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The Bella Vista Homes Homeowners Association (“BVHHOA”) held a board meeting at 7:30 pm on April 13, 2026

This is a transcription of the received Zoom audio from this meeting.

*“Incompetence in the limit is indistinguishable from sabotage.” Elon Musk*

*“When you assume the appearance of power, people soon give it to you.” Mayer A. Rothschild, 1743 - 1812*

Where possible, participants who spoke are identified in **indigo** as follows:

**CH:** Craig Hanson - President.

**AW:** Andrew Wilson - Treasurer

**LH:** Liz Hamilton - Secretary

**JH:** Judy Henderson - Board Member

**DH:** Dana Henderson - Board Member

**SC:** Susan - AMS

**SI:** Samantha - AMS

**??:** Unknown voice/s

Footnotes are in **red numbers**.

Questionable transcribed text is in **strikethrough**, and suggested corrections are in **red**.

FULL TRANSCRIPT (with timecode)

00:00:00:00 - 00:00:00:27

**CH:** As well.

00:00:02:27 - 00:00:10:24

**CH:** Hey, miss. So I wanna welcome the people that are on Zoom. I don't see who's there, but welcome.

00:00:12:14 - 00:00:13:08

**CH:** She'll let people

00:00:13:20 - 00:00:15:11

**CH:** Who who's who's there?

00:00:15:13 - 00:00:37:18

**CH:** Yeah. She was letting them in. Yes. We've got a full amount of stuff on our plate that I'm concerned about getting completed tonight. So at the moment, I don't know if there'll be any homeowner interaction. If there's something that you think is extremely important, put it in a check note to Samantha.

00:00:39:17 - 00:00:49:03

CH: And, Samantha, do you want to introduce yourselves to the homeowners that are on Zoom? Can they Sure.

00:00:49:15 - 00:00:54:08

CH: Or Susan can even work. Samantha. I I think

00:00:54:10 - 00:01:29:24

SC: people are used to seeing me, but Samantha has been assigned to Bella Vista now. She's been working behind the scenes with me up until just this board meeting. She started working with Liz and getting it coordinated. So she'll be your manager from this point on, and she's been with AMS a number of years, has lots of experience. She lives down in the Eugene area, so she's a little bit closer to you than than we are up here. But, anyway, she will be be the person that you go to and working with<sup>1</sup>.

00:01:31:07 - 00:01:34:13

?: Cool. It's been fun, Samantha.

00:01:34:20 - 00:01:35:05

?: Yep.

00:01:37:14 - 00:01:39:14

CH: Okay. So

00:01:42:06 - 00:02:03:27

CH: the minutes from the previous meeting, I don't think everybody's seen them unless there was any comments. To the contrary, I'm going to accept those minutes from March ninth and March twenty sixth. I second it. K.<sup>2</sup> But I don't think we need to second, do we?

00:02:04:03 - 00:02:11:07

CH: Just we need to approve them. No. Just I just accept them. We both reviewed them. Okay. You've got your chance.

00:02:11:09 - 00:02:17:21

CH: Okay. I'm not gonna offer a president's report at this time. Again, we have a lot to do.

00:02:21:20 - 00:02:24:24

CH: We're gonna go over the treasurer's report first.

00:02:38:20 - 00:02:45:02

?: There's we will let's see. Would you like a copy?<sup>3</sup>

00:02:46:17 - 00:02:47:07

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<sup>1</sup> Who is "you" to "work with" what? The board handed all administrative control to AMS

<sup>2</sup> Al abbreviated "OK" to "K"

<sup>3</sup> Where's AW - the board treasurer?

?: Okay.

00:02:47:18 - 00:03:01:02

CH: And I will work with Samantha<sup>4</sup>. We've got, like, six four or five treasurer's reports starting back in November that we will work at getting posted on the portal.

00:03:04:12 - 00:03:36:19

CH: At the moment, we're pretty much on par with our budget. We are couple thousand dollars or about fifteen hundred dollars under budget on landscaping, so we're good there. We're under budget on landscaping other, so we do have some funds there if need be. We haven't used any of our extra maintenance money.

00:03:38:04 - 00:03:44:20

CH: So we're in good shape there. We got our first electric bills, but I believe these are for January.

00:03:46:08 - 00:03:49:21

CH: And our first water bill, we are

00:03:51:09 - 00:04:03:14

CH: a little under budget, but I think it's because we're behind in these payments being caught up at accounting. I'm not sure. But, anyway, we're not over, buddy.

00:04:09:15 - 00:04:36:14

CH: The only other thing that I had a question with Samantha or Susan, and we could talk about this later, but we had a dollar amount of six hundred and twenty six dollars in extra management<sup>5</sup>. And I know we have a budget for it, but I don't know what that expense was for. And if you don't know off top of your head, we can look into that and fill it in later.

00:04:37:01 - 00:04:44:29

SC: Yeah. You should get a invoice that shows that, but we can definitely go over it with you. We'll we'll get the report out and go over

00:04:45:01 - 00:04:45:20

SC: it with you so

00:04:45:22 - 00:04:46:12

SC: you have it.

00:04:46:14 - 00:04:52:14

CH: Now is that gonna be in the we're gonna talk about the monthly report that we got in executive session.

