

Meadowdale Hills Property Owners Association
Board of Directors Quarterly Meeting
November 15, 2003

The meeting was called to order by President Myrna Palmer at 9:04 a.m. Also in attendance were, Graham Hodgins, Vice-President; Robbi Telfer, Secretary-Treasurer; Frank Lelievre, Road Committee chairman, and Directors Karen Chionio-Coulter, Helen Miller, Larry Olson, Fred Palmer, and Ed Wilke.

The minutes of the April 26, 2003, meeting were approved as submitted.

REPORTS:

Treasurer's Report – Robbi Telfer. Copies of the report were handed out. We have money back in the account because of the reimbursement from the county. Dues are coming in well. The treasurer's report was approved.

Road Committee Report – Frank Lelievre. As suggested at the Annual Meeting, Frank has been talking to Rod's Roads, who does the roads in Little Valley, about grading. It doesn't look promising, however, as he is quite expensive.

Dust is a bad problem this year due to the drought. Perhaps we could talk with the county about what they put on Pole Hill to keep the dust down. Also, washboards have cropped up quite badly, due to drought and excess speed. Frank will talk with Kitchen about possible solutions to both dust and washboards. It would be good if we could get some of the washboards out before winter sets in. We can spend a couple of thousand dollars out of the PID/GID funds for this.

What should we do about snowplowing? Having it done by people in the Association is hard on individuals' trucks. Frank was asked to call Andy Human, who lives up on Alpine, but does contractual snowplowing in town. Myrna suggested Frank contact some of the snow removal services in town to see what the going hourly rate is for snowplowing. We'll can do an email conference on how much to pay for snow removal once we know what to offer and Frank talks to Andy.

Architectural Committee Report – Fred Palmer. The owners of the home at 651 Meadowdale (Lot 33, 2nd Filing) are in non-compliance with our covenants. They have built a guest house over the garage which is less than 800 square feet, and are renting it out. They did not submit their plans to the ACC, nor does the county have a record of a variance hearing (there was a pre-variance hearing conference, but nothing moved beyond that They did not get a building permit, and their leach field is not approved for 12 people. Having two single family dwellings is against our covenants and against county zoning. The rentals are advertised on the web at VRBO.com, listing #22603.

Five neighboring families have complained about rentals as being non-compliant and as being a nuisance with all the additional cars coming and going and parked in the yard. Myrna clarified for us that, according to the county, renting of homes is not considered commercial activity. A dwelling may be leased or rented for any time period, including daily. Additionally, you may have up to two non-related people living in the house with you, and it is still considered single family.

Fred will write a letter to the owners, demanding they cease and desist immediately from renting the non-compliant guest home. He will send a copy of the letter to the five neighbors with a note that they need to sign the county complaint form. This is a first step, which is preliminary to the county taking action. It was moved and seconded that Fred send the owners of Lot 33, 2nd, the cease and desist letter, with copies to the complaining families. Approved.

The question was raised as to what we do about other owners who may be in non-compliance. It was determined that if complaints are raised, as this was, we will address them on a case by case basis. We do not want to become "covenants police" patrolling the association looking for violations. However, we will act upon those which are brought to our attention. Robbi will put a reminder in the newsletter that people need to abide by the covenants

Fred announced that the “spec house” being built by Andy Human at 735 Alpine Drive (Lot 105, 2nd) has been approved by the ACC. Andy has re-routed water around the house, but he’ll need to put in a swale or culvert.

Road Improvement Committee – Myrna Palmer. Myrna and her committee has met with Rex Burns, the county engineer. They will meet again December 2. Members of the committee are measuring the width of each road in the Association, and the county will measure the slope. Once the measurements are gathered, the county can calculate what would be needed for whatever kind of surfacing on the road.

Myrna passed around a suggested informational letter to be sent to all homeowners detailing the current state of our plans. The committee is trying to come up with answers to present to the Annual Meeting, with figures on all our options and what each would cost. They are also exploring payment options. We can pay over ten years, assess owners on one-time basis, sell bonds, increase the mill levy, pay for all the road at once, pay as we make improvements, etc. There are lots of different ways to pay for it. All the options and alternatives and ideas will be ready by next Annual Meeting. We can then vote the whole issue – what to do, if anything, and how to pay for it. The sending of the letter to the owners was approved. Robbi will combine it with a short newsletter/dues notice.

In researching all of this, Myrna encountered two questions concerning association roads. First, the first 100 or so feet of Timber Lane is not a MHPOA road. Rather, it belongs to the Ravencrest Heights subdivision. We plow the road, in order to get to our folks on up the road. When we get per foot figures for some sort of paving, we can approach Ravencrest Heights about paying for that section.

