

Deline Homeowners Association
Meeting Minutes
October 8, 2007

ATTENDANCE: Damon Heer, June Heer, Rod Dudley, Allen Bump, Don and Thelma Misener, and Marcia Speed.

MEETING CALLED TO ORDER: The meeting started at 7:05 p.m.

PREVIOUS MONTH'S MEETING: Minutes from September 10, 2007, were approved. Motion by Thelma, seconded by Rod.

TREASURER REPORT: 19 homes have not paid dues so second reminder letters will be going out to 18 of them, and 1 home has already has a lien against it for past dues owing. June reported that the tennis/basketball court has been completed – lines were painted. The cost was \$300 cheaper than previously estimated. Report was approved. Motion by Thelma, seconded by Rod.

ACTIVE BUSINESS

PROPERTY IMPROVEMENTS:

Damon reported that Sheryl Boitz has started to do repairs on her home and yard. In the backyard, the raspberry bushes have been cut down, the house is being stained, and the balcony has been torn down. The Board agreed to not begin charging her for legal fees now so that she can continue with the repairs. The Board will decide at a later date when to charge her for what she owes the HOA.

Lot 332: Several complaints have been made on this home. The outside of the home was remodeled and looks very nice. But now garbage is piling up on the property, especially in the backyard. Damon will send out an informal letter to the owner reminding them of the CC&R rules and request them to remove it.

After the letter is sent out, they will have 30 days to comply, if they do not, the Board can start the official process to clean it up.

VANDALISM:

A court date has not been set for the juvenile who was caught last month destroying property down on the Greenway. June will ask the Court to include a restitution amount in the judgment for the cost of replacing the boards. Marcia stated that if we make an "example" of this juvenile, maybe we can send a message to others that we are serious about prosecuting if someone tries to destroy HOA property.

Reports of vandalism was also reported by John Becher, down on Jaylee. The police were called, but since no one saw anyone committing the act, nothing can be done. June believes it is the same juvenile (that was arrested) and his buddies.

June also noticed one of the benches on the school side has graffiti on it again. She will ask Judy to paint it.

RV LOT:

Nothing has been done about the water leaking into the RV lot from a home in the Rosa HOA – 20703 SW Rosa Drive. Don and Thelma have not heard from the owner. They will wait until spring now and address the issue then.

CC & Rs/ RV Proposals:

Discussed two main areas of concern: 1) new RV lot regulations; and 2) CC&R proposals. Everyone present at the meeting agreed that all vehicles in the lot will be charged \$100 per year. These fees will help cover security lights, maintenance, someone to take care of lot, and repair and pave the driveway to the lot. If an HOA member volunteers to take care of the lot, they will have the opportunity to use a spot in the lot for free.

June will call PGE and get the cost of adding a light up there.

There was discussion on if we can regulate where people park if they have an RV in their driveway. The group at the meeting agreed there are 3 options to consider: 1) no regulations on cars; 2) require room for 2 cars on driveway if an RV is kept on driveways; and 3) require care to not be left on the street if RV is kept on driveway.

Regarding the cars that are parked nose first or end first into the streets because RVs are in the driveways, we will deal with this issue through Washington County Sheriff's Office.

Damon will present the options to the rest of the Board (who were not at this meeting) and the Board will discuss next month.

MEETING ADJOURNED:

Meeting adjourned at 8:25 p.m. Motion by Rod, seconded by Thelma. The next meeting is November 12, 2007.



marb2me@hotmail.com

Printed: Wednesday, October 3, 2007 7:51 AM

From : Ken Smith <ken@kenandangela.com>
Reply-To : <ken@kenandangela.com>
Sent : Tuesday, October 2, 2007 10:08 PM
To : ""Heer, Damon"" <Damon.Heer@fei.com>, <rsdudleylmt@comcast.net>, <judybarney@yahoo.com>, <iaintaskeered@comcast.net>, <jeheer@comcast.net>, ""Marcia Speed"" <marb2me@hotmail.com>, <curtisr10@juno.com>, <pfranco42@verizon.net>, <railroadon@comcast.net>, ""Sam Riley"" <samsue@aracnet.com>, <iaintaskeered@comcast.net>
Subject : RE: RV Amendments

Thank you Damon for your work and your well thought out and informative response to Rod's concerns.

My opinions on the sticky points:

Requiring no cars on streets for those with RVs in driveways. How does this relate to those with RV's behind fences, or people with many, many cars. Neal and I talked about this the other week.

