

**WESTVIEW ESTATES
HOMEOWNERS ASSOCIATION
P.O. Box 5681 Salem, OR. 97304**

**NEWSLETTER
January 2009**

BOARD OF DIRECTORS

PRESIDENT

Darlene Livermore
Ph: 503-362-6267
Email: dsl42@msn.com

VICE PRESIDENT

Judy Oliver
Ph: 503-371-8709
Email: rwoliver@comcast.net

SECRETARY

Donna Fernley
Ph: 503-365-9795
Email: hallmeade@aol.com

TREASURER

Dave Dowling
Ph: 503-589-4684
Email: davidodowling@msn.com

COMMITTEES

NEIGHBORHOOD WATCH

Ken & Jetta Ollek
Ph: 503-393-0507
Email: shalom2u1@msn.com

SOCIAL COMMITTEE

Vacant
Ph:
Email:

LANDSCAPE/ARCHITECTURAL

COMMITTEE

Doug Wilson
Ph: 503-581-5880
Email:

NEWSLETTER

Don Cavanaugh
Ph: 503-378-1214

PRESIDENT'S MESSAGE

Holiday Greetings to you each of you and your loved ones.
May you be prosperous and happy in the new year.

There will be an exciting start to the new year with lots of activity under way for the Homeowners Association. There are plans underway to develop a web site for the Association. A Christmas elf from the north, with professional experience doing major web pages, has stepped forward to develop and host the site free of cost to the Association. We will be able to post all of our governing documents, events, newsletters, and information about our neighborhood so prospective residents will know about us before they move in. Those of you with access to computers will find it an interesting and informative site I am sure.

On another note, I am happy to inform you that, after price comparisons, the Board has obtained, on your behalf, liability insurance. This insurance will cover the Officers and Committee members as they act on your behalf as well as to protect you as a homeowner against the shared liability should there be any injury occurring on the property at the front entrance. Additionally, our stone entrance will be insured against mishap or vandalism should we suffer an expensive loss as we did with the theft of two of our letters. This is a very prudent and pre-emptive move by the Board to protect your interests. To those of you who might think this move was unnecessary, I can report that in investigating historical documents with respect to our development and establishment of the Homeowners Association in 1993, we found there was (is) a requirement to have liability coverage on our front property. While the Association does not hold, by way of deeds, any Common property, the area along Wallace Road and Michigan City Lane was turned over to us by the State Department of Transportation and the City of Salem respectively under the Adopt a Landscape program. This program authorized us to landscape and maintain the front entrance. As part of that authorization, the Association is required to release those parties from liability and provide our own coverage. Since we are all equally responsible for any incident that may occur on that property, and could be collectively charged with the cost of any incident, it in all our interests to secure coverage. Speaking of liability... during the wintry weather, City of Salem code requires that each homeowner is responsible for the safety and clearance of snow and ice from your sidewalks. This is not covered under the

(Cont'd on page 2)

PRESIDENT'S MESSAGE (Cont'd from page 1)

Association insurance nor the Association's responsibility.

You will recall that with the last Newsletter, the Board conducted a survey to ascertain how you felt things were going, your concerns and what you felt was most important for the Board to attend to on your behalf. I want to thank all of you who took the time to return the form and express your ideas. There were two reoccurring themes that head the list. They are: 1) neighbors who shirk their responsibility to pay the annual Homeowner Association dues, and 2) neighbors who do not conform to the CC&R with respect to personal property in public view, e.g. trash cans etc. (one man's treasure is another's eye sore) and lack of yard and grounds maintenance.

The Board intends to take these comments seriously and we will be working diligently to correct both situations. In the last Newsletter I asked those who did not believe that they are part of the Association and required to pay dues to read the By-Laws and reconsider that position. In just a few days, each homeowner will be receiving their annual statement for the year 2009. That statement will reflect not only the year 2009, but all delinquent years to 2004. The Board will be taking all measures available to us to collect the full amount owing. To those of you who have met your obligation on a regular and timely basis and even made extra contributions to help your Association operate... THANK YOU.

NEIGHBORHOOD WATCH

CONGRATULATIONS! and THANK YOU! to Jim Burns, our newest Neighborhood Watch block contact! His area is Block 11; we call it the "West end of Michigan City Lane". And by the way, if you don't know who your block contact (or "captain") is, please call us for that information.

A reminder: *ALL Neighborhood Watch participants* are eligible to receive the Neighborhood Watch publication, "Sights and Sounds". It is an excellent source of great information about safe neighborhoods, a Tip of the Month, alerts of current problems in various neighborhoods, pertinent articles, and more. To receive this, e-mail crimeprevention@cityofsalem.net.

If you don't want this much information, you can subscribe to *Crimenet* electronic bulletins, more brief and to the point. E-mail crimeprevention@cityofsalem.net, with "Crime Net Subscribe" in the subject line. These are free services.

