

**The Villages of Garrison Creek
Master Property Management Association**

Wednesday July 24, 2019 2:00 pm at SonBridge Community Center

**MPMA Directors: Dick Cook/President, John Cress/VP, Marie Evans/Secretary-Treasurer, Jim Murphy/ARC,
Morris Kivett, Marilyn Vogel, Henning Guldhammer**

BOARD MINUTES

1. **Quorum Call and Sign-in Roster:** All Board Members present. Meeting roster and handouts for members were available.
2. **Member Comments, Communications, Brief Announcements:** Dick announced letters received Phase 7 and Phase 10 objecting to the Covenants DRAFT rewrite process and to the draft language referring to "limited common areas." In addition, the Phase 10 President issued a formal complaint that the common area bordering Crestlane adjacent to the Phase 9 hillside was not being watered. Dick said Ike was already working on the irrigation issue which appeared to a broken valve.
3. **Minutes:** Marie moved and John seconded that the Minutes from the June 26th Board Meeting be approved as presented. Motion passed unanimously.
4. **Financial Report for June 2019:** Marie said we are on track for halfway through the year. She reminded everyone that the membership had approved extra money in the 2019 Operating Budget to cover the expected summer shortfall bill paying issue. Marie also said we have spent more than one third of our legal fund line item and expects that we will use the entire budgeted amount as we continue to use our attorney with the new documents rewrite. Marie referred to a letter in the handouts from our VGC Attorney, Kathryn McKinley, who is one of the two attorneys helping the Board with documents rewrite process. Marie moved and Morris seconded that the Financial Report of June 30 be accepted as presented. Motion passed unanimously. Marie reminded everyone that the financial report is online for members to view.
5. **New Business**
 - a. **VGC Strategic Plan, July 2019 Draft 3:** Dick Cook reported that the Strategic Planning Committee charge was to provide the Board with guidance concerning a renewed vision and awareness of membership expectations and challenges necessary to effectively plan for the future. John Cress said it is with appreciation that we acknowledge receipt of this document, with the understanding that it is a work in progress. Henning seconded the motion. Dick repeated that we are grateful to the committee and to all who provided input to the committee. Dick also expressed that the plan may be missing a tool for evaluating our progress. Motion passed unanimously.
 - b. **New Bylaws Discussion Draft:** Kurt Carlson said this document is in the early stages of a rough draft; Kurt asked for readers to help him look for obvious edits and the following volunteered: Cassie Siegal, Lanny Collins, Allan & Donna Fisher, Jim Murphy, and Marie Evans. A select committee will provide more specific governance feedback once we have a beginning discussion draft. The draft will then go to our VGC Attorneys for review before the Board approves the final draft for membership vote at the Annual Meeting

c. **MPMA Board and Special Meeting Calendar**

- i. **Upcoming Board Meetings: 28 August, 25 September, 23 October, and 13 November**
- ii. **VGC Annual Meeting: Sunday, 8 December, 2:00 pm at SonBridge**
- iii. **Special VGC Homeowners Meetings and Phase/Village Meetings: dates and times TBA from August through November.**

6. **CONTINUING BUSINESS**

a. **Discussion Draft #9 Proposed Restated Covenants:** John Cress led a discussion on DRAFT 9 of the 2nd Amended Declaration of Covenants. Items brought up for discussion included:

- i. **Parking:** Allan Fisher objected to changing the parking restrictions that would resident parking in driveways overnight. Others favored changing the restrictions to allow parking in driveways but not on the streets overnight. The Board will keep this issue open for discussion.
- ii. **Limited Common Areas:** In response to letters received from Phases 7 and 10, John expressed that the Board never intended to change current policy and practices in our common areas but did recognize that we gave that impression. It was moved by Dick and seconded by Marie that any reference to the "Limited Common Areas" be removed from the Covenants Draft. Also, there were other comments that referred to additional assessments options for common areas that were objected to. It was agreed by the maker and the second of the motion to include to areas that were affected, including, but not limited to, 8.7, 7.1, 7.5 and 7.6. After further discussion the motion was passed unanimously.

John said that this underscores a healthy process whereby we can have disagreements and then work solutions to everyone's satisfaction. However, it was noted by several people that the Board needed to more clearly define which areas are common areas and which areas are the responsibility of the phases/villages.

