

**RIVERBANK HOA
BOARD OF DIRECTORS
MEETING MINUTES**

THURSDAY – OCTOBER 21, 2021

PRESENT

Cornelia Seigneur, Chair
Lynn Van Zandt, Secretary

Laura Christiansen, Vice-Chair Joe Bowers, Treasurer
Justin Martin

	TOPIC	DISCUSSION	ACTION
1.	Call to Order	Meeting called to order on October 21, 2021 @ 6:38 PM, by the chair, Cornelia Seigneur.	Informational
2.	Review of minutes from 09-23-2021 general meeting	<p>Discussion regarding adding additional information to minutes (further explanation as to why the Dickson's were unable to use the clubhouse in their timeframe and adding that the courts and Clubhouse are of value to the neighborhood).</p> <p>Joe made the motion to amend the 09-23-2021 minutes, Laura seconded, motion carried.</p>	<u>Lynn Van Zandt:</u> <u>Amend 09-23-2021 minutes as agreed.</u>
3A.	Old business: finances	<p>Joe Bowers:</p> <p><u>HOA dues update:</u> Of the eight past due households, four are past due from last year and four are significantly past due. Of those that are significantly past due, one has paid in full, one has begun to pay, one has reached out saying that they think this is unreasonable, and one has not responded. Of 41 households, we have seven that have not yet paid for this year. Joe's next step will be to reinvoice the past due households; he feels that two households will never pay.</p> <p>Discussion on collection options for significantly past due accounts (three households). Per Justin's research, a collection agency will net us pennies on the dollar.</p> <p>Question: How far back in time can we collect for delinquent dues? (Not sure.)</p>	<u>Lynn:</u> <u>Send updated directory to Joe as he has received returned mail.</u> <u>Joe Bowers:</u> <u>Prepare past due invoices with Justin's legal action narrative. Get sign-off from Justin before mailing.</u>

	<p>Justin Martin suggested filing a lien and then just waiting, he thinks the statutory interest rate is 9%. Justin said not to mention a lien but "This is your final warning. If we don't receive full payment, or if you do not make arrangements to pay, by (date) then we will proceed with all legal actions at no additional notice to you". This leaves it open for us because if you say you're going to lien then you HAVE to lien.</p> <p>Billing steps: Invoice/Statement (already done), 1st late notice, 2nd late notice with legal action language (in thirty days). Add the 6% interest from the due date.</p> <p>One household paid for this year (according to the homeowner) and added extra money for delinquency. The money will be applied to the oldest monies due regardless of what was indicated.</p> <p>Discussion regarding the lesser dues for the condos. This year they were charged \$200 so their dollar increase was the same as the other households but next year they will be billed for the full \$225. (They have only been paying \$100 annually due to a years-old negotiated agreement).</p> <p>Budget: We have already met our budget goals for this year due to people catching up with their delinquencies. Currently have ≈\$15K in the bank. Under-running the budget on landscaping because we have not yet hired a firm; over-running on insurance due to timing, we paid it earlier than the budget time-line indicated.</p> <p>Question: Are we getting bids for insurance? Joe doesn't feel our current agent is very responsive but he doesn't have the time to get bids.</p>	
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	<p>Joe reached out to our agent who said that non-HOA members are covered, along with the tennis/basketball courts, fence, and Clubhouse. The Clubhouse is currently insured for \$157K [side note: a replacement cost basis of \$98 per foot² based on Clubhouse square footage of ≈1,600 feet²]. Agent wants it at \$280K [side note: a replacement cost basis of \$175 per foot²], which would increase our bill from \$1,200 to \$1,800. Discussion regarding lack of normal amenities in the Clubhouse (kitchen, bedrooms, interior walls, etc.) that would keep our rebuilding costs low.</p> <p>Banking: Joe would like to change our bank so that we can add a savings account for the reserve (Bank of America won't offer us a savings account). We also need to add an additional signatory on the account.</p> <p>Question: Can the account be set up to require two signatures? It was felt this was not needed.</p> <p>Motion made by Lynn Van Zandt for Joe to change banks to Chase and add Cornelia Seigneur as signatory. Seconded by Laura Christiansen. Motion carried.</p> <p><u>On-line payment services:</u> Pending, not a high priority.</p> <p><u>Tax implications of operating with a negative balance sheet:</u> Not necessary due to increase in assessments, removed from agenda.</p> <p>Joe doesn't think we've filed taxes for the HOA. Lynn shared that there are some old IRS 1120-H tax forms in the files from the mid-90s but she is still going through the records.</p>	<p>Joe: Change banks and arrange for Cornelia Seigneur as second signatory.</p> <p>Lynn: Research our tax filing status.</p>
3B. Old business:	Cornelia says John Carnathan got us bids,	Cornelia:

