

**COAST VILLAGE PROPERTY OWNERS CORPORATION  
BOARD OF DIRECTORS MEETING  
APPROVED MINUTES September 19, 2015**

**CALL TO ORDER:** 10:00am, Saturday, September 19<sup>th</sup>, 2015.

**A QUORUM WAS ESTABLISHED** with Vice President Noel Smith, Secretary Donna Griffin, Treasurer Scott Murray, and Board Members David Wood, Diana Wolfe-Newman and Larry Ames present. President Roger Emigh was absent.

**ADOPTION OF AGENDA:** The Agenda was approved unanimously.

**READING OF THE MINUTES:** Minutes from the August Meeting were read by Secretary Donna Griffin. Motion to accept the Minutes as read was made by Noel Smith, 2<sup>nd</sup> by David Wood, and passed unanimously.

**TREASURER'S REPORT** was read by Treasurer Scott Murray.

**PARK OPERATIONS MANAGER'S REPORT** was read by Carlla van de Vyver. Some discussion followed about water bills for common areas.

**Facilities Maintenance Committee** Chairman Robert Keith Davidson made his report out of agenda order due to another obligation. The heater has been installed in the sauna. The sewer line and lift station repairs are scheduled for October 28<sup>th</sup>.

There were 2 **ACTIONS WITHOUT A MEETING** since our last Board meeting. One on August 26<sup>th</sup> to approve Habitat for Humanity's Media Statement prior to the August 29<sup>th</sup> Cookout, and one on August 28<sup>th</sup> to approve Lot 34's request to allow one of their ramada supports to encroach a few inches into the green belt area.

**COMMITTEE REPORTS:**

The Architectural Review Committee Report was read by Noel Smith in Committee Chair Roger Emigh's absence.

Maintenance Report was read by POM Carlla van de Vyver. Brief discussion regarding approximately 60 rusting water shut off valves for individual lots gradually being replaced, worst ones first, at a rate of 2-3 per month as time allows.

CV Revitalization Committee Report was read by Committee chair Donna Griffin

CC&R Committee: no report, but Noel Smith volunteered to take over as Committee Chair to replace Ila Mae Robinson, who wanted to step down. Support of the board was unanimous.

**OLD BUSINESS:**

The **Sauna** update was given earlier by Keith.

**Lot 19:** The POM fined the owner \$200 for gate damage and \$100 for excessive trash hauling from the tenant's landscaping business. Tenant is supposed to repay owner that \$300 or be evicted after 14 days. Tenants lease expires December 5th and will not be renewed.

**Lot 199:** Carlla got the owners' agreement to allow CV to remove leaning trees at the owners' expense. Owners began clean-up of trash and brush on their lot, and are supposed to be done within 60 days to avoid further fines. Carlla said that scheduling Lot 199's tree removal along with the removal of the large tree near the East entrance that damaged our water line would save CV some money.

