

## **Addendum to the Minutes of the HNOA Board of Directors Meeting - August 30, 2008**

During the August 16 annual meeting two memos were submitted for discussion. An additional matter of concern was offered from the floor. These three items were referred to the new board for review and reply as follows:

1. Meetings and Notices. The HNOA and its board of directors are required to conduct open meetings unless called into executive session. HNOA will be required to provide notice of meetings once the majority of owners occupy their Hills of Neskowin homes on a full time basis.

Since there appears to be a desire for more frequent communication from the board we have registered the domain name (www.Hills of Neskowin.org ) and are in the process of organizing a web site. It is our intention to post the minutes of meetings and provide a 'Contact Us' capability. We will report the availability of our new site when it is ready.

2. Board and Design Review Committee Responsibilities Concern was expressed that the 'original' concept for the Hills of Neskowin is not being honored and that there appears to be favoritism shown to fulltime residents. It was suggested that board members be bound by oath.

To the extent that Fred Butterfield, the original developer, chose to guide the future development of the Hills of Neskowin he did so by filing the CCRs and By Laws which currently guide the board, its committees and association members. Site diagrams that provide an indication of house locations and sizes predate the CCRs and were filed for purposes other than fixing locations and sizes. Owners are free to build what they wish where they wish so long as they adhere to the relevant state and county regulations and the CCRs.

No evidence of favoritism - resident verses part timers - was offered in support of the concern expressed nor were any examples submitted from the floor. The current board consists of two fulltime and three part time residents who do their best to follow the CCRs without haven taken an oath to do so. Oaths are normally reserved for those who are charged with the public trust, not private organizations

3. General Concerns - Administration and Adherence to CCRs.

Concerns about neighbors' observance of CCRs should be worked out between neighbors. Appeals to the board should be limited to instances where direct contact has not resulted in the desired resolution.

The Hills of Neskowin are part of a wildlife habitat and the grounds, while to a degree improved, should be left in as natural a state as possible consistent with the CCRs, fire and personal safety.

All board and committee members are volunteers appointed or elected in accordance with the CCRs. Those who are willing to serve are encouraged to identify themselves.

The board maintains a roster of association members and their contact information. We will make that list available to any association member who requests one. Association members who prefer that their email addresses or unlisted phone numbers be held in the confidence of the board are invited to let us know.

Although the CCRs and By Laws should have been provided at closing copies will be made available to association members upon request.

HNOA counsel advises that the requirement for a 75% majority to amend the CCRs is a statutory requirement and contained in ORS 94.590 which governs planned developments such as ours.

While concerns about the use of rental properties are widely shared there does not appear to be a way to enforce restrictions designed to respond to those concerns.