

Sky Harbor HOA

Newsletter

August 2008

General Membership Meeting

Sky Harbor HOA Meeting 8/26/2008

The Sky Harbor Homeowners Association will be holding a General Membership Meeting on **Tuesday, August 26th at 7:30 PM**. The meeting will be held at the **Sultan Fire Station, 304 Alder Street**.



The meeting room is on the **east end of the building** (west side is shown above).

Critical items on the agenda are:

- **Election.** We are electing a new Board of Directors for the association.
- **Rule changes.** Changes have been proposed to the Sky Harbor HOA Covenants and Bylaws. Based on homeowner votes, these changes will be approved or disapproved at the meeting.

You have already received or should soon receive an official voting card to use when submitting your votes on these items. For additional details of proposed changes to the covenants (aka CC&Rs) and bylaws, see the pages 3-4 of this newsletter.

Please make every effort to attend this meeting.

HOA Director Nominees

Meet the nominees

Four Sky Harbor homeowners have been nominated for three available positions on the Board of Directors. The three nominees polling the highest number of votes will assign officer positions and terms. Officer positions are President, two Vice Presidents, Secretary, and Treasurer. The current term lengths are 9 months, 21 months, and 33 months. Please thank each nominee for volunteering to serve the community, and don't forget to vote!

Each of the nominees has provided a short introduction for you with information about themselves and why they are running for a position on the Board of Directors.

Bill Washburn
13920 Dogwood CT

I worked for the City of Bellevue for 32 years before retiring, I also have my own business Residential Drainage Systems but I am very close to closing it and become fully retired. We need the HOA, I am not a public speaker but I am willing to do what I can to help make this HOA work for all residents equally.

Byron Saltzgiver
13959 Cedar CT

My name is Byron Saltzgiver. My family and I moved from Monroe to Sky Harbor in November of last year. I have a wife, Stephanie, and 3 daughters, Cheyenne, Skyler and Shaelyn.

I grew up in Monroe but volunteered for the Sultan Fire Department for 10 years so I have been active in this community.

I have fished the rivers and streams in the area for about 20 years and have hunted in the surrounding wilderness. I have worked for Waste Management for the past 5 years so community service is a way of life

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for me.

I am interested in becoming involved in the home owners' association as a director because I see it as a means to get to know my neighbors and become more active in my own neighborhood. I would like to see our association focus on what it means to truly be neighbors. I'm not sure it matters who parks their car in their garage or who can see my satellite dish from the road. This community needs to be about people working together to make this a better and safer place to live. We need an association that cares about the safety of its community and the happiness of the people who live here.

I will remain committed to a flexible term on the Board and I look forward to working as a collective group of good people who want a good place to live and raise their children.

See you all in the neighborhood

Rick Dreger
13847 Beech CT

My name is Rick Dreger. My wife Barbara and I have lived here in Sky Harbor since April 2006. We have 5 children, 9 grandchildren, and 2 great grandchildren. We are retired.

Prior to retiring from the Boeing Company I spent 40 years in the Aerospace Industry within the Engineering community. In addition to my normal duties, I served as Engineering Representative on the Design Review Board, Change Board, and Engineering Material Review Board which gave me the opportunity to interact with governmental agencies, customers, vendors, suppliers, as well as internal organizations to identify problems and initiate corrective measures.

If I am selected to serve as a member of the Board of Directors, I will maintain a fair, impartial, and non-combative approach to the administration and enforcement of the rules and regulations set forth within the Associations governing documents and the Municipal Codes of Snohomish County and the City of Sultan. I will work to create and maintain an open line of communication between the Board and members of the Association in the resolution of issues and items of concern raised by the members.

Tim Johnson
13916 Dogwood CT

I am a 3 year Sky Harbor resident. I live at 13916 Dogwood Court. I have the experience of being the president of a homeowners association at my last home. I held that position for 3 years. I firmly believe in homeowners associations and their intent. They are designed to maintain neighborhoods and protect each of our investments. A home is one of the single most important investments you will ever make so why not protect it and get the most out of it you possibly can? I will do my best to uphold our bylaws so that we can all benefit from high house values.

Proposed Changes to Covenants and Bylaws

You can review the current covenants, conditions, and restrictions (aka CC&Rs) and bylaws on the Sky Harbor Web site at:

<http://www.skyharborhomes.org/Documents/tabid/74/Default.aspx>. You must be registered and then log in with a homeowner's account to see these and other documents.

There are currently five proposed changes to bylaws and covenants. See pages 3-4 of this newsletter for information about the specific changes that are proposed. Definitions of bylaws and covenants are also provided below for convenience.

Bylaws

Bylaws are the formally adopted governing regulations for the administration and management of a community association including (but not limited to) items such as voting rights of member owners, procedures for electing the board of directions and general powers and duties of the board of directors.

Covenants

Covenants, conditions and restrictions (CC&Rs) are limitations and rules placed on a group of homes by a builder, developer, neighborhood association and / or homeowner association. All condos and townhomes and most planned unit developments and neighborhoods have CC&Rs.