A household should not be allowed to park an RV permanently in their driveway if it forces that household to park their cars on the street. I'm not following the "relatedness" of RV's behind fences – If the RV is kept behind the fence, then the cars will still fit in the driveway. As for people with 4 cars, I don't have a solution if they are all running and being used.

ii. What is the cut off size for RVs that will be charged in the RV lot?

it they take the space of two RVs – the point being to maximize the usable space in the RV lot. So if we can put in two 20' RVs in a spot

n the 40' RV should be charged.

That's my \$0.02 worth.

-Ken

From: Heer, Damon [mailto:Damon.Heer@fei.com]

Sent: Tuesday, October 02, 2007 9:30 PM

To: rsdudleylmt@comcast.net; judybarney@yahoo.com; iaintaskeered@comcast.net; jeheer@comcast.net; ken@kenandangela.com; Marcia Speed; curtisr10@juno.com; pfranco42@verizon.net; railroadon@comcast.net; Sam Riley; iaintaskeered@comcast.net

Subject: RV Amendments

Rod,

Thanks for providing the feedback. Your comments dig way back into history, so I'll try to paint the picture I have collected as the lucky guy with "president" in his title, and thus the guy who gets to hear from everyone ☺. This will get wordy, but it's a complex situation.

I'll try to tackle each topic separately, but some become a bit intertwined. Here goes:

1. How can we tell someone that because you have an RV you can not park any autos on the street or within the association?
 - a. The RV committee proposed wording from another HOA that required having space for 2 more cars in the driveway if an RV is kept in the driveway. This was discussed at the annual meeting. The group liked the idea, but Robin Neville suggested we be more direct about the motivation. The motivation is to keep down the 'automotive clutter' on the streets that would be the result if everyone putting their RVs in their driveways. Robin then suggested we then be more direct and explicitly require no cars in the streets if you have an RV. The group at the annual meeting agreed. I proposed that to the Board at a subsequent meeting. The Board agreed. I wrote it into the proposal. I distributed the proposal to everyone for review months ago.
2. I will not pay a deposit to park MY own rv in MY own driveway, unless Deline Homeowners Association is willing to pay my property taxes or unless all homeowners within the association pay a deposit for any possible violation of any cc&r's.
 - a. The 'deposit' concept was proposed by Pam Yee as an option to make collections on violators easier. I'm not sure if I'm a fan of it myself, but I was passing along the comments from the lawyer.
 - b. However, everyone with an RV on their property is in violation of the CC&Rs. Everyone signed a contract to abide by the CC&Rs. In that regard, everyone who didn't make it into the RV lot should be paying very steep storage fees. A deposit pales in comparison.
 - c. I hear from a few homeowners that they think the HOA is useless (I have personally been called a Nazi in that regard) and the HOA has no right in saying anything about how they keep their property if the HOA is not paying their property taxes.
2. What happened with grandfathering the current rv's into the cc&r's?
 - a. It was deemed unmanageable. I have heard horror stories from other HOAs about grandfather clauses.
 - b. There's no motivation with the HOA's best interest in mind.
3. How can an rv owner be penalized?

