

Holly Hills HOA Annual Membership Meeting Minutes
February 4, 2010, 7:00pm
Camas Fire Station #42, 4321 NW Parker

Attendance: Board members Marie Page, President, Margaret Tweet, Vice President, Niki Warnell, Board member (acting as Secretary), Sandra Luna, Treasurer

Meeting called to order by President Marie Page at 7:04pm

Proof of Mailing

Proof of mailing of meeting notice was provided by Gregg Denning of Eqwest LLC.

Quorum

Quorum minimum established at 75.

Introduction of Board

Current board of directors were introduced.

Minutes

The motion was made by Margaret Tweet to approve the minutes for the 2009 Annual Meeting held on 2/5/09 as read. Marie Page seconded the motion. Niki Warnell abstained as she was not in attendance. There was no other opposition and the motion was passed.

Reports

- President's Report: Marie Page read the highlights from the President's Report outlining the board's activities for 2009. (See Attachment #1)
- Treasurer's Report: Sandra Luna reviewed the 2009 profit and loss statement.
- Landscaping Committee Report: Margaret Tweet discussed common areas in the HOA and the needs for maintaining them (See Attachment #2).

Old Business

- Rules and Fines Resolutions: Final review of this document revealed a few more errors. The motion was made by Niki Warnell to adopt the Rules Enforcement Procedures and Fine Schedule as amended. Marie Page seconded the motion. There was no opposition and the motion was passed. Niki Warnell will make the required changes and the President and Secretary will sign the documents. Copies of these will be sent to Eqwest for documentation. A copy of it will also be put on the website.

New Business

- Motion to Amend Bylaws:
 - Fritz Porter made a motion to amend the bylaws to change the number of Board Members from three to five and also to make all officers members of the Board of Directors (See Attachment #3 for specifics).
 - Marie Page and Margaret Tweet opposed the motion for many reasons:
 - They stated that notice to all homeowners should be made prior to a vote.
 - Board needs more notice on bylaw amendments in order to review for legal issues.
 - There are concerns that we may not be able to get enough people to volunteer for the Board for five Directors when we have had challenges getting three in the past.
 - Tonight's election is impacted and homeowners were only notified by the board for two open positions, not four.
 - Homeowner Alan Dolgoff also stated that he agreed that it would not be correct to hold this vote without notice in advance to the rest of the homeowners.

- Marie also stated that she believed that a board of five is a good idea but that it needs to go through the right review and notification.
- Mr. Porter indicated that he understood that the only time that a homeowner could make such a motion is at an annual meeting.
- After much discussion and debate, it was decided that the vote should take place.
- Another vote on the by-law amendment was held later in the meeting with one different homeowner present.
- Both sides agreed to have this issue reviewed by legal counsel after the meeting.
- Jim Stewart seconded the motion for the amendment.
- Vote was taken and the motion to amend the bylaws was passed 50-25.
- Board Nominations:
 - The following nominations were made for the four open positions.
 - Nirav Dalal
 - Fritz Porter
 - Amy Spanik
 - Niki Warnell
 - As the number of nominations equaled the number of open positions, no vote was needed. These are the new board members for 2010.
- Audit Vote: Vote was taken to determine whether an audit will be performed.
 - Final vote was 112 No Audit/ 5 Perform Audit. These votes included audit ballots returned to Eqwest.
- Ratification of 2010 Budget – Passed by unanimous decision of the quorum represented in person and by proxy.
- Garage Sale: The date for the neighborhood garage sale is tentatively set for June 4-5, 2010.
- Other Important Dates to Note:
 - City of Camas Yard Debris Disposal Day – May 15th 9am-3pm
 - City of Camas Household Debris Day – June 19th 9am-2pm.
- Open Forum: No comments made
- Request for Volunteers for Committees:
 - Landscaping: Jim Stewart, Rob Warnell, Shawn George
 - Social Committee: Shirley Stewart, Sharyn Farrell
 - ARC: Nirav Dalal
- Meeting was adjourned by Marie Page at 9:10pm.

