

Board Meeting Minutes

Monday, January 10, 2022

Meeting called by President Jim Blasius at 7:00 p.m. via Zoom. In attendance were President Jim Blasius, Treasurer John Metschan, Secretary Carol Jones, Board Members Doug Millican and Dana Buckley, Hills of Neskowin Owners Association Counsel Josh Stellmon, Association Member Mary Lee King, and Association Member Kathy Marshack.

The sole purpose of this meeting was to consider the December 5, 2021 appeal by Dr. Kathy Marshack of the Board's initial denial of her fencing project. Dr. Marshack's proposal was originally approved by the Design Review Committee, but denied by the Board as a whole in accordance with Section 6.5 Restated Declaration of Protective Covenants, Conditions, Restrictions and Easements of The Hills of Neskowin Neighborhood Owners Association (CC&Rs). Section 6.6 of the CC&Rs allows an adversely impacted Owner to appeal such action to the Board.

President Blasius called on Dr. Marshack to make her appeal. Dr. Marshack's presentation included a variety of arguments, including that a local civil engineer confirmed that her proposed fence was legal and safe. Dr. Marshack's primary argument was that multiple Association members, including Board members, have fencing on their property, and the CC&Rs were inconsistently applied. Dr. Marshack also argued that she could not accept the Board's modified fence proposal, as it would cut through her septic field.

Upon close of Dr. Marshack's presentation the Board began discussion. President Blasius noted Section 5.13 of the CC&Rs, which states "fences are discouraged." President Blasius also noted that Dr. Marshack's property is in a prominent location with the community. After discussion, Mr. Stellmon suggested a walkthrough of the relevant property to determine if a modified proposal would be acceptable to both Dr. Marshack and the Board. The parties agreed to discuss a date within the next couple of weeks.

Meeting adjourned at 8:15.