	<p>lawn service with \$275 being the lowest. This includes the landscaper's piling the waste and us doing the burn, double that amount if we want them to haul it away. We asked to see the actual, written bids from all the landscapers that provided quotes.</p> <p>Discussion regarding the differences between hiring a service and continuing to pay a homeowner to do the work now that we have established that our liability insurance would cover the homeowner. It was felt when we allow homeowners to work that a sense of entitlement develops which leads to issues (like a tree being cut down on HOA property without permission, de-mossing the roof, etc.) and that more work needs to be done than the paid homeowner is currently doing. We're also trying to transition from doing things as inexpensively as possible to having it done in a way that increases the value to our neighborhood. But we also need to be concerned about discouraging the sense of community that sharing the work on projects builds, while at the same time we need to establish clearly defined lines about what is and what is not acceptable to do. A suggestion was also made that we reinstitute the neighborhood work party, maybe on a quarterly basis.</p> <p>Discussion on establishing a documented protocol for homeowners to notify the HOA Board, in writing, before doing any work on HOA property and the HOA Board needing to be more responsive to homeowners' concerns/issues. Give homeowners a time-frame for when they can expect a response to their concern/issue.</p> <p>Setup an email for the neighborhood to use to notify the HOA Board.</p> <p>Discussion regarding upkeep of the other common areas as John indicated the bids will</p>	<p>Get the written quotes for the lawn services.</p> <p>Cornelia: Draft a letter to the homeowners outlining new process for getting permission to do work on HOA property.</p> <p>Lynn: Setup an email for the HOA.</p>
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		go up significantly if those areas are included. Currently John is taking care of the 'roundabout' at the north end, no one is taking care of the 'roundabout' at the south end, and Phil Roach is taking care of the signage area. We have the ability to give them permission to continue but will make the final decision once we have the written quotes from the landscapers.	
3C.	Old business: roof	Al Calcagno blew off the roof, cut down an overhanging branch, and applied moss killer, addressing some of our concerns. Laureen Felton is getting a bid on repairing the roof overhang (rotted beam, hole).	Cornelia: Follow-up with Laureen on getting a written bid for the roof overhang repair.
3D.	Old business: bathroom update	Cornelia reported that Mary Latimer has done the painting, Mike Latimer and Bob Rouse are getting the vanity and two heaters (instant-heat and room heater) installed. Cornelia will pick out the flooring; Bob and Mike will install. The vanity and linoleum that the Walker's generously offered to donate are too small so cannot be used.	Cornelia: Pick out the flooring, send link to Joe for purchase. Joe: Purchase and pick-up bathroom flooring under Cornelia's directive.
3E.	Old business: legal action regarding homeowners in arrears	Already addressed in section 3A discussion.	
3F.	Old business: basketball and tennis courts	Still in progress. Discussion regarding \$732 special assessment conversation at the general meeting on 09-23-2021, selling the property (can't), getting a loan (no), etc. John Carnathan was assigned to get bids for repair at one point, which he did, but we need written bids. The problem is that once we get bids, how are we going to pay for it? A good chance that once we get bids there will be a period of time before we can get the work	Justin: Get actual written quotes for the tennis/basketball courts.

		done and in the meantime the bid will have expired, however we need a starting point. Justin was appointed to contact John.	
3G.	Old business; cloud storage	Lynn Van Zandt presented the costs; wants to go with MS One Drive at a cost of \$60 per year. Discussion on access and ability for us all to use and access the storage; and concerns regarding security in terms of others not being able to change, modify, rename, or delete files once they are uploaded.	<u>Lynn:</u> Further research to make sure we can use cloud storage for what we want (storage that we can all access, security).
4A.	New business: shipping container on property	<p>Joe stated we need to set up an Architectural Review Board, with a point person, for people who want to do improvements to their property. Discussion regarding that no one reads the Declaration and/or By-Laws because they are complicated. It would be helpful if we could narrow it down to key points and share that with the neighborhood.</p> <p>The shipping container recently placed on the property at 483 SW River Bend Drive is in violation of HOA rules per the Declaration, section 5.5. The homeowner has stated that the container will be there for approximately five years. The neighbors across the street have also complained to their HOA that the container and the construction bobcat are eyesores. Laura will be the point person for the Architectural Review Board and can go to our attorney for issues (please note that Justin Martin does <u>not</u> represent the HOA Board and cannot give legal advice). There needs to be a formal complaint from the other homeowners in order to move forward with the complaint.</p>	<u>Lynn:</u> Prepare a 'key points' document from the Declaration and By-Laws to send to the homeowners; send to Justin for review along with a copy of the Declaration and By-Laws. <u>Laura:</u> Contact the complaining homeowners for a formal, written, complaint about the shipping container.
4B.	New business: Code of Ethics	See handout. No need for deep discussion, just need to work through how we're going to interact with each other and other people, and make sure we do not share confidential information with others outside of the Board. We also need to discourage neighbors from talking about other neighbors with regards to	