- iii. **Voting:** Mark Benzel brought up the percentages of members needed to amend the covenants could be too low which could allow a grouping of larger phases/villages to make changes that the remaining smaller Villages might not favor. The Board agrees that this area will need assistance from the attorney so that we come up with a fair process for amending of our new Covenants after they have been first approved by the membership.
- iv. **Delinquencies:** Daryl Schreiner would like to see the Board have the ability to foreclose on delinquent homeowners sooner than 6 months when necessary.
- v. There was a question about 8.8 ... Dick explained that referred to the unbuilt acreage on the northwest side of GVW. Individual homeowners in Doug's New Phase 14 will have to pay for the use of GVW. This section does not refer to current VGC homeowners.

- vi. In response to a question from Rich Wollert ,... Dick explained that we are able to rewrite our documents without the exact wording of the current documents in subject areas concerning the term Declarants as our past Declarants waived all rights under the exit agreements filed at the County Courthouse in 2018.
 - vii. Covenants Draft 9 will be adjusted as a result of changes proposed at this meeting and Draft 10 will be submitted to our VGC Attorney for review. We hope to have a final draft approved by the Board before the end of September. Final drafts of the Covenants and the Bylaws will be presented to the membership at informational meetings prior to the Annual Meeting in December.
- b. **Appoint Board Committee to work with VGC Attorney and Kurt Carlson on Covenants Draft:** This Committee will be appointed by the Board.

7. PENDING BUSINESS AND UPDATES

- a. **Common Area Maintenance: Ray Goff** (Please see attached report)
- b. **East Pond Planning with Ike: Dick Cook said current plans** are to make the pond a little smaller, but with reinforced banks to guard against future cave-ins. The work is tentatively planned for this Fall when the summer season is over, and Ike has more time.
- c. **New VGC Homeowner/Renter Information Piece: Dick Cook** said that there are volunteers who will start working on this. Volunteers are Michele Wollert, Lanny Collins, Cassie Siegal and Daryl will be putting together an informational packet for all homeowners with an emphasis on new home buyers, renters, and landlords.
- d. **Web-Master replacement for Dave Gullo: Dick Cook** assured us that Dave Gullo will continue to assist until a replacement is found. Jim Murphy also knows how to post documents on the web.
- e. **VGC Membership Directory: Marilyn Vogel** said that she has most of the basic data already in place but will need to help from Phase/Village leaders to identify renters. Once this roster is complete, we should have emergency contact information on every house and personal data that could include their pets' names.
- f. **Sealcoat Completion – Phase 9: Dick Cook** (see Ray's report)
- g. **Master Board to appoint Nominations & Elections Committee: Dick Cook** expressed a serious need for a committee to begin looking for leaders who are willing to run for the Board, Phase/Village offices, and to be considered for VGC Committees. He reminded us again that we are a volunteer organization that needs many hands and talents to do the work.
- h. **South of the Creek Maintenance Responsibility: Henning Guldhammer** has been in contact with Ron Hines, former Board Member, and the Director of College Place Planning concerning the area south of the creek. The MPMA owns the parcel from Lions Park to the 1st bridge to the top of the hill. The remaining south creek area and hillside is owned by Myra Road Commercial. The land is within our PUD and the City continues to say that the MPMA is responsible for its maintenance. Dick said that we have a "handshake" agreement with MRC owner, Bob Ruper,

that the MPMA can own the land outright if and when we agree to finance the cost of surveying the eastern boundary; Ruper said he may require an easement in the area closest to the commercial property that extends to the corner of Myra and 12th. Henning will continue to research this issue and report to the Board.

- i. **Safety: Michele Wollert** is working with the College Place Police Department concerning safety issues for the Villages. There is a possibility of partnering with the police on reduced-priced Ring doorbells. More information will be coming on this.
- j. **ARC: Jim Murphy** (see attached report) Jim showed us a hat and a mug with the VGC logo. These items will be used as an incentive for volunteers in the Villages.
- k. **Other:** Cassie Siegal reflected that since we have been through a difficult couple of weeks, we may want to consider putting a process for conflict resolution into our new bylaws. John Cress added that perhaps we should have an ombudsman who can help with neighbor disputes.