**ATTACHMENT #1
PRESIDENT'S REPORT FEBRUARY 4, 2010
FOR THE YEAR 2009**

This year was a year of dealing with financials, management of the Association and damage to structures that was caused by the severe 2008-2009 winter.

We had three areas that were damaged: the trail that runs from the bridge behind the park to the City trail; the Fence that runs along NW 38th and around the corner on Aster and the swing set in the park. The trail was dealt with fairly easily, but as many of you know the other two were subjects of discussion at several meetings this past year.

The damage to the fence was not only a result of the winter, but of many other problems, including the fact that a few years earlier our previous landscaping company did not have the sprinklers adjusted correctly and parts of the fence was being sprayed regularly by water. We were only budgeted for \$500, so we had to try and find funds from another area in our budget to pay for some of the work. During our research on the fence we got an estimate of what it would cost to replace it and it turned out to be around \$16,500 so we corrected as much as we could in 2009 and increased the budget for 2010 to \$1000. We hope that by keeping the fence in better repair, we can avoid having to replace the entire fence.

As many of you know the Swing Set was another big issue this year. Because of a petition that was signed by many homeowners in August, we put off replacing the swing set for a year or two until the economy improves. We also discussed other ideas for that area such as a picnic area. But that will now be for a future board to decide.

ON MANAGEMENT

The board had been having increasing numbers of problems with our management company and had been discussing looking for a new management company for some time. The problems with our past management company largely began when they moved our representative from the Vancouver office to Portland a few years ago.

In February just after the annual meeting we discovered a major problem with the delinquent accounts. Some of the amounts seemed rather ridiculous to us especially when we figured out the total amount of dues that had been collectible from the beginning of our association in 2003. We asked for a detailed history on all of those accounts and discovered that for the past few years TMG had been misapplying what our CC&Rs allow in regards to late fees and interest charges. We spent an enormous number of hours for the next 3 months on trying to get TMG to correct the situation, but they just kept telling us that they were following policy. Finally, we opted to meet with a lawyer to talk about the problems we were having. Within minutes after looking over the documents, he agreed with the board's interpretation of our CC&Rs. Our lawyer wrote a letter detailing the problems and TMG agreed to make adjustments which finally came through in late summer. But even at that point, they just gave us the total adjustments for each account and we had to go back ourselves (which our treasurer did,) to figure out where the totals came from.

Needless to say, this problem along with many others that had become habitual in the last several years was incentive for us to seek a new management company.

We began research on companies in late May and in June and early July we worked on an RFP until we thought we covered everything we would need a management company to do. Then in July and the first week of August we had presentations to the homeowners association by three companies. After the presentations, we came up with some additional questions that we asked all three companies to

respond to and decided on Eqwest. The transition has been a little rough for both Eqwest and us because our previous management company did not send orderly records to them and they continued to send information in a piecemeal manner long after we were expecting more material.

OTHER PROJECTS THAT WE WORKED ON THIS YEAR

In January the entrance sign project, one of several years in the making, was finally completed. Unfortunately, even though we had the extra funds from previous years to pay for this project, it was not included in our budget and we started the year out with a negative showing on our budget.

Another project that was not budgeted for was the drainage behind the homes on NW 29th. We have had problems with that area off and on since we first took over from the developer in 2003. We did several projects to correct the situation, but it just wasn't enough. This year, we asked the City Engineer to come out several times to help us decide what to do to correct the problems up there and had a professional company complete the new swale in August.

Under the guidance of the City Engineer we also did some major work in the Endicott retention pond. The major part of this work was done by volunteers, a story which was covered in the December newsletter.

We also had a great Eagle Scout project this year. Tanner Farr and other members of his family completed several renovation projects in the park, including refinishing the picnic tables, building a new bench and pressure washing the court and play structure. (Send card around to be signed.)

Another big project that was completed this year was completing a lease with our neighbor community, Oak Ridge Estates, for the corner piece of land at 31st and Dahlia Drive. Again, a description of this project was in the Dec. newsletter.

