

# ***Chestnut Glen Homeowners Association***

## ***Meeting Minutes***

February 1, 2011

### **I. Call to order**

HOA president Jason Rogers called the emergency meeting of the Chestnut Glen HOA to order at 7:08 p.m. on February 1, 2011 at the Park Ridge Community Church meeting room.

### **II. Attendance**

- a) Fourteen homeowners attended (sign-in sheet on file)
- b) HOA Board members: Jason Rogers, President; vacant positions: Treasurer and Secretary

### **III. Flowers at Entrance Signs**

- a) Jason reports that the HOA's landscaper, Ben Kohler, has requested to plant some flowers around the entrance sign, free of charge. He asks if anyone would object to letting Ben plant them. No objections.

### **IV. Consulting Arborist's Report**

- a) This is the follow-up meeting as promised at the September HOA meeting and in the petition circulated last summer.
- b) Board hired a consulting arborist to come out and check Trent Kreeck's work from July. This was not to impugn his work or integrity, but it was recommended the HOA get a second opinion which might potentially save cutting some trees.
- c) Hired Tina Cohen for \$625 to look only at the trees from Trent's report.
- d) Tina is a consulting arborist. Consulting arborists don't do any tree cutting, so there's no inherent conflict of interest with diagnosing and doing the actually cutting work. That's why Tina was recommended and why the Board chose her.
- e) Tina was able to eliminate \$2,220 of trees to be cut from those identified in Trent's report. Minus the cost to hire her, the HOA saved \$1,595.
- f) The term "hazardous" used in her or Trent's report has to do with two concepts. One, is whether the tree is distressed, sick, dying, etc. Two, whether it has a target – people, objects or property to hit. A tree that is completely rotten but does not have a target is not considered hazardous and does not need to be removed, where as there may be a tree with a lot less damage that DOES have a target, that tree would need to be removed.
- g) Trees are required to be cut into 15-25 foot snags, per the City of Bothell, because they are in a protected area. Tina told us that we can ask the person doing the cutting to cut them jagged and more "natural" or snag-like, so they look less like very tall stumps.
- h) Highlights of Tina's report: she looked at 20 trees (of the 38 previously identified by Trent, 16 were cut by the City of Bothell or community volunteers). Two on 25<sup>th</sup>

Drive were identified in Trent's report and couldn't be located (no mark). Tina confirmed 8 hazardous trees, i.e. distressed/dead/dying and had a target. Of these 8, 1 needs to be cut as soon as possible, it has extensive rot. The remaining 7 can be cut later in the year or when the one tree is cut.

- i) She agreed with Trent: all trees he identified as stressed/sick were indeed distressed or sick. Where she disagreed with him was that some of them had no target and were therefore not hazardous. Because the greenbelt is not actively used, any tree that might fall inside or into the greenbelt (not onto someone's property) is not considered a hazard.
- j) Tina suggested inspecting the greenbelt every three years (versus Trent's suggestion of annually), unless there's a serious storm, at which point, we may want to do another inspection.
- k) Tina's report states that parts of the greenbelt are in poor condition: trees are stressed, dead, places are overrun with invasive blackberries. Some trees have too much water, others not enough.
- l) Tina recommended actively removing blackberries from the greenbelt, using hand tools (no herbicides), so that the vines don't choke out new growth and small trees
- m) She also found places where homeowners had dumped cuttings, debris and yard waste. This is not allowed. The city has told us many times that nothing can be thrown into the greenbelt, we must use our yard waste cans instead. We can't introduce non-native plants into the greenbelt, because they may take over and push-out native plants.
- n) Her final recommendation was that we hire a wetland consultant for the water issue. She told Jason that some of the trees getting flooded and others that seem to be getting too little water was probably due to a wetland water issue.
- o) Eloise Cook asks whether her job was to just review Trent's findings or to reevaluate the whole greenbelt area? Jason states that she was hired to evaluate Trent's report only and having her reevaluate the whole greenbelt seemed unnecessary.
- p) Gin Ernster requests the total cost for cutting the 8 trees Tina's report says need cutting. Jason tells her that the cost is approximately \$2,300. She asks whether this was in addition to the tree already removed by the community and the City of Bothell. Jason responds that this is in addition to those.
- q) Jason summarizes the numbers: Trent identified 38 trees, the city and the community cut 16 of them, Tina couldn't find 2 and looked at the remaining 20. Of these 20, 12 were determined to not be hazardous. The other 8 were deemed hazardous and need to be cut. Estimated cost of cutting these trees is between \$250-\$350 per tree, unless whoever comes out to cut them decides that it's more dangerous or difficult, and charges a little more.
- r) The Board provided a copy of the report to the City (Debbie Blessington), and the City is satisfied with the findings and the progress.
- s) Robert Hood asks whether the HOA has ownership of the greenbelt and therefore responsibility if a tree falls down and causes injury or damage. Jason states that the HOA owns the greenbelt and all 73 homeowners share legal responsibility if a tree KNOWN to be hazardous causes damage or injury. However, if the tree has not been evaluated and determined to be hazardous and it causes injury or damage homeowner's insurance company will pay.

## V. Greenbelt Health

- a) Jason relates Tina's findings in regard to the overall health of the greenbelt.

Stream/water: The stream that flows through the greenbelt behind 210<sup>th</sup> changed direction and jumps its banks in heavy rain periods, flooding back yards and the sidewalk. Even though the sidewalk issue was fixed last fall, the problem remains. The ground in its path is extremely saturated/ weeping. And the more trees are cut, soil will become more saturated killing more trees.