8. **EXECUTIVE SESSION** – not needed

9. **Next Board Meeting, August 28, 2019 at 2:00 pm** at SonBridge Community Center

Attachments: Letter from Phase 7
Letter from Phase 10
Complaint from Phase 10
Strategic Plan Draft 2019.3
Common Area Report
ARC Report

VGC Board Meeting July 24, 2019
Common Area Maintenance & Updated Reserve Plan
Progress Reports

I. Common Area Maintenance

A. Asphalt Crack Sealing

--Village 5 SE Covey Court and Village 6 SE Quail Run asphalt crack-sealed 5/10/19. Cost was \$2,174 vs \$2,000 in the 2019 Operating Budget.

B. Asphalt Sealcoating

-- Village 6: all streets & the alley were sealcoated June 12 – 13, 2019. The Cost was \$7,507 vs the \$7,507 estimate & vs \$10,772 in the 2019 Reserve Budget.

--Village 9: all streets & the walking trail were sealcoated July 18 – 19 after cancellation in June due to rain. The cost was \$7,814 vs the \$7,814 estimate and vs \$0 in the 2019 Reserve Budget. (Originally planned in the 2021 Reserve Plan, but advanced to 2019 to increase longevity of the Village 9 streets.)

---The favorable Village 6 costs and unfavorable Village 9 costs for the 2019 Reserve spending were reported at the March VGC Bd Mtg.

II. VGC Reserve Plan Update

A. Henning Guldhammer, Lanny Collins & Ray Goff met with our Reserve Plan specialist, Joel Tax of Reserve Data Analysis, Inc, on June 24, 2019 for required on-site visit to update the VGC Reserve Plan.

B. We have received the 1st draft of the Update, but still have to get back to Joel Tax on timing and scope of the West Pond Renovation project.

-- Will be proposing 2021 or 2022 vs 2020 in first draft. We need to learn from this year's East Pond Renovation before tackling the larger West Pond Renovation.

-- Also need to confirm whether West Pond is fully- or partially-lined. This confirmation is needed to define the scope & cost of

the West Pond renovation project. Ike Muro's crew will be in the West Pond the week of July 29 to confirm.

C. On July 22, 2019, Dick Cook, Henning Guldhammer and Ray Goff met with City of College Place Public Works Director, Paul Hartwig, to inform him of our pending projects on the East and West Ponds and to confirm whether we did or did not need any authorization from his office. He advised that our projects are on VGC private property so we need no approval from the City of College Place.

D. We anticipate having an updated draft of the new Reserve Plan by mid-August to discuss with the VGC Board.

III. Sidewalk Repairs

A. The current Reserve Plan included \$23,699 in 2017 for sidewalk repairs. It appears those funds were not spent in 2017 and deferred to 2024. The current Reserve Plan also includes \$10,031 for sidewalk repairs in 2020

B. The 2019 Operating Budget, account 7689, includes \$1,000 for sidewalk repairs. Additionally, the current Reserve Plan includes \$3,000 to be spent in 2019. Therefore, we have \$4,000 available in current budgets for sidewalk repairs during 2019.

C) On 6/15/19, Tom Emmerson and Ray Goff surveyed all VGC sidewalks. At that time, we estimated there were 42 intersections of concrete sidewalk sections that needed to be ground down and 7 sections of concrete sidewalk that needed to be torn out and replaced in order to eliminate irregularities that might cause walkers to "trip" and possibly fall.

D. Walla Walla area contractors apparently have many more projects than they can handle. Three contractors... Reyes Brothers Concrete; Three Sons Concrete, and; Jensen Brothers Concrete... did not return my calls to bid on the concrete repairs. Finally on 7/1/19, Dax Moreno Concrete agreed to walk the VGC sidewalks and bid on the work to be done. Moreno indicated that our sidewalk problems are much worse than Emmerson and I estimated, i.e., many of the "cracks" that we estimated could be ground down in fact needed to be torn out and replaced.

---Since our walkthrough, Moreno has not provided a cost estimate nor returned my phone calls.

---Net-net, it's been frustrating: VGC needs extensive concrete sidewalk repairs, but we've been unsuccessful in getting contractor bids or a commitment to do the work. I have reached out again to Moreno Concrete today...and will seek yet another contractor if Moreno declines the work or does not respond.