Secondly, Overlook Lane is not where it is platted. The original plat took the road over a cliff. In the years since the subdivision was laid out, the Seabasses (152 Overlook Lane, Lot 53, 2nd) put in a well [between Lot 53 and their lot 59] on what is actually the road. Access to Overlook is presently through an unauthorized road that appears to be either between Lots 50 and 51, or entirely on Lot 51.

Bill Westley, who owns the house at 38 Overlook Lane (Lot 50, 2nd filing) is concerned because the road is not being maintained. Our problem is that we don’t own the road between the two lots; it is on private property, and we do not have an easement. Therefore, we cannot plow that road, nor the orphaned part of Overlook Lane on which lots 54, 57, and 59 are located.

Rex Burns says that responsibility for getting a deed of dedication – indicating the road between 50 and 51 is a bona fide road – belongs to the landowners on Overlook. Once the deed is in hand, the road could be improved by the landowners, and THEN the landowners can petition the association to maintain it using PID/GID funds. Lot 51 is owned by Leon Berberian in Flushing NY. [[Note for the record: The Berberian’s have owned the property since 1979. Westley is the only house on Overlook at this time. Lot 54 is owned by the Slaters, who have a house (across Overlook) on Pine Tree, and by the Nightengales of Kingston, OK. The Nightengales have owned the property since 1974. I have no record of their having paid dues.]]

Myrna will go to Bill and explain why we’re not plowing his road, and what he needs to do next. He may be able to get a declaration of eminent domain, since the road has been in place since the late 1980’s.

OLD BUSINESS:

Fire abatement. The Woodburn’s, who organized this year’s on a spur of the moment basis, will take care of next summer’s. Jane has told Myrna that next year we will need to have central location to which we bring the slash. The forest service thinks it costs too much to drive around to each lot, and they will not fund the cleanup if they have to drive to each site.. Myrna will ask Jane to double-check with forest service about house to house pick up. We need to do the mitigation earlier, before the fire danger gets high. It was noted that right now, we can take slash to Fairgrounds in town during November

If we have to bring the slash to a central location, we will need to determine where that would be. Also, we would need to arrange for the chips to be hauled away.

Culverts. Fred and Frank will investigate who needs culverts and send a letter which will specify that owners must pay if the lack of a culvert causes road damage. He will also explain that if runoff from driveways

damages roads, owners are responsible for repair. Frank will check on the cost of replacing two Association culverts on Columbine and Pine Tree.

We need to be sure when the road is graded, the work that people do on their culverts isn't undone – that graders do not fill back in the ditches or plow down the swales or bury our culverts, etc. Frank will mention this to Kitchen.

Neighborhood watch signs. Three of the four are up – one on Pole Hill at the bottom of the Hill, one at the top of Pole Hill where it goes into the forest, and one at the east end of Meadowview. The one in the middle of the association is not up yet, as there is no available post. Fred will get it up when Spring comes and he can dig a posthole.

Fence removal. A few members showed up for the workday and helped remove the first mile of fencing. Ed and Fred pulled up the fence posts with Ed's tractor. There is a mile of fencing still to go. Fred has contacted the Shining Mountain Hiking Club, and they, working through Rick Spowart [DOW], will remove fencing and posts to protect the elk. This should be done next January.

NEW BUSINESS:

Communication with Association: Larry feels there needs to be more communication, especially about the paving. He felt the upcoming informational letter and Newsletter would help. We should remind people to read the bulletin boards. Robbi will request email addresses in the newsletter.

Fees for new construction. Karen would like to see people who build new homes pay some of the costs that arise from construction, especially concerning the damage they do to the roads. Speeding workers in pickups, heavy equipment, etc. all take a toll. This raised more questions than we had answers for: How would we assess it? Would we include remodeling, well digging, asphaltting? Frank will check with county to see if they have any thoughts, and report back at our next meeting.

Letterhead. Myrna passed around a sample, and it was adopted. She will get Robbi a copy.

New Business from the floor:

Karen wondered if we could put some sort of signs up at the very top of Pole Hill, where our association abuts the forest. People are camping and building fires on association property, without permission. Myrna will contact owners to see if putting up signs would be okay.

Ravencrest expansion. Frank feels the expansion is not in the best interest of the association. Increased traffic affects our roads, and more wells impact our water. Fred pointed out that Ravencrest has received permits for new wells already. Until we vote on a position as an association, the board can't take a position for the association. Robbi will put the county's telephone number in the newsletter, and people who are interested can contact them for more information. Apparently the county's mailing lists are not up-to-date, as neither Karen nor Larry have received mailings.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:03.

Respectfully submitted,

Robbi Telfer
Secretary/Treasurer
Meadowdale Hills Property Owners Association