## **NEW BUSINESS:**

### **Item 1: Require new lot owners to have survey done.**

David suggested requiring new owners to have a survey done, or alternatively increasing move-in fees to cover CV having a survey done. Larry mentioned that a lawyer had indicated in the past that we cannot require surveys or fees for them since it can be considered to devalue the property or make a sale difficult. David proposed not approving new construction projects or home placements unless owners have a survey done first to prove that proposed work meets CV and City requirements for setbacks. Discussion of old, possibly messed up prior surveys and stakes. Glenn, owner of lot 150 and new ARC member, commented that from an ARC standpoint, new projects are approved based on the information they have at the time, but if the ARC turns down a request the lot owner can have a new survey done to appeal their case. Carlla, lot 22, spoke as an owner and pointed out that the Board exists to serve the owners, and suggested bowing to city rules if there's conflict. Discussion of liability of the Board and ARC. Glenn's wife asked about Board members & ARC members being threatened with lawsuits – does this happen? David pointed out that as Board members we are indemnified, but that a lawsuit would harm the whole community. Keith, lot 147, said that he could have sued over a 1997 CC&R change that impacted his rental lot, but he didn't. He said that when you buy in a community like this you just accept that things can change. Lot 71 owner asked if surveys aren't required when you buy. They are not. Keith and Scott agreed that realtors should be the ones to tell potential buyers about the possibility that existing stakes or fences, etc are not necessarily run along property lines, and recommend a new survey. Glenn asked about keeping copies of surveys in lot files in our office. Carlla indicated that this is already being done when we get copies. It was suggested that lots that have surveys in file be indicated on the office lot map somehow. Discussion of requiring surveys before placing a permanent structure. Noel suggested researching old surveys – POM to handle this. Keith suggested requiring a survey prior to approving any new permanent structures. Larry Ames made a motion to require a survey showing property lines and corners before approving any new house or other permitted permanent structure. It does not have to be a new survey, just an official one. Carlla said the City issues permits for those and approves placement. Donna offered the opinion that if the Board or ARC turned down an application, and the owner decided to sue over it, any good attorney should tell that owner that without a survey to prove their point, they wouldn't have a leg to stand on in court. And if they had a survey done to prove their position, there would be no need to sue as they could simply show the survey to the Board or ARC and resolve the issue. After a bit more discussion, David Wood seconded the motion. The motion failed 4-2. POM to research lots that have surveys and indicate those on the office map and report at the next meeting.

### **Item 2: Hold "New Board Member Orientation" Sessions**

Carlla will talk to two people with experience about doing this class.

**Item 3: Require disclosure of known CC&R lot deficiencies to new buyers.**

Lawyer discourages telling new buyers about lot deficiencies (encroachments, etc rather than financial.) due to liabilities regarding preventing a sale. Ann, lot 188 owner, said that new buyers ask realtors questions more than they ask CV before buying. Carlla says new buyers should read the CV documents to know these things, that we don't need to point them out. Then if there are any questions, the new buyer should ask at the CV office to see the lot file to be sure existing deficiencies are either grandfathered or approved. POM to put a general disclosure/advisory on our website for new owners.

Ann lot 188 & David lot 187 submitted a request to move a joint fence closer to their property line, without disturbing green belt. (This item was taken out of agenda order so the owners could be present for it.) Motion by Donna Griffin to allow them to relocate their fence from inside lot 187, closer to the property line, per their application to the ARC. 2<sup>nd</sup> by Noel Smith. Concern was expressed that the fence is not being moved all the way to the property line. Both parties are aware that it is not on the line and have agreed to its placement. They also agreed to notify any future buyers of this fact. Motion passed 4-2.

**Item 4: Procedure for handling complaints**

In the August meeting it was agreed that the POM could follow up on complaints, however the Rules & Regulations state that this duty falls to the Board of Directors. The Rules & Regs are to be updated, so Donna Griffin moved that temporary authority be officially delegated to the POM to handle complaints until the Rules & Regs are updated to allow this permanently. The POM and complainants are still welcome to bring any unsatisfactory resolutions to the attention of the Board. Motion seconded by David Wood. Motion passed 5-1.

**Item 5: Appoint Committee to update Rules & Regulations**

Motion by David Wood, seconded by Diana Wolfe-Newman, to establish an ad-hoc committee to revise and update CV's Rules and Regulations. Passed unanimously. Donna Griffin will Chair the Committee, and Larry Ames and Diana Wolfe-Newman will be on the Committee.

Item 6: Clearance allowance around encroaching grandfathered sheds. Motion by Donna Griffin to allow owners access into greenbelt to maintain grand-fathered permanent structures on an individual basis to ensure minimal damage to green belts while still allowing owners to maintain their property. Larry Ames 2<sup>nd</sup>. Discussion of individual basis approvals vs owners should just cut their greenbelt, pay the fine, maintain their property, and be done with it, vs encroaching structures should not be allowed to be maintained at all if it damages the green belt, then when those structures deteriorate, they'll have to be removed and not replaced, so that gradually grandfathered, encroached-on areas will revert to green belt. Carlla said that owners have the right to maintain grandfathered non-conforming property. Motion passed 5-1.