---Recommendation # 1: continue to try to find a concrete contractor who will bid and commit to our sidewalk repair needs, and in 2019, plan to spend a minimum of the budgeted \$4,000, or more if we have operating budget flexibility.

---Recommendation # 2: for sidewalk repairs in 2020, be prepared to spend a minimum of the \$10,031 included in the current update for 2020...or for safety, make the decision now to increase the 2020 Reserve Plan to \$20,000 vs the current \$10,031.

Ray Goff
Volunteer, Common Grounds Committee
7/24/19

ARC Report – July 24,2019

Very productive (past 6 weeks)

- Meeting with 2-Homeowners to review plans for man-door, Fence, pergola, House Paint
- Painted Road Humps (June) – 2 volunteers
- Began painting of raised concrete sections on GVW walkway
 - – (7 done) – 1 volunteer
 - Should complete in August (10+ to go)
 - Several good comments from passer-buys, but no volunteers
- Plan to give Hat or Mug to Volunteers
- Activated “ARC Information” WebPage.
- Began process to create PDF files for VGC Plat Plans
 - Will be placed on limited access Google Drive (VGC Plats)
 - And – special limited access VGC Web Page
 - Currently: 1-page Plats for – *1, *2, *5, 6, 7, 8, 9, 10
 - * denotes “final”
- Began research on use of phone Message system (Grasshopper)
 - Sent email to D.Coleman for password ' (need response)
- Plans to plant “Yield Sign” next week
- Plans to have “Movable Traffic Sign” by mid-August

Question – Does anyone object to an “occasional traffic check” to confirm residency?

**THE VILLAGES OF GARRISON CREEK
PHASE VI
POLICY DIRECTIVE-RENTAL RESTRICTIONS**

Purpose: This Policy Directive is specific to the 39 platted properties located in Phase VI, Villages of Garrison Creek, and serves to protect property values, following guidelines as required by lending institutions, and yet to provide a reasonable number of rentals, without jeopardizing the protective property values, as embraced by the investment of Home Owners versus non Home Owners.

Duration: This directive shall become effective Jan. 1st, 2019 and be applicable to all new sales transactions from thereon. It shall serve as notice, including, but not limited to the new owners and or their agents, for all subsequent property acquisitions located in Phase VI.

Definition: Rented housing is defined as a dwelling unit that is rented and or leased by absentee owners, and or their agents, including short term, vacation and "airb&b" type rentals.

Applicability: This Directive shall become effective as of the above date. The number of rental units within Phase VI shall be limited to 10% of platted lots within Phase VI. Current owners of Rental units shall be grandfathered, with the understanding that: 1) Their property will not be rented for Vacation Rentals, and 2) In the event of a sale, the grandfather provision will no longer be valid, requiring that the property will be sold as an Owner/Occupied home.

EXCEPTION: To avoid economic hardship for current Owner Occupied homes, and or their heirs, in the case of death or debilitating illness, necessitating the move to assisted care, the following shall apply to the Rental Restriction Policy in the event said rentals exceeds the 10% rental unit limit.

Any Resident, having Owned and Occupied a property in Phase VI for a minimum of six (6) months, shall be entitled to rent their home, (subject to LUS Renter & Landlord Policy) until the property is sold, and or the property title is conveyed to an heir, strictly for their occupancy.

Execution: To effectuate this Policy, the following procedure is to be utilized: Upon the placement of a For Sale sign on a property, the name of the listing office and agent shall be noted. The agent along with the Home Owner will then be contacted and provided with a copy of the Rental Policy Directive

(Refer to MPMA Documents, "Land Use Standards" and "Addendum to Rental Agreement")

At the Villages of Garrison Creek web site

FAILURE TO COMPLY WITH THIS POLICY DIRECTIVE MAY RESULT IN PENALTIES INCLUDING FINES AND LIENS, AS OUTLINED IN THE APPROPRIATE MPMA ENABLING DOCUMENT COVERING LIENS & FINES.

Approved and endorsed by the following Phase VI Property Owners of record:

James Murphy *Mary Jo* *Mary Jo* 705 QUAIL RUN

1

Approved and endorsed by the following Phase VI Property Owners of record.