00:04:55:09 - 00:05:00:10

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<sup>4</sup> AMS is taking over control and rewriting not only BVH's Governing DOcuments bit also the Oregon Statutes!

<sup>5</sup> An AMS' \$626 "junk fee" that AMS just slipped into the budget?

CH: But is it in the monthly report or is this in the whole financial series somewhere?

00:05:00:12 - 00:05:07:28

SC: No. It'll be in your financial. That's what I'm saying. We can show you afterwards where where to find that and Okay. And how to read it<sup>6</sup>. Yeah. Okay.

00:05:08:11 - 00:05:30:01

CH: Alright. And the other thing I wanna give to the homeowners a a quick overview of the meeting. We've gotta finish up on our special meeting for insurance so that we can get our liability and board of officer insurance purchased. How we're gonna pay for it.

00:05:32:04 - 00:05:48:14

CH: We're going to be working with Dana on the work that he and his committee have been doing on maintenance that needs to be done on our property as well as working towards a reserve report.

00:05:51:17 - 00:06:03:02

CH: We've got a couple quick committee comments. Andrew's gonna fill us in on a Zoom meeting that the board had with our

00:06:04:28 - 00:06:14:08

CH: attorney for the mediation and litigation on the land side<sup>7</sup> that's going on. And then we're going to go into executive session

00:06:15:24 - 00:06:32:11

CH: where we have some discussions that have names and different information that we we don't publicly do in open meetings.<sup>8</sup> So that's a quick overview. Now getting back to the treasurer's report,

00:06:35:05 - 00:07:12:08

CH: we at the moment, we we have a few outstanding assessment fees, but it's got to do with, I think, the change in our monthly assessment from one fourteen to a hundred and twenty five dollars. They were just some minor goof ups. We only really have three major outstanding. The amount's twelve thousand nine hundred and twenty one dollars<sup>9</sup> as of the end of February. It may be a little bit more for March, but AMS had a major server go down for a couple weeks in March.

00:07:12:10 - 00:07:29:14

CH: So accounting is doing a lot of catch up. And if you haven't tried to catch up on accounting when you're behind a couple weeks, it's a nightmare. So I don't envy them for, you know, what they need to do.

00:07:31:11 - 00:07:49:25

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<sup>6</sup> AMS is taking control of BVH one step at a time. BVH HOA will never get rid of AMS until the leave to avoid getting dragged into litigation, like CMS.

<sup>7</sup> From now on, the landslide on LOOs 70, 72 and 73 that destroyed Carino Lane will be referred to as the "**Southridge Landslide**".

<sup>8</sup> Often in violation of ORS 94.644.

<sup>9</sup> \$12, 921

CH: And to let everybody know that one of the major collections for little over eleven thousand dollars, they has gone to our attorney. I have signed the paperwork to start foreclosure on the property, pay for the bill.

00:07:51:11 - 00:07:56:15

CH: Two of the other outstandings have had

00:07:58:07 - 00:08:23:21

CH: late notices. Samantha gave me a note. I got it just before we left, or she got to me a little bit earlier. I just didn't get to it till late. But ~~lean~~ **lien** letters or notification being late, and then one of them will have a lien letter sent out probably next month.

00:08:25:19 - 00:08:26:27

?: Yeah. I think it's May.

00:08:29:09 - 00:08:35:07

CH: So we're down to three that add up to the twelve thousand nine hundred dollars.

00:08:36:27 - 00:08:47:28

CH: The other thing in the treasurer's report that I haven't got, Walter, yet is breaking out the different CDs that we purchased, but we currently of the

00:08:49:18 - 00:09:07:03

CH: hundred and sixty nine thousand four hundred and twenty two dollars that we have in the reserve account. We have three CDs holding a hundred and fifty thousand dollars. We so far earned interest around thirteen hundred dollars on those CDs.

00:09:09:25 - 00:09:19:13

CH: And we also have thirteen thousand dollars in construction deposits that are in our reserve account.

00:09:21:06 - 00:09:24:29

CH: So the total amount there is in the hundred and eighty two thousand range.

00:09:28:02 - 00:09:32:28

CH: The other thing that I wanted to share talk about that.

00:09:36:14 - 00:09:48:25

JH: Yes. Just for clarification, the last meeting, you she had said that our tax<sup>10</sup> since I've been filed are not today and for last year. Thirty five.

00:09:48:27 - 00:10:08:23

CH: No. And Samantha has sent a letter to the tax department. That was my question. Has that process been started? And Samantha sent me an email today. She said she has reached out to their department. And, Samantha, did you happen to get a response then late this afternoon?

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<sup>10</sup> AMS has taken control of filing taxes. If accounts were done properly BVHHOA's return should get completed and printed with one mouse click. Now we must pay AMS much more for an unnecessarily complex tax return.

00:10:10:18 - 00:10:12:11

SC: I have not received a response back

00:10:12:13 - 00:10:16:23

SC: from them yet. Okay. I'm assuming probably in the morning, I'll have one.

00:10:16:26 - 00:10:25:21

CH: Okay. Anyway, question has been posted. Excuse me. I have asked Samantha, and she is checking into that.

