

MINUTES OF THE BOARD OF DIRECTORS MEETING OF THE OAK HILLS HOMEOWNERS ASSOCIATION HELD ON JANUARY 2, 2019 AT 7:00 PM IN THE COMMUNITY ROOM OF THE OAK HILLS RECREATION CENTER, 2400 NW 153RD AVE., BEAVERTON, OREGON.

PRESENT: Dan Badders, President
David Boyd, Vice-President, ARB
Lindsay Sandor, Secretary, Communication
Linda Marshall, Treasurer
Sheila Brewer, Director, Recreation
Jon Cole, Director, Maintenance
Terri Danowski, Director, Compliance
Martin Hehman, Director, RV Lot
Katie Rupp, Director, Community Relations

BY INVITATION: Nancy La Voie, CAMP, CMCA, PCAM, Community Manager
COMMUNITY MANAGEMENT, INC. AAMC

OWNERS: Per sign-in sheet

I. CALL TO ORDER/COMMUNITY ANNOUNCEMENTS

A quorum of Board members was established, and the meeting was called to order at 7:00 PM.

II. APPROVAL OF PREVIOUS MEETING MINUTES – December 5, 2018

MOTION: Lindsay Sandor made a motion to approve the December 5, 2018 meeting minutes as published in the January newsletter. Katie Rupp seconded the motion and it carried unanimously.

III. BOARD DEPARTMENT UPDATES

Treasurer – Linda Marshall reported:

The November financial statement was sent before the holidays. Revenue was slightly under budget due to seasonal income. Expenses were under budget as expected due to seasonality. The plan is to hold two upcoming budget meetings to discuss the current budget and last year's annual expenses, and goals for the Association. The information will be reported back to the Board.

Communications – Lindsay Sandor reported:

The upcoming budget meetings will be hopefully be broadcast on Facebook Live so owners who cannot attend in person can participate. The February newsletter needs the articles submitted by January 11th and the minutes by January 4th. A rocketship advisory committee is being formed to review past work and the recommendations on how to move the project forward.

Architectural Review Board (ARB) – David Boyd reported:

In December, there was one window project approved and one solar panel project is still pending.

Maintenance – Jon Cole reported:

December was busy during the transition between Roland Levesque and Jarrod Levesque. The lawn mower has been repaired to extend its life. The new flagpole will be installed in January. There is a homeowner researching options for renovation of the entry sign. Jarrod is working on the UV pool filter and getting the stormwater vault cleaned in order to get the bond money back from the county. The RV lot gate opener is planned to be installed the second week of January.

Recreation – Sheila Brewer reported:

November, December and January are slow months for recreation and time will be spent preparing for 2019. Field use contracts are being collected and updated to state that the fields are privately owned and reservations can be cancelled at any time and use is subject to all OHHA rules and guidelines.

RV Lot – Martin Hehman reported:

Payments are still being collected. Going forward, better direction is needed for Jackrabbit use; as some owners are still having trouble. Access will be needed to the office to start building a database for gate access codes.

Community Affairs – Katie Rupp reported:

The blood drive was very successful. The goal was 31 units and 40 units were collected. A summer blood drive may be planned. A meeting was held with the Tualatin Valley Water District to discuss replacing a water main under the condo walking path. An option was settled on that has the least impact on condo owners. The district attorney contacted the Association about providing a monthly newsletter article regarding internet safety, home safety and the neighborhood watch program. The Association was asked to look into uniformity in the street light fixtures in the community and is working with PGE. The Girl Scouts have requested to do a drive through cookie booth in the rec center parking lot.

Compliance – Terri Danowski reported:

It was a quiet month. There were some face to face meeting to clarify compliance issues. The biggest issue was contractor, for sale and rent and political signage. There is no Board policy regarding other miscellaneous signage. Generally the owner is contacted to request removal.

President – Dan Badders reported:

In Executive Session last month, the Board reviewed a cell tower proposal. The only preference was to build it near the tennis courts. The revenue offer was increased but not enough to offset the undesirable location, and there has been no further conversation with the tower provider.

