

HON HOA Board Meeting Minutes for February 6, 2025

(Approved at the 02/21/2025 Board meeting. David, Theresa, Ladene Culp, attending Board members. All in favor)

Meeting Called to order by Ladene Culp, Secretary: 6:00pm.

Ladene asked if anyone else wished to run the meeting and all Board members attending suggested she continue.

Attendance:

David Richardson, President, *approved absent*.

Ladene Culp, Secretary

Cindy VanLeuven, Treasurer

Theresa Springer, Director

Steve Baumgarte, Director

Kathi/Walt Swanson, Theresa San Agustin, Dana Buckley, Jon Barnard, Doug Millican, Lloyd Van Roekel, Gail Barnard, Kathi Landers, Kathy Marshack, Carol Hoke, Jeanene Lopez

Quorum Achieved

Motion to approve minutes from the January 14, 2025 Board Meeting as read, made and seconded:

All in Favor.

Motion to approve minutes from the August 17, 2024 Board Meeting as read, made and seconded.

Ladene C, yes, Theresa S, yes, Steve B, yes, Cindy V, present. Passed.

It was noted that the Member Meeting minutes from 08/17/2024 were incorrectly listed on the website as a Board Meeting. When this meeting is added to the site, that will be corrected.

Treasurer's Report:

Cindy V stated that all but 2 lots have paid the annual assessment. Information on those remaining lots will be given to the Secretary for additional notice to possibly be sent. Ladene stated that one of those checks from an estate was in the mail, leaving one to pay.

Theresa S asked if the current bill with the HOA attorney had been paid and it was stated that it was scheduled to be paid and that we had also received our doggy bags and that bill would be paid as well. Cindy V noted that there should be enough bags for at least 2 years.

New Business:

DRC approval Lot 27:

Lot 27 sought approval on a fence project. The DRC reviewed and approved the project and submitted the work for Board approval. The Board discussed the formalities of said project. Ladene had questions about the height of the fence as she felt that similar fences had not been approved because of that height (5' at the low point), and because there are no documented, specific guidelines on what fences should look like in the HON currently in our CCRs, this could lead to personal opinion determination on what can be built and issues with selective enforcement. She feels this is something the DRC and Board should take action on in the near future to better define what will and will not be approved before another fence is built.

Motion to approve the project for Lot 27 made and seconded:

Steve B, yes, Cindy V, yes, Theresa S, yes, Ladene C, no. Passed.

DRC approval Lot 26:

Lot 26 sought to replace a small upper story deck, changing from wood to Trex. The DRC reviewed and approved the project and submitted the work for Board approval. The project was discussed and clarified.

Motion to approve the project for Lot 26 made and seconded:

All in favor.

Board Member Items:

This is a new section of the agenda, open to each Board Member speaking on topics of interest to them and the community.

David Notes:

Absent

Cindy Notes: Cindy wanted to bring open Board discussion on a topic she's heard around the neighborhood about bringing in an HOA management company to run the community and for Board members to discuss what they know of history and research into this idea. The Board wanted to state the following to settle confusion on what an HOA management company provides.

General agreement was:

- HOA management companies are expensive. The prices start at somewhere around \$250/lot per year, with Theresa noting that the last time she looked at them for another HOA, the cost started at \$365/lot/year.
- This price **only** includes clerical work for the HOA, such as scheduling meetings, writing checks, balancing accounts, etc...
- Ladene added that a Board and DRC are **still required**. The management company works for the elected Board. While the management company might do the above work, it must be approved by the Board before it is done.
- Enforcement can be offered but is at additional cost. Everything beyond clerical work is at an additional cost. The HOA still pays for the costs of attorney, taxes, landscaping, postage, etc...
- Hiring an HOA management company would require a 75% vote by the community for an approximate 2-300% increase in Annual Assessments.
- Ladene also added that HOA management companies generally will not quote a price until they have a reserves study in hand, also at cost to the community.
- The consensus of the Board is that they do not want nor can we afford a management company.

Ladene Notes:

Trusts: The plan is to update the membership list to include Trusts as owner and Trustees as member. According to her research, this is the legal way to keep the membership list, a duty of the Secretary. She will be getting the information from the listings in the Tillamook County property records. She asked that anyone who felt their information may be listed incorrectly or that is not up to date contact her at either her Board email or the main BOD email account. Ladene will not be researching any farther than Owner of record including Trusts and Trustees as listed.

Discussion questions included who from a Trust would be considered a member and have the members' rights to vote or be on a committee or the Board. **ORS 94.639** explains which members of a Trust would be entitled to serve. Questions arose about privacy issues. Ladene explained that she was gathering the information from a public website and would only be listing the Trust as the owner of record and Trustees as members and that if such a question arose as to the eligibility of a person to serve or vote, information verifying that person's eligibility could be required. Further questions arose as to what information would be open to the community for privacy reasons. Op- outs will be researched as to what information is released to the community when a membership list is requested. Currently the complete list is available to anyone who asks. Moving forward, only names will be on the list until this is resolved.