**Item 7: Gate cards: fees and policy AND Item 8: Remotes: fees and rebates**

Motion by Scott Murray that Gate Access Cards in excess of the one free card for new owners who did not receive one from the previous owner, shall be \$15 each. There will no longer be a rebate for returned cards. Lost or replacement cards will be charged the same \$15. No used remotes will be sold

from now on. If a new remote is purchased and malfunctions within 90 days it will be replaced free. After that time a new one must be purchased for the standard \$35. Motion seconded by Larry Ames. Discussion about remotes being repurchased for security reasons. Motion passed unanimously.

**Item 9: Mail boxes: fees and policy**

Motion by Scott Murray: CV is no longer able to get duplicate mail box keys made. New owners will now get a new lock and one key free. A lost key will result in a charge of \$25 to replace the lock and issue one new key. Owners may have duplicate keys made on their own if desired. Motion seconded by Noel Smith. Passed unanimously.

**Item 10: Satellite Bath keys:**

Motion by Scott Murray: CV will no longer re-purchase satellite bath keys. Seconded by Noel Smith, passed unanimously.

**Item 11: Main Gate addition**

Gate loop purchase explained by the POM, is needed to keep other gates from opening when west side gate is accessed. After brief discussion, motion was made by Scott Murray to have the POM have Overhead Door install a gate loop at the west side gate and the east side gate, at an approximate cost of \$1000.00. Seconded by Diana Wolfe-Newman. Passed unanimously.

**Item 12: Annual Fall Festival proposal. Barter and/or sell crafts/hobbies.**

Keith says we can't run a business out of our homes, but that our documents say n/g about selling from the community center as an event. The Board does not want to allow outside traffic or sales in our common areas. Allowing sales of food items could open us up to liability as a community if someone got sick. No motion made.

Lunch break discussion: instead of a lunch break today, it was agreed to take a 15 minute break at 1:17pm and then continue.

Reconvened at 1:30pm. Treasurer Scott Murray no longer present.

**Item 13: Pool Hours for Winter Months**

Some residents have let the POM know that they would like to have the pool stay open longer in the season. Donna asked about the potential cost to do this. Larry said that owners have right of access to CV amenities regardless. After brief discussion, and Carlla's assurance that she would closely monitor the use of the pool, and close it if lack of use warranted that, a motion was made by Donna Griffin, seconded by Noel Smith, to Extend pool hours for winter use at POM's discretion. Passed unanimously.

**Item 14: Get Lawyer's feedback on Board discussions/emails outside meetings**

Email accounts are open to scrutiny if used for CVPOC business. Dave asked if we can vote via email. What should be discussed by email vs open meetings? Consensus was that we can discuss things via email, but any decisions or voting must be done in open meeting so owners can listen and comment, unless an Action without a Meeting is needed per our guidelines. No action needed.

**Item 15: Actively remove invasive species from CV?**

Keith, after a conversation with a CV owner, would like to know if the CV Board would like to actively seek out and eradicate all invasive species in the park. He would like a decision one way or the other. Donna expressed concern that we are not trained to identify individual invasive species positively, plus an active campaign would require entering all CV lots to assess whether invasives are present. Keith replied that to pursue getting rid of invasives would require CV hiring an expert to identify the plants, and pointed out that our documents allow us to access lots with notice. Donna proposed not actively seeking out invasives, but allowing owners to apply on an individual basis to remove invasives in their green belts, with a specific plan to replace them with something suited to the green belt. Or if an owner complains about a neighbor's invasives encroaching into their lot or garden that could also be addressed individually. After some discussion, Noel made a motion that the ARC and the Board of Directors will NOT actively search out invasive species in Coast Village. David Wood seconded. Passed unanimously.

**Item 16: Lot 45 complaint:**

Lot 47 complained that lot 45's second 5<sup>th</sup> wheel trailer was parked so that when the slide-out is extended, it encroaches into the greenbelt and is approximately 2' from the property line. It was mentioned that he felt that his greenbelt plants were being damaged by the other plants being pushed over by the slide-out. POM to send a letter to lot 45 that all future violations or encroachments into the green belt, including temporary ones, will be fined.

