

**COAST VILLAGE PROPERTY OWNERS CORPORATION**  
**BOARD OF DIRECTORS MEETING**  
**APPROVED MINUTES October 17<sup>th</sup>, 2015**

**The meeting was called to order** at 10 am on Saturday October 17<sup>th</sup>, 2015.

**A Quorum was established** with all Board Members present.

**The agenda was approved** with the New Business item concerning Lot 19 moved up to Old Business at Lot 18 owner's request.

**The Minutes from the September meeting were read** by Secretary Donna Griffin, and approved unanimously as modified to include the approval of the motion for fence repair.

David Wood questioned the author of a motion not being present when the motion was read. Donna stated that when pre-typing motions the Board Member who requested the motion is listed as the author, even if they are not present when their motion comes up on the agenda. She offered to do it differently in the future if it was determined to be incorrect to use an absent member as author.

**Treasurer's Report was read** by Treasurer Scott Murray. David noted that the Reserve Fund was down about \$70,000 over the last two months, and requested an explanation. Some was from end of the last fiscal year that hadn't been transferred earlier, otherwise it was from recent recorded motions including the fence and lift station. Scott said that the Reserve Fund would be back into a normal range by around June. The Treasurer's report was accepted unanimously.

**The Park Operations Manager's report was read** by POM Carlla van de Vyver. Ted Hocker, lot 142 asked how much has been spent on the fence. \$24,900 has been spent to date to replace approximately 2/3 of the fence. To complete it, we need another \$11,400. Elsie McKean, lot 247 asked if that included staining. Carlla said our maintenance budget would cover staining, which has already begun. Our staff will periodically maintain it as needed as part of their normal duties. Elsie asked about dues being raised to cover fence cost. The POM assured her that the Reserve Fund covers this and will be replenished from existing dues. Carlla explained how the old design, materials and poor maintenance, combined with some owners using the fence as a retaining wall for their landscaping, resulted in the severe rot; and how the new design, proper materials and regular maintenance would make this new fence last much longer. Diana Phillips, lot 18 asked why we stopped at part of the fence being done and what the original bid was for all of it, also why was it an action w/o a meeting. Carlla explained that the full bid of \$36,000 was over the 5% of the annual budget that could be approved by the Board at one time, and that's why the job stopped before exceeding that 5%. It was an action without a meeting because the contractor had already begun work when the true extent of the damage was discovered, and work needed to be continued. Carlla has a video in the office showing some of the rotted fence and welcomed anyone who wants to view it. Diana Phillips asked why we didn't just do the whole east side instead of the west and part of the east. The POM explained that it was because the west side had already been started pursuant to the Board approval for repair from September. Also, our fence contractor added support boards where needed to retain the landscaping soil without charging labor for it, only material cost. Keith said that in 2012 the Board sent a letter to all residents who were using the

perimeter fence as a retaining wall to remove everything away from the fence. Carlla replied that a lot of it had not been removed.

**The Maintenance Report was read** by the POM.

**Actions Without a Meeting:** There was one on Sept. 25<sup>th</sup> to allow lot 32 to connect a fence across missing greenbelt to a property line fence. Also one on Oct. 2<sup>nd</sup> to allow perimeter fence replacement to continue.

**Committee Reports:**

**Activities:** No report, but Carlla announced a potluck Saturday Oct. 24<sup>th</sup> at 4pm, with emphasis on welcoming new owners to the Community.

