

The Ridge Condominium Association

BOARD OF DIRECTORS MEETING

MINUTES

Friday, September 16, 2022 at 4:00 pm
Ridge Lounge
In Person and Via Zoom Audio

Call to Order

Meeting was called to order by Chairperson, Kevin Veleke at 4:00 p.m.

- Appoint Acting Secretary

In lieu of Richard O'Hearn, Kevin appointed Devin to be the acting secretary for purposes of this meeting.

Introductions

Board Attendees:

- Kevin Veleke
- Aaron England
- Richard O'Hearn (excused absence)
- John Hawley
- Will DelPlato

Management Attendees:

- Gary Bell
- Devin Miller

Owners:

- Mount Brice, unit 10; Clyde and Sharon Gandee, unit 14; Doug Gordon, unit 18

- Quorum of Board Members were present

- Agenda was reviewed.

Previous Minutes

Board Meeting Minutes from June 3, 2022 meeting were reviewed with one correction: on the last page of the draft minutes, delete paragraph starting with "NOTE: Executive discussion items ...".

Motion:

John, seconded by Jim to approve minutes as amended.

Passed.

Owners Correspondence/Comments

- Unit 40: Striping parking lot

Motion:

Aaron, seconded by John that the parking areas will not be striped.

Passed.

- Unit 7: Noise from Unit 8

Unit 8's floor covering is laminate and makes noise for people in the unit below 8. Devin will meet with Unit 8 owners to discuss putting down more rugs to reduce floor noise.

In general, laminate flooring in condo units was discussed due to owners saying and concurred by board members that upper units with laminate flooring create a noisy situation for lower units. Community Alliance is to find out before the budget meeting which lower and upper units have laminate flooring covering the traditional carpet areas.

Motion:

Kevin, seconded by Jim that in upper units, unit owners cannot replace carpet in traditional carpet areas with laminate.

Passed

Action Item:

Community Alliance is to get added to the "Alterations to Condo Units Policy" suggested language that owners are to request permission to alter their condo unit in writing. Request is to include a scope of work.

Action Item:

Devin is to find out which lower and upper units have laminate flooring covering in the traditional carpet areas and to provide such list to board members before budget meeting

- Unit 20: Storm Door

Board once again agreed that no storm doors will be installed. Devin directed to inform owner as such.

- Unit 25: Swim Suit Attire

Board said it could not define what is appropriate swim suit attire, nor could Community Alliance monitor it, thus the board could not institute any policy for what appropriate swim suit attire is. Devin directed to inform owner as such.

Staff/Committee Reports

- Treasurer including Survey Monkey & Facebook - Aaron

Motion:

Jim, seconded by John that the Treasurer's Report be accepted.

Passed.

- Managing Agent – Administration & Operations and Projects

Management report was presented.

Action Item:

Pool operations

1-Community Alliance to develop a plan including costs to have chemicals checked between 5:00 pm and 10:00 pm, and to install cameras to operate between the hours of 10:00 pm and 9:00 am

2-Community Alliance is to inform owners what the protocol is for pool operation when there's thunder and lightning in the areas to include installing a sign in the pool area.

Action Item:

Redeemables re plastic, cans, bottles

1-Community Alliance is to check into putting receptacles in the garbage enclosure areas specifically for redeemable plastic and glass bottles and cans. Also check into an agency that would pick the redeemables up to include suggesting house keepers being allowed to collect the redeemables.

2-If the above is viable, then consider removing the large recycle bin.

Unfinished Business

- Upper Decks - Gary

Gary gave a report on the progress of repairing the upper decks.

- Governing Documents

Oregon State Law as of September 2021 says no community association documents can discriminate

(Specifically -“No community association documents can contain any restriction, rule, or regulation against the use of an owner’s home or association property because of race, color, religion, sex, sexual orientation, national origin, marital status, source of income, disability, or number of individuals, including family members . . . who are simultaneously occupying a dwelling within occupancy limits.”)

