

**MONTAINE at ALDARRA HOMEOWNERS' ASSOC.**  
**BOARD MEETING MINUTES**  
**June 19, 2012**

**In Attendance:**

Nathan Rau, President  
Amir Molavi, Treasurer  
Marcus Munson-Phelps, Secretary  
Michael Smith, Director  
Debbie Weaver, Community Mgr.

Homeowners: Ken Johnson, Jason Shamp and Lowell Johnson were in attendance.

**Location:** Starbucks, (Klahani Village Shopping Center, Sammamish)

**Call to Order:** 7:09 P.M.

**Approval of Minutes:** Amir made a motion, (2<sup>nd</sup> by Marcus) which was unanimously approved to accept the 5/15/12 Board meeting minutes.

**2012-13 HOA Reserve Study Requirement:** Washington State RCW 64.38.070 requires as of Jan. 1, 2012 that all Homeowner Associations be required to conduct a Reserve Study prepared by a reserve study professional once every three years. The initial report, called an "On Site" study includes having a Reserve Study Professional visit the community to inspect and record all major reserve components which are capital expense items such as playground equipment, fencing, park benches and tables, etc. Debbie will meet with a representative from Association Reserves on Wed., June 20<sup>th</sup> to discuss the major component items of the Study. The Board developed the list of component items to be included in the Study. Debbie will provide an update on the results of the meeting and the Study's progress at next month's meeting.

**Summer Maintenance Projects:** Tabled until next months meeting.

**Financial Report:** The May Fiscal Year End financial reports were reviewed and association payables checks were signed by Board members.

**Unfinished Business:**

- The Special Budget Ratification Meeting minutes were reviewed. They will be approved at the next Special Budget Ratification Meeting in 2013 but are available for review on the Montaineataldarra website, (unapproved).
- Landscaping Update: Tabled as the Committee Chair was not in attendance.
- Satellite Dishes: Letters were sent to Owners who need to seek alternative locations for their dishes as they are located on their homes in locations that violate the

CC&R's. The Board agreed that they will accept letters from dish providers stating that the current location is the best for reception.

- **Parking Violations:** Nathan recused himself from the meeting as he has a conflict of interest regarding this topic with a truck parked in his driveway as it doesn't fit in his garage, (approved by the Board in the meeting of 3/27/12). Debbie reported that Board members met with Board legal counsel specializing in HOA's and Real Estate Law regarding the parking Rules & Regulations as written in the Montaine CC&R's. Amir went on to explain that the attorney responded as follows:

- The Montaine CC&R's are not written as clearly as they could have been and that there are a number of ambiguities that likely render them unenforceable.
- The Board is authorized to promulgate Rules and Regulations that define how the CC&R's will be interpreted by the Board
- Some of the Rules and Regulations should be amended as they are too strict in view of the CC&R's, (ex. Only 1 car allowed to park in driveway. The CC&R's state that parking is permitted on the driveways if certain conditions are met. The literal reading of the CC&R's regarding parking could make the HOA in violation of the American's with Disabilities Act.
- The Board must treat each of the restrictions in the CC&R's equally and enforce each to the same degree. (ex. Parking in driveways vs. lots shall be solely used for private single family residential purposes- no for profit businesses allowed in the community).

**Open discussion on parking rules:** Lowell Johnson remarked that the CC&R's must be followed as they relate to parking rules and regulations and they state that all cars and trucks must be parked in garages at all times. He went on to explain that the CC&R's provide for one commuter vehicle to be parked in the driveway providing it is moved every 24 hours. Ken Johnson agreed and further stated that neighbors are watching Nathan Rau's truck parked in his driveway. There are cameras focused on the truck and it hasn't moved in a long time. The Board is responding by having legal counsel draft a set of parking rules and regulations that are more befitting of the communities' lifestyle.

(Additional open discussion notes?)

#### **New Business:**

**Landscape Responsibility:** Michael Smith asked for clarification of responsibility for the small landscaped area at the end of S.E. 31<sup>st</sup> Place. The Board will research and respond to Michael.

**Architectural Control Request:** Michael Smith submitted an ACC Request to install a lean to structure in his backyard. The ACC will review the request and respond back to him via the Community Manager.

Adjournment: There being no further business, the meeting adjourned at 7:50 P.M.

The next Board meeting date and time is set for Tuesday, June 19, 2012 at Hop Jacks in Klahanie.