

Mill Creek Summer Homeowners Association Annual Meeting Minutes

Saturday, September 12, 2020 at 10:00 am

Zoom meeting, managed by Tim Coyne- Treasurer

1. Meeting Called to Order: 10:02 am
Board Members present: Black, Coyne, Loker, Schimke, Cleek
2. Pledge of Allegiance: Led by MCSHA Board President Mark Black
3. Remarks: No guests present to make remarks
4. Quorum Present? 61 Homeowners constitute a quorum. There were 28 homeowners present, so a quorum was not present. Mark Black indicated that the lack of a quorum prevents an official vote on approval of the Minutes from the 2019 Annual Meeting and a vote on approval of the proposed budget for the 20-21 fiscal year. The fiscal year for MCSHA begins July 1 and we are operating under a continuance of the FY 19-20 budget until an official vote can be taken on the proposed budget. Mark indicated that a vote on both of these official items of business will be taken via mail, with Minutes and the Proposed budget being sent by postal mail to Homeowners for their review and vote.
5. Acknowledgement of passed Homeowners/Welcome of New Homeowners - Patrick Schimke
 - a. Elaine McCaughey was the individual homeowner whose death was noted.Introduction of New Homeowners - Patrick Schimke
 - a. Cabin 80, Daniel & Kristi Steadman
 - b. Cabin 15, Donald & Roselind Shoff
 - c. Cabin 66, Judy Sherwood and Kathy Carpenter
 - d. Cabin 130, Dan and Kim Largent
 - e. Cabin 73, Emily Nyholm
 - f. Cabin 122, Stephen and Julia Burke
6. **Approval of Minutes** from 2019 Annual Meeting held July, 6 2019 – postponed due to lack of quorum and will be carried out by mail.
7. Annual Financial Report - Tim Coyne provided a detailed account of the proposed and actual spending for FY 19-20 and the Proposed budget for FY 20-21. (See attachments.) Due to the lack of a quorum, voting on the proposed FY 20-21 budget will be carried out by mail
 - a. 2019 - 2020 Finances (See attachments.)
 - B. 2020 - 2021 Proposed Budget Presentation (See attachments)
8. Bylaws, CC&R's and Forest Service Handbook Re-write, Mark Black discussed on going work by the Board, and a sub-committee of the Board (Black, Coyne, Shannon, Faniani – Chair, Architectural Review Committee) to incorporate relevant portions of the US Forest Service (USFS) Handbook into MCSHA CC&Rs. At present the CC&Rs state that the "Board from time to time may

enforce provisions of the USFS Handbook.” This ambiguous language has caused some problems for past Boards and necessitated actions to clarify certain issues. A prime example is the issue of using Mill Creek cabins as the owners’ principal residence, which is discussed in the USFS Handbook, but not otherwise addressed in MCSHA CC&Rs. Mark indicated that progress has been made on this task and that homeowners will be presented with a set of revised CC&Rs covering a variety of topics relevant to the community for discussion and input, and eventual vote for incorporation into the CC&Rs.

9. Nomination and Election of MCSHA Board of Directors, Mark Black reviewed the status of current Board members: Mark Black, Bill Loker, Jerry Cleek and Patrick Schimke all started their terms in 2018-19 so their two-year term is up. All have agreed to continue to serve, and are nominated to do so. The Board will solicit other nominees for these positions and supervise a vote-by-mail election for these open positions. Jayedene Chesini, Mike Shannon and Tim Coyne all have an additional year of service before their terms are up, so will continue to serve in 2020-21. The vote by mail will be overseen by our accountant, Dave Hagen and conducted according to current state code governing elected boards.

Mark also mentioned that there are two openings on the Mill Creek Water Association Board and the nominees are sought to fill these positions.

10. Committees and Annual Reports:

- a. Fire Hazard Report - Jayedene Chesini: Cabins and lots were inspected for compliance with clean-up of debris and clear an visible address signage. Any cabin owners out of compliance with the inspection will be notified. Most lots were in compliance.
- a. ARC Report - Craig Faniani: Craig explained the functions of the Architectural Review Committee (ARC). He emphasized the importance of working with the ARC on any changes to outward appearance of cabins, including any remodel or additions. The goal of the ARC is to preserve the character of the community as compatible with our forest setting. Craig also presented a palette of acceptable colors for exterior paint for cabins and trim. The proposed acceptable colors are posted on the MCSHA website.
- b. CC&R Enforcement and Complaints - Mark Black: Mark mentioned one significant complaint regarding a large, unattended fire in the community and emphasized the need for fire safety and continual vigilance whenever there is an outdoor fire. The cabin owner was notified of the problem. There were complaints about unauthorized “borrowing” of wood from neighbors woodpiles. In both instances (fire and wood pilfering) it appeared to be renters that engaged in these actions. There was also a complaint about snowmobiles crossing property lines and not staying on established roads in the community.
Other enforcement actions focused on collecting overdue annual

assessments. All past due assessments have been collected with the exception of one cabin owner.