One of the major problems that we had this year, resulted from the fact that we had more lawns than we've ever had before that were not being cared for this year. Frequent discussions took place at meetings regarding who was responsible for keeping them up. In the past, the association has trimmed lawns and landscaping when the homeowner failed to do so and then charged the homeowner for the cost of the work. This year that policy was questioned partially because people were concerned that we would not get that money back. In December when 3347 NW Dahlia Drive finally sold we not only got reimbursed for all of our expenses, but found out that Homeowners Association Dues are now being considered as important as back property taxes when it comes to mortgage closings.

Lastly, there was some misinformation about the financials that went around the community this year. One was in regard to the excess operating account which was funds that had not been used in previous years. Our CC&Rs allow us to have as many extra "reserve" accounts as the board decides are necessary and while this particular account was not a part of our budget this year, the board was totally free to use those funds to pay for some of these projects that were not budgeted. The reserve fund that we have been building from the beginning was never touched.

**ATTACHMENT #2
LANDSCAPE MAINTENANCE REPORT – MARGARET TWEET
FOR THE YEAR 2009**

Holly Hills homes started selling in 1997.

The HHHOA began in August 2003, by collecting dues for common area maintenance.

There are approximately 4 acres of common area, much of it covered with blackberries. It is left in a natural state with landscaping in areas where irrigation is installed. This includes 38th Ave from the swim club to Astor, the front entrance, and the Holly Hills Park at the end of the cul-de-sac on 34th Circle.

Maintenance is also required in the natural areas to keep weeds at bay and the stormwater system functioning. These areas include:

-Stormwater system

3 fenced detention areas, creek, and a drain behind 29th Ave.

-Street along Dahlia where there are no homes,

-Various empty lots and corners here and there

We live next to the park. I volunteered for the landscape committee early on to address issues such as the ivy that was planted as a ground cover in the park and was growing into the natural area.

We began with a landscape company from Battleground.

In 2006, the association got recommendations from the mgt. co. for several landscape companies and went to bid for the services.

The landscape committee recorded areas that needed maintenance, and added to it as we heard from neighbors and learned of unmanaged sections and new requirements. We welcome **input** from neighbors on areas that need attention, and **volunteers** too.

The association hoped we could improve service, and went to bid again in 2008. The present landscape company, Acer, has improved the following:

- Water system is better adjusted, water usage down
- Hand mowers are utilized, and as much as possible in dry conditions, which results in less damage to sprinkler system and fewer ruts in grass.
- Paths and creek better maintained
- Better communication
- Extra projects at no charge. This year, blackberry removal behind the park was done with a brush hog. Also, at no charge Acer collected and hauled away a truckload of cattails and blackberry vines which volunteers had pulled out.
- Post signs if weed spray or fertilizer are applied in park

For 2010, we have cut back a couple of areas such as one creek cutting.

The corner of 31st and Dahlia will now be maintained by the neighboring assoc, Oakridge Estates.

**ATTACHMENT #3
PROPOSED BYLAW AMENDMENT**

(1) I move the bylaws of Holly Hills Estates Homeowners' Association be amended by the following: ARTICLE IV, SECTION 1, NUMBER. The affairs of this association will be managed by a Board of three (3) Directors, who need not be Members of the Association.

BE CHANGED TO READ

ARTICLE IV, SECTION 1, NUMBER. The affairs of this association will be managed by a Board of five (5) Directors, who need not be Members of the Association.

AND

ARTICLE VIII, SECTION 1, ENUMERATION OF OFFICERS. The officers of this Association shall be a President and Vice President, who shall at all times be members of the Board of Directors, a Secretary/Treasurer, and such other officers as the Board may from time to time by resolution create.

BE CHANGED TO READ

ARTICLE VIII, SECTION 1, ENUMERATION OF OFFICERS. The officers of this Association shall be a President, Vice President, Secretary, and Treasurer, who shall at all times be members of the Board of Directors, and such other officers as the Board may from time to time by resolution create.

(2) **(UPON PASSAGE OF PREVIOUS MOTION)** I move to authorize the new Board of Directors to:
(1) amend all other bylaws necessary to reflect and support the previous motion and approve their amendments.

AND

(2) by a method of their choosing, choose one of the newly elected board members to serve, for this term only, a term of one (1) year.