



# Owners Association – Hayden Idaho

## August 2023

### Newsletter

#### Annual Meeting

Our Strawberry Fields Owners Annual Meeting will be held at Triple Play Resort Hotel on September 19, 2023 at 6:30 pm in their downstairs conference room. (175 W Orchard Av., Hayden). Please mark your calendars.

#### BUDGET AND FINANCIALS

The Board will present their proposed fiscal budget for 2024, past year expenditures vs 2023 budget and financials. We do not anticipate an HOA dues increase for next year (will remain at \$420/year with semi-annual \$210 payments). We will vote on approving the budget and dues.

#### BOARD ELECTION

We will hold an election for 3 Board positions up for election/reelection (3-year terms). If you are interested in running, be prepared to introduce yourself.

#### PROPOSED CHANGES TO RULES AND REGULATIONS AND CC&Rs

There are several board recommended changes to our governing documents that we will discuss and vote on. (See information on these proposed changes later in this newsletter.)

#### OPEN FORUM

Please feel free to bring up any questions or issues relevant to our general membership. Remarks will be limited to 2 minutes.

#### Ballot/Proxy Enclosed

We have enclosed a ballot for voting on the proposed SF governing documents changes as well as three Board positions for next year (3-year terms). As an alternative to voting using the ballot, a proxy form is also enclosed. **(Choose one).**

#### NuVu Property Management

If you have questions or would like to report any problems, we direct you to our management company, NuVu Property Management (208) 664-6101 located at 2605 Hayden Ave.

Your personal online portal is at: <https://nuvu.appfolio.com/connect> and our website is at: <https://strawberryfieldshayden.com>

A complete list of our Strawberry Fields governing documents can be found at these sites. You can also view our Board minutes, minutes from our Owners meetings and newsletters.

#### Reminders

- DO NOT park across walkways at any time. This is dangerous for others.
- Trash cans must be out of view on non-trash service days. (See Rules & Regs 1.16)

#### Paper vs Electronic Communications

Please help us save money by opting for electronic communications from the board and our management company NuVu. You can accomplish this through your online personal portal at:

<https://nuvu.appfolio.com/connect>

Please call NuVu if you need help.

#### Bike Paths / Walkways

This October, PSP Enterprises will be crack sealing our asphalt bike paths and walkways. Next summer (2024), we are planning for them to do a complete sealcoating of our asphalt paths.

#### Trees

We are in process of removing a few trees in our common areas that are either sickly or have overgrown their space. We're also working to save a few trees that are distressed.

We'd also like to encourage Owners to keep their trees trimmed so they don't overhang the sidewalks and fences.

**ACTION REGARDING**  
**Declaration of Covenants, Conditions, and Restrictions**  
**And**  
**Rules and Regulations**  
**For Strawberry Fields**

Variations from our current wording in the numbered sections are *italicized*.

**At our upcoming Annual Meeting on September 19, 2023, we are proposing the following amendments and changes to our Covenants, Conditions, and Restrictions (CC&Rs) and our Rules and Regulations (R&Rs).**

**PROPOSED:**

**1. Defining “Perimeter Fence” and “Interior Fencing”**

Currently our CC&Rs reference “perimeter fencing” and the SF Owners Association’s obligation to maintain such fencing. Last year we raised the HOA dues to build a reserve to repair/replace the fencing. “Perimeter Fence” is not defined in our governing documents, so we are adding a definition and amendments to define the fencing based on our understanding.

Adding the following definitions to our CC&Rs:

*1.1.26. Perimeter Fence. The Perimeter Fence is defined as the outside fencing placed by Declarant bordering the Property parallel to Honeysuckle Av, Atlas Rd, and Prairie Av. It also includes the section of NNE angled fence placed by Declarant (approximately 170 feet long with a heading of about 18 degrees) behind the Property south entrance sign along Prairie extending to the point where the fence line turns NNW parallel to Courcelles Av.*

*1.1.27. Interior Fencing. All fencing on the Property which is not the Perimeter Fence, is defined as Interior Fencing.*

Modifying the last sentence of the following section in our CC&Rs to capitalize “Perimeter Fence” and remove the provision for the Owner Association to plow our city streets (since the City assumed that responsibility).