- c. Common Land Cleanup - Mark Black: Mark reviewed progress on Common Land Cleanup, including removal of hazardous trees on common land. Eight hazardous trees were removed and cleanup of common land along Tamarck Road is underway. Clean-up and tree removal are expensive and we are fortunate to have a reliable service doing this work. By the end of FY 20-21 we will have done clean-up of most of the common land and can possibly begin rotating back through. With routine maintenance, we can perhaps keep costs under control. Currently clean-up costs are a large and often unpredictable cost, especially removal of hazardous trees.
- d. Water Board Presentation - Mike Shannon: Tom Childers, Vice President of the Board, spoke on behalf of the Mill Creek Water Company Board. He reviewed Water Company finances. He mentioned that water system management costs have increased compared to when Terry Neher served in that capacity. He also mentioned an urgent repair of a broken water valve at Dogwood and Birch. It is suspected that a heavy vehicle may have caused this damage. Water Company finances are in good shape. The water fee of \$400 will continue unchanged. Rates for the Resort will be raised, phased in over a couple of years, representing their greater use of water. Water quality remains good.
- e. "Notice of Intent to Rent" - Bill Loker: In response to cabin owner concerns about rentals, the Board has clarified the terms under which cabins can be rented, consistent with state codes. The terms for cabin rental vary depending on when the cabin was last purchased. Cabins purchased prior to July 2012 can rent for up to 14 days per occurrence. Cabins purchased between July 2012-July 2019 can rent for up to 14 days total per calendar year. And cabins purchased after July 2019 cannot be rented. In addition, the Board decided to implement the responsibility for oversight of rentals called for in CC&R 4.10.b.3 that states: "any property lease or rental agreement is subject to the oversight of the Mill Creek Summer Homeowners Association Board." To exercise this oversight, the Board created an "Intent to Rent" form by which any cabin owner renting their cabin informs the Board of the terms of the rental: number of people, number of days and other pertinent information. There is also a section where the cabin owner certifies that they have informed renters of the community's rules including quiet hours, respecting private property etc. The form will be available on the MCSHA website. Failure to file the form can be sanctioned with a fine of up to \$500 per occurrence.
- f. Garbage Bins - Tim Coyne: There were several instances of overflowing garbage dumpster this summer. This coincided with construction on Hwy 36 and increased traffic on Hwy 172 through Mill Creek. Apparently many folks passing through decided to make use of our dumpsters leading to overflowing trash. This also coincided with our attempt to add a recycling bin to our trash disposal options. The recycling bin was also

overfilled often with non-recyclable items. It was a mess. Locks were placed on the dumpsters and one disappeared and was replaced. The recycling bin was removed. Eventually the situation became more manageable as HWY 36 construction ended, traffic was reduced, bins were locked and the recycling bin removed. Cabin owners are reminded that bins are for household trash only, not construction debris, mattresses, tires and hazardous waste. We are charged additional fees if these items are left for disposal. Respect the dumpsters or they may go away!

g. Rentals and Full Time Residency Discussion - Mark Black: Rentals and the Intent to Rent issue have already been discussed. The Board is addressing the issue of full time residency in cabins through the USFS Handbook rewrite of the MCSHA CC&Rs. The USFS Handbook does not place a specific limit on the maximum number of days a cabin can be occupied. It states that all cabin owners must have an alternative principal residence in addition to the cabin. This language will be proposed for adoption into our CC&Rs. The Board also recommends that whatever restrictions are placed on full-time residence not include Terry and Georgine Neher, in recognition of their many years of service to the community as owners of the Mill Creek resort, postmaster, water manager and all around great stewards of the community. More information will be made available when the USFS Handbook rewrites of CC&Rs are presented to cabin owners later this year.

11. Joseph and Jillian New Baby - Jerry Cleek: Presented a family photo of Joe and Jillian, current owners of the Mill Creek Resort and their baby, Sonora Rae Vanmeter. Born April 2, 2020 in Mill Creek. This is the first instance that any of us know of a birth in Mill Creek. We wish Joe, Jillian and Sonora Rae the absolute best in the weeks, months and years ahead.

12. Zoom Purchase Plan - Tim Coyne: Tim mentioned that the Board has purchased a "professional" version of the Zoom meeting platform, used for the Annual Meeting. It will also be used for Quarterly Board meetings and, if necessary, for future Annual Meetings.

13. Announcements:

a. Annual Directory and minutes of meetings available by request through the MCSHA website (www.millcreeklassen.com). A hard copy can be obtained from Bill Loker - Secretary, if requested.

14. Adjournment: 11:45 am.

