

**WEST MEADOWS ESTATES HOMEOWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
TUESDAY / SEPTEMBER 26, 2017**

Location: Rose Residence
2856 Islander Avenue NW – Salem, OR 97304

Notice of meeting was posted on all entrance signs indicating location and time of the Board meeting. The posting met the three-day prior notice of meeting requirement (posted on 09/23/2017).

Board Members Present: Mike Eastlund, Janice Rose, Barry Solomon, Chris Mott and Miles McCary

The meeting was called to order by President, Mike Eastlund at 7:05 PM. Mike Eastlund confirmed quorum. Mike Eastlund introduced the Board to the community members present.

Read and Approve Minutes:

Minutes of the February 16, 2017 Board meeting were reviewed by Board members (draft Board minutes are distributed to each Board member prior to the meeting and posted on the web-site). Barry Solomon made a motion to accept the minutes as written. Chris Mott seconded the motion.

Discussion: No discussion. The vote was called – (5) in favor (hand count).

Treasurer's Report: Janice Rose reported as follows:

Columbia Bank / Checking	\$14,065.90
ING Direct / Reserve Savings Account	22,462.32
Columbia Bank / Savings (Professional Fees) *	15,315.41
Columbia Bank / Savings (Late Fees) **	<u>18,876.38</u>
 Total	 \$70,720.01
 Expenses-To-Date	 \$20,069.83

Janice explained that two past-due accounts were collected, one which has had an outstanding balance for ten years.

Committee Reports:

ACC Committee: Barry Solomon reported the community has 276 lots with homes either constructed or in process. There are 36 remaining undeveloped lots, of which four are being used to expand an adjoining developed property.

At present, there are six new homes approved for construction.

- Two homes approved, but not started
- Four homes in various phases of construction, of which three will be done soon.

There are six new homes completed and available for sale.

Standards Committee: Miles McCary reported that 166 correction letters have been sent to members this year. For the most part, compliance is good and there are only two members who are currently assessed fines.

He also reported on progress to improve the correction letter process and reduce the time for compliance. Working with the compliance contractor, improvements were identified that would speed up the process. A new set of compliance letters were provided for the contractor, which meet legal requirements and only requires the contractor to insert a date, name and address. The initial test of the new process reduced compliance time by a month, but a required follow-up letter increased the work load and costs for postage.

After the initial trial, a second set of letters were developed that combined the two letters into one, which eliminated extra costs and work. The test of the most recent change starts this week. Once all the kinks are worked out and the process works smoothly, Board policy will be changed to reflect changes identified by the new process.

Welcoming Committee: Janice Rose reported that she and Michelle Houser delivered thirty-two welcoming packages this year with the possibility for another dozen expected before year's end. Our new neighbors usually express a pleasant surprise by how low the HOA dues are and how excited they were to find the right home in such a well maintained community. Several have actually expressed appreciation that trash cans are stored out of view.

Old Business:

Miles McCary reported on the plan to repair the falling rock from the entry wall. That plan includes clean-up, reattachment of loose rock and waterproofing. Before starting the work, Miles consulted with an expert mason who sells materials for maintaining and waterproofing walls. The individual who lives in an adjoining neighborhood and observed the construction of the wall, opined that spending several thousand dollars to waterproof the wall would not correct the problem and it would be best to continue to

make repairs as needed. Miles said he would start the work to clean up the wall, make repairs and most of the money set aside for repairs could be redirected.

Stewart Rose reported that the new landscape is performing well, but additional trees budgeted for 2017 should be added before fall. The Board authorized expenditure of the money for the budgeted improvement.

Open Forum:

Ron O'Neil shared information regarding the City of Salem CERT program and its benefit to our community. During discussion, it was suggested that more information on the program should be made available for our community, possibly at the annual meeting. Janice Rose will follow up with Ron and the city for a possible speaker.

A neighbor who lives on Titan Drive expressed concern regarding excess speeding vehicles on Titan Drive. This problem is not new and all our requests to the city for mitigation were rejected by the city. About all we have been able to do is have the radar trailer placed on Titan. Stewart was asked to contact the city to see if we can get the trailer again.

New Business:

Janice Rose shared with the Board that there are two appeals that the Board must address.

The first appeal came from a new neighbor who asked to be exempted from the non-conforming commercial vehicle requirements of the community. He stated various reasons for the request, which were based on convenience or difficulty. He also stated that he is required to perform emergency plumbing repairs during evening and holiday hours.

Janice Rose explained that the HOA's commercial vehicles rule has been supported by the court. The Board can provide a variance for emergency vehicles, but without DMV certification that a vehicle qualifies as an emergency vehicle, there is not precedence for granting a variance.

Mike Eastlund made a motion that the appeal be denied. Chris Mott seconded the motion.

Discussion: No discussion. The vote was called – (5) in favor (hand count).

The second appeal asked for a reconsideration of the Board's decision to assess annual dues on improved lots, which are adjacent to and part of an improved property.

Janice Rose provided the following for the Board's consideration:

- The decision to assess improved lots adjacent to and part of an improved lot was based on the opinion that adjacent lots that improved the existing developed lot should be considered part of a larger property and thus could be assessed dues.
- When legal counsel was asked to opine on the merits of the aforementioned opinion, in contrast to the strength of any opposing theory, it was opined that the CC&R's provide conflicting direction and the Board's decision to assess dues on certain lots may not be sustained. That opinion was based on the exemption in the CC&R's for "lots not issued a building permit".
- Legal counsel recommended that the issue not be tested at this time and that the Board should consider a change to the CC&R's that would remove the exemption once construction of new homes in the community has ended.

Janice Rose made a motion to rescind the decision for assessment of dues on adjacent improved lots and refund dues collected against affected lots. Miles McCary seconded the motion.

Discussion: No discussion. The vote was called – (5) in favor (hand count).

Adjournment:

Mike Eastlund made a motion to adjourn the meeting at 8:10 PM. Chris Mott seconded the motion.

Discussion: No discussion. The vote was called – (5) in favor.

Meeting adjourned.

Submitted by: Janice Rose, Secretary/Treasurer