**Item 17: Funds transfer**

Scott Murray moved that \$12,353.64 be transferred from Reserve to Operations for Lift Station #2. Seconded by Donna Griffin, unanimously approved.

**Item 18: Spruce Street fence**

The Spruce Street fence has not been adequately maintained over the years, and many boards need replacement due to rot. The POM got two quotes, with one being much higher than the other. Jim, lot 186 asked whether the metal uprights would be replaced as well as the wood, Carlla said no, just the wood components. Motion to approve repair/replacement by All Creations Construction made by Donna Griffin, 2<sup>nd</sup> by Noel Smith. Funds have been set aside over the last few years toward fence repair per the POM. Motion passed.

**GOOD OF THE ORDER:**

**Fine Lot 251 for cutting green belt** in excess of what was approved for shed installation, per photos submitted by ARC Chair Roger Emigh. Require replanting of green belt. Motion by Roger Emigh, seconded by Diana Wolfe-Newman, passed unanimously.

**Fine Lot 251 for unapproved deck extension:** tabled at Noel's request until the ARC chair is back to discuss it.

**Letter from Lot 34 owners to the Board,** c/o Roger Emigh, President, regarding stress caused by frequent inspections of their construction process and nosy neighbors. Read by Noel Smith. It was explained by Carlla that there may have been a misunderstanding that caused part of this problem, and care will be taken to avoid that in the future. No action taken by the Board.

**Letter from Mia Sedgewood** passed to Executive Session due to privacy issues.

**Email from Toy Haney lot 53 regarding noise** from blowers cleaning off the pool cover from 7 to 7:20am every day. Read by Noel. POM explained how the maintenance dept works in the mornings, stating that they do not begin blowing until much later than 7am. Blowers must be used to blow debris off the soft pool cover before rolling it up and opening the pool at 8:30. Using a broom is not possible. Carlla says the maintenance staff does everything possible to keep noise down around lot 53, including manually cleaning the streets near their lot, but we cannot disrupt normal functions of the community to address one person's issues. These lot owners have a history of demanding that normal daytime noises be stopped, and have even made threats against staff if noise doesn't stop. No Board action needed. POM to reply to this letter stating that we are already doing all we can to keep noise to a minimum.

Motion by Donna Griffin to have the POM arrange to **have the tree removed that damaged our water line**. Per the plumber removing the tree will stop the roots from growing further. Allow POM to replace the tree with another tree or other plantings at her discretion, place such that future root damage will be avoided, and/or add a tree at another location. Motion seconded by Noel Smith. Passed unanimously.

Motion by Donna Griffin **to increase base fee for electricity provided by CV to \$20**. This brings it in line with what is charged by the public utility, covers our costs, and removes that financial incentive for owners to delay their conversions. Motion seconded by Noel Smith. Passed with 4 votes and one abstaining.

**Letter regarding speeding from "concerned citizens of CV"** read by Donna Griffin. Carlla is checking into renting or borrowing a speed checker/display to prove how fast cars are going and educate drivers as to how fast they are actually going. Carlla wants to use it on Manzanita, then in our parking lot. Another option is to get a radar gun to start giving people fines. David brought up the question of whether we have the authority to fine people for speeding inside CV. But residents are encouraged to report the license plate numbers of perceived violators to the Florence Police, who can watch for them outside CV and issue tickets as appropriate.

**Letter from lot 230 owner regarding lot 235's new electric meter being placed in their driveway area**, read by Donna Griffin. A photo was included. They do not live here so they just noticed this. She offered to pay for relocating this meter to a more convenient place for her lot access. Board agreed that it was ok for lot 230's owner to pay to do that, with ok from lot 235's owner since their power will have to be turned off to have it done, and at lot 230's expense. POM to issue a letter to her (with a copy to lot 235's owner) stating that the Board has no problem with her doing that as long as it is coordinated with lot 235's owner.

Adjourned to Executive Session at 2:38pm.

Returned to regular meeting 2:42pm. In response to a request from Keith for a summation of the Executive Session, it was stated that no Board action was needed regarding the Executive Session item. The POM is to handle Mia Sedgewood at her discretion.

**Meeting adjourned at 2:44pm.**