- a. I don't understand this question. Are you asking why we would penalize RV owners who are presently in violation of the CC&Rs? I'm not sure where 'penalize' comes from.
4. All this because of one un-kept motor home being parked on the street and only 2 individuals at the annual meeting not wanting rv's, out of 140 some homes in the association.
 - a. Untrue. I have personally heard from many unhappy homeowners, more than one of which was threatening legal action due to the apparent inconsistent enforcement of the CC&Rs. The number of RVs, trailers, and boats, both kept and unkept, are consistently increasing. Either we alter the CC&Rs into a manageable situation or we uphold the original CC&Rs. The proposal on the table is the result of collecting and collating dozens of inputs and the overwhelming support at the annual meeting.
 - b. Ask everyone on Westside what they think about that unkept RV that was in the driveway and is now on the street because it was not dealt with in a holistic manner
 - c. I've only received one documented letter requesting Boitz house be cleaned up. Should we drop this issue?
5. It has been stated by some homeowners who use the rv lot, that if they have to pay to park in it that they will take there rv's out, are you prepared to deal with that mess?
 - a. First, when you use the term "you," I presume you mean the Board, present and future. I am acting on behalf of the homeowners and Board members who asked me to come back to the Board. This is not my pet project.
 - b. Please give me the names of those homeowners so we can collect their input.
 - c. Don assured us at a meeting that most people in the lot use it because they'd rather have their RV in the lot. yes, some may come out. Thus we have restrictions to make it less easy for a mass exodus. But if you put yourself in the shoes of many homeowners who face huge trailers and RVs in neighbor's driveways and very little room to maneuver because all the resulting cars on the street, the tradeoff is a move in the right direction.
6. What you are presenting on doing was not what was discussed within the rv commettee, there was discussions on charging for using the rv park.
 - a. I think this is two topics, so I'll treat it as such
 - b. I am presenting exactly what I got in writing from the RV committee. Of course, to make it enforceable I've had to add all the details. I'm also presenting exactly what that large number of people agreed to at the annual meeting.
 - c. Regarding charging for the RV lot, it's a separate but related issue. The Board and homeowners have been suggesting charging for the RV lot for some time. if we take the decision to charge for the RV lot, we should do it at the same time we change the CC&Rs to create the holistic solution we know we must present. I've been waiting for ANYONE to provide feedback or input on the new RV Lot regulations that I drafted based on previous discussions. The only feedback I have received are on the lines of statements like " this looks like what we talked about."
7. I feel that this is no way ready for any type of drafting to be presented to the homeowners.
 - a. The proposal as written has been on the table for months. I don't want this to keep dragging on. the very reason I read this aloud to everyone at the last meeting was that I knew there were some sticky points in the proposal that people were overlooking. So, let's stay focused on those sticky points and finalize the discussion. Taking

everyone's input into account, the sticky points are:

- i. Requiring no cars on streets for those with RVs in driveways. How does this relate to those with RV's behind fences, or people with many, many cars. Neal and I talked about this the other week.
- ii. What is the cut off size for RVs that will be charged in the RV lot?
 - b. I have received positive feedback from many of the board members and RV committee members on the rest of the proposal.

If anyone else has concerns, please get them on the table.

Sincerely,

Damon

From: rsdudleylmt@comcast.net [mailto:rsdudleylmt@comcast.net]

Sent: Monday, October 01, 2007 6:43 PM

To: Heer, Damon; judybarney@yahoo.com; iaintaskeered@comcast.net; jeheer@comcast.net; ken@kenandangela.com; Marcia Speed; curtisr10@juno.com; pfranco42@verizon.net; railroadon@comcast.net; Sam Riley

Subject: Re: FW: RV Amendments

Damon,

I am sure it is apparent I have some disagreements on these proposals. How can we tell someone that because you have an RV you can not park any autos on the street or within the association? I will not pay a deposit to park MY own rv in MY own driveway, unless Deline Homeowners Association is willing to pay my property taxes or unless all homeowners within the association pay a deposit for any possible violation of any cc&r's. What happened with grand-fathering the current rv's into the cc&r's? How can an rv owner be penalized? All this because of one un-kept motor home being parked on the street and only 2 individuals at the annual meeting not wanting rv's, out of 140 some homes in the association.

It has been stated by some homeowners who use the rv lot, that if they have to pay to park in it that they will take there rv's out, are you prepared to deal with that mess?

What you are presenting on doing was not what was discussed within the rv commette, there was discussions on charging for using the rv park.

I feel that this is no way ready for any type of drafting to be presented to the homeowners.

--

Rod S. Dudley
President/Owner
Angelic Healing Hands, Inc.
1225 NW Murray Road, Suite 103
Portland, OR 97229

----- Original message -----

From: "Heer, Damon" <Damon.Heer@fei.com>

Here is the lawyer's review of the proposal. For the most part, the changes are for clarity. An interesting proposal is to collect deposits for RV's on properties that people would forfeit if they fail to abide by regulations. Then the owner would have to replenish the deposit, or move the RV out.

Give it a read and send comments. I hope to have a final, final draft at the next meeting, along with the proposed cover letter to mail to homeowners for the vote.

Cheers,

Damon

From: Pamela E. Yee/Michael A. Schmidt [mailto:syaloha@gte.net]

Sent: Friday, September 21, 2007 10:33 AM

To: Heer, Damon

Subject: RV Amendments

Mr. Herr:

Attached is the letter of review for the CC&R changes and RV rules.

SCHMIDT & YEE, P.C.
18525 SW Vincent St.
Aloha, OR 97007
503-642-7641 phone
503-649-1823 fax