

Hills of Neskowin Board Meeting
July 20, 2023 via Zoom

President John Metschan called the meeting to order at 6:03 pm, then turned it over to Brian Culp to conduct. Doug Millican and Carol Jones were also present, as were many community members. David Richardson was absent due to work obligations.

Review of minutes: updates on items from last meeting are usually put back on the agenda for current meeting. Could formally read minutes of last meeting if decided that we should do so.

DCR Report - Doug reports no new projects, but a reminder that when projects are complete, to please remember to contact the DRC chair for an onsite visit to close the project. Doug also presented a request from the DRC seeking approval for the development of a light pollution policy document similar in nature to the construction policy document, which the DRC would develop and enforce. Brian suggested that discussion on this be suspended until later in the meeting, as the next agenda item would impact the way this would come about. All agreed.

John updated the status on our two Violation complaint forms.

1. It appears that the CCR -violating greenhouse has been removed from lot 58/59 as requested, and item will be considered resolved. Tent has been set up, but appears to be "grandkids visiting" rather than a long term arrangement.
2. On the second complaint, no further reports have been registered concerning the dog in question, so this, too, will be considered resolved.

Brian then led a discussion regarding the update on our CCR review. He stated that he had spent a fair amount of time researching other HOAs and how they dealt with the changing needs in their community and the fairly regular need to update or adapt rules. He presented a list of regulating documents, arranged in a hierarchy of importance.

Order of Precedence

1. Federal, State and County Law
2. Declaration of Covenants, Conditions, and Restrictions ("The Declaration", "CCRs").
3. Bylaws.
4. Articles of Incorporation.
5. Rules and Regulations. Governing behavior in common areas, fine schedule, details of appeals process, etc.
6. Policies and Procedures. Day to day things like how the doggie bags refills are managed, landscaping contractor requirements, etc.
7. Other documents, such as Advisories, Studies, and other non binding documents. Often work product from committees.

It was noted that the Rules and Regulations, as well as Policies and Procedures are documents that are governed by the board, and may be more appropriate places to cover some of the less earth-shattering issues, and much easier to manage than constantly adjusting the CCRs. It is desirable to formally establish procedures for proposing changes and adaptations to the Rules and Regulations within the Bylaws. Brian proposed that a vote of the general membership be held at the annual meeting on 8/5/23, to adopt a Bylaws Amendment which leads as follows:

Article XI

Updates to the Rules and Regulations may be adopted upon a majority vote of the members of the Board present at a Board meeting at which there is a quorum of Board members. A copy of any and all proposed changes shall be made available to each Owner prior to the meeting. Upon adopting the final version of any such rules and regulations, the Board shall cause copies thereof to be made available to each Owner. Any rule or regulation which conflicts with State or Federal Law, the Declaration, or the Bylaws shall be null and void.

Motion was passed unanimously to present this to the membership. Brian will prepare a letter to be emailed to all members explaining this change and the reason for it. (Hard copy will be sent to Mr. Graves). This will be added to the agenda for the 8/5/23 meeting.

At this point, Brian brought the discussion back to the lighting issue, to address Doug's request on behalf of the DRC. It was important to separate the two elements of the issue (which ultimately becomes a discussion of protection of the night sky view from light pollution vs. lights on for safety and security measures).

1. The recommendations for exterior lighting options that homeowners can use as a guideline , and those features that will be approved when going through DRC oversight. And
2. The adoption of a policy that spells out the actual use of the lights.

The feeling was that this should be an agenda item for discussion at the August meeting, once we have discussed and understand the previous mentioned additions to the Bylaws.

Brian then gave a short treasurer report, including the possible shopping for better rates on insurance. The board unanimously approved of spending HOA funds for a sealant paint to be applied to our new rain-diverting road berms, and a tarp to cover our collection of sealed sand bags.

A reminder was made about the general membership meeting on August 5, 2023. Lunch in the commons area at 12:00, Meeting at 1:00, Board meeting at 2:00. Also a reminder that ballots need to be received either by mail or turned in to Brian by 11:00 am Saturday the 5th of August in order to be counted.

The meeting was adjourned at 6:55 pm.