<u>Robert & Lynne Ritter</u>	<u>764 SE Quail Run</u>
<u>775 SE Creekside Dr</u>	<u>875 SE Creekside Dr</u>
<u>Leo & Evelyn Fink</u>	<u>755 S.E. Quail Run</u>
<u>Tom & Linda Emme</u>	<u>940 SE Creekside Dr</u>
<u>Rudylne Hampson</u>	<u>865 SE Creekside Dr</u>
<u>Kay Paulsen</u>	<u>744 Quail Run</u>
<u>[Signature]</u>	<u>940 SE Creekside Dr</u>
<u>Jeanne Ziska</u>	<u>1086 SE Garrison Hill</u>
<u>Jane Robertson</u>	<u>1076 SE Garrison Hill</u>
<u>[Signature]</u>	<u>745 SE Quail Run</u>
<u>702 SE SWAINSON LN</u>	<u>[Signature]</u>
<u>" " "</u>	<u>[Signature]</u>
<u>711 SE SWAINSON LN</u>	<u>[Signature]</u>
<u>701 SE SWAINSON LN</u>	<u>[Signature]</u>
<u>724 SE SWAINSON LN</u>	<u>[Signature]</u>
<u>" " "</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>950 SE Creekside Dr</u>
<u>[Signature]</u>	<u>960 SE Creekside Dr</u>

Approved and endorsed by the following Phase VI Property Owners of record.

David Lee 970 Creekside College Place

965 S.E. Creekside Dr. [Signature]

975 S.E. Creekside Dr. [Signature]

721 S.E. Swainson Ln [Signature]

[Signature] 985 SE Creekside

[Signature] 990 SE Creekside

Douglas Tash 715 SE QUAIL RUN
[Signature] " "

JON WOLF
[Signature] 714 S.E. QUAIL RUN
" "

Kathy Mooney
[Signature] 1096 SE Garrison Vil
" " Way

Katherine Jones
[Signature] 204 S.E. Quail Run

[Signature]
[Signature] 731 SE SWAINSON

July 2, 2019

Dick Cook, President
Villages of Garrison Creek
Master Property Management Association

Dear Dick:

The Phase VII homeowners whose signatures appear at the end of this letter have reviewed Kurt Carlson's draft of the Second Restated Declaration of Protective Covenants, Conditions, and Restrictions of the Villages of Garrison Creek ("the proposed Declaration"). The following points in this letter serve as our official collective response to that draft document and the processes that produced it.

- a. The May 29, 2019 minutes of the Board of the Villages of Garrison Creek ("the Villages") Master Property Management Association ("the Board") state that "the Strategic Planning Committee has been compiling the information received in focus groups that has produced many ideas to be considered in the DRAFT of our proposed new Covenants and Bylaws."

The ideas generated by these focus groups were incomplete and not inclusive because the process by which they were obtained was incomplete and not inclusive. Nor was a representative sample of Phase VII homeowners included. For example, many Phase VII homeowners whose lots are specifically named in the proposed draft (Exhibit B) should have been individually informed of the Focus Group and the Strategic Planning Processes that the Board put in place and additional special efforts should have been made to ensure that these specifically affected Phase VII homeowners were included in these processes. This was not the case, however. As a result, most affected Phase VII homeowners first learned about the proposed lot re-allocation designation that borders their land and the individual assessments associated with that re-allocation when the draft was first distributed weeks later to a select group on June 5 by email. Furthermore, the focus groups referenced in the minutes were not led by trained and impartial focus group leaders and did not comport with accepted focus group public process procedures. Finally, minutes of the focus group meetings have not been distributed for homeowner review and Board approval, if they were documented at all.

- b. The Board's May 29, 2019 minutes also state that the items in the proposed Declaration "will comply with Washington State Law 64.90." Section 64.90.240 of the Revised Code of Washington (RCW), which should be incorporated under Item 5.2 of the proposed Declaration, states an association is permitted to modify its existing definition of "limited common areas" only to the extent that (a) all owners giving up a limited common area agree to do so and that (b) all owners being assigned a limited common area agree to this assignment ("the 100% rule"). The 2002 Declaration of the Villages does not make any references to "limited common areas." Item 1.11 of the proposed Declaration states that "**Limited Common Areas**" means those Common Areas established for the exclusive use or

enjoyment of certain Lots as designated in This Declaration.” As such, the proposed Declaration clearly attempts to replace a definitional approach that treats the limited common area concept as a non-entity with a completely new approach that turns on a specific definition of the concept. Any attempt to incorporate this new definition into the proposed Declaration for the purpose of re-allocation therefore falls under the 100% rule. This dooms the proposed Declaration because the signers of this letter who own the properties to which any common areas might be assigned do not consent to such a limited common area assignment.