Dry spots: On the other hand, Tina noticed two trees (#8 and #9 on her map), not hazardous, but dying. Tina suggested it was because of lack of water. Between 210<sup>th</sup> and 211<sup>th</sup>, trees are dying and nothing is growing there to replace them. There are also concentrations of trees needing to be cut, they are in groups, leading us to believe there's an issue in those particular areas. Some areas will eventually lack trees altogether.

Blackberries: Tina said replacing trees that are cut is almost impossible due to blackberries.

- b) Jason asks whether we want to look into these issues in more depth? He contacted a wetland consultant recommended by Dept of Fish and Wildlife. For \$1,300 they will come out and evaluate the problem. Is this worth \$1,300?
- c) Homeowners present propose a plan of action. It is decided that paying a wetland consultant is cost-prohibitive. Instead let's focus on things we can do ourselves and see immediate results: aggressive and ongoing removal of blackberry bushes and replacing trees that are cut with trees recommended by Tina that would thrive in the greenbelt. Community cleanups to be held twice a year (spring and fall), with blackberry bushes removed in common areas. Homeowners responsible for removing blackberry bushes immediately adjacent to their homes/ yards, using hand tools (no herbicides or power tools). The board will also look into renting goats to eat the berry vines.

## **VI. Tree cutting policy**

- a) Jason summarizes the tree cutting policy that has been in place since the development was built. The policy has been that if there's a potentially hazardous tree behind an individual homeowner's house/ yard, he/she obtained the Board's and the City's approval to remove it and paid for the removal.
- b) Things are changing: we have more hazardous trees to deal with AND there are pressures from the city to resolve this differently. Some homeowners went to city code enforcement and pressed them to enforce this. The Board followed the old policy because the homeowners voiced a desire to keep it in place. Now it's no longer an option with people approaching code enforcement and forcing the HOA's hand. We can't continue the old policy and need to decide on how we want to handle tree cutting in the future.
- c) Steve Hansen suggests that this sounds like a no-option situation. We have to assume that people will complain to the city if the policy doesn't change. There's an indication in the CC&Rs that the HOA has responsibility already, so it makes sense to change the ongoing policy. Heather Roper added that the condition of the greenbelt has changed, and our policy should change with it. If the greenbelt belongs to all 73 of us, then we should split the cost of improving and maintaining it among all 73 homeowners.

- d) Jason moves to change the tree cutting policy as follows: if a homeowner thinks they have a hazardous tree, they contact the Board. The Board pays Tina or another consulting arborist (because there's no conflict of interest) to examine the tree in question. If it needs to be removed, the HOA will hire an arborist to remove it and pay for the work. Yana Rogers seconds the motion. All homeowners present vote in favor of changing the policy as proposed.
- e) Heather moves to add to the policy that the HOA pays for a comprehensive report every 3 years (and as needed if there's a major storm) and for cutting of trees that are found to be hazardous. Julie Erichsen suggests the stipulation that if a homeowner thinks they have a hazardous tree threatening their property, they can contact HOA and ask for a consulting arborist to evaluate it. If the tree in question is determined to be hazardous, the HOA will pay for the report and the cutting, otherwise the homeowner pays for the report (no cutting would take place, since it's not hazardous). Everything is done through the HOA and with HOA's permission. Motion seconded and passed unanimously.
- f) Jason summarizes the immediate plan: The Board will call the arborist tomorrow and have them come out and take care of all 8 trees. Jason will also speak with the affected homeowners to explain to them how these trees will be cut and what they will look like. One affected homeowner in particular asked that the trees not be cut. We're unable to accommodate him because of the liability issue and the new policy just voted on.

#### **VII. Other issues**

- a) Code Enforcement: Jason was contacted by the City Code Enforcement. They ask for our neighborhood to stop using them as a club for one neighbor to beat another with. They want us to understand: every time someone complains and they have to come out, if they see a violation they will have to do something about it. For instance, someone called Debbie Blessington to complain about a neighbor, she came out today and, driving the neighborhood, spotted a violation that she had to write up and potentially fine a homeowner for. The message is: call as the last resort, not to get back at somebody. Also, please respect the greenbelt: don't throw garbage or cuttings into it, don't extend your yard into it, etc.

#### **VIII. Voting for new Board**

- a) Jason states that there are two open positions, looking for nominations for secretary and treasurer.
- b) Yana nominates Gregg Kramer for Treasurer. Motion seconded. Nobody opposed. Gregg elected.
- c) Nobody volunteers for the Secretary position. Jason urges all present to consider this and contact him if they want to volunteer or know of somebody else who does. John Romanschi is nominated and it is seconded.

#### **IX. Misc. issues**

- a) Website: Jason announces that the HOA now has a website thanks to John's hard work. It's being added to weekly with new information, so if you think of something you want to be on the website, please let us know. The HOA can cut down on

administrative costs by just posting some of the stuff on the website instead of mailing it. We spend \$700-\$800 per year on average on copies, envelopes, stamps, etc. that can be reduced by using the website. Obviously, not all of it can be online, some notices will still need to be mailed. John explains how to navigate the website and how to sign up for notices.

- b) Improvement committee: Jason announces that the HOA is looking for volunteers for a committee to decide what to do with the front entrance and other common areas. Anybody interested, please let him know.

The meeting was adjourned at 8:43p.m.