

Skylands Neighborhood Association
Annual Meeting – May 1, 2018
Lakeridge High School Rotunda Room
Lake Oswego, OR 97034

- President Paul Zaninovich called the meeting to order at 7:20 pm and reviewed the agenda.
- **Introduction of all the neighbors**
 - 31 neighbors signed in. Sign in sheet available upon request.
 - As a reminder, please send updates on email addresses & phone numbers to Roger Allen (rallen@gmail.com)
- **Introduction of the Board Officers**
 - Paul Zaninovich – President
 - *Open* – Vice President
 - Roger Allen – Secretary/Treasurer
- **An election was held**, unanimously approving the unopposed slate of officers:
 - President – Paul Zaninovich
 - Vice-President – Steve Donaghy
 - Secretary/Treasurer – Roger Allen
- Our bylaws specify that, in addition to the elected officer roles, the board composition also includes four area representatives in its membership. Joy Bottinelli, Mike Moore and Art Waters have agreed to fill three of these positions. If anyone else is interested and would like to be considered for an area representative role, please reach out to any board member. [After the meeting, Bitsy Ellis joined as the fourth representative]
- The minutes from the 2017 Annual Meeting were emailed to the neighborhood prior to the 2018 Annual Meeting and are available upon request. The minutes were approved as written.
- **Roger presented the Treasurer's Report**
- **David Roche presented the C800 Tower Committee Update.** To summarize:

In May of 2016 the voters of Clackamas County approved a bond measure to upgrade their emergency communications systems used by First Responders: fire fighters, law enforcement & emergency medical services. C800 will be upgrading and expanding their communications systems which will result in the addition of 14 communications towers throughout Clackamas County

We found out about a potential site adjacent to Skylands and after a neighborhood meeting in August, 2016 we formed a committee, raised funds and engaged the services of a land use attorney, Dan Kearns, to represent us. The committee is made up of: Hans van Alebeek, Doug Klein, Brad Hart, Mike Moore, David, Paul & Roger. Thank you to all of you who sent in money for this endeavor.

We engaged in dialogue with the City of Lake Oswego and shared our concerns. The City listened and for their own reasons pursued a site inside city limits that they could control. We've been closely monitoring their progress over the past year.

Now, according to C800's publications, they are no longer considering a site adjacent to Skylands. In December, the City of Lake Oswego approved a lease of another site to C800. Finally, C800 approved asking the city about a land use application in their April meeting. We expect this to be publicly announced at a City Council meeting soon.

- **Paul discussed Neighborhood Road Maintenance**

Continuing the discussion started last year by Bill Howe. There are three types of roads in our neighborhood (see attachment). There are those that are the responsibility of either (1) Lake Oswego or (2) Clackamas County. There are also (3) "Public Roads" that are not accepted by the city or county for maintenance. The responsibility for those roads is the adjacent property owners.

There was discussion about each of these cases. Neither the city or county will prioritize roads in our neighborhood as they are already millions of dollars behind in maintaining their roads. So, the outlook is very grim for getting these roads fixed. There was some discussion about trying to do some repairs ourselves, but there is a fear of forever maintaining them afterwards. Also, liability issues were raised as a potential concern. [Note that subsequent to our annual meeting, Paul Zaninovich spoke with a city representative who stated that the city is planning to repair the serious road issue near the corner of Greenbluff and Chapin this summer.]

For "Public Roads" – Paul asked if we wanted to create a donation campaign to fund repairs (est. \$75,000) - \$1,000 per household, we could repair all of the "Public Roads". Discussion led to the general consensus that the historical responsibility falling to the adjacent property owners was preferred.

Paul will work with the Crestline Drive neighbors to consider repaving. Neighbors who live adjacent to the other "Public Roads" are welcome to join in this effort and potentially gain some economies of scale by doing all of the roads this summer.

Please let us know if you would like to volunteer for any road committees.

During discussion, David Roche suggests we place "Neighborhood Traffic Only" signs on Public Roads to help deter extra traffic.

Also, Charlie Tragesser said he would contact the County regarding the potholes on Wayside.