Block Contacts: Remember to notify Christie Rodriguez of new neighbors in your block, after you have invited them and they desire to participate in Neighborhood Watch. (Reach her at crodriguez@cityofsalem.net) (Name, address, and phone #, if possible, are needed.) If you don't have more brochures about Neighborhood Watch, safety tips, etc. to give them, we will get them to you. This is also a great way to meet your new neighbors.

Wishing a Happy, Healthy, Safe New Year to you! - Ken and Jetta Ollek 503-393-0507

There is no key to happiness.
The door is always open.

FROM THE TREASURER

An increase in our annual dues was approved at our September annual meeting. On or about the first of January, bills will be sent to each homeowner for the increased amount, \$50.00. The payment is due by January 15, 2009. Currently, our treasury has a relatively small balance of about \$1900. Thanks go out to the one hundred members who have paid their 2008 dues plus those who have made extra contribution. We are making an effort to get all the dues paid during January 2009 so that our cash flow and budgeting is more stable. With added costs of liability insurance and expenses associated with dues collection, there is a need for a reserve that will also cover any unusual costs that may come along in the future. Recall the necessity to repair the sign at the entrance to Westview Estates that we encountered earlier this year. Please realize that in order to protect our property values and maintain the beauty of our neighborhood, *every* homeowner needs to recognize their responsibility to be a paying member of our association.

VICE PRESIDENT'S MESSAGE

Among the top concerns reported in our recent survey was **PARKING, PARKING, PARKING! SPEED, SPEED, SPEED!** While expressed in different ways, it comes down to this: residents are annoyed and concerned for their safety. Comments include: parking on the street . . . parking against the flow of traffic . . . trailers . . . motor homes and semi truck cabs on the street or in public view . . . and vehicles parked on the "blind curve" on the north loop of Lake Vanessa. Michigan City Lane residents in particular are concerned about the rate of speed going down that street. There seems to be some consistent offenders that have been spotted. All of the homes in the subdivision are built with two-car garages and room for two cars in the driveway. Other than visitors or large gatherings, resident's cars should use these planned spaces.

Parking against the flow of traffic is a Salem City parking offense. Trailers and other recreational vehicles parked on the street or in driveways are in violation of the CC&R's and the Salem Parking Code.

Parking on the east side of the north loop of Lake Vanessa is particularly scary as it forces the bus to swing to the center of the street, so that cars heading west on that curve must move to the right to avoid hitting the bus head on. With cars parked on both sides of the street, often directly across from each other makes it particularly hazardous.

A Board member has spoken to the traffic division about the situation and the possibility of prohibiting parking in that area. However, the Traffic Division feels that since "folks using that street know they have to be aware of the bus," and the fire department has not reported problems nor have there been any accidents in that area, the division feels that banning parking might actually encourage drivers to drive faster. If your home is on this curve, PLEASE be good a good neighbor and use your driveway for parking.

Please review your CC&R's under Section 2 Land Use, paragraphs titled "INOPERABLE VEHICLES" and "TRUCKS, CAMPERS, ETC." for parking restrictions. The HOA will continue to monitor these situations. You also may contact Salem parking Enforcement at 503-588-6471 concerning infractions of the city parking code.

As to the issue of speeders; remember that even though the speed limit is not posted, residential neighborhoods are understood to be 25 MPH. Most of the children in the neighborhood reside along Michigan City Lane. Let's be more careful; take personal control of your actions.

If you are interested in any of the traffic control options available to neighborhoods, please contact me for literature and what you personally can do to help study issues in your area.

Secretary's Message

A major issue of members is barking dogs and dogs running at large. There are two issues at play in this scenario. 1) is the matter of the Association authority over the animal, and 2) Association authority with the resident. The Association has no authority in the matter of animal control. An offended person must place the call to Polk County Dog Control at 503-623-9251 and report the offense. Animal Control can enforce the law with respect to the animal. The hours of operation are 9A.M. to 5 P.M. Monday - Friday. After 5:P.M. the call will go directly into the Sheriffs Office. Polk County has been declared a Dog Control District under the following Statute. Oregon Revised State Statute (ORS) 6.05.050. The statute states: "Failure to prevent nuisance action of dogs prohibited. The keeper of a dog commits a civil infraction if the keeper's dog commits any act listed below:

- A. Runs at large.
- B. The keeper's dog or dogs, either individually or in concert, create a disturbing dog noise.
- C. Scatters garbage while off the keeper's property.
- D. Damages or destroys property of a person other than the keeper while off the keeper's property.
- E. Trespasses onto private property of persons other than the keeper of the dog."

The grievance must be reported by the person aggrieved. It can not be reported on your behalf.

The Association may, under the CC& R's Section 2 Land Use, paragraph Noxious Activity, take enforcement action with the owner for "becoming an annoyance or nuisance to the neighborhood..."

We love our pets and want only the best for them, we certainly do not want them to be impounded for running on our neighbor's property to mess or dig. So please, shorten that 50 foot lease and control your pets, both cats and dogs. Everyone is happier and it is, after all, the law.