00:10:28:08 - 00:10:33:23

CH: And then Samantha and I have been working on actually the late assessments, the process,

00:10:35:12 - 00:11:05:08

CH: when do letters get sent out to homeowners that they're late, how many days after that if they don't respond, is the lien started? So we're making sure that process is all organized so that it's an HOA. We know exactly what we need to do and what they need to do. Fortunately, we're dealing with three, not thirty. And but we need to have that process in place. Can

00:11:06:24 - 00:11:19:17

DH: I ask a question? Yes. Dana Henderson. Regarding the construction deposit, how many construction projects do we have going on ~~Cala~~ Bella Vista at site?<sup>11</sup>

00:11:20:04 - 00:11:38:28

CH: That's a good question. I don't know if I haven't seen a report, and I haven't had time to ask. I only know of one, and so I don't know what the other ten thousand dollars is. And I I I don't know. Yeah. So,

00:11:40:14 - 00:12:11:29

CH: Samantha, can you put that on your to do list to see if you guys have a report as to who those construction deposits report? We have with CPM, the people prior to you guys, they had printed out a report, and I can dig it up. But I don't know how well they got transferred in October, and I haven't followed up. But, yes, we do need to know who they are.<sup>12</sup>

00:12:12:08 - 00:12:24:15

?: Yeah. That represents for my understanding that we're looking at thirty five hundred dollars in deposit. Besides the one that's working right now Yeah. Have not been reimbursed, so I wonder why.

00:12:25:09 - 00:12:33:04

CH: It might be. Here's that. And then I heard someone coming in. Alright.

00:12:35:04 - 00:12:36:27

CH: Well, let's not speculate.

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<sup>11</sup> There are ten empty lots in BVH. The board should cancel "Amendment 3" to Declaration 2.1.1 back to "close of escrow" with a restriction on fake sales to extend expiring two years to another buyer.

<sup>12</sup> Why isn't this information in AMS's Portal?

00:12:37:14 - 00:12:38:22

CH: Can find out for sure.

00:12:38:24 - 00:12:44:04

CH: So yeah. So I need to make that note that I asked.

00:12:45:29 - 00:12:57:00

CH: K. Samantha, is that kind of information, is that in the the the financial reports that we get every month as far as Go

00:13:00:03 - 00:13:02:20

SC: ahead. Might be Yep. Yeah.

00:13:02:22 - 00:13:04:03

?: I didn't think so. I was gonna say something

00:13:04:06 - 00:13:09:14

?: at the same time. No. I I was just seeing if you need it's for the construction breakdown is what you're saying?

00:13:09:16 - 00:13:10:14

CH: Yeah. Yeah. Yeah.

00:13:10:16 - 00:13:18:05

SC: The name It's something that we could look at at adding into it if you're needing the breakdown of it. There should be a report that could be pulled from it.

00:13:18:22 - 00:13:20:05

AW: Yes. Okay. It'd be good to have that

00:13:20:07 - 00:13:21:13

AW: at least once so that we

00:13:21:20 - 00:13:22:05

AW: Yeah.

00:13:22:07 - 00:13:23:06

AW: Know what we're looking at there.

00:13:24:02 - 00:13:54:24

CH: And it it could be in that report, but I just didn't have the energy or the time to read through the whole report to get all ready for tonight<sup>13</sup>. So I'll have to take a look. Maybe you provided it, But I have it

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<sup>13</sup> Why isn't this information already on the AMS Portal. AMS is **Not Functionally Useful** ("NFU")

down. We can add some excellent questions. So does anybody have any questions about the treasurer's report at the moment? I am gonna be refining it. I think I mentioned up in our accounts.

00:13:54:27 - 00:14:05:18

CH: I will add columns in there so we know what how many CDs we have, when they're due, and the amount of interest that we've earned. Right now, it's one lump

00:14:05:20 - 00:14:08:20

CH: sum. Yes.

00:14:10:11 - 00:14:15:02

LH: It was my understanding that Andrew was going to take over his treasury. Is that not gonna happen now?

00:14:15:04 - 00:14:17:17

CH: Yes. It will. It will. Yeah. <sup>14</sup>

00:14:17:19 - 00:14:29:15

LH: Because I think I keep hearing that, you know, you're running of out runway. Yeah. And I understand that because I know you've got a lot of you paid. Yeah. But I think this is something that could be passed on because we go to

00:14:30:09 - 00:14:51:16

CH: Yeah. Yeah. Yeah. We're working on it. And, partly, I feel guilty. I'm like, I had over a treasury report that I don't have finished written up, and I just haven't had the energy to do that. I don't know if energy is the right word. I just have got it done. So okay. Well, if nobody else has any other questions,

00:14:53:21 - 00:14:58:12

LH: and then I think you were gonna try and take the treasurer seminar that they had that they had.

00:14:58:14 - 00:15:22:26

AW: I I've chatted with folks over at AMS and gotten their list of resources for being a treasurer <sup>15</sup> at, you know, for an HOA and stuff like that. So it's just a matter of kind of doing everything, finalizing what we have, doing the handoff, and got me finding time to do it amongst work and taking the bar.

00:15:22:28 - 00:15:50:12

CH: So So and just an FYI, again, we don't have March financial statements, so I couldn't do a March treasury report. <sup>16</sup> But the current interest through March is twelve hundred and fifty four dollars is what

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<sup>14</sup> It's been two months now. It's never going to happen. CH is going to hold onto the purse strings. AW will be a Straw Treasurer.