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Sky Harbor Covenants and Bylaws: Proposed Changes

Legend:

Additions to the Rule

Removals from the Rule

Proposed Rule Modification	Considerations
<p>Section 6.25. Vehicle Storage. Each residence shall have an enclosed garage providing sufficient storage for at least one automobile. No garage shall be permanently enclosed or converted to other use without the substitution of another garage. Automobiles shall not be parked on a driveway or street in lieu of being parked in an available space in the garage. Garage doors shall be kept closed at all times practicable. Vehicles shall be adequately maintained to ensure that leaking fluids from the vehicles will not occur. If any leaking occurs on a driveway or street, the leaking shall be promptly cleaned and the driveway or street returned to its normal condition.</p>	<p>REASON: Most homes do not park their cars in their garage</p> <p>RISKS: The risk of adopting this change is that more cars may park in driveways and on the streets. Cars on the street can reduce visibility and add to the danger of kids and pets being injured.</p> <p>BENEFITS: More homeowners will be in compliance with the covenants. Directors will not be required to enforce rules on some homeowners because of a complaint, when other homeowners are not in compliance.</p>
<p>Section 6.14. Antennas. No television antennas, including satellite communication dishes, or such similar devices (other than "mini dishes" with a diameter of less than 24 inches placed in a location hidden from the road), radio aerials, ham radio broadcast or receiving apparatus shall be erected, maintained or placed on any Lot without specific written approval by the ACC. Rotary beams or other similar devices shall not be constructed on any Lot.</p>	<p>REASON: The section dealing with television and satellite dishes is not in compliance with FCC law (OTARD).</p> <p>RISKS: The proposed language change removes all restrictions on satellite dishes, rather than just bringing the rule into compliance with OTARD. Very large satellite dishes would not be prohibited.</p> <p>BENEFITS: This rule would no longer conflict with OTARD.</p>
<p>Section 6.21. Nuisance. Nothing shall be done or maintained on any Lot in Sky Harbor which may be or become an annoyance or nuisance to the neighborhood. No livestock, animals, poultry or fowl shall be kept on any Lot other than animals or birds of the type and species generally recognized as common household pets, such as dogs, cats, canaries and parakeets which are kept on said property solely as household pets, provided that no such household pet which is or becomes an annoyance or nuisance, in the sole discretion of the Board, shall thereafter be kept on any Lot. No dog houses, dog runs or dog kennels may be placed on any Lot unless they are screened from the view of other Lots in the Plat, Common Areas and the streets. All dogs which become a nuisance by barking at inappropriate hours shall be kept in the residence or garage from the hours of 9:00 p.m. to 7:00 a.m. so as to eliminate or minimize disturbances. <i>Any such disturbances shall be reported to the proper authorities (i.e. Animal Control, Sultan Police) and not filed as a complaint to the Board of Directors to enforce.</i></p>	<p>REASON: There have been complaints sent to the Board of Directors to enforce animal control issues. The HOA can deal with homeowners but does not have means to specifically enforce animal control issues. These issues need to be handled by authorities for the City of Sultan.</p> <p>RISKS: Sultan Police may be unable to address disturbances (such as dogs who bark late in to the night) because there is currently no animal control officer in Sultan. The proposed change might leave a homeowner with no recourse.</p> <p>BENEFITS: Directors will not be placed in the situation of responding to animal control issues for which they are not responsible.</p>

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Section 3.4. Association Board. ~~During the Development Period, the Declarant shall be the sole member of the Board of Directors of the Association, and shall have all the powers of the Board set forth herein and in the Articles of Incorporation. During the Development Period, Declarant may, in its discretion, appoint other board members or officers of the Association. At the termination of the Development Period, the Declarant shall select a temporary Board of Directors of the Association consisting of not fewer than three (3) persons, who need not be Owners, to manage the Association. Subject to the Declarant's powers herein, the temporary Board shall have the full authority to manage the Association under the Governing Documents and shall be subject to all provisions of the Governing Documents. The terms of the temporary board selected by the Declarant shall be for one (1) year, after which the Board shall be elected from among the Owners, as provided in the Bylaws of the Association.~~ The Board shall elect officers of the Association from among the **Board** members *of the association*, which shall include a President who shall preside over meetings of the Board and meetings of the Association. *The president must be a director of the association.*

REASON: The rule change will bring the CC&Rs and the Bylaws into agreement. It will also clean up deprecated text now that the Builder is no longer involved.

RISKS: The proposed change would allow non-elected members to serve as officers.

BENEFITS: There are 3 positions on the board of directors, and they have to serve in the 4 officer positions. The proposed change helps to prevent directors from being burdened with multiple duties.

Section 8.6. Amendment of this Declaration. Unless otherwise specifically addressed elsewhere, an amendment to any term or provision of this Declaration shall require the affirmative vote of ~~seventy-five percent (75%)~~ *fifty-one percent (51%)* of the voting power of the Association. ~~This Declaration may be amended during the Development Period by an affirmative vote of fifty-one percent (51%) of the voting power of the Association.~~ Amendments to any provision of this Declaration which alter the rights, duties, obligations, conditions, restrictions and requirements of Declarant ~~and/or a Participating Builder~~ shall not be valid without the affirmative written consent of the Declarant ~~and/or the affected Participating Builder.~~ ~~In the event that the Declarant has the necessary votes and desires to amend the Declaration during the Development Period, the Declarant may waive any requirements to conduct a membership meeting if and to the extent permissible by law.~~ Any amendment to this Declaration must be recorded with the Snohomish County Auditor.

REASON: Currently the rules say it takes 75% of all the members to vote in favor of CC&R changes for the change to happen, It has been extremely difficult in the past to even get 75% of the membership to vote, let alone to agree for the change.

RISKS: Rule changes could become more frequent, and supported by a smaller majority.

BENEFITS: Covenants and bylaws will be easier to manage by homeowners that choose to participate in the association.

**ARTICLE XVIII
AMENDMENTS**

These Bylaws may be altered, amended, or repealed, and new Bylaws may be adopted at a regular or special meeting of the Members, by a vote of ~~seventy-five percent (75%)~~ *fifty-one percent (51%)* of the total votes of the entire membership.