**Architectural Review** report was read by committee chair Roger Emigh. There was discussion concerning the conditional nature of the ARC's approvals without surveys to determine actual lot lines, and whether conditional approvals should be made which could result in problems later on. Ted, lot 142, said he'd had a survey done and there was a stake on his property, so his approval shouldn't be conditional. Roger said he hadn't known that and suggested that Ted provide the survey to resolve the issue. Larry proposed locating Ted's stake and then proceeding with his fence approval. Elsie, lot 247 asked about corner lot 209's double entry driveway and what happens with their greenbelt. Larry pointed out that our documents allow a 2<sup>nd</sup> driveway, with removal of just enough greenbelt to allow the driveway through. Roger said that lot 209 was removing greenbelt for the driveway access but putting more green belt in the front of his lot (where it is not required,) resulting in a net increase in green belt on his lot. Carlla van de Vyver, lot 22 asked if someone with a fence in place who has built a sunroom under a ramada that is already approved, if the Board does not approve it does the owner have to tear it down? David pointed out that the Board was not supposed to allow any future encroachments after grandfathering in existing ones. Technically the Board could tell owners to remove encroaching improvements if a future survey shows that they don't meet our guidelines. Carlla said there needs to be something in our source documents to specify the Board's authority in these matters. Larry pointed out that the board had decided to postpone general greenbelt discussions until after the CC&Rs are updated.

Diana Phillips, lot 18 made **a request for CVPOC to help pay for a survey** of her lot 13 to determine the lot line between it and CVPOC-owned lot 12. Since CVPOC did not have a need to have lot 12 surveyed at this time, the Board did not offer to share the cost of lot 13's survey.

**Old Business:**

Diana Phillips, lot 18, **letter to the Board** read by Donna Griffin. Diana requested that the Board take immediate action against lot 19's tenant violations situation and forbid lot 19's owner from renting his CV properties for two years per our governing documents. She also wants to hold CV responsible for her attorney's fees regarding this matter. Carlla pointed out that CV does require a background check on tenants, but does not forbid felons from living here. Carlla reviewed ongoing actions by CV against lot 19's owner and tenant, and repeated attempts to get the Police to intervene, as well as the owner's efforts to remove this tenant which are hampered by Oregon tenant's rights laws. Florence Police so far won't arrest lot 19's tenant since they are still getting information from him on other criminals who are being arrested. Larry suggested contacting the State Police for help. Keith Davidson suggested contacting the Mayor. Mike Ohara, lot 5 suggested a group of residents go to the City Council. Security

cameras were discussed. The Police need cause and a warrant to put up cameras. Noel volunteered his security system to put up, but we need to be careful about the legality of aiming security cameras at someone else's property. We could get the owner's permission but the tenant is still entitled to due process. Diana Phillips asked that Carlla provide a log of her calls & actions so Diana can go to the City Council and ask for help dealing with this. Carlla agreed to go with her and asked for Board representation to go too. Chris Curran, lot 13 tenant said the next City Council meeting is this Monday. Motion by Larry, 2<sup>nd</sup> by Noel to have the POM get us on the schedule for the Monday City Council meeting to address this issue. Passed unanimously.

**Lot 19 fines:** At the POM's request, a motion was made by David, 2<sup>nd</sup> by Noel, to fine lot 19's owner for 6 motorcycle offenses, 4 tailgating through the entrance gate offenses, and camping on lot 19 in excess of CV allowed time. Total fines \$550 plus \$10 per day for continued camping violation. Motion passed with 5 votes.

Motion by Donna, 2<sup>nd</sup> by Larry, to allow the POM to have a **temporary No Trespassing sign placed on lot 20** across the entranceway, on a chain or rope mounted between 2 posts. POM to get Lot 20 owner's permission in writing. Motion passed unanimously.