<sup>15</sup> <https://hub.associaonline.com/blog/hoa-treasurer> <https://clarksimsonmiller.com/hoa-treasurer-do/> <https://www.hoappm.com/hoa-treasurer-duties/> <https://www.hoamanagement.com/hoa-treasurer-duties/> and many more describe an HOA treasurer's duties. Also see BVHHOA's Bylaw 4.4. And you can forget ever getting a "finance committee" from CH. A lot of better managed HOAs have finance committees but they might be useless "straw committees", just like the TAC was.

<sup>16</sup> The board has not complied with 94.670(4) and distributed to each BVHHOA member the 2025 Financial Statement. Bylaw 3.17(e)(ii). *Why not???*

we have earned so far on our CDs. That's an FYI. So if nobody has anything else, I'm gonna move on to insurance.

00:15:54:00 - 00:15:54:22

CH: We

00:15:56:29 - 00:16:10:27

CH: need to. Okay. Alright. Then I have a motion to I make a motion to approve the treasurer's report. Second. Andrew has the second. All in favor? Aye. Aye. <sup>17</sup>

<<LONG SILENCE>>

00:16:23:26 - 00:16:39:03

CH: So we've gotta get our insurance dialed in. We had a special meeting. We already approved the company we're gonna go with, which we don't have a big selection. I already mentioned that the agent,

00:16:42:27 - 00:17:09:03

CH: blanking his name, John Elliott. Been really great to work with. Okay? But what we have to decide now so we already approved to get the general liability. The first motion that I'm gonna make is a discussion for the deductible, and you'll notice that's in red there. The standard deductible for liability is a thousand,

00:17:10:25 - 00:17:22:25

CH: and the yearly premium was forty one sixty three. And we need to be cautious. When we actually do this, there could be, you know, a tax or some darn things. So

00:17:24:24 - 00:17:30:29

CH: this is as close as what you can get. K? If we increase the

00:17:32:24 - 00:17:49:12

CH: the deductible fifteen hundred dollars, it saves us a hundred and eighty two dollars a year in a premium. Okay? Is there any discussion anybody wants on that deductible? Has everybody got an idea what their preference is?

00:17:51:22 - 00:17:54:23

?: Hundred and eighty two dollars doesn't seem like a significant saving.

00:17:55:17 - 00:18:31:09

CH: No. But I But every Every dollar counts. Every dollar every dollar counts. <sup>18</sup> If we were filing claims six times a year, then we wanna keep our deductible low. But I'm aware of the HOA has only had one claim since it was put into place. So my philosophy is and I think I told her before, I'm a high deductible guy, and I save my money now and then just work, you know, do the best for the future.

00:18:31:11 - 00:18:32:03

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<sup>17</sup> Clapping circus seals

<sup>18</sup> But not when the board is shovelling BVHHA's money to lawyers.

CH: So

00:18:35:00 - 00:18:38:23

JH: I move that we accept the twenty five hundred dollar deductible.

00:18:38:25 - 00:18:39:10

CH: K.

00:18:40:23 - 00:18:56:09

CH: That second? I'll second. AW: I'm I'm just open. I'm I'm indifferent to a thousand versus twenty five hundred. So yeah. Yeah. CH: This is the biggie. When we get the and board officers. That's the biggie. Never really had it.

00:18:56:11 - 00:19:02:09

JH: If you look back at our insurance, it's claimed zero zero zero until we hit Carina<sup>19</sup>.

00:19:02:11 - 00:19:07:00

CH: Okay. And so all in favor? Aye. Aye. Aye. Okay. So approved.

00:19:11:13 - 00:19:20:24

CH: And just to let everybody know, once we get this done tomorrow, I'll make an appointment to sit down with John Elliott, and I will get the process going.

00:19:22:17 - 00:19:30:26

CH: Okay. So we've done the deductible for general liability. The board and officers, alright, this is where the dollar amounts are dramatically different.<sup>20</sup>

00:19:32:19 - 00:20:04:06

CH: The baseline is fifteen thousand dollar deductible, and our premium was ten thousand nine hundred nine dollars. If we increase the deductible to twenty five thousand, it saves us eight hundred and sixty four dollars a year. If we increase it to thirty five thousand, and that's not increasing at thirty five thousand. The baseline is fifteen thousand. So we're actually fifteen to thirty five, so increasing at twenty thousand.

00:20:04:29 - 00:20:16:03

CH: I don't wanna confuse people. I could have said it wrong. But, anyway, if we go to a thirty five thousand dollar deductible, the savings is fourteen hundred and seventeen dollars a

00:20:16:05 - 00:20:18:22

CH: year, fifty thousand dollar.

00:20:20:07 - 00:20:25:23

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<sup>19</sup> JH refreshingly voices an awkward and objectively true fact

<sup>20</sup> The board wants to buy Extended Reporting Coverage to protect the board members, committee members, and "volunteers" who were complicit in the mismanagement of Carino Lane in 2024. This expensive coverage has to be "back-dated".

JH: Why don't you say what the actual premiums are? I think<sup>21</sup> Good point. We need to do that.

