

## HOA Minutes November 4, 2023

Present:

President: Bram Larrick

Treasurer: Kat Garrido

Secretary: Valerie Atchison

Director: Erin Douglas

Director: Evan Archerd

October Minutes approved.

Commercial Bookings for rebuilt commercial spaces:

Evan responded that currently Subway, Dominoes, and a nail and hair Salon are slated for the Clearview Building; and Cerberus Coffee and deli will be going into the Goodnight Inn building.

Landscaping

Feedback from neighbors has been positive, Leonard's crew is responsive to requests. There have been questions about the noise from leaf blowing.

Why do we have an HOA?

Evan: The City of Talent requires new subdivisions to dedicate a certain amount to open space/park space. Once that is triggered, the state Planned Community Act requires an HOA. The City requires that 15% of the total area of a subdivision be open/park space. The requirement to maintain the open/park space kicks in the HOA requirement.

Kat asked if it is possible for the HOA to just cover open space maintenance and have the homeowners maintain their own property?

Evan: Yes, the HOA can change, that is not set in stone by law. It is up to the HOA as to what it will govern and maintain.

Different sets of laws pertain to developments prior to 2002.

Clearview was approved in 2006, so that is the approval date for Clearview HOA.

Dues and Discounts for Advanced Payments: remaining consistent with the bylaws

Erin is concerned that we remain consistent with the bylaws, we should all pay the same membership dues.

Bram: our bylaws are vague regarding that, the language reads that properties will be “assessed the same amount”, but does not specifically address whether we can have discounts. We need to clarify the bylaws. Only two homeowners have pre-paid at this time. Going forward, all increases should apply to everyone, even those who have prepaid.

Valerie agreed.

Kat: As one of those who pre-paid ahead, in order to avoid any appearance of a conflict of interest, Kat stepped back from this discussion.

Bram: the other homeowner has paid two and a half years ahead, and both he and Kat had pre-paid ahead of any discussion of the dues increase.

Evan: the documents clearly state that homeowners have the right to pay monthly, quarterly, or annually. Mention of discounts is absent. The Board is entitled to make those decisions as it sees fit and the documents do not say we cannot assess a discount.

Bram: it appears that the discounts encourage timely payment of dues, therefore, it makes sense to keep discounts in place. People can continue to pay at whatever schedule they prefer, from monthly to annually. When dues are increased, the increase will apply to everyone, at the time slated for the increase. Walsh is fully automated, so they are able to give homeowners current information regarding their dues status.

Vote:

Bram proposed that people will be able to pay in advance and Walsh will keep track of when payments are due, taking into account any discounts for prepayment and the current dues.

Passed, with Kat abstaining.

Discussion continued regarding whether the two homeowners who had pre-paid should pay the increase in dues. Evan noted that in business, it is accepted that budgets change in response to changing costs, and we all have to bear the increased costs. People should get credit for their prepayment, but not for the increase in dues that must be borne by everyone.

Vote:

Bram proposed that all property owners will pay the newly approved dues, beginning with January 1, 2024.

Passed by majority, Erin, Evan and Valerie voting Yes, with Kat abstaining, Bram voting No.

Kat raised her concerns that the Board has been inconsistent in enforcing the vote on when to begin charging the new higher dues. The vote had been to raise the dues, beginning October 1, 2023, yet the Board decided after that fact to change the new beginning date to January 1, 2024.

Evan: The membership did vote to approve the raise in dues, beginning October, however, a 3 month wait to begin the new rate should make it easier for the membership to accept the raise.

Bram: It is important to stick with our votes, and the votes of the membership, however, the decision to put off the raise until January 1, 2024, and not October 1, 2023 was based on the fact that the votes were not tabulated until mid- September, and it would have been a rush to implement the raise. A grace period made sense with the tight schedule.

Valerie: It seemed hurried to me, and I did get a lot of feedback from homeowners to that effect.

Erin: we need to look closely at the CC&Rs whenever considering a vote.

Evan: Clearview Commercial Association, before the HOA Association was formed, paid one-third of the costs for open space upkeep, and two-thirds was paid by the Residential Association. We should consult with Walsh to verify how much the Commercial Association owes for upkeep, and whether its payments are current.

Bram: Leonard can also assess the percentage of work in the open space areas. Then Walsh can tell us what the water and power allotment are for the open spaces pertaining to the Commercial Association.

Kat asked if this would be retroactive. Evan replied that there will likely be some retroactive payment.

Bram will ask Leonard for an estimate of his time dedicated to the common land, which will allow us to assess a percentage of that for the Commercial Association's portion.

Evan: the original dues were much lower, \$39 or \$ 41/month, but at that time, the Commercial Association was covering certain costs which are now assumed by the HOA, including landscaping, and all of the accounting.

Evan noted that the Commercial Association will need a monthly invoice from Walsh for the costs of their share of maintaining the park spaces.

#### Traffic safety

Bram: There is a state law for a 15 mph speed limit near parks, and since the public uses our park, we will push the city for a 15 mph sign. We have been trying to get the City to do something about the traffic safety issues involving Clearview Parkway, and they have not responded to our concerns.

#### Attorney Recommendations

Evan does not recommend Stout. He is familiar with Chris Hearn. Evan has to leave the meeting at this point.

#### Treasurer's Report

The electric bill remains pretty consistent, \$60 to \$75/month. Water costs under \$50/month when the sprinklers are off, but shoots up to \$650/month when the sprinklers are on—with ongoing drought conditions in the area, this will increase; and the City has indicated that water rates are going up considerably.

Only one delinquent account remains, at \$1,200 outstanding. Two accounts are one month behind. Delinquencies have greatly reduced since the discounts and late fees have been instituted. The lien process worked well with the one very delinquent account, with the homeowner responding before an actual lien had to be placed.

#### Closing

Kat will follow up with Walsh regarding the Commercial Association's situation.

Bram will talk to Leonard about those people choosing to manage their own irrigation systems for winter; and how to determine the percentage of landscaping maintenance dedicated to the park.

Irrigation plans need to change annually.

We will address Ethics issues and follow up with Attorney selection next meeting.

Meeting Adjourned.