**Lot 251 fine** for deck addition without ARC approval: motion was withdrawn by Roger.

**Rules & Regulations Update:** Donna suggested reading proposed changes from a preliminary draft revision for discussion by the Board. Larry said the preliminary draft should not be brought before the Board, that it was an illegal document since it had only been discussed via email and unannounced meetings that included non-committee Board members, rather than in an official Committee meeting. He also said there should be a new Committee Chair. There was discussion of whether proposed new Rules & Regs need to be posted for owner input prior to Board discussion, and whether a committee meeting has to be held in public before presenting to the Board. Keith pointed out that when he was on the Board the Rules & Regs were revised without a committee. Ila Mae was on the last Rules & Regs revision committee and said they had many meetings. David checked our governing documents and found no requirement for committee meetings to be open. Diana pointed out that this revision was just to address a limited number of items, some of which were already approved by the Board, and not a complete overhaul like when the last committee was formed. Glen, lot 150, read from the By-Laws and concluded that there was no specific instruction on how to come up with Rules & Regs, just that the Board was responsible. Diana moved to table the discussion of the Rules & Regs, have an open committee meeting and then present a document to the Board at the next Board meeting. Diana stepped down from the committee since she is not easily able to attend meetings, and Roger took her place. Donna suggested that Larry take over as Chairman and she would continue on the committee as scribe, typing up any further revisions. Larry agreed. A meeting was set for 9am Saturday Oct 31<sup>st</sup>.

**New Board Member orientation:** The person Carlla had in mind for this was not available. She proposed instead that Board members attend an HOA Law forum on Oct 24<sup>th</sup> in Wilsonville that has presentations scheduled that should help new Board Members. Motion by Noel, 2<sup>nd</sup> by Scott, to send any Board Member who wants to go. Unanimous approval. Noel, Larry, Donna, and possibly Diana will attend.

**New Business:**

**Continue or end Friday Board Work Sessions:** Motion by Diana, 2<sup>nd</sup> by Scott, to discontinue the Board work sessions on the Friday before each Board Meeting. Since some Board members are not able to attend the Friday workshops, they no longer save time on Saturday since discussions have to be repeated anyway to include the Board members who were not at the workshop. Motion passed unanimously.

**Funds Transfer:** \$1155 from Reserve to Operations for Reed Fencing, motion by Scott, 2<sup>nd</sup> by David, passed unanimously.

**Lot 215 fines for speeding and paint destruction:** Carlla explained that 215 owner willfully ran over new paint on a CV road and then sped up, nearly hitting maintenance staff. He bypassed a short line at the entry gate and entered through the exit gate while it was open to let someone out. Motion for \$25 fine for not yielding to pedestrians (the maintenance crew) made by David, 2<sup>nd</sup> by Diana, passed unanimously. Motion to fine \$25 to cover the cost of repairing the paint destruction by David, 2<sup>nd</sup> by Noel, passed unanimously. Discussion of camera use to catch speeders.

**Barking dogs:** Carlla reviewed what is considered nuisance and what is considered normal dog noise during daytime hours. She is watching a dog owner who keeps one of his dogs on a heavy chain and has been caught taping its mouth shut to keep it from barking after some neighbors complained about the noise and threatened to call the city about it. From 7am-10pm noise is acceptable, outside those hours it is not. Carlla is asking the Board for OK to proceed according to those guidelines with complaints. Motion by Noel, 2<sup>nd</sup> by Larry to adopt city codes for dealing with dogs in CV. City ordinance 6-1-2-3 entitled "Unnecessary Noise." Passed unanimously.

**Mission Statement:** Noel wants input from the Board on creating a mission statement to be used to keep the Board's attention focused in the right direction. David believes it's unenforceable and redundant to our guidelines in the governing documents. Noel & Scott think it could be a good idea for the Board and the community. Noel and Scott will meet to discuss it. Carlla said it could be on the website, bulletin boards, and newsletter each month to foster a sense of community. Keith Davidson, lot 147, said we should see whether the By-Laws being revised say the Board has to enforce the CC&Rs. David said the CC&Rs state that the Corporation has to enforce its own rules.

**Concealment of Electric Meters:** Carlla says people have mentioned how ugly the clusters of new PUD meters are. She proposes placing a cedar fence screen in front of each cluster to block them from view of the street. Enough room would be left to access meters behind the fence. Our maintenance staff can do the work a little at a time. David suggested making them gates and placing them closer to the meters. Visibility for driveways needs to be taken into account per Roger. Private property issues should be addressed per Keith. Carlla brought up CV's easement, but that only applies to utilities. Carlla wants to put something into the newsletter to get owners' feedback on the idea. Roger asked Carlla to provide details to the board, which she will do after she gets feedback.