00:20:26:00 - 00:21:11:00

CH: So the fifteen thousand dollar baseline deductible is a yearly premium of ten thousand nine zero nine. If we go to twenty five thousand deductible, again, the premium drops eight hundred and sixty four dollars, which is ten thousand forty five dollars. If we go to thirty five thousand dollar deductible, the premium drops fourteen hundred and seventeen dollars, which makes a premium of ninety four ninety two. If we go to fifty thousand dollars deductible, the savings is nineteen hundred and sixty seven dollars a year, which makes a premium of eight thousand nine forty two.<sup>22</sup>

00:21:11:24 - 00:21:12:09

CH: Now

00:21:14:01 - 00:21:24:15

CH: everybody, I think, other than me, last time was thinking thirty five thousand. Is everybody thinking the same still, or is what the motion is, we gotta figure this out?

00:21:24:17 - 00:21:28:27

CH: I have What's the discussion? Yes. DH: What's what's the liability?

00:21:30:24 - 00:21:33:25

CH: What I would have a hundred thousand, a million.

00:21:33:27 - 00:21:52:27

CH: What what policy So this is a million dollar policy, and then we have the and I forgot to write that down. We have excessive liability, which is like a personal umbrella, which increases it to two million, and I've got the dollar amount in here. I forgot to put

00:21:52:29 - 00:22:00:16

CH: it in the report. DH: Is this each board member that's sued, or is it the total claim? AW: It's her claim.

00:22:00:19 - 00:22:12:23

CH: Yeah. Yeah. Now there you may there may be a question there that you just asked that I would have to read to review and give you an exact answer.

00:22:12:28 - 00:22:13:13

CH: That's

00:22:17:29 - 00:22:37:00

CH: Yeah. Well, let me finish this discussion first, and then I'll look for excessive the premium. I printed it out. It's, like, twenty six hundred dollars, and that increases from the million dollars to two million. So, anyway, discussion on

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<sup>21</sup> JH talking sense yet again. No other board member seems to possess JH's candor.

<sup>22</sup> CH has ignored JH's request to keep the information limited to just the premiums. Why?

00:22:38:29 - 00:22:44:01

CH: which deductible, or does have you guys

00:22:46:03 - 00:22:48:05

CH: already know what you prefer?

00:22:48:07 - 00:23:20:20

LH: I think I know which one, but I have a a comment that just says I was leaning in a different direction until I attended the legal discussion<sup>23</sup>. And, frankly, I think we have quite a litigious community<sup>24</sup> ??:

Mhmm.<sup>25</sup> LH: With our eriminal Camina? Carino? situations, People around there, and I feel one would like to feel like I was protected because if things and we have to decide this, I believe, by the end of April, this one coming.

00:23:20:22 - 00:23:21:07

CH: Right?

00:23:21:09 - 00:23:35:07

CH: Or is it June? That's the excessive liability.<sup>26</sup> That's the one that we can't add later. This Okay. This one is these two are the two that we have to get done. And then They say,

00:23:35:09 - 00:23:41:28

LH: well, you're saying these two is it this one? This and it has to be done in the by the end before the end of April. Yeah.

00:23:42:15 - 00:23:50:07

CH: I really need to get it done because we gotta transfer funds. You'll see in a minute. We gotta refund whatever. We need to get on next No.

00:23:50:09 - 00:23:52:17

?: No. No. No.

00:23:55:18 - 00:23:56:26

?: No. No. No.

00:24:05:11 - 00:24:21:07

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<sup>23</sup> What is LH referring to? Another secret meeting?

<sup>24</sup> A "litigious HOA"? The internet is full of them.

Even the FBI gets involved: <https://www.fbi.gov/news/stories/inside-the-investigation-of-a-las-vegas-construction-boss>  
Look what our Board, its committees and its volunteers did in 2024 to Carino Lane! Many of them are still on the board and its committees!and its volunteers and they want to get insured to the gunwales because they know that they were negligent in 2024!

<sup>25</sup> This is evidence of a personality trait.

<sup>26</sup> Extended Reporting Coverage (see earlier)

LH: We will not know until after May nineteenth how this is tending for the week, going to court or whatever is over Mhmm. Whatever. So I don't think think we should I bear that in mind because there's still a lot of.

00:24:22:25 - 00:24:54:03

JH: This is not gonna affect anything in the past. LH: I understand that. Thank you. So I think that we have and the reason I am referencing the Karina thing is my point about this is I think we have some players in this game who could then go forward and try to put another litigation against our group even if if the ~~criminal~~ Carino? Camina? thing doesn't go that way. That's all I'm saying that it it there could be stuff out there.

00:24:54:05 - 00:24:55:18

LH: We don't know about it.<sup>27</sup>

00:24:56:07 - 00:25:13:02

CH: So the thing that I wanna share with you, and and there are several coverages that we'll have to talk about, but we don't have to do them today. These were the two key, but extended reporting is one of those where we pay

00:25:14:29 - 00:25:28:22

CH: so that for another year or two years or three years are how we purchase it. We're covered for anything that really happens during free. What what's going on now? Yeah.

00:25:28:27 - 00:25:29:14

CH: I get that.

00:25:29:16 - 00:25:37:19

AW: So, Liz Yeah. With what you just said, does that encourage you to lean one way or another when it comes to this board and officer's deductible?

00:25:37:21 - 00:26:11:01

LH: It does. Because when we think of the deductible, the deductible is gonna hit the pocketbook of the homeowners. Correct. And we try to work I think it's we're obligated to try and keep the homeowner dues as well as, you know, as well as possible to try protect to the homeowners. And I think that if something also happened, trying to pull thirty five thousand, fifty thousand out of our offers is a lot. It is. And I I was leaning towards thirty five when we first saw this.