Section 6.6. Association Obligation to Maintain and Repair Common Areas. The Association has the responsibility to maintain and repair all of the common areas. The Declarant has entered into an Annexation Agreement with the City. The Annexation Agreement is on file with the City Clerk. All of the obligations in the Annexation Agreement and all obligations owed the City in regard to subdivision improvements and duties are hereby assigned to the Association. The duties shall include but not be limited to the duty to care for and maintain landscaped common area *and the Perimeter Fence*.

Adding the following to our R&Rs.

*1.4.1 Interior Fencing Maintenance. Interior Fencing maintenance is the responsibility of the individual Owners. The Strawberry Fields Owners Association is not financially responsible for any Interior Fencing. Modification or installation of Interior Fencing requires prior approval of the Architectural Control Committee.*

We also propose adding a sentence to 1.15 in the R&Rs protect the Perimeter Fence:

1.15 Perimeter Fencing. *The Perimeter Fence placed by Declarant shall remain unchanged physically unless written permission to change is attained from the Board or Architectural Control Committee. Trees and landscaping shall be maintained by the Owners so as to not affect or encroach on the Perimeter Fence. Failed Owner maintenance can result in damages and fines.*

## 2. Replace Section on Outbuildings

The proposed wording changes to Section 1.19 Outbuildings and 1.19.1 Outbuilding Requirements are to mirror the City of Hayden in their size determination on sheds being 200 square feet single story (<= 12 feet high) or smaller do not require permitting. Further, we wish to remove subjective verbiage to clarify the wording to avoid future misinterpretations of the Rules and Regulations. Setback" distances (from other structures and lot lines) for all outbuildings are mandated by the City.

Sheds over 200 sq feet will need ACC approval with mostly the same requirements as now. Here is the proposed wording for sections 1.19 and 1.19.1 in the R&Rs:

1.19 Outbuildings. *All shops/sheds or outbuildings (Outbuildings) that DO NOT exceed 200 square feet, are one-story with an overall height of 12 feet or less at the peak, do not require HOA or Architectural Control Committee approval.*

*Outbuildings that exceed 200 square feet and/or exceed the maximum 12-foot overall height, shall NOT be placed on any Lot without the prior written approval of the Architectural Control Committee. All outbuildings shall be constructed of colors similar to the colors used in the home on the Lot on which the outbuilding will be placed. (The outbuilding does NOT have to be built out of the same materials as the primary residence but must be as close as possible in color).* All requests for the approval of placement and construction of such outbuildings must contain a description of size and location of the outbuilding. All applications must also contain a materials specification sheet that describes the materials that will be used in the construction of the outbuilding. *Outbuildings are not to be used for an ADU (see Rules and Regulations 2.1.1).* No changes in the location, size, design, or materials to be used in an approved plan for an outbuilding may be changed without the prior written approval of the Architectural Control Committee.

1.19.1 Outbuilding requirements. Outbuilding (exceeding 200 sq. ft or 12-foot maximum height) requirements are as follows:

1.19.1.1. 1-foot (1') gable overhang.

1.19.1.2. 18" eaves.

1.19.1.3. Finished and enclosed soffits.

1.19.1.4. 12-foot plate height maximum with maximum height not to exceed primary dwelling.

1.19.1.5. Not to exceed 864 sq ft.

1.19.1.6. Roof pitch should match the predominate pitch of the primary dwelling.

1.19.1.7. Roofing must be A-frame roof style: 30-year architectural grade, laminate shingles.  
Metal (vertical panels) OR of higher quality.

1.19.1.8. Siding may be Lap, Vinyl, T-111, Metal or other but must closely match the color of the primary dwelling.

### 3. Solar Panel Restrictions

Idaho State law requires we permit solar panels in Strawberry Fields (Idaho Statute 55-3208) and it does allow us to impose some restrictions. This is our proposed wording to add to our R&Rs:

*1.20. Solar Panels. Per Idaho Statute 55-3208 Solar Panels are permitted on the rooftop of any property with the following restrictions: Panels or collectors must be non-reflective, parallel to the roofline and conform to the slope of the roof. Any frame, support bracket, or visible piping or wiring must be painted to coordinate with the roofing material. Plans must be approved by the Architectural Control Committee.*

### 4. Remodels and Additions

After our Special Meeting on June 22, 2023, restricting ADU's, some Owners expressed concerns that they would not be able to make additions to their homes; i.e. add a bedroom for a parent. To clarify our intent, we propose adding the following to our R&Rs:

