

WEST MEADOWS ESTATES HOMEOWNERS' ASSOCIATION, INC.
DRAFT MINUTES / BOARD OF DIRECTORS MEETING
Thursday / September 21, 2023

Location: 2856 Islander Ave NW, Home of Janice Rose

Board Members Present: Mike Eastlund, Janice Rose, Barry Solomon, and Chris Mott. Vitalie Radu experienced a family emergency and could not attend; he asked that Stewart Rose provide the compliance report in his absence.

Mike Eastlund, Board President, called the meeting to order at 7:00 p.m. Mike Eastlund confirmed the quorum.

Mike Eastlund stated that the required notification signs were placed on September 18, 2023.

Read and Approve Minutes:

The Board reviewed the meeting minutes of January 23, 2023. Draft minutes are posted on the website, and each member receives a copy before the meeting.

Chris Mott made a motion to accept the minutes as written.

Mike Eastlund seconded the motion.

Discussion: No discussion. The vote was called – (4) in favor (voice vote).

Treasurer's Report: Janice Rose reported as follows:

Umpqua Bank / Checking	36,409.87
ING Direct / Reserve Savings Account	144,370.33
Umpqua Bank / Savings (Late Fees) **	15,190.31
Umpqua Bank / Savings (Professional Fees) *	24,967.61
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Total	\$220,938.12

Expenses-To-Date / 2023

Bank Service Charges	23.80
Compliance Fee	2,000.00
Dues & Subscriptions	461.17
Insurance: Commercial General Liability	937.86
Insurance: Errors & Omissions	3,375.00
Landscape Maintenance	4,500.00
Landscape Maintenance: Bark	5,500.00
Licenses & Permits	50.00
Postage and Delivery	114.11
Printing and Reproduction	359.00
Professional Fees: Accounting	300.00
Professional Fees: Enforcement	2,125.00
Professional Fees: Legal Fees	901.00

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Repairs: Lights & Sprinkler Repairs	475.00
Reserve Fund	20,000.00
Sign Expense	144.00
Supplies: Office	26.95
Taxes: Federal	192.00
Taxes: State	150.00
Utilities: Gas and Electric	440.51
Utilities: PO Box Rental/Keys	182.00
Utilities: Water	2,160.75
Website Domain (5-Yr Fee / 2021 – 2025) / \$224.50	.00
Welcoming Committee	2,816.96
Interest Income	(1,375.52)
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Total Expenses / Checking / To Date	\$45,859.59

Committee Reports:

Architectural Control Committee: Chris Mott reported that the last two houses under construction are complete. There remain four lots where we could see a building.

Compliance Committee: In the absence of chair Vitalie Radu, Stewart Rose provided the following:

- As authorized, on January 23, 2023, a new compliance inspector was identified and hired. The Inspector does a very thorough job and follows all requirements.
- The Inspector identified one hundred sixty-eight CC&R and Board Policy violations. The Inspector used the "OOPS" notice to correct 40%. Eleven are active, with three with no resolution and fined.
- The Board saw an overview of the Smart Sheet record-keeping tool the Inspector and Secretary use to track all compliance-related information.

Welcome Committee: Janice Rose reported four welcome packages delivered in 2023. There are still six pending deliveries.

Old Business:

None

Open Forum:

No input from members.

New Business:

Item #1: A builder's representative presented an appeal to a fine assessed for failing to comply with CC&R and Board Policy. The construction was not complete at the time of sale. Escrow documents did not reflect outstanding fines because the final inspection

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after completion had not occurred. He argued that retroactive penalties after reporting on escrow documents are not valid.

Chris Mott motioned to cancel the fines and return the compliance deposit because the escrow document did not identify outstanding issues.

Barry Solomon seconded the motion.

Discussion.

HOA Information indicated the ACC warned the builder of multiple violations of the CC&R and Board Policies during construction as follows :

- Long periods with no progress and the building left open to trespass.
- Construction not completed within one year.
 - The ACC offered a conditional-use permit to complete the interior with the condition of the exterior completed within one year.
- Change to the driveway without ACC review or approval.
- Installation of a fence without ACC review or approval.

Continued discussion centered on clearing all inspections and pending fines before completing escrow documents.

The vote was called – (4) in favor of the motion (voice vote).

Item #2: Janice Rose, Board Treasurer, asked the Board to approve legal assistance to resolve outstanding issues as follows:

- A member with property on Titan who did not respond to five violation letters for failing to irrigate the landscape.
- A member with property on West Meadows who did not correct landscape irrigation violations after multiple violation letters.
- A member with property on West Meadows who did not respond to eight violation letters for failing to repair and paint a neighbor-friendly fence.

Chris Mott motioned to authorize seeking legal assistance to resolve the outstanding violations identified.

Mike Eastlund seconded the motion.

Discussion: Janice Rose presented copies of all related information and said she would notify all individuals of the Board's decision before referral.

The vote was called – (4) in favor of the motion (voice vote).

Item #3: A member, via a phone complaint, brought to the attention of the Board his concern regarding the use of "OOPS" notices on private property. Despite wearing an identification vest, the member was concerned for the Inspector's safety.

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Chris Mott motioned to change the policy for using "OOPS" violation notices only for violations located on sidewalks and streets and not ask the Inspector to enter onto properties.

Barry Solomon seconded the motion.

Discussion. Although the Board Attorney opined that the CC&R allows HOA representatives to go onto properties, Board members discussed concerns with Inspector safety, alternate options, and financial exposure to the community.

The vote was called – (4) in favor of the motion (voice vote).

Item #4: Janice Rose presented a member's appeal. The documents showed that the member received a violation notice for maintaining an unapproved auxiliary structure. The member applied for ACC approval. The ACC rejected approval of the structure design because it was non-compliant with Board policy. The member then, via email, appealed to change Board Policy 401 Auxiliary Structures to make her auxiliary structure acceptable.

Chris Mott motioned not to approve the member's appeal.

Janice Rose seconded the motion.

Discussion: The CC&R in Sections 5 and 8 specifies that ACC approval is required for any structure and defines the materials used. The CC&R and Board policy requires harmony with existing structures. All previous ACCs have been consistent in not approving metal structures with roofs that are not in harmony or do not match the existing house. Approval of a request not in harmony with the house sets a precedent that could lower appearances and community values.

The Board presented the Attorney with the following question:

Are tents and awnings structures subject to the existing CCRs, including adopted rules and regulations, such that they must be consistent with the requirements of the CCRs and approval requirements?

- Tents and awnings are structures subject to the existing CCRs and lawfully adopted rules and regulations.
- The Board may require owners to remove tents and awnings inconsistent with the existing CCRs and rules and regulations or require the owner to submit a request and plan for approval to the ACC.
- Other factors - In a case where the homeowner is arguing that the tent or awning has been there for several years, it further indicates that the use and intent is that the tent or awning is a structure.

The vote was called – (4) in favor of the motion (voice vote).

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Adjournment:

Mike Eastlund made a motion to adjourn the meeting.

Janice Rose seconded the motion.

Discussion: No discussion. The vote was called – (4) in favor of the motion (voice vote).

The meeting was adjourned at 8:27 p.m.

Submitted by: Janice Rose, Secretary/Treasurer