

**Compton Green Homeowner Association**  
**Annual Meeting**  
**Tuesday, June 16, 2015**

The CGHA Annual meeting was called to order at 7:14 PM at Cherry Crest Elementary School.

The President noted that an audio recording of the meeting was being made by the Secretary for assistance in producing minutes and there were no objections.

The current members of the board present were introduced by the President, Ray Reass: Carol Leyton (Vice-President), Leeds Gulick (Secretary), Olivier Arbey (Treasurer), and Dan Conti (Member at Large).

**Roll Call and Certification of Proxies**

The secretary noted that members representing 29 lots signed in as present at the meeting and that a quorum is achieved. It was also noted that 18 proxies had been received.

**2014 Annual Meeting Minutes**

The Annual Meeting Minutes from June 17, 2014 were approved.

**Treasurer's Report**

The Treasurer Report, which was mailed to the membership for the annual meeting, was summarized. CGHA is fiscally on track, but expenses were higher in the past year due to Tract C cleanup, hiring a chipper, and legal expenses related to Tract F.

Two lots had dues outstanding but liens have not been placed yet. We are in negotiations with one owner who owes three years plus expenses. It costs \$500 to place a lien and \$100 to get it released.

The members moved, seconded and approved a motion continuing the dues at \$140 per CGHA lot or tract. There are 121 lots. It is noted that all 18 proxy votes approved the proposed dues amount.

The members moved, seconded and approved a motion approving a budget for the next year. It is noted that all 18 proxy votes approved the budget.

**Board Member Election**

Current board member, Olivier Arbey, was reelected to the board and will serve as Member at Large. Dan Conti, current Member at Large, will now serve as Treasurer. It is noted that all 18 proxy votes approved this election and that no members present were opposed.

**New Business**

Carol Leyton was thanked for providing cookies for the meeting.

Nancy Nelson was thanked for the upcoming ice cream social in early or mid-September.

## **President's Report**

### **Trees in Compton Green (see Attachment A)**

The President introduced Susan Carter, current Architectural Committee Member, to discuss trees in Compton Green. Susan handed out a sheet with history, issues and an action plan dealing with trees. She wants volunteers to help study the issue.

Mary Lynne Poole suggested adding the value of trees to the neighborhood, effect on the value of homes and the value of trees to the environment. Concerns mentioned by members were trees getting old and falling, permits for tree removal, sewer damage, downspout drain damage, driveway damage, neighborhood access problems due to storm downed trees and laminated root rot.

President Ray Reass said that we don't have enough information on how to deal with tree problems. Our actions can have unintended consequences. For example, taking a tree down can threaten other trees as they protect each other.

### **Chipper**

Vice-President Carol Leyton reported that the chipper was well-used. Chips produced were used on trails. Carol said that it had been three years since that last time a chipper service was brought in and that we should go back to every other year.

### **Email Blast System**

Dean Cato is managing the email blast system and 40 people have signed up. It is an opt-in system with no email addresses visible to subscribers. A signup list was created for meeting attendees.

### **Web Site**

The Compton Green Homeowners Association web site is being created by Dave Simmons. It will contain association documents such as CCRs and architectural committee forms and announcements for events such as the ice cream social.

### **Small Claims Action (see Attachment B)**

President Ray Reass presented the situation as it presently stands by reading the summary mailed to members with the Annual Meeting Announcement (Attachment B).

When asked to comment, John Roche deferred to Chuck Kimbrough who stated that he had nothing to add.

John Roche then stated that he had an agreement to settle for \$2,800 and the Board would allow him to discuss trails. He said the Board reneged but that he would bring a \$2,800 check if Chuck Kimbrough drops his own litigation. John said that he removed a sign on his property and that he received a letter from Jack Creighton in June of 2009 stating that all liens were released. He said that he was never sent a statement and was never contacted about fines, only annual dues. John said that he and Adairre asked for mediation and the Board rejected that. He said that nothing was reduced to writing.

Chuck Kimbrough stated that there have been four court orders against John Roche related to contact issues and that he was convicted on an assault charge. He said that John walked out on an attempted settlement in 1996 after ten hours of negotiations with a judge present. Chuck said that John was barred from Compton Green easements and is fixated on the impractical opening of trail easements.

John replied that there were no signatures on the 1996 agreement and that he never walked out. He said that Chuck told the Board that John walked out. John said that there is no injunction saying he cannot use easements except adjacent to tract G. He said that the Board does not want to open trails and that it charges dues but does not want to serve anyone.

John was asked about the Compton Green HOA web site that he created without permission of the Board and he said that HOA stands for "Homeowners Activist".

President Ray Reass pointed out the situation was monetary and not about trails.

John repeated that his concern was about trails.

A member pointed out that John and Adairre no longer even have a residence in the neighborhood.

Treasurer Dan Conti stated that people were leaving in the middle of the meeting and that John was taking up time and money that could be spent on other Association business.

John claimed the issues were not discussed at the May meeting and that he has asked for a statement but has been ignored.

