

HON HOA Board Meeting Minutes for March 10, 2025

Meeting Called to order by David Richardson, President: 4:00pm.

Attendance:

David Richardson, President

Ladene Culp, Secretary

Theresa Springer, Director

Bruce Blank, Director

John Metschan, Director

Walt Swanson, Dana Buckley, Doug Millican, Kathi Landers, Kathy Marshack, Jeanene Lopez, Bruce Blank, John Metschan, Jeremy James (HON HOA Attorney)

Quorum Achieved

Motion to approve minutes from February 21, 2025 Board Meeting as read, made and seconded:

All Directors attending. All in Favor.

Treasurer's Report—David/Ladene:

One Member still has not paid the Annual Assessment. Ladene asked about starting fines and interest since this is a recurring event and is at this point over 30 days late. David would like one more chance to talk to the member in person and will do so when he's in the neighborhood and the Board will go from there.

Once Ladene is on the HOA banking accounts, she will be putting the files in QuickBooks and having reports available regularly.

New Business:

Complaints about mass emails:

Theresa noted that the Board received 4 complaints from different Members about their email addresses being used in ways they do not find appropriate. While the Board is sympathetic,

members have a right to use the member list according to the HOA Attorney. Theresa noted the following:

The only Board approved and sanctioned emails will come from the Board directly.

The meeting minutes are the approved information set from the Board.

Members are free to block the senders of these mass emails or personal emails in their own email client.

Any Member is free to give answering opinion to these emails.

Report on Lot 53, attorney action required:

A BOLI (Oregon Bureau of Labor and Industries) complaint was filed by Lot 53 against the HOA that went to the HOA Attorney, Jeremy James. Jeremy asked to be able to respond using already held documentation from previous interactions with this member.

Motion to allow Jeremy James to respond to the complaint, made and seconded:

All in favor.

Board Member Items:

David Notes:

Landscaping and Storm Drainage:

There were three sections of downed trees in the last storm. Oregon's Finest Gardener, our landscapers, did an excellent job of both notifying us quickly and removing the debris. There is one more tree that is from Lot 57, that has yet to be removed. OFG's attempted to contact the owner but has not reported whether that contact was made. David will wait two weeks to see if the downed tree is removed and if not, contact the member directly. It is not impeding the road nor the ditch.

Damage to roadside at Lot 7:

Ladene noted that there is some damage to the side of the road at Lot 7 where construction is starting. The stabilization of that area will be monitored to determine if there will be a problem with erosion from rain runoff where the pavement edge no longer has a firm vegetation and rock stage to disperse the water. Ladene will keep an eye on the area during rain. As there is apt to be more damage from the construction, there is no reason to contact the owner at this time. The Board will work to negate the issue if necessary.

Ladene Notes:

Trusts as the Owner of Record in the Membership list:

The Owner of Record for all lots has been listed as either Owner or Trust with owners or Trustees as members. This list was taken from the County Records website. Ladene wanted to let everyone know that if they feel the information on that site is incorrect, those members should contact her at her Board email address to get the information updated.

Minutes Correction:

There were two typos in the last minutes, Lot 26 was listed as Lot 28 and a member's name was incorrect. This has been corrected on the website.

Information for the Minutes:

Ladene asked for the record, how many fines has the Board assessed since the implementation of the Fine Schedule? So far, none have been assessed. Replacement costs for damages were the only extra member payment made since the Rules and Regulations were initiated.

The HOA Attorney was asked to tell us who exactly he works for, the HOA, the Board or the Membership. He stated that he works for the Association, at the behest and with the Board, to protect the Association as best as possible. He does not and cannot work for individual members or Board members.

The reason the Board goes to the Attorney is because the volunteers of the Board are not legal professionals and anytime a legal issue comes up, the best course of action is to ask the attorney whose job it is to protect the HOA.

It was noted that the Attorney has reiterated that the Minutes of the meetings are the official record of all Board work product.

Theresa Notes:

N/A

Bruce Notes:

N/A

John Notes:

N/A

Reports from Committee:

DRC Rules Working Group/Theresa:

Theresa let us know that the committee of Theresa Springer, Kathi Landers and Dana Buckley have met twice so far and are deep into the process. Their fourth member

has not responded to contact. They are hoping for a May 2025 presentation of work product as planned. Anyone interested in joining them should contact Theresa.