00:26:11:03 - 00:26:11:18

LH: And,

00:26:12:22 - 00:26:37:11

LH: frankly, leaning against fifteen thousand because of the work that we've all been doing and the things that we need to be spending money on as a homeowner's association. So my mind, it is worse than the two thousand, and that would be the ten nine because I don't think saving eight sixty four a year. It makes me sleep it. So that's just my just my personal

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<sup>27</sup> WHat a load of utter rubbish. Read what Extended Reporting COverage actually does.

00:26:37:18 - 00:26:38:26

CH: Understand. Judy?

00:26:38:28 - 00:26:46:05

JH: I'm I'm tending toward the the thirty five thousand because I don't think we have anything to worry about in the future.<sup>28</sup>

00:26:49:02 - 00:27:11:12

CH: Andrew, I'm once again indifferent, but I think that the to protect the homeowners, thirty five thousand is a lot when it was made, but it is not outside of what we have in reserve. So it's not like it would be an impossibility for us to cover that with existing coffers. So I would also move to thirty five.

00:27:15:11 - 00:27:16:00

CH: And

00:27:19:13 - 00:27:21:06

CH: as we get into this,

00:27:22:21 - 00:27:28:14

CH: I have a spreadsheet and how we're gonna pay for this and not affect our current

00:27:30:26 - 00:27:40:11

CH: Let make sure. Yeah. Just to make sure Yes. Everybody understands that. Okay. Okay.

00:27:45:05 - 00:27:48:13

CH: Sorry. I'm just bugged by this thing continuously zooming in on me.

00:27:48:15 - 00:27:50:06

CH: It's making me uncomfortable.

00:27:53:17 - 00:27:55:02

CH: Do knock it off you.

00:27:57:04 - 00:28:04:24

CH: There. Turn off. K. Okay. So No. There we go.

00:28:04:26 - 00:28:07:21

CH: It's an invite. Do you have a comment into?

00:28:10:05 - 00:28:14:14

CH: I I know we're making the vote, but how do you look? I'm I'm

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<sup>28</sup> JH's voice of reason. No homeowner will sue the board unless **(1)** they are stupid or **(2)** they have loads of FU money to waste. In the latter case, they should just put up their BVH house for sale and buy a non-HOA house somewhere else and move on. Our weaponized legal and court system is biased against homeowners because if they were not there would literally be tens of thousands of homeowner suing boards of directors like the board that has wrecked BVH. **Q:** Why does this board need to get so much more insurance protection? **A:** Available on request; email: [contact@bvhaccess.com](mailto:contact@bvhaccess.com) .

00:28:14:16 - 00:28:46:07

CH: in favor of thirty five also. DH: I think that what what the board is doing, they're doing due diligence. They're not showing negligence. I think that they're trying as hard as they can to present the best possible outcome. And so I think they should be protected. And I I think that keeping the premiums lower and coming up with three five thousand in New York, if something does get caught on the carpet, I think that the board should be protected by the association members. So I'm I'm in favor of that thirty five.<sup>29</sup>

00:28:48:19 - 00:29:08:14

CH: We got a thumbs up over here. Okay. Okay. So we have two advisers at thirty five. I already said I'm the one that usually goes higher, but the majority appears to be what being at thirty five thousand. So I'll make a motion that we go with thirty five thousand dollar deductible. And

00:29:08:28 - 00:29:09:29

CH: I second.

00:29:10:02 - 00:29:11:27

CH: He'll second it. And

00:29:14:09 - 00:29:15:15

CH: all those in favor?

00:29:15:17 - 00:29:16:06

CH: Aye.

00:29:16:08 - 00:29:18:21

CH: Okay. And we have one nay. One nay.<sup>30</sup>

00:29:19:15 - 00:29:21:10

CH: One nay. Correct. One nay.

00:29:33:06 - 00:29:33:21

CH: K.

00:29:36:26 - 00:29:51:21

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<sup>29</sup> DH is not a board member. DH was a prominent member of the "Carino Lane Committee" who, after Southridge removed the Declarant-installed buttress on Southridge's lots in April 2024, stated in **4/28/2024** in response to receiving authoritative engineering information on erosion prevention measures: *"I see your point. Have you considered this? The Declarant and any other previous owner of BVH is in the business to make a profit. Would the lots in the community have been as appealing to future property owners if a portion of the development was under a blanket of plastic/rubber telegraphing the fact that potential slides exist?"* These commonly used "prevention measures" were not figments of imagination. The culpability for the Carino Lane disaster rests on a clique of homeowners who, in 2024, abjured their responsibilities to protect Carino Lane. **This clique of culprits now want the BVH homeowners to pay for more insurance to protect them and them alone.**

<sup>30</sup> | wonder who?

CH: Okay. So this is our insurance budget. It's roughly going up to fifteen thousand dollars.<sup>31</sup> We had it five thousand. What I am proposing is

00:29:53:18 - 00:30:05:01

CH: taking reserve savings that for the year we have budgeted twenty seven thousand eight fifty four or from assessments for the year that will go to our reserve

00:30:06:18 - 00:30:25:07

CH: Rather than reassessing and upping homeowners, I would like to keep it the same price that we're already paying. So my recommendation, and I wrote up a spreadsheet to share with everybody<sup>32</sup>, is to take fifteen thousand from

00:30:35:08 - 00:30:37:27

AW: Is this the one who passed out last night? Yeah.