- c. Other flaws relate to the limited common area definition included as Item 1.11. One is that - even if the limited common area concept were to be incorporated into a final Declaration - the open spaces the proposed Declaration seeks to re-allocate to certain Phase VII homeowners do not meet the definition of limited common areas as stated in Item 1.11. This is because those areas were originally developed to satisfy drainage and common area requirements rather than being “established for the exclusive use or enjoyment” of any specific lots.
- d. A second flaw is that Item 1.11, if applied as proposed to specific Phase VII properties, would also apply to the properties in other Phases. For example, a plat map distributed at the May 29, 2019 Board meeting indicated that eight properties in Phase 8 are in the same situation as the Phase VII creekside properties referenced in the proposed Declaration in that common areas separate various homes and are inaccessible unless one intrudes on those areas through dense foliage that surrounds them. The focus on re-allocating only Phase VII common areas as limited common areas is therefore arbitrary, unnecessary and under-inclusive.
- e. Regarding Individual Assessments, Item 8.7 states that any common expenses attributable to limited common areas “may be assessed exclusively against the lots benefited (Individual Assessment)” and that “Individual Assessments include, **without limitation**, charges for services provided under Sections 7.5 and 7.6 ... expenses for Limited Common Areas shall be assessed to the lots having the right to use or the benefit of those Limited Common Areas.” Exhibit B asserts that “The Common Area of Phase VII north of Garrison Creek in parcel 35-07-36-889901,” also defined as “Lots 133 through 146 of Phase VII of the Villages,” are limited common areas. These items are flawed for three reasons. The first is that the proposed Declaration does not include an algorithm for monetizing the benefits to which item 8.7 refers and does not include an item that applies such an algorithm to all Village properties. The second is that item 8.7 opens the door for an unscrupulous Board to inappropriately access funds from limited common area owners at will or in the event the Board needs additional funds to meet its financial obligations. The third is that both item 8.7 and Exhibit B increase the Board’s risk exposure because of their potential for adversely affecting the marketability and values of the properties to which they refer.

Overall, the proposed Declaration is inadequate in our opinion because it was prepared without sufficient legal assistance. Also, Item 8.7, Exhibit B, and all other references that the proposed Declaration makes to "limited common areas" should be deleted from the document. Therefore, we the undersigned, hereby notify the Board that we oppose the adoption of the proposed Declaration.

Please make this letter part of the Board's permanent record and share it with the Board's attorney, Kathryn R. McKinley.

Sincerely,

Homeowner (Print Name)	Homeowner Signature	Phase VII Address
1. Michele Wollert	<i>Michele Wollert</i>	1018 Creekside
2. Richard Wollert	<i>Richard Wollert</i>	1018 Creekside
3. Sandia Borth	<i>Sandia</i>	1048 Creekside
4. SHAWN BORTH	<i>SB</i>	1048 Creekside
5. Norma Sewell	<i>Norma Sewell</i>	1080 Creekside
6. REX WALLACE	<i>Rex Wallace</i>	1072 Creekside
7. DOROTHY WALLACE	<i>Dorothy Wallace</i>	1072 Creekside
8. ANITA LONG	<i>Anita Long</i>	1088 SE CREEKSIDE
9. THOMAS P. LONG	<i>Thomas P. Long</i>	1088 SE CREEKSIDE DR
10. Michael Forte	<i>Michael Forte</i>	1024 SE Creekside Dr.
11. Just Jill Showalter	<i>Jill Showalter</i>	1024 SE Creekside Dr.
12. Roger S. Williams	<i>Roger S. Williams</i>	1064 SE Creekside DR.
13. Michael Frantum	<i>Michael Frantum</i>	1040 SE Creekside Dr.
14. EMMA FRANTOM	<i>Emma Frantum</i>	1040 SE Creekside DR
15. _____		

(See Reverse)

- * 16. Lanny Collins Lanny Collins By RSW Creekside Drive
- * 17. Barbara Collins Barbara Collins By RSW Creekside Drive
- ** 18. Luba Hernandez Luba Hernandez By RSW _____
- ** 19. Don Hernandez Don Hernandez By RSW _____
- 20. _____

* See Authorization From Collins for Williams Signatures
 ** See Authorization From Hernandez for Williams Signatures.