Rules and Regulations Team/Ladene:

Anyone interested in joining the Rules and Regulations team should contact Ladene.

CCR 5.7 Signs: added to next meeting

Fee Schedules:

Ladene wanted thoughts from the Board about a fee schedule, stating her investigation into the Rules and Regulations has shown that many HOAs have fees for items like research, move-ins/move-outs and failure to inform the Board of changes to address, email or phone as a part of their rules and regulations.

There was a lot of discussion on whether this was an issue and if necessary, how it would be implemented. It was presented as an option for the Board in certain circumstances and for research, never to be used without discussion with the members and with an explanation on how to not pay this fee. John M asked if there had been research questions and Ladene noted that she has put in upward of 15 hours in the last month on research on issues for members in various areas. Simple questions would not fall under the fee schedule, but deep dive research may.

Theresa S felt that the option for a fee should be there as it is for many HOAs, but that we needed to see how much time was going into items that would have a fee attached and into all research and questions being asked by members. The Board Members decided to all log in the time they are spending on all research, including the fast easy questions that have not been previously logged.

Discussion was had on financial reports, and it was determined that those would not be a part of the fee schedule. They will not be put online at any time but will be available to members after the meeting in which they are released.

Bruce asked where the money from such fees would go and everyone agreed all funds would be put in the General working account the same as fines.

Tabled until more information is gathered. Ladene agreed to look at additional HOAs for information about their fees and present that at a future meeting.

Old Business:

Lot 10, reopened complaint:

Director David Richardson recused himself from the discussion by leaving the meeting.

The following was read:

On 02/26/2025, I, Ladene Culp, Secretary HON HOA, met via phone with David Richardson of Lot 11 about the formal complaint filed by Lot 10 on 02/16/2025, and after meeting in executive session with the HOA Attorney, Jeremy James, on 02/21/2025 to determine the responsibilities of the Board of Directors of the Hills of Neskowin HOA.

It should be noted that the first complaint on this matter was closed by the Board (Minus David Richardson who had recused himself) as a non-Board issue between neighbors. David continues to recuse himself on all matters pertaining to this issue. This second complaint by Lot 10 prompted an informal contact, as per section 3-B of the Rules and Regulations process.

David Richardson informed me that legal action is continuing between Lot 11 and Lot 10, with no solution yet decided. Lot 11 has voluntarily and without legal requirements, applied for permission, started and finished work on infrastructure of the property.

It is this Director's opinion that this is still not a Board issue. Lot 11 is fulfilling the requirements of the Rules and Regulations process beyond the necessary, as legal action continues and no decision has been made as to responsibility. This fulfills the Board obligation at 3-C of the Rules and Regulations Violation Report and Notification Procedure. There should be no further expense to the Hills of Neskowin HOA, and I suggest this complaint be closed as completed and advise that further requests by either side for Board interference in the legal action between these neighbors be subject to fine of any and all costs incurred.

John M asked if this second complaint had any issues beyond what was in the first complaint. It was decided that there was not anything new for the Board to decide on in the second complaint.

Motion to close the complaint from Lot 10 against Lot 11 made and seconded.

Attending Board members, Bruce B, John M, Ladene C, Theresa S

All in favor.

Next meeting: TBA

Meeting closed at 4:32pm by Secretary Ladene

Minutes provided by Ladene Culp, HON HOA Board Secretary.

This is also the chance to review a new rule proposed for the ongoing process of developing a complete Rules and Regulations booklet for the community as endorsed by the ORS for the Planned Community Act and our own CC&Rs. This document was started last year in an effort to

clarify the governing documents of our association so that all members have an equal understanding of those documents. This is the first of several proposals that will be distributed.

The process of rule adoption created through By-Law Article XI includes providing the proposed rule to the community before adoption of said rule by the Board of Directors.

The following has been proposed based on CC&R 5.7 which reads:

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.

This is the proposed rule:

1. Political signs are limited to:

Any Voting Session, Local, County, State or Federal

Officially manufactured and printed signs only.

One per candidate per office.

One per proposition.

On owner property only.

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

If you have any thoughts or questions about the rule, the process, or how to participate in the development of these rules, please email Ladene at the address from this email.

Ladene.hillsofneskowinboard@gmail.com