

HOA BOD Meeting Minutes 08/10/2022

1. Call to Order

- Meeting was called to order at 6:03 PM
- Board Attendees:
 - Peter Clark (President)-Present
 - John Wells (Treasurer)-Present
 - Cody Olson (Secretary)-Present
- Resident Observers in Attendance:
 - Bill Gaffi, Linda Macpherson
 - Don & Melinda Olson
 - David Patterson
 - Keith Coppenger

2. Review and Approval of Previous Meeting Minutes

The meeting minutes from the 07/20/22 BOD meeting and 07/28/2022 BOD meeting need to be approved for the record.

- John made a motion to approve the 07/20/2022 and 07/28/2022 BOD meeting minutes
- Peter seconded the motion
- The motion passed by unanimous vote
- ***The minutes from the 07/20/2022 and 07/28/2022 BOD Meeting are approved***

Peter to post approved meeting minutes to the neighborhood website

3. Treasurer's Report

- The July financials have been received from Superior. John has discussed adjustments to the financial statement regarding accounting of the special assessment money that has been collected. Superior has suggested splitting the money market account into (2) accounts. One account is for "Reserves", the second account is for "Operating Funds". John will review the July financial statement once these adjustments are complete.

4. Ongoing Business & Updates:

- **Lake Maintenance Contract and Improvement Projects**

The BOD will appoint a Lake Restoration and Maintenance Committee tasked with reviewing the planned lake maintenance projects presented by Gabe Winfrey at the 05/09/22 BOD. The committee will be assembled after the Owner Forum meetings on 05/22/22 and 06/05/22.

The BOD also needs to review Top Aquatic's contract with the HOA and work on a renewal.

- Top Aquatic has provided a proposal for lake maintenance services for July 2022-July 2023.
- John made a motion to approve the proposal from Top Aquatic.
- Peter seconded the motion
- The motion passed by unanimous vote.
- ***The contract proposal from Top Aquatic is approved.***
- ***Cody to contact Top Aquatic to inform Gabe that the contract is approved.***

- **The BOD will work to develop an RFP for lake maintenance services in order to solicit multiple bids for the next contract renewal.**
- ***ITEM RESOLVED...The long-term maintenance plan for the lake is being developed by the Lake Restoration and Maintenance task force. See below for updates.***

- **Bridge Replacement at Spillway**

Parker Pacific has contacted the board and requested to collect the steel plates currently spanning the spillway at the lake. During dam improvements the wood bridge was removed and replaced by steel plates for equipment access. The steel plates were left in place and a permanent bridge has not been re-established. The bridge replacement will require a permit from the county. The ARC will be tasked with reviewing and selecting a bridge design for the replacement. The plates will be rented for 3 months with a goal of having a permanent bridge replacement installed by August.

- *Plans for a simple span bridge with handrail have been submitted to the county for review. Final architectural considerations for the bridge can be reviewed after the permit is issued.*
- *The plans for the permanent bridge replacement are currently in review at the County (08/10/2022)*

- **Inlet Road Landslide & Code Violation Notice/Remediation Strategy**

During inlet road clearing and dam improvement projects in 2021, fill was deposited in the clearing by the lake inlet. It has been determined that the fill was placed in a designated Habitat Conservation Area by Oregon Department of State Lands and that the clearing may be designated as a wetland. The county has notified the Oregon DSL of the issues. In winter of 2021/2022 the slide at the inlet road reactivated and slid across the road.

- *Oregon DSL has been contacted by a resident to initiate an investigation into the fill that was deposited on the Meadow. DSL has requested information related to the site.*
- *Cody has been appointed as the lead contact on behalf of the HOA for dealing with Oregon DSL.*
- *Cody has spoken to Oregon DSL via phone for an initial discussion regarding the site and will follow up with answers to their questions via email.*
- *Oregon DSL will make a determination regarding the site's classification as a wetland. If the site is a wetland, Oregon DSL will then make a determination regarding the quantity of fill that has been placed. If it is determined that a violation occurred, Oregon DSL will issue a fine along with a remediation plan that will be required to be completed in order to close the case.*

5. New Business

- None at this time

6. Committee & Task Force Actions/Recommendations:

- **Finance Committee (John Wells on behalf of Chris Sirpless)**
 - *The Finance Committee is currently working on defining inclusions for the reserve study as well as a draft budget for 2023 for BOD review.*
- **Landscape Committee (Melinda Olson)**
 - *A Community work party has been scheduled for Saturday August 13th from 8-noon.*

- **Architectural Review Committee (Bill Winkenbach)**
 - *No Update 08/10/2022*
- **Social Committee (Ginny Wells/Alicia Liberty)**
 - *The social committee will be providing lunch and snacks for the Community Work Party on 08/13/2022.*
- **Bylaw & CC&R Review Task Force (Linda Macpherson)**
 - *The committee has attended a training seminar conducted by Vial Fotheringham regarding the proper function of an Architectural Control Committee.*
 - *The attorney who conducted the training reviewed excerpts from the HLE CC&R's and advised that the language in used is problematic because terms of the CC&Rs are not well defined*
 - *The committee is currently reviewing CC&Rs for suggested amendments based on the guidance provided at the seminar.*
- **Inlet Road Task Force (Keith Coppenger)**
 - *See above under "Ongoing Business" for current status.*
- **Lake Restoration & Maintenance (Bill Gaffi)**
 - *A meeting was held on Sunday July 23 at 3 PM with Gabe Winfrey and Mark Rosencranz.*
 - *The committee is currently working to set up a field trip to view a restored waterway project that Bill Gaffi worked on for ideas on potential project considerations for Bullfrog Lake.*
 - *The committee also has advised that the landscape maintenance and the lake maintenance efforts need to be better coordinated between the two contractors. Peter will set up a meeting between the two companies to review.*
 - *The committee is continuing to request neighborhood input regarding the long-term vision of the lake. This will be required prior to developing a long-term lake maintenance plan.*

7. Executive Session - Lot 21 Easement Agreements & Lawsuit

- *Peter made a motion to move to executive session to meet with Damon Henrie (legal advisor to the HOA) to speak with counsel regarding the Lot 21 Lawsuit.*
- *John seconded the motion.*
- *The motion passed by unanimous vote. The board entered into executive session at 6:58 PM.*
- *The BOD returned from executive session at 7:17 PM*
- *Current litigation counsel Jeff Seymour's contract with the HOA is approaching the end of its term. Jeff Seymour has expressed some concern about a looming conflict of interest between his clients Mr. Bosch and the HOA. After speaking with counsel for the HOA Damon Henrie and Insurance Defense Counsel Jeff Hansen, the Board elects to not renew the contract with Mr. Seymour and instructs Mr. Henrie to substitute as counsel for the HOA in the litigation with Pollywog Bog. The substitution shall be filed as soon as practicable by Mr. Henrie's office.*
- ***John made a motion to allow the representation agreement with Jeff Seymour to lapse and to select Damon Henrie to represent the HOA in the Lot 21 lawsuit moving forward.***
- ***Cody seconded the motion.***

- *The motion passed by unanimous vote.*
- *John to notify Damon of the decision. Damon will file the appropriate paperwork with Jeff Seymour's office and the court.*

8. Executive Session – Lot 23 Easement Agreements

- *No executive session for this topic at 08/10/2022 BOD meeting*

9. Next Meeting Date:

Wednesday August 17, 2022, 6PM

Upcoming Meetings:

09/07/2022, 6PM

Peter to send out notification of the scheduled meetings.

10. Future Meeting Topics

- None at this time

11. Adjournment

Meeting adjourned at 7:23 PM