*1.21 Remodels and Additions. Remodels and additions are permitted to an Owner's primary residence subject to the Rules and Regulations For Strawberry Fields. Additions could include extending the primary residence by adding a bathroom, bedroom, or second kitchen. Plans must be approved by the Architectural Control Committee.*

### 5. Owners Responsible for Obtaining Permits

We want to emphasize the need for Owners to obtain the proper governmental permits before making changes to their properties, so we propose adding the following to our R&Rs:

*1.22 Permits. Each Owner is responsible for obtaining applicable governmental and City of Hayden building, site, and landscaping permits and adhere to all ordinances.*

### 6. Owners To Vote on Changes to The Rules and Regulations

Under the current Rules and Regulations Section 9, the Board can make changes to the Rules and Regulations at one of their Board meetings after publicizing the change to the Owners 30 days prior to the Board meeting. They can solicit input from the Owners, but the Owners views or votes do not bind the Board. This means that as few as four Board members can vote to change the Rules and Regulations which bind the Owners.

We would like to ensure that the membership is involved in any changes to the Rules and Regulations and that changes can only be made at a Special or Annual Meeting and that the majority vote of the Owners present binds the Board. Here are our proposed changes to our CC&Rs which include that resolutions must be approved by the Owners:

Section 4.3. Rules and Regulations. The Board shall adopt, by resolution, the Rules and Regulations which shall include, but not be limited to, the regulation of exterior appearance of improvements, buildings, signage, parking, fencing, drainage and permitted uses and activities with the Project. The Board, by resolution approved *at an Annual or Special meeting of the Owners*, may amend the Rules and Regulations from time to time. Upon proper adoption and notice to owners (actual or constructive), the Rules and Regulations shall be enforceable and binding as any other requirements of this Declaration.

We would also amend the R&Rs by modifying the following provisions in 9.0 PROCEDURE FOR AMENDING ADMINISTRATIVE RULES & REGULATIONS

*9.4 Notice of Hearing. The hearing for proposed rule or regulation change or amendment will occur at an Annual or Special Meeting of the Owners where a quorum is present. Hearing will be*

set not less than thirty (30) days from the date of notice and shall specify the time and place of the hearing.

**9.5 Procedures for Hearing.** *All owners will be permitted to comment on each proposed rule or regulation change or amendment at the Annual or Special Meeting. Owners will vote by ballot or proxy. Mail-in ballots must be received one day prior to the beginning of the meeting.*

**9.6 Results of Hearing.** *Following the hearing, and at a separate meeting of the Board, whether regular or special, the Board shall determine the results of the vote and be bound by a majority vote of the Owners (including proxies) attending the Annual or Special meeting where a Quorum is present.*

**9.8 Documentation of New Rule or Regulation.** *A copy of any newly adopted rule and regulation or amendment (as well as all the governing documents) will be posted on the Owners' website and mailed or emailed to each Owner. The newly adopted rule and regulation or amendment will also be kept with the Association's books.*

## **7. Optional Email Delivery of Notices**

In an effort to reduce postage cost and save paper and energy, we have provided an option for Owners for email delivery of notices, newsletters, bills, and communications from the Board and NuVu, our property management group. All Owners still have the option of being notified via regular mail or "in-person". Email was not widespread when Strawberry Fields was established. So, we'd like to add a provision to our CC&Rs to allow email as a delivery option for those who prefer it:

*Section 7.2. Email Delivery of Notice. All notices to Owners given under the provisions of this Declaration or the Bylaws or Rules and Regulations of the Association may be delivered using Email (as an alternative to in-person or mail) provided the Owner has elected to be contacted using this method. Email address changes may be changed by notice in writing (or emailing) to the Board or its servicing management company.*

## **PASSED:**

At the Special Meeting of the Strawberry Fields Owners held on June 22, 2023, the following amendment to our Rules and Regulations was adopted:

### **Restriction Against ADU's**

**2.1.1 Accessory Dwelling Units.** *No Accessory Dwelling Units (ADUs) shall be allowed on any lot within the Property. This includes but is not limited to guest houses, in-law suites, or any other secondary dwelling unit.*

*Furthermore, no changes or modifications to existing structures or additions shall be made to create or convert any part of the property into an ADU, nor shall any new structures be built with the intention of being used as an ADU.*