- **Bill Howe discussed recent City of Lake Oswego Annexation Update**

There was a recent report put out by the City of Lake Oswego that discussed the current state of unincorporated areas of Lake Oswego and the prospect of annexation of several areas adjacent to the city. The city's current policy is based on "Friendly Annexation" of residential properties with the consent of the property owners. In 2018, the city council has a stated goal to "Reconsider the Council Policy on Annexation" which may lead to more aggressive pursuit of annexation in some areas. As input to this process is a report developed by Portland State University that analyses the annexation alternatives. You may also note that in the report Skylands is literally last on the list of areas to consider for annexation. You can see the report at:

http://lakeoswego.granicus.com/MetaViewer.php?view_id=2&event_id=1075&meta_id=34161

To view a video of the March 28, 2018 city council meeting where annexation was on the agenda (first 1 hour and 18 minutes), follow this link:

http://lakeoswego.granicus.com/MediaPlayer.php?view_id=2&clip_id=456

The Citizens Comments, Council Member debate & the report all contain relevant information.

Bill Howe noted that he submitted a written response to the City Council so that our objections to annexation would be on the record with the City. The response we received indicated that there is currently no appetite or plan to attempt aggressive annexation of Skylands. We will continue to monitor the situation.

The question of whether there was any interest in the neighborhood of considering annexation was raised. For the neighbors in attendance at the meeting, they overwhelmingly expressed opposition to annexation. One neighbor pointed out that it's difficult to assess without seeing a list of pros and cons of annexation. A request was made to identify a list of pros and cons. We are seeking volunteers to help in this effort.

- **Paul presented an update on the Pioch Lawsuit vs. Skylands 1**

Last July, residents of Skylands 1 received a summons regarding the CC&Rs of Skylands 1. The owners of 1475 Skylands Drive (lot 46), Raleigh and Amanda Pioch, claimed that the CC&Rs of Skylands 1 expired on December 31, 2000 and that the then owners of lot 46 did not sign on as consenting owners to reinstate the CC&Rs in 2001. As such, the Piochs' claim that the setback and height restrictions in the CC&Rs do not apply to their property.

The Skylands NA Board and a group of concerned neighbors raised funds for legal costs and engaged Ned Perry of Tonkon Torp to attempt to settle the lawsuit amicably. While the neighbors most immediately impacted were willing to concede to many of the Piochs' requests, their demand for a height variance was not acceptable and negotiations were ultimately unsuccessful.

The Piochs' lawyer filed for summary judgement and on April 24, 2018 Judge Henry Breithaupt found in favor of the Piochs.

This judgement establishes that for the 14 lots that did not sign on as "Consenting Owners" in 2001, the CC&Rs are no longer in force. It is the view of the Skylands NA Board and the majority of owners in the NA that having valid CC&Rs in place is beneficial to all. The Skylands NA Board will work to have the remaining 13 property owners adopt an agreement like the one from 2001 to reinstate the former CC&Rs.

The board also reviewed Skylands 2 and 3 CC&Rs. The Skylands 2 CC&Rs automatically renew for 10-year successive periods, unless a majority of the lot owners vote to amend this provision. As such, there is no issue with the Skylands 2 CC&Rs. However, the Skylands 3 CC&Rs were set to expire at the end of this year. During the meeting, Henry Morse informed the NA that the Skylands 3 neighbors have amended their CC&Rs to

have them auto-renew every 10 years, same as Skylands 1 and 2.

- **Additional Topics** from the Neighborhood
 - A neighbor asked if there was interest in funding security patrols, especially in response to a neighborhood breakin. Paul raised the reality that our NA does not have a revenue source to fund special items like this and that we have to fundraise when issues arise. In response to this a spontaneous discussion arose where there was clearly strong support from the neighbors in attendance. Paul put forth the idea that perhaps we should ask for annual voluntary donations in order to have money on hand for items such as: neighborhood security, snow removal, neighborhood directory, and neighborhood social events (i.e. July 4th celebration). Some discussion occurred and a motion for a suggested \$100 annual donation was seconded & passed unanimously. Neighbors wishing to donate should send checks written to "Skylands Neighborhood Association" to SNA Treasurer Roger Allen, 17917 Upper Cherry Lane.
 - Questions were asked about ongoing construction at the entrance of Skylands Circle, but there was no one in attendance with further information.
 - Due to time constraints, we did not get to these items:
 - Neighborhood Enhancement Grant - In May, the board met with Sarah Ellison of Hallinan neighborhood to discuss using a Neighborhood Enhancement Grant for funding to save Hallinan Woods from development. We as a board decided to follow Sarah's suggestion in order to attempt to preserve this natural area around our local Elementary School for future generations. You can learn more about this project at <https://www.hallinannaturepark.com/>
 - Neighborhood Directory - We are looking into updating & sending out an update to our neighborhood directory this year.
- **Remembering Terry Cone.** We took a moment to remember our friend Terry Cone who passed away in March 2018. It was suggested that a July 4th picnic would be a wonderful way to remember Terry.
- The meeting was adjourned at 9:15 pm.