00:30:37:29 - 00:30:42:24

CH: No. There was an error in it. Okay.

00:30:42:26 - 00:30:44:21

?: It was Last time we mentioned the ten five.

00:30:48:23 - 00:31:23:22

CH: You know? Best laid plans in an ethical well, I may find it. Anyway, so taking fifteen thousand and changing the budget and lowering our reserve income and moving that money to our insurance budget, which was five thousand dollars, but now up it to twenty. It does, at the moment, give us an excess budget of five thousand dollars, but we have a couple other coverages that we had had to deal with.

00:31:24:02 - 00:31:52:07

CH: The excessive liability<sup>33</sup>, do we get into volunteers, board bonds, and criminal, but we aren't gonna decide that today. So by moving fifteen thousand into insurance, we do have a five thousand dollar range that we can take care of these other coverages, like accepted liability. AW: And, Craig, just so that I understand,

00:31:52:09 - 00:31:56:18

AW: this would be money that we would otherwise be putting in reserve investing

00:31:57:00 - 00:31:59:12

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<sup>31</sup> \$15,000? It was \$16,309 at the 3/26/2026 meeting

<sup>32</sup> Except the members who are not on the board nor a committee

<sup>33</sup> I think that this refers to the 3/26/2026 meeting minutes that stated this (**emphasis added**): "Current Farmers Insurance ("Farmers") as stated will not be renewed so **no claims made against the HOA in the future that occurred during the last year of coverage will be honored**. This would have been standard if Farmers had not refused to reinsure us. To gain this coverage, we can purchase what is called an **Extended Reporting option**. This would cost 75%(\$1,765) of our current policy for one year or 140% (\$3294) for two years or 200% (\$4706). This will also be presented and discussed at our April meeting." The 3/26/2026 minutes do not explain what time period the \$4706 covers; maybe it is for the **last three years**: i.e. all the way back to March 2023?

CH: Yes. AW: Growth. Right? CH: Yes. AW: I mean, this is

00:31:59:14 - 00:32:08:25

AW: a time where we are in a kind of emergency situation where we do need to spend income.<sup>34</sup> So I think that's a good point that you have here. Okay.

00:32:08:27 - 00:32:10:20

JH: Can I ask you one thing? CH: Yes.

00:32:12:25 - 00:32:29:05

JH: Landscaping budget, we are way under in our landscaping budget.<sup>35</sup> And so we allocated so much, and ~~Dean~~ Dana and I were talking, and there should be about forty five hundred dollar per city in the landscaping budget that we did not spend.

00:32:29:07 - 00:32:47:11

CH: Yes. And I think I mentioned a little bit. We can get to that a bit. Can we change that? Okay. Because I think we need to leave that. I've got a feeling that well, we're either gonna get for whatever repairs you come up with. We either gotta take money out of reserve or use the landscaping budget<sup>36</sup> that we already have. LH: Can I ask if

00:32:47:13 - 00:32:54:11

LH: we take this money that would have gone into the reserve fund? Are we going pay to the reserve fund back, or are you just seeing that as a claim?

00:32:54:13 - 00:33:02:26

CH: No. No. That's a second step. Okay. Yeah. That's a second step. And I will answer that here in a second.

00:33:04:15 - 00:33:28:15

CH: And the other thing is if we stay under budget, alright, this doesn't mean this is lost money. At the end of the year, we can say, hey. Do we wanna roll some of this into maybe two thousand twenty seven? Or do we if we have a nice lump sum, say, hey. You know what? We rob reserve income. Let's turn that back into reserve income and put it into our reserve account

00:33:30:15 - 00:33:39:22

CH: so that money doesn't disappear. JH: So we have to pay them back? Yes. Now that'll come down into the loan, which is going to be the

00:33:42:04 - 00:34:06:21

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<sup>34</sup> Yes; but on what? See the proposed costs from the landscaping committee later.

<sup>35</sup> Do not spend the landscaping money as we are "we are in a kind of emergency situation". Wait until mediation is over.

<sup>36</sup> 2026 Budget GROUNDS MAINTENANCE AND REPAIR: Landscape Maintenance Contract 2025 - \$51,000 2026 - \$70,000 Landscape Other 2025 - \$12,500 2026 - \$6,000 Backflow Device 2025 - \$100 2026 - \$0 Common ARea Extra Maintenance 2025 - \$12,000 2026 - \$3,000 TOTAL GROUNDS 2025-\$75,600 2026- \$79,000. Note that the "contract" had a massive increase that was disguised in the undefined "other". Boards do silly "junk fee" gimmicks like this all the time. What is "common area extra maintenance"? Go to the AMS Portal and look at the same gimmick used for "extra management fees".

CH: the next one after this. So I guess I should explain the loan. What we will do or what I'm recommending is we have to pay for this upfront. We can't do it monthly. So we don't have fifteen plus thousand dollars to just pay a one year. So we take a loan from the reserve,

00:34:08:12 - 00:34:14:10

CH: and I believe their way they're gonna do it is they're gonna put those funds into our insurance budget.