- The law continues to say by Dec 31, 2022 each association is to record an amended and restated declaration deleting the discriminatory provisions . . . or execute and record a declaration that there are no discriminatory provisions in the governing documents.
- Our documents have been reviewed. There are no such restrictions in any of the Ridge’s governing documents.
- As such we are to “execute and record by Dec 31, 2022 a declaration that there are no discriminatory provisions in the governing documents.”
- Are we prepared to execute and record the declaration?
- If yes, we need a motion and second to adopt the declaration. Before accepting the motion and second, be advised that the adoption of the declaration does not require a vote of the owners. Only the Board’s approval is required.

Motion:

John, seconded by Aaron to adopt the declaration that the Ridge

governing documents do not discriminate.

Passed

Action Item:

Devin directed to post the Declaration to the Owners and Board Members websites.

- Amendment to Co-Ownership Agreement

- Background: The 2012 Amendment to the Co-Ownership was done for several reasons. One of those changes is being addressed today that pertains to the collection of dues, fees, and assessments for those co-owners in arrears.
- The key provision to this subject is “The Board and its Manager shall be entitled to treat all assessments levied under the Co-Ownership Agreement as assessments of the Association for all purposes to the collection of assessments (*Clarifies that the Board of Directors has the right to collect interior assessments from co-owners, as well as exterior assessments*)
- It’s also as important, especially for owners who have signed the Amendment, to know that “No co-owner shall be personally liable for, nor shall the ownership interest of such co-owner be subject to a lien for the unpaid assessment of any other co-owner of such unit.”
- We have learned that attorneys have a conflict of interest in representing both the Association (Exterior) and Co-Owners (Interior) without there being a document from the owners authorizing said representation. The Amendment eliminates the conflict.
- Unfortunately, there are still 24 current owners today that were owners back in 2012 who did sign the Amendment.
- The Board and Community Alliance is once again making an aggressive effort to explain the issue and the consequences if not signed, and to get those co-owners to sign it.
- It’s worth noting, that if a co-owner signed the Amendment back in 2012, and subsequently sells his/her share, its provisions pass on to the new co-owner . . . as do all the provisions in all the Ridge’s governing documents – Bylaws, original Co-Ownership Agreement, Condominium Declarations.
- ALSO – We are also addressing the issue of current co-owners who purchased their share from an original co-owner who had not signed the Amendment back in 2012 or subsequently. These “new” co-owners also need to sign the Amendment.
- Today we are looking at the letters that ~~has~~ have been drafted to be sent to those unsigned 2012 co-owners who are still owners today, and to the “new” co-owners who purchased their share from a co-owner who had not signed the Amendment.
- Are we ready to agree to the letters, and instruct Community Alliance to send ~~it~~ them out?
- If so, I think only a directive is needed rather than a motion. The directive would be for Community Alliance to complete the letter and send it to such owners via the best method. Furthermore, the directive is for Community Alliance to put together a follow up plan to get the Amendment signed, and to provide the board with updates of progress.

Action Item:

Letters are to be created and sent to owners who have not signed the Amendment to the Co-Ownership Agreement. Community Alliance is directed to attach the appropriate letters to emails to those owners with a short statement in the email of what is being requested of them, why, and its importance. Community Alliance is to set up a follow-up plan and report back to board members.

- *Collections Attorney*

- The Board is looking at changing collection attorneys.
- Since it is a contract, full discussion will be deferred to Executive Session. If action is to be taken, it will be brought back into open session later in the meeting under agenda item Reconvene to Open Meeting.

New Business

No New Business

Executive Session

Reconvene to Open Meeting

The following are actions to take as a result of the Executive Session.

- *Change Collection Attorneys*

Action Item:

Devin is to find out from Harker Lepore: (1) To clarify charges – for example, to set up a file costs \$150.00; is there also an attorney cost that is also charged, and (2) Does the firm also provide “general” attorney work also?

Adjournment

Meeting adjourned 7:53 p.m.