President Ray Reass was not in agreement with John's claims and said that the Association had offered to buy Tract F from John. \$5,000 was offered and then \$10,000 (County assessment is \$5,000). John had said he would sell for \$600,000.

### **Member Comments**

A member asked if the Homeowners Association had money to cover court costs. There is enough money to cover costs at this time. No assessment is planned, but it is possible.

John Roche stated that he is never welcome at Board Meetings. When asked if he was willing to pay his Compton Green Homeowners Association dues, his answer was no.

### **Adjournment**

The CGHA Annual meeting was adjourned at 8:21 PM.

Leeds Gulick (Secretary)

## COMPTON GREEN TREE ISSUES

### Background/History

- Compton Green CC&R's are vague regarding the removal of trees, stating, "Removal of trees and shrubs are subject to approval by the Architectural Control Committee".
- The yearly ACC letter to homeowners states that trees greater than 8 inches in diameter, dead or alive, require approval by the ACC. This was probably a decision of the ACC years ago to avoid having to approve removal of small trees.
- The ACC Guidelines of 7/18/95 state, "Everyone wants to cut some trees from time to time. Our mission is to discourage wholesale clear cutting, with the idea that most moved here to be in the woods and appreciate the privacy and beauty of the trees. Some cutting is pretty hard to stop, especially when trees are diseased".
- In the 5 years on the ACC I've had 35 requests for tree removal. During that time I know a number of other homeowners had trees removed without approval.
- The City of Bellevue requires a permit on all homes in the Bridle Trails area that are on an acre or more (see Tree Preservation R-1 Zone). That includes about 60 homes in Compton Green.

### Issues

- Safety is a big issue so removing diseased and dying trees should not be so difficult. There are many of diseased trees in the neighborhood.
- The permit process with the City of Bellevue is complicated and expensive. How can we change this?
- Appearance of the yard is important. We live in a community not a state park.
- Arborists have conflicting opinions on thinning out, windsailing, and the health of a tree; how do we know whom to believe?

### Action Plan

- Meet with members of the Bridle Trails Community Club. I've been in contact with BTCC President Loretta Lopez and she agrees this is an issue to look at.
- Have an arborist talk to the Board, or at the annual meeting. Also, maybe pay an arborist to give a general assessment of the neighborhood. (The City might do it for free)
- Talk to the City of Bellevue and see how we can get the permit process changed.
- Set up a committee to take the tree issue seriously to communicate with the Bridle Trails Community Club and the City of Bellevue
- Determine how can we educate homeowners about caring for their trees.

## What's Happening In Court? A Non-Technical Explanation

1. On February 15, 2015 John and Elaine Roche filed a claim for \$1,900 in the King County District Court East Division Issaquah Courthouse indicating the amount is owed for costs, fees and interest.

This claim is based on the fact when John and Elaine sold their Tract G property, there were Compton Green Homeowners Association (CGHA) liens on the property for unpaid dues, interest and attorney fees and they weren't able to close without removing the liens. Rather than pay the outstanding liens or CGHA's compromise offer of \$3,821.35; they chose to close without paying the liens and had to purchase a bond to guarantee payment of the liens. Their offer to settle at closing was \$1,778.55. Their small claim court lawsuit alleges a claim for the cost of the \$15,000 bond plus interest at 12%, fees and expenses.

2. On May 7, 2015, the CGHA filed a counterclaim for \$5,000 + (small claims court maximum is \$5,000 for claims) for failure to pay assessments from 1997. This included past due assessments, interest at 12% and costs and fees. CGHA treasurer's spreadsheet on Roche's debt identified \$8,942.77 plus continuing interest and expenses.

3. On May 15, 2015 at the court Charles (Chuck) A. Kimbrough who is a member of the association and a trial lawyer with personal knowledge of the prior litigation with John and Elaine Roche made a motion to intervene, dismiss President Ray Reass from the lawsuit, dismiss John Roche and move the case to District Court which has jurisdiction for monetary claims up to \$75,000 plus attorney fees and expenses. Chuck made us aware of significant fines and interest based on prior actions of the Roche's that were suspended that should be addressed. The fines were suspended with the understanding that John Roche would correct his behavior. Subsequent to the court date, we researched past history and updated the spreadsheet. The amount that the Roche's owe is now over \$60,000. The fines and outstanding assessments are now approaching \$75,000 the maximum limit of the District Court. Attorney fees are not included in the \$75,000 limit.

4. It is unfortunate that we are where we are as after the court appearance, we had a meeting with John and Elaine Roche. We thought we had an agreement of \$2,799.95 (splitting the difference between the two numbers at the sale closing). Elaine and the board were ready to settle but John Roche took Elaine out of the room and the compromise vanished. Our compromise is no longer on the table and we plan to be in District Court sometime around mid-October or later.

5. This lawsuit is a monetary issue and has nothing to do with trails. John Roche is still pursuing opening all the trails shown on the Compton Green 1967 plat. Is this why the Roche's did not sell the sliver of land that is Tract F? This is NOT a trails issue.

6. Stay tuned.