**Good of the Order:**

**Spruce Street Fence:** Motion by Scott to transfer \$24,900 from Reserve to Operations for Spruce Street Perimeter Fence replacement. 2<sup>nd</sup> by Diana, approved unanimously. Discussed paying for the rest of the fence. The initial \$24,900 will be considered one project, and the balance of \$11,100 will be considered a second project to complete the replacement. Motion by David, 2<sup>nd</sup> by Scott, to authorize spending \$11,100 to replace the rest of the old perimeter fence, unanimously approved.

**Greenbelt Committee:** Noel would like to appoint a committee to assist owners in maintaining green belts. Glenn Singley, lot 150, shared his vision for this proactive committee. He would also try to encourage replanting of missing green belts that were grandfathered. Roger said that a mission statement for the committee, guidelines and policies should be done as the committee's first action. Motion to create a Greenbelt Committee and appoint Glenn Singley Chairman, made by Donna, 2<sup>nd</sup> by David, passed unanimously.

Motion regarding **lots sold without electrical upgrade done.** Instruct POM to shut off CV-provided electricity on lots sold and closed once existing residents have moved out and before new residents move in. POM to provide notification of this to new owners as applicable. Park electricity is not to be turned back on. Motion by Donna, 2<sup>nd</sup> by Scott, passed unanimously.

Motion by Noel to allow POM to have **old keypad and control** panel on West gate replaced. Estimated cost \$800. 2<sup>nd</sup> by Donna, passed unanimously.

**Larry had a concern to bring to the Board**, and read from our By-Laws describing the responsibilities and control of the Board President. Larry said that Roger has made three large mistakes since becoming President. He went around the Finance Committee and put in his own budget for the Board to approve. He allowed temporary encroachment by the rv slide-out on lot 45 for cleaning and then for guests after the Board had decided not to allow any further encroachments. Also he allows email communications among the Board in violation of the attorney's advice. Larry would like the Board to instruct the President to carry out his duties correctly. Roger stated that the slideout was only OK'd to be out for cleaning, and not to be left out overnight. He said this did not violate any previous Board decisions. Roger denied that he sent any emails regarding Board business since the attorney's advice came down, only emails regarding committee business. There was some difference in understanding about what is allowed to be communicated via email and what is not. From September's meeting, Diana and Donna understood that email communication about Board business was fine as long as we did not make any decisions or do any voting by email, and that the CV email accounts could be open to public scrutiny, as well as our private email accounts if used for Board business. Donna asked the POM to forward the Board members a copy of the attorney's statement about email discussions. Carlla stated that if a quorum of Board members are emailing then that would not be OK because it was not open to the public. Regarding the Budget issue, Roger said that took place before he was President. Larry stressed that it was still something he shouldn't have been doing, and that as President Roger needs to be sure things are being done right by the Board and by Committees.

Ted Hocker, lot 142, said he heard that **if you roll your atv off your trailer in CV you get a fine** – that was just another rumor. Carlla doesn't think atvs should be treated as motorcycles. She said that the original rule against motorcycles was not for noise issues but because there had been motorcycle gangs in CV at one time. Discussion of whether atvs can be operated on lots as opposed to roads. Roger wants to differentiate between brief operation of engines such as flushing an outboard motor on a boat for 30 seconds, and nuisance operation such as riding an atv around on a lot for 3 hours. Donna read the rule that forbids motorbikes, motorcycles "or similar vehicles" from operating *in the park* (it did not specify roads.) The question is whether atvs are similar to motorcycles or not, and whether the rule's current purpose is to keep noise down, or something else.

Diana made a motion to adjourn. 2<sup>nd</sup> by Noel, approved unanimously. **Adjourned at 2:36pm.**