

CRUMBACHER ESTATES OWNERS ASSOCIATION

COMMUNITY NEWSLETTER - MAY, 2012

AN OPEN LETTER TO MEMBERS

The following letter was submitted to the membership at large by Rennie McCormick, CEOA Director, who has chaired the covenants committee during the work of preparing a revision proposal:

Members of Crumbacher Estates Owners Association,

For the past two years, I have been the chairperson for the committee to propose changes to the protective covenants. I volunteered for this position for several reasons, which I would like to share with you.

I see some inherent dangers in remaining under the original covenants. Foremost in my mind is the fact that there is little or no language in the original covenants pertaining to enforcement or punitive measures that can be taken. In my opinion, the current language would allow the Board of Directors to decide any punitive damages without recourse by the rest of the Association. They are not even bound by past practice. They could be allowed to ignore violations by some individuals, and yet still proceed with full legal action against others for the same violations. It's possible that the Association members would have little or no input into these actions.

Another danger I see is that the original covenants clearly stated that no changes could be made for 30 years after recording the original documents. Despite this prohibition, amendments were made in 1978, 1983, and 1996, all of which were inside of the 30-year restriction. In my opinion, those amendments could very easily be challenged and be made null and void. Covenants that we have taken for granted to protect our investments and our rights could be very vulnerable; for example, someone could put a feedlot on their property as there is no provision in the original covenants for how many cattle can be kept on a property. Anyone could build without submitting a building plan, could put a mobile home on a foundation on any lot in the development, pets would not need to be restrained. Clearly, we need to update our covenants and legitimize past amendments.

In my opinion, the ambiguous nature of the original covenants and the inability to make appropriate changes has made it all but impossible for previous Boards to establish equitable and enforceable policies for protecting our investments and our rights. They also removed any recourse for members to have input.

Please carefully consider the proposed changes and cast your vote for or against the proposed revision. Do not hesitate to contact me with any questions or concerns.

Sincerely,

*W. Rennie McCormick
(509) 429-0465*

SPECIAL PURPOSE MEETING

A special purpose membership meeting has been called for the purpose of a vote on the adoption of the new covenants. This will be a short meeting, as this consideration will be the only item on the agenda.

MEMBERSHIP MEETING Adoption of Revised Covenants

MONDAY, JUNE 4th, 2012 7:00 PM

4 Norway Pine Dr.
President Doug Hale's home

Enclosed with this newsletter is the final draft version of the covenants revision. Please review this document carefully so that you can make an informed vote. Also enclosed is a ballot/proxy form for voting. Be sure to submit this form ahead of the meeting date if you will not be able to attend.

Passage of any revision of our covenants requires a 60% majority vote of the association by lot. This makes your input vital to the process. Please attend in person if possible, or submit your proxy to a trusted association member. You are encouraged to discuss these revisions with others prior to the meeting, and to direct any questions regarding the proposal to Rennie McCormick at the number listed at the end of this newsletter.

ANNUAL MEMBERSHIP MEETING

At the annual association meeting held on April 20th, Rennie McCormick provided members with a review of the work that has been done to update the covenants. The original covenants, along with the various amendments, has been compiled into a single document and reorganized by subjects in an effort to

make them more user friendly. Proposed changes to several points were highlighted, and members provided comments regarding the proposals.

Two items in particular elicited responses from the audience. There were varying opinions on what diameter of tree should be allowable to cut, with some members wanting the limit raised to 8" and others suggesting a larger diameter of 12". It was suggested that a 12" limit could allow some lots in the association to be completely logged, while proponents of the larger limit felt that removal of trees 12" diameter and smaller would improve overall forest health and fire safety in the community.

Another topic debated was whether or not the building setbacks from property lines should be relaxed. A few members feel strongly that keeping the more stringent existing setbacks (30' front and rear, and 20' side) helps to maintain the rural setting in Crumbacher Estates. Others, however, point out that these setbacks have been largely ignored on many lots in the association, raising the question as to whether such a covenant has any value at all.

It is important to note that on both of these issues, the overwhelming majority of responses received in the recent survey were to increase the allowable cut diameter to 12", and to reduce building setbacks to match the county minimums. These opinions were reflected in the draft revisions presented to the membership at the meeting.

Members received proxy/ballot forms by mail prior to the annual meeting, and many members checked their ballot forms in favor of passage of the new covenants. However, due to the amount of discussion at the annual meeting, there was no motion made to adopt the new covenants, and no votes were tallied for the issue. The covenant committee resolved to meet again to review the feedback and make some final edits to the document. Because no motion was made, a vote did not occur, and the original covenant documents remain in effect at this time.