Cc: Board members John Cress, Morris Kivett, Marie Evans, Marilyn Vogel, Jim Murphy, Henning Guldhammer; and Kurt Carlson, Phase 2 homeowner and author of the proposed Declaration

Re: Letter to Master Board attached  Inbox x



J.W. Richman

to me ▾

11:34 AM (33 minutes ago)



Yes, though I have not handed in a signed letter, I am strongly opposed. Thank you for your help.

Anne Richman
727 SE Pheasant Run

Sent from Anne's iPhone
509-386-1896

Daniel Burbank

to me, Lanny, Williams, Anne ▾

10:35 AM (6 minutes ago)



Please add my name to this letter of protest regarding potential limited access. Sorry for delay in my response, some how I over looked this email. Linda Burbank

Sent from my iPhone

Letter of Protest
July 18, 2019

TO: The Villages of Garrison Creek Board of Directors
Attention: Dick Cook, President

The following signatures of members of Phase X firmly object to the proposed revisions of the Declaration of Protective Covenants, Conditions, and Restrictions of The Villages of Garrison Creek as drafted. Phase X objections include, but are not limited to:

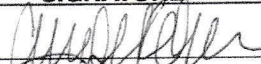
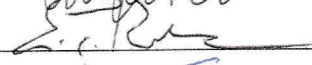


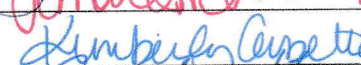

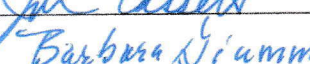
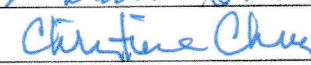

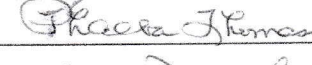
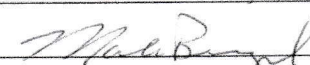

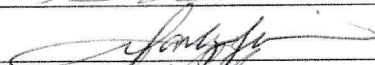


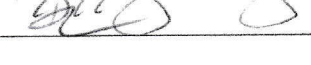
1. Covenants that run with the land cannot be modified without the consent of all property owners whose interests are affected by the proposed change;
2. The proposed second declaration of CCRs are contrary to the bylaws and the articles of incorporation of the MPMA;
3. The treatment of limited common areas in the proposed second declaration is contrary to RCW 64.90.240 (1) (b) and 2 (a);

There are issues we object to that are too numerous to list. We are asking that this draft be totally scrapped. The BOD needs to consider the possibility that if they continue down this path they could be violating the Washington State Law.

This is our notice to the BODs that we oppose the adoption of this draft of the Declaration.

Please make this letter a permanent record of the MPMA.

Sincerely,
Phase X

<u>NAME OF HOMEOWNER</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>
1. Angela Rohde		1047 SE Crestlane Dr.
2. Eric C. Rohde		1047 SE Crestlane Dr.
3. Jane Shaw		1086 SE Falcon Dr
4. Tamara Stream		1096 SE Falcon Dr.
5. Kimberly Cassetto		1026 SE Crestlane Dr.
6. Jon Cassetto		1026 SE Crestlane Dr.
7. Barbara Giannalva		1066 SE Crestlane Dr.
8. Christine Chuy		1017 SE Crestlane Dr.
9. SAM GIANNALVA		1066 SE Crestlane Dr.
10. Phaelha Thomas		1057 SE Crestlane Dr.
11. MARK BENZEL		1027 SE Crestlane Dr.
12. BRID MILLER		1056 SE Crestlane Dr.
13. MARK LIU		1037 SE Crestlane Dr.
14. ANGELA ZIU		1037 SE Crestlane Dr.
15. JEFF WRIGHT		1067 SE Crestlane Dr.
16. DON COLEMAN		1046 SE Crestlane Dr.
17. _____		

July 15, 2019

The Villages of Garrison Creek, MPMA
Attn: Dick Cook

Per the May 29, 2019, meeting minutes the following states:

6 .. Water Conservation & Plant Health Update: Dick thanked John & Yvonne Jaso and Marilyn Vogelfor taking on a lead role with this issue. The irrigation plan is to water less often, but water deeper to encourage root growth of turf, shrubs, plants, and trees. Work will continue on this as we determine what each area needs and how the sprinkler timers can be coordinated. We encourage homeowners to not overwater their backyards and to replace sprinkler heads with those that produce larger drops that evaporate less.