Results to be added to next meeting agenda.

Information for the Minutes. Ladene wished to supply certain statements to the meeting to be listed in the minutes. This meeting they are as follows:

- We have 61 lots. 2 Combined lots, 1 split lot.
 - This was confirmed by Cindy as Treasurer that she receives checks for 61 lots.

- The storm drainage system is working well. Water from the roads is directed to the ditches and the ditches are draining well. There is natural flow on the pavement as on all roads. Vegetation growing on the sides of the road and in the ditches is there for non-erosion purposes. The BOD is watching the roadways and ditches carefully. Remember that members should be doing no work in the ditches unless approved by the BOD. The landscaper's main concern is the maintenance of the ditches.
 - Steve noted that there was an issue with the landscapers of Lot 27 putting excess pea gravel from landscaping in the yard into the ditches on either side of their driveway. When asked, this was immediately remedied and the Board wishes to express gratitude for the timely and helpful response.

- Meetings of the Board require at least 72hrs notice. Quorum of the Board is 3. Board meetings do not require a member quorum.

- There are no sewer lines to the Hills of Neskowin. There are no plans for those lines to be built.
 - Cindy noted that the cost of providing those lines would be extreme and Steve reiterated that there are no plans from the lines to move north.

- Roadside Spray: Ladene's last item was to remind the community that the vegetation on the sides of the roads and in the ditches is important for erosion prevention. The HOA is responsible and owns 30 feet each direction from the approximate middle of the road (due to road curvature and width this is not exact without marking the center pins) and that any work should not be done in those areas without Board approval, including spray. In general, the community has been allowed and encouraged to landscape in the area beyond the ditches.
 - Ladene asked the Board if they knew of any historical decisions about spray that had been put in place by previous Boards. Steve only remembered that the landscapers had been asked to not spray at any time. Theresa stated she would research the Minutes archive to find out if this topic had been voted on.
 - Results to be added to next meeting agenda.

- If you have questions, the board email address is the way to reach the Board at hillsofneskowinboard@gmail.com . As always, this is the best way to reach the BOD.

Steve Notes: None

Theresa Notes: None

Reports from Committee:

DRC Rules Working Group/Theresa

The first meeting of this committee will be held February 16, 2025 and then every 2 weeks following. There appear to be 29 sections that will receive guidelines.

Rules and Regulations Team/Ladene

The plan of the Rules and Regulations Committee was to stagger the approximately 5-8 new rules for examination by the Community in order to simplify feedback with smaller batches. Once approved for send out to the community for comment, this rule would either be kept as is or returned to committee for change. There was no discussion about this information.

The first rules of the committee were presented based on CCR 5.7 Signs*, to define the limitations on political signs. The rule was read into the meeting:

1. Political signs are limited to:

Election season

Officially printed standing signs

One per candidate per office.

One per proposition.

On owner property.

To be posted no sooner than 45 days before election and removed within 3 days after election.

Discussion proceeded to question 'election season' and if that included all elections or measure votes and it was stated that this described any election or voting session including Federal, State and County. Also discussed was possibly the addition of remodeler's signs to be added but it was decided that the 5.7.-2 section of the CCR 'project sign' covered that distinction.

Motion was made to present this rule to the community, however Theresa S voted no with an explanation and the motion was revoked to discuss at that time. Theresa stated that she did not think the Bylaw (Article XI which was also read into the meeting **) for the development and writing of rule and regulations in the governing documents allowed for the community to make suggestions or have a say in said rules. Ladene views the Bylaw differently and feels that it is important for the community to have a say in these rules and that the Bylaw was promoted to the

community with that idea in mind. She stated that anyone could at any time email her to ask questions or make suggestions on any rule. Theresa also did not approve of the method of release, stating she thought that it should be done the same as was previously done. Ladene stated that this is a new committee and it does not have to be run in that manner.

**5.7 Signs. No signs shall be erected or maintained on any Lot except: 1) A name, place or "welcome" sign, subject to the design review approval process; and 2) a project sign and except that not more than one (1) A temporary "For Sale" or "For Rent" sign placed by the Owner, Association or by a licensed real estate agent, not exceeding three (3) square feet in size.. The restriction contained in this paragraph does not apply to signs used by a builder during the construction and sales period and shall not prohibit the temporary placement of "political" signs on any Lot by the Owner.*

***ARTICLE XI Adoption of Rules and Regulations 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.*

Due to the late hour this discussion was tabled until the next meeting.

Old Business:

Complaint Lot 10 report out:

The complaint from Lot 10 has been addressed and closed by the Board.

Next meeting: TBA

Meeting closed at 7:21pm

Minutes provided by Ladene Culp, HON HOA Board Secretary.