IRRIGATION SEASON

Thanks to all who were able to delay watering for a few weeks this spring. The summer water system is now up and running, so anyone wishing to water may do so. This system consumes ten times as much power as our winter system, so even a few weeks' delay in start-up means substantial savings to our association.

Some of you noticed that the reader boards were not posted this year. This is because we are trying to move away from the practice of dictating when members can water. The restriction on outdoor watering imposed by our water right certificate of an April 1st to October 1st season only applies to those lots with additional irrigation rights. It does not apply to those who are only watering a half-acre or less under the domestic exemption. These owners are free to water their yards at any time of the year, and our water operators will adjust the system to meet the demand as necessary. You are encouraged to water wisely and efficiently to minimize costs.

BYLAWS AMENDMENT

The membership approved the proposed bylaws amendment regarding the administration of our water right at the annual meeting. This amendment requires the Board to facilitate any membership requests to transfer irrigation water, and to maintain an irrigation plan with the Department of Ecology. The change will provide owners with the flexibility to sell or lease irrigation water not currently being used to other lots within the association, and will help protect the water right from possible relinquishment of unused water.

The amendment will be signed and recorded with the county, and a copy will then be submitted along with a water right change application to the Department of Ecology. The agency has already indicated its willingness to change the water right certificate, and it is anticipated that the approval process should be minimal.

Any owners who have an interest in offering irrigation water for lease or transfer are encouraged to make this known to the Board, and to discuss possible terms with other interested members.

NEW BOARD MEMBER

The Board would like to welcome our newest member. Roxana Martin expressed interest in filling the remainder of the two-year Director term left vacant by Rick Weber's resignation, and was appointed to the position at the April Board meeting. Roxana is a long-time resident of the association, owning two lots along Crumbacher Road, where she and her children reside and raise horses. We are looking forward to the fresh perspective and input she will bring to the activities of the Board.

Doug Hale and Darren Schmidt were re-elected to the President and Vice-President positions, respectively, at the annual membership meeting. Their election to two-year positions completes the transition to a staggered election process, so that there is better continuity on the Board. Next year, the two Director positions and the Secretary/Treasurer positions will be open, and this pattern will repeat on a two-year cycle.

NEW INVOICE FEATURE

A few members at the annual meeting expressed some confusion with the invoicing, and an uncertainty about what their balance due was. Some of this has likely been generated by the changes in billing cycle, new water billing structure, and the rescinding and subsequent crediting of the vacant lot water charges in 2011.

QuickBooks Online recently updated their software, and introduced a new feature that should help to clarify the amount owing on your account. Above the itemized charges for the billing period, you will now see an account summary. This section will show the balance forward, any recent payments, the current total charges for the billing cycle, and the new total amount due.

If you still have questions about your account, a full statement can be prepared, and the Board would be happy to schedule a time to go over the account with you to review the accuracy of the billing. Thanks to all of you for your patience as we have worked through the challenges of these recent changes.

WEED SPRAYING

Weed spraying was completed as planned in mid-April. The Board would like to extend thanks to all those who requested spraying of their lots at the same time. Your efforts and expense to minimize the impacts of noxious weeds are greatly appreciated!

Remember that weed eradication requires constant maintenance, not just a one-time effort. For example, knapweed seeds can remain viable for up to seven years. A spray application or hand-pulling this year only takes care of what sprouts this season, and the process will have to be repeated annually in order to be effective. Your diligence will pay off, and after a few years, you will start to see fewer and fewer plants coming up.

If you are uncertain about what plants are considered noxious weeds, please contact a member of the Board. We would be happy to walk your property and help you identify any problem areas. Please pull or mow any weeds that were not sprayed before they go to seed, usually in late July or August.

UPCOMING MEETINGS

The next regularly scheduled Board meeting will be held on May 23rd, at the home of President Doug Hale, 4 Norway Pines Drive. The meeting will begin at 7:00 p.m. All members are welcome to attend.

CONTACT YOUR BOARD

As always, we value your input and support. Please use any of the following options to contact your Board.

Doug Hale, President	826-1653
Darren Schmidt, Vice President	826-2622
Ken Radford, Secretary/Treasurer	826-1977
Rennie McCormick, Director	826-8034
Roxana Martin, Director	826-3842

Email: ceoaboard@gmail.com

Website: <http://www.crumbacher.net>