

SPECIAL BOARD MEETING 8-21-23
KNOLLS ESTATES HOA
CC&Rs and ByLaws

ROLL CALL OF BOARD MEMBERS - Greg Gardner, Tom Schaub, Mary Nordeen, Terry Wells

OWNERS IN ATTENDANCE - Steve Perry, Scardi Blvd., Joe Groussman and Sierra Moon, 2044 Sawgrass Ct., Richard Jorge, 2266 Eagle Loop, Sharon Cozad, 2206 Eagle Loop, Glenn Cutler, 1956 Culver Loop, Roland Berry, 1954 Culver Loop, Carol Plato, 2250 Eagle Loop, Larry Cox, 2066 Culver Loop, David Potestio, 1830 Culver Loop, Susan Jordan, 2286 Eagle Loop, Alicia Hart, 2234 Eagle Loop, Al Perry, 536 St. Andrews Ct, John Lahley, 2070 Culver Loop

Meeting called to order: 11:01am

RULES OF ORDER - The rules of order were read by Tom Schaub

MINUTES APPROVAL - Tom made a motion to approve the minutes from the previous board meeting held August 17th, 2023. Mary second. Motion unanimously approved.

REPORTS FROM OFFICERS - President Greg Gardner

Greg explained the purpose of the special board meeting. Due to short notice, on Friday 8-18-23 a notice to homeowners via email and/or notice sign at front knolls estates entrance on having this special board meeting. Board of directors must go through the approval process to the delivery of ballot and the proposed CC&Rs and Bylaws, before the documents can be presented to all homeowners. Terry made a motion to approve the new CC&Rs & Bylaws documents as presented. Tom second. Motion unanimously approved.

Joe Groussman made mention that our motion should say "proposed" CC&Rs & Bylaws documents. Tom made a motion to amend Terry's motion to say "proposed" CC&Rs and Bylaws documents. Terry second and amended motion was passed.

Greg explained the following process going forward.

- A.** Ten days' notice will be sent to all homeowners.
- B.** A vote by all homeowners by written ballot will be taken on the subject of proposed amended and restated CC&Rs and Bylaws.
- C.** The owners have a right to request the written ballots be accompanied by a secrecy envelope. The owner may request this secrecy envelope be added to the written ballot by mailing the request to Knolls Estates PUD, P.O. Box 1498, Sutherlin, Oregon 97479. This request must be signed by the Lot owner. Knolls Estates must receive this request by August 28, 2023, by 5:00PM. Otherwise only the stamped return envelope, which is a security envelope as well, will be provided.
- D.** September 1, 2023 the voting draft of the new updated 2023 CC&Rs and ByLaws will be posted on the Knolls Estates website. Ballots will be mailed with specific and additional instructions and a two-page highlighted summary of some of the changes will be included. A stamped return envelope for the Ballot is provided. Ballots must be returned by October 1, 2023, Once the documents have been adopted, it will be recorded in the Deed Records of Douglas County, Oregon.
- E.** The entire association, all 160 lots, gets 1 vote per lot. Restatement by state law required 75% of owners to adopt, for this amendment and restatement of the CC&Rs and Bylaws for it to supersede the 1994 document, amendments and bring it up to 2023. We have tried to be very concise and specific in some areas, and more leeway to the advantage of homeowners in other areas. Voting to approve will benefit every homeowner and the association. Owners will need to take the time to vote, whether YES or NO. These documents have not been updated since inception in 1994. There are many additional benefits included for all homeowners in this new document. **The entire document has been reviewed multiple times, including from centerpointe property management and the attorneys-at-Law.**

Greg went through the summary document for the benefit of the homeowners in attendance. We should have results at the October board meeting. The summary is listed below that Greg covered at a high level.

Meeting was adjourned at 11:31am.

Listed below are some of these highlighted areas in the CC&R's and Bylaws.

1. Exterior Maintenance Obligations, Curb Appeal: **Even though this is listed in the current CC&R's and Bylaws they were not very specific. While most of the homeowners have no issues with this area, a few homeowners continue to get reminders from the property managers. In this section some specifics are listed to help the homeowners and some leeway as well.** Each Owner must maintain the Owner's Lot and Unit in a clean and attractive condition, in good repair, and adequately finished. Maintenance includes, but is not limited to, painting, repair, replacement and care for roofs, gutters, downspouts, exterior building surfaces, glass surfaces, walks, driveways, and other exterior elements. All Lots must be kept free of brush, vines, weeds, and any grass must be cut or mowed at sufficient intervals to prevent creation of a nuisance or fire hazard. No Owner will allow any rubbish or debris to accumulate upon its Lot or adjacent Common Area. All garbage, recycling and other waste must be kept in appropriate sanitary containers for proper disposal; sanitary containers must be stored behind the front line of the house (side of house) or be concealed. **Exterior paint colors must be approved by the design committee and must be inclusive to the neighborhoods visually.** Compliance reminder and non-compliance fines could be applied to owners not following maintenance obligations.