Phase X is serving a formal grievance: The common area that is the responsibility of Phase IX, but is physically located on Crestlane Dr. in Phase X, is not being water appropriately to maintain its healthy state physically or visually. We request that the Board of Directors act to resolve this issue. It is very apparent that the common area under the management of Phase IX is not being taken care of properly, the grass planted there is not a drought tolerant species. This common area needs more water than is being applied. Ironically, the MPMA is paying Phase IX to water all the common areas, but for some reason this important common area is not receiving sufficient water to maintain it.

Please add this to your next board of directors meeting agenda and respond back to Phase X within 30 days.

Sincerely,



Sue Wright
President Phase X

Dick Cook

From: "Sue Wright" <suewright9999@gmail.com>
Date: Friday, July 19, 2019 9:28 AM
To: "Dick & Kathy Cook" <cookpines@charter.net>
Cc: "D Coleman" <dlc777@gmail.com>
Attach: Protest 1.pdf.pdf
Subject: Letter

Good morning Dick,

The attached document was signed at last nights Phase X annual meeting. The attached signatures of members of Phase X firmly object to the proposed revision of the Declaration of Protective Covenants, Conditions , and Restrictions of the The Villages of Garrison Creek as drafted. This objection is not just for "limited common areas" of the draft, we oppose the adoption of this draft of the Declaration.

Please add this to your agenda for July 24th and make this a permanent record of the MPMA.

Regards,
Sue Wright
President, Phase X

Letter of Protest
July 18, 2019

TO: The Villages of Garrison Creek Board of Directors
Attention: Dick Cook, President

The following signatures of members of Phase X firmly object to the proposed revisions of the Declaration of Protective Covenants, Conditions, and Restrictions of The Villages of Garrison Creek as drafted. Phase X objections include, but are not limited to:

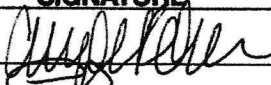


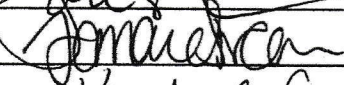
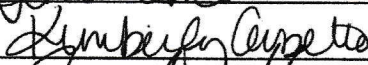
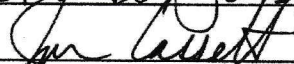
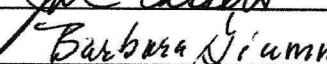
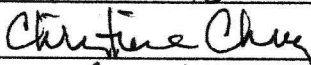
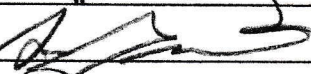
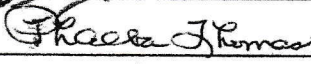
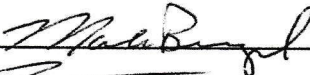

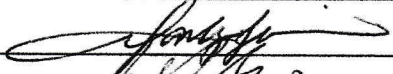
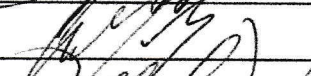
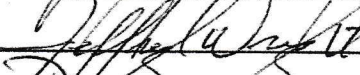

1. Covenants that run with the land cannot be modified without the consent of all property owners whose interests are affected by the proposed change;
2. The proposed second declaration of CCRs are contrary to the bylaws and the articles of incorporation of the MPMA;
3. The treatment of limited common areas in the proposed second declaration is contrary to RCW 64.90.240 (1) (b) and 2 (a);

There are issues we object to that are too numerous to list. We are asking that this draft be totally scrapped. The BOD needs to consider the possibility that if they continue down this path they could be violating the Washington State Law.

This is our notice to the BODs that we oppose the adoption of this draft of the Declaration.

Please make this letter a permanent record of the MPMA.

Sincerely,
Phase X

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