		<p>Board-related issues (i.e., delinquent accounts).</p> <p>Cornelia would like a more compact timeline for Board members to respond to texts/emails regarding Board issues. A remark was made to try not to talk over one another, let the speaker finish his/her thought before responding.</p>	
5.	Other business	<p>Lynn asked about the Declaration and the inability to find an amendment on file with the Clackamas County Clerk's office in regard to sections 5.2, 5.4, 5.6, 5.7 and 9.4 being amended by deletion from the Declaration. Does this make them illegal? Per Justin they are not enforceable (but the affected sections mainly regard the Declarant). Is there any indication that these changes appear in approved minutes? Not as yet.</p> <p>Lynn asked if it was okay to discard old records that (she feels) are not relevant, i.e., dues billings from twenty years ago, old insurance bills, etc. What are the legal requirements? We should consult a lawyer. Make a list of the documents that are felt to be no longer relevant and Justin can run them by someone. Currently saving anything tax-related, saving all old minutes, anything relevant to actions by the Board.</p> <p>People need to be notified of how they can access the Clubhouse. Suggestion made that we have keys made for everyone (no); give them the code to the key box.</p> <p>Can we buy additional rug for Clubhouse (no)?</p> <p>Molly Rice, the "social committee chair" has reached out and said no one has contacted her. Laureen Felton volunteered to do the Holiday party so we suggested they get together.</p>	<p>Justin: Review Declaration and By-Laws.</p> <p>Lynn: Prepare list of proposed documents for disposal for Justin to review within the next couple of weeks.</p> <p>Cornelia: Contact Molly to get in touch with Laureen to plan the Holiday party.</p>

		<p>Cornelia had questions on the Board membership and titles.</p> <p>Lynn pointed out that Board members serve for two years in a three-two split (meaning three Board members serve for a two-year term and two other Board members serve for an alternate two-year term, so that at every annual meeting at least two Board members are elected.)</p>	
6.	Adjournment	The meeting was adjourned at 9:14 PM by Cornelia Seigneur.	
	TOPICS REQUIRING FOLLOW-UP	<p><u>Lynn Van Zandt:</u></p> <ul style="list-style-type: none"> ▪ Amend 09-23-2021 minutes as agreed. ▪ Send updated directory to Joe as he has received returned mail. ▪ Research our tax filing status. ▪ Setup an email for the HOA. ▪ Further research to make sure we can use cloud storage for what we want (storage that we can all access, security). ▪ Prepare a 'key points' document from the Declaration and By-Laws to send to the homeowners; send to Justin for review along with a copy of the Declaration and By-Laws. ▪ Prepare list of proposed documents for disposal for Justin to review within the next couple of weeks. <p><u>Joe Bowers:</u></p> <ul style="list-style-type: none"> ▪ Prepare past due invoices with Justin's legal action narrative. Get sign-off from Justin before mailing. ▪ Change banks and arrange for Cornelia Seigneur as second signatory. ▪ Purchase and pick-up bathroom flooring under Cornelia's directive <p><u>Cornelia Seigneur:</u></p> <ul style="list-style-type: none"> ▪ Get the written quotes for the lawn services. ▪ Draft a letter to the homeowners outlining 	

	<p>new process for getting permission to do work on HOA property.</p> <ul style="list-style-type: none">▪ Follow-up with Laureen on getting a written bid for the roof overhang repair.▪ Pick out the flooring, send link to Joe for purchase.▪ Contact Molly to get in touch with Laureen to plan the Holiday party. <p><u>Justin Martin:</u></p> <ul style="list-style-type: none">▪ Get actual written quotes for the tennis/basketball courts.▪ Review Declaration and By-Laws. <p><u>Laura Christiansen:</u></p> <ul style="list-style-type: none">▪ Contact the complaining homeowners for a formal, written, complaint about the shipping container.	
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