2. Recreational Vehicles: **We have increased the time from 48 hours (2days) to 72 hours (3days) and guests from 2 days to 7 days visit.** Recreational vehicles, often abbreviated as ("RV"), that includes living quarters designed for accommodation may include, but not limited to, motor homes, travel trailers, campervans, coaches, truck campers, fifth-wheel, popup campers, toy haulers, shall be allowed only in an enclosed garage structure on a Lot attached to a Unit by a common wall or roof; they shall not be used for habitation or overnight accommodations while on the Property or any Lot; and they shall not be parked on the exterior of any Lot or on any roadway for more than 72 hours (3 days) unless approved in by the Board of Directors or an agent of the Association. A guest of an Owner may park such an RV on the exterior portion of the Owner's Lot, not on the street, for a period not exceeding 7 days unless express prior written permission is obtained from the Board of Directors. Any and all RVs parked on a street for any reason must have safety & security cones around the vehicle), (no permanent parking of any vehicle on any streets).

3. Non-Recreational Vehicles: New section on what these are and requirements. Other non-street vehicles, including, but not limited to, four wheelers, three wheelers, other ATVs, jet skis, snowmobiles, dune buggies, and camping equipment, shall not be stored on the exterior of the property if such would be visible from the street or sidewalk at the front of the Lot, or from any other Lot or Common Area. **You may park behind the 6' fence as long as not visible from the street.**

4. Utility Trailers & Boats: **Non-commercial utility trailers and boats no larger than a typical water skiing or wakeboarding boat, may be parked on the exterior of a Lot only if stored behind the street-front plane of the Unit and behind a six-foot fence** (approved by the Design Committee) and/or concealed from view by a hedge(s). Such trailers or boats that exceed eight feet in height while parked (including the height of the boat trailer) may not be kept on the exterior of the Lot except on prior approval of the Board on a showing by the Owner that such storage would not significantly interfere with the aesthetics of the Lot as viewed from outside of the Lot. Boats that are larger than a typical water skiing or wakeboarding boat may be parked on the exterior of a Lot, or elsewhere on the Property, only temporarily, for no longer than 48 hours. No Large personal utility, cargo trailers or big box vans are allowed on the Common Area or on any Lots for more than (2 days) 48 hours, and safety cones must be in place when such vehicles are parked on the street.

5. Parking: All non-operational vehicles must be parked in a Unit's garage. All operational vehicles must be parked in a Unit's garage or on its driveway. No owner may park any vehicle on any street for a period in excess of (2 days) 48 hours. **No permanent parking of any vehicle on any streets.** No disabled vehicles, but not limited to, campers, boats, boat trailers, recreational vehicles, recreational trailers, or other types of non-passenger vehicles equipment, implements, or accessories may be kept or stored on any part of the Property, and no maintenance or repair work on vehicles or trailers, with the exception of emergency work, shall be done on the subject Property or on the streets or ways adjacent thereto, except within the confines of an enclosed garage.

6. Garages: All dwellings must include at least a 2-car garage attached to the dwelling or by a common wall or roof. No carports shall be allowed. No temporary, but not limited to, stand alone, or portable carports are allowed on any property. **Permanent carports attached to current structures, depending on design and materials will be considered.** Garages for motor homes shall be allowed only as an integral part of a garage attached to the Unit.

7. Pop-up Awning and Canopies: Subject to the other provisions of this declaration, temporary awnings, canopies, tent and other temporary shelters of any kind are not allowed in the front of any unit or anywhere else on the lot that is visible from the street front of the lot.

8. Restriction Variances & Waivers: The Design Committee may, subject to Board approval, grant reasonable variances or waivers from the provisions set forth in this Article 6, where: (i) literal application thereof results in unnecessary hardship; and (ii) where the granting thereof will not be materially detrimental or injurious to any other Owners. All variances or waivers shall contain findings of fact setting forth each criterion for variance or waiver considered, shall be in writing, and shall be signed by the Design Committee, in order to be valid, and must thereafter be approved by the Board in its sole discretion. On approval by the Board, such variance or waiver shall be signed by the President and kept in the Association's official records. **The board believes we should review any request by homeowners, because each lot is different and if it benefits the homeowner and helps the association, we should consider these requests. This is a huge deal for the homeowners.**

9. Roofing: Roofing may be asphalt architectural composition shingles, ceramic tile, concrete tile or some other high-quality material. No metal or wood shake roofing is permitted. All roofs are permitted to the subject of the Design Committees approval.

