nine (69) HOA members either attending the Annual Meeting or submitting a proxy is required. **We did not meet this quorum,**

**so a second follow-up HOA Annual Meeting was held on January 6, 2025.** Based on HOA Bylaws, the quorum was met for this second meeting.

**This second meeting was a recap of what was discussed during the November 23, 2024, meeting, thus no further notes are being added to document this meeting.**

**8. Amendment Changes and Final Votes**

Amendment 6 (described below) was also discussed. It was decided that we would remove this Amendment for voting consideration since the HOA has Board Insurance, which would limit the HOA’s monetary risk for new arbitration cases. However, the outcome for the involved HOA member has more risk, since their legal expense could be significant if they lost their case. By leaving this Amendment out, the HOA member may determine not to pursue litigation since the HOA is protected by insurance and they are not.

**Amendment 6:** Add rules regarding who pays for arbitration and attorney fees when arbitration is requested by a homeowner based on ACC guidelines.

**NOTE:** Final CC&R Amendments included all legal language reviewed by the HOA attorney and can be referenced on the HOA website. The Amendment information listed above is just a synopsis of what each Amendment addressed.

**9. Final Consolidated HOA Votes for the Remaining CC&R Amendments is as follows:** Note that for an Amendment to pass, it required a minimum of 89 HOA member votes (one vote per household).

<b>TOTAL VOTE RESULTS</b>	<b>Policy 1 Expand ACC</b>	<b>Policy 2 ACC 30 Day Process</b>	<b>Policy 3 ADU Prohibition</b>	<b>Policy 4 Windows</b>	<b>Policy 5 Solar Panels</b>	<b>Policy 6 View Fine</b>
<b>Yes</b>	114	97	102	85	102	104
<b>No</b>	9	25	22	37	22	20
<b>Abstain</b>	1	1	0	2	0	0
<b>No Vote Received</b>	52	53	52	52	52	52