IV. OWNERS' FORUM

- An owner took note of a possibility of increase in the annual fees and expressed that the Board should pursue opportunities to raise revenue in order to avoid an increase in fees. Owner is concerned about high expenses for future maintenance of common elements.
- An owner mentioned that the lights were on all day and off at night at the rec center. The owner read the CC&R's per suggestion in the last newsletter and asked about enforcement of rules and policies. Discussion followed regarding the 2013 guidelines that were compiled and never completed. Owner noted he would volunteer to be on a steering committee to finish the guideline document.
- An owner noted the use of black paint on home in the community. Owner expressed concern with the dark exterior colors being approved by the ARB. David Boyd responded on behalf of the ARB. The ARB re-reviewed the application and came to the same conclusion to approve. The ARB found no inconsistencies in the guidelines and noted that these dark grays have been approved in the past. Dan Badders noted that the ARB is reviewing all guidelines and restriction to allow the ARB and compliance to be more consistent in enforcement.
- An owner asked about the executive session to discuss the proposed cell tower installation contract. Dan Badders noted that organizational training and coordination is to be discussed in open session tonight, not executive session. The owner asked about discussion regarding the installation of a cell phone tower. It was noted that the discussion was in executive session as it was a contract negotiation.
- An owner asked about the budget for legal expense for investigation of the legality of a firearm ban in the common area. Dan Badders noted that the Board did get a legal opinion about how they can regulation the use of common areas. Discussion followed regarding how the Board decides to spend discretionary budget items.
- A new owner mentioned they noticed a lot of turnover of homes and believes there is a disconnect with the old owners to bring new owners into the fold. Owner would like to find a way to bridge the gaps between new and long time owners.
- An owner addressed the Board with concerns about allowing short term rentals.

V. DISCUSSION TOPICS / OTHER BUSINESS

A. Prohibition of firearms in the common areas:

In Each Board member was allowed 5 minutes of uninterrupted time to state their thought on the legal opinion regarding the Board's ability to govern use of the common areas, and specifically about the idea of banning firearms in the common areas.

Lindsay Sandor commented on how the Board governs and regulated community property. Linda Marshall thought the discussion should be more about the limits of governance authority before decision are made on any specific topic or regulation.

Katie Rupp mentioned concern that the attorney does not specialize in HOA law and feels there may be inconsistencies in the opinion.

Terri Dankowski does not see a need to revisit the Board authority to regulate use of the common areas and is concerned about enforceability of any rule. Terri noted that community is based on civility and common sense and the police have advised they won't enforce Association policy unless they felt there was imminent danger.

Jon Cole agreed with Terri's sentiment that making a rule won't make it enforceable and does not see a benefit.

Sheila Brewer believes a firearm ban would make the restriction carry more weight and would not be difficult to enforce as the Association has historically trespassed residents from the common area. Sheila believes the open carry is a political statement, which the Association prohibits in other ways. Linda Marshall thinks the legal opinion and historical document reaffirms the Association can regulate the use of the common area. Linda believes, if as a board they decide to make a rule about firearms, the rule can be stated in a way that acknowledges that residents can carry in accordance with existing laws and does not believe the Association needs a special rule.

Martin Hehman agreed with Terri and Linda and believes the Association addressed the concern with the resident and future bans could escalate the matter. Martin noted he would never support a ban on concealed weapons and the legal opinion confirms the Association has no liability if they do not take action to ban firearms.

David Boyd said it was hard to believe the Association could pass a CC&R amendment but would support Board member efforts to make the community safer. David noted reasons to use Vial Fotheringham (VF) for future legal opinions; counsel used does not specialize in HOA law, the Association has history with VF and VF would like to represent the Association in any legal matter. Dan Badders thanked the Board for participating and noted no vote would be taken to allow the Board time to consider the discussion. Dan Badders recapped that the Board does has authorization to regulate how common property is used and if there is a prohibition, the Board will not enforce it as this would still be in the hands of the Washington County Sheriff's department.

Dan Badders asked to table the second portion of discussion until the next meeting.

Lindsay Sandor brought copies of the code of conduct document for signature by all Board members.

VI. ADJOURNMENT

MOTION: Terri Dankowski made a motion to adjourn at 9:32 pm. Linda Marshall seconded, and the meeting was adjourned.

APPROVED*

BY Lindsay Sandor, Secretary
DATE February 6, 2019

**(February 6, 2019)*

APPROVAL OF PREVIOUS MEETING MINUTES – January 2, 2019

MOTION: Dan Badders made a motion to approve the January 2, 2019 meeting minutes as published in the February newsletter. Jon Cole seconded the motion and it carried unanimously.