10. Fireplaces & Stoves: While fire burning stoves are not allowed in any home, portable fire pits are allowed outside homes in their back yards. Permanent outdoor firepits must be approved by Design Committee.

11. Fences & Hedges: There has been a lot of debate and precedence in this area. We tried to be as specific as possible, and have given the Design Committee more leeway to benefit the homeowners, depending on each lot's needs. **Fence boards must be vertical, no horizontal fence boards allowed and good side of fence must be facing outward.** No commercial wire fences are allowed such as, but not limited to: chain link fences, barbed wire, steel, razor wire, chicken wire, concertina wire, and aluminum. Design Committee must approve all fencing requests.

12. Satellites, Antennas & Solar: While most stated the same, only change is due to a possible disaster. Ham radio antennas, or any other electronic receiving device shall be permitted if placed in the back property of the home and not unsightly. Must be approved by the design committee. **Solar panels in Oregon are allowed, however reasonable restrictions such as size, placement and aesthetics for each home must be considered and approved by the Design committee, which can impact the neighborhood.**

13. Signs: Which now include; Flags, Political Signs, "For Sale" Signs, Subdivision Identification Signs & Other signs. This is an entirely new section, which specifically describes what is approved and what isn't. Lots of leeway for the homeowners and the HOA.

14. Rentals & Leasing: A dwelling may not be rented or leased. The rental of a home will be allowed under extreme cases, and hardships if approved in writing by the Board of Directors. Written document from the homeowner is required with specific reasons on why the homeowner want to rent the property. If approved the upkeep, maintenance of the home and the lot shall be the responsibility of the owner. There will be a specific time limit if approved a rental. **Not allowed at any time; but not limited to: B&B's, bed-and-breakfasts, overnight lodging, Airbnb, or boarding house.** Furthermore, nothing herein prohibits an Owner's in-home caregiver from occupying or residing at the Owner's Lot or Unit as part of the caregiver's contract with or employment by the Owner.

15. Accessibility for Disabled Persons: Proposed plans modifications or improvements to lots to provide for necessary access by disabled persons must be considered by the design committee.

16. Temporary Living Structures: No structure of a temporary character, but not limited to, including, without limiting the generality thereof, any trailer, tent, shack, garage, barn, motor home or mobile home or other outbuilding, and no prefabricated or relocated structure shall be used on any Lot at any time as a residence, either temporarily or permanently.

17. Golf course nets & carts: Golf Course Nets Must be approved by the Design Committee prior to installing and must be maintained by the owners. Golf carts & cars must be stored in any approved garage or behind 6' fence along side of the home, not visible from the street.

18. Garage Sales: The provisions of this Article shall not apply to garage sales conducted entirely on an Owner's Lot provided that such garage sales are conducted in accordance with the rules, regulations, and/or guidelines established by the Association for garage sales. **This means homeowners may have a garage sale more times than just the city-wide sale.**

19. Nuisances: No noxious or offensive activity shall be carried out upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. The Board shall have the sole authority to determine nuisances and their decision shall be final and conclusive.

20. Garbage and Refuse Disposal: All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. No cans, bags, containers or receptacles for the storing or disposal of trash, garbage, refuse, rubble, debris, or recyclable materials shall be stored, kept, placed or maintained on any Lot where visible from any street except solely on a day designated for removal of garbage, rubbish, or recyclable materials, and on which days only such cans, bags, containers, and receptacles may be placed in front of a residence and beside a street for removal, but shall be removed from view before the following day. Receptacles may be store on side of homes. No garbage incinerators shall be permitted. This applies only to an owner's disposal of his/her their own garbage, refuse,

waste, rubble, debris and other such material. It does not apply to the Associations disposal in the course of its Common area maintenance.

21. Pets, Livestock, Poultry and Wildlife: No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except for cats, dogs or other generally recognized household pets, provided that they are not kept, bred, or maintained for any commercial purpose; and provided further, no more than two (2) such animals may be kept on a single Lot. All such animals shall be kept in strict accordance with all local laws and ordinances (including leash laws) and shall be kept in the interior of the Unit at all times except when being exercised by owner on a leash or which are contained in an approved fenced area, and in accordance with any and all additional rules of the Association. Owners, including guest pets shall be responsible for cleaning up their pets' waste in The Knolls Estates Planned Unit Development. All such pets shall be always kept under control by the Owner. Pets that constitute a nuisance shall not be allowed and shall be permanently removed from the Property. **No person shall feed or entice wild animals, including, but not limited to, turkeys, on Lots or elsewhere in the Property. Hanging small-bird feeders are allowed on Lots.**