00:34:15:27 - 00:34:19:03

CH: And then each month, we will pay that loan back

00:34:22:00 - 00:34:30:15

CH: out of the insurance budget that we collect monthly.<sup>37</sup> And I may have confused the issue.<sup>38</sup> But

00:34:32:03 - 00:34:32:25

CH: I think it's We're

00:34:32:26 - 00:34:45:23

CH: we're gonna we're gonna have a big access back into insurance when we have to write the check to pay up front. But then we're gonna pay the reserve back insurance. From the insurance budget. And so

AW: But still,

00:34:45:25 - 00:34:53:04

AW: the reserve savings is net ??? dropping fifteen thousand. CH: Yes. AW: So the loan payback is just based on the fact

00:34:53:06 - 00:34:54:15

AW: that we have to pay

00:34:55:02 - 00:34:59:19

AW: upfront for one year's worth insurance. It's almost more like we're

00:34:59:21 - 00:35:01:19

AW: paying back our budget or,

00:35:01:21 - 00:35:03:24

AW: I don't know, we're stretching it out

00:35:03:26 - 00:35:21:10

CH: over LH: But we've got a lot of places where we've got extra money, but I don't think we should be doing that. We should just be taking it straight, I think. And then budget should stay the same. And at the end of the year, we can surplus in the budget. We can get the balance. That gets far too complicated if we take a one item there. CH: Yeah.

00:35:21:12 - 00:35:38:20

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<sup>37</sup> From whom???

<sup>38</sup> Sounds as if CH is confused, not just the "issue"!

CH: And and I I understand where you're at. I thought about that. And I'm going with Lisa.<sup>39</sup> Oh god. This is gonna get complicated. You know, we'll we'll ride from here and here and here. We've got a reserve fund. It's just clean. Alright? We're not throwing the money away. We're just moving it, and then we're gonna gradually pay it back.

00:35:38:27 - 00:35:41:02

LH: And your steady income each month.

00:35:41:04 - 00:35:42:11

?: Yes. Yeah.

00:35:45:17 - 00:35:48:20

SC: Can I get some clarification on that for a second?

00:35:48:23 - 00:35:49:12

CH: Yes.

00:35:49:19 - 00:35:56:06

SC: So what I think I hear you're saying is that you're trying to pay your insurance all at once to save on finance

00:35:56:28 - 00:35:58:25

SC: charges. CH: We have no choice.

00:35:58:27 - 00:36:01:22

SC: Oh, they'll only let you pay upfront.

00:36:02:01 - 00:36:04:13

CH: It's a hundred percent in full.

00:36:04:16 - 00:36:25:29

SC: Okay. Okay. So so what you usually do is you do a resolution<sup>40</sup> that you're borrowing from your reserves<sup>41</sup>, and and so then we pay the insurance upfront. And then each month, of what it does is it starts paying back the the reserves from the insurance budget that you have.

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<sup>39</sup> Who is Lisa? What a muddle this is!

<sup>40</sup> A "resolution" should state: **(1)** Purpose of the resolution **(2)** A clear statement of the decision or policy **(3)** Actions the board is taking to address the concern **(4)** Where the board draws its authority to make such decisions **(5)** The resolution's effective date. The board must ensure that its resolutions are published and distributed to all the homeowners. Preferably, the resolution should be recorded with the Oregon Jackson County Recorder, like amendments are recorded.

<sup>41</sup> ORS 94.595(6)(b) "After the individual lot owners have assumed responsibility for administration of the planned community under ORS 94.616, if the board of directors has adopted a resolution, which may be an annual continuing resolution, authorizing the borrowing of funds:

(A) The board of directors may borrow funds from the reserve account to meet high seasonal demands on the regular operating funds or to meet unexpected increases in expenses.

(B) Not later than the adoption of the budget for the following year, the board of directors shall adopt by resolution a written payment plan providing for repayment of the borrowed funds within a reasonable period."

ORS 94.595(6)(b) requires that the board (1) authorize the borrowing of money, and (2) before November 1, 2026 comply with subparagraph (B) of 94.595(6)(b).

00:36:26:01 - 00:36:27:20

CH: Yes. So we don't have

00:36:27:22 - 00:36:39:15

CH: to move monies around or anything. We're just doing a resolution. So we'd have to get an insurance resolution or a reserve borrowing resolution together for the board to sign off on.

00:36:39:25 - 00:37:08:10

CH: Okay. Alright. So that's what yes. So if it requires a resolution, that's great. The other question that I have is I brought a reserve account site. You know, we can write a check if we have to get it to you so that

CH: you can then put it in our brain, and then then you've gotta get a check back once I give you the final amount to the company. Then you've gotta get

00:37:08:12 - 00:37:09:23

CH: a check back to us.

00:37:10:02 - 00:37:11:04

SC: Each month?

00:37:12:00 - 00:37:14:22

CH: Well, no. You're gonna have to write us a check.

00:37:14:24 - 00:37:36:14

SC: Oh, yeah. Yeah. You'll you'll you'll because you control the reserves, you'll send a check into operating so that we could pay the the insurance in full. And then each month, we will have to send a a transfer or a payment or however we're gonna work that out, like, as if we were paying insurance each month, it would go back into the reserve.

00:37:36:21 - 00:37:41:03

CH: Yes. Yes. Mhmm. Yeah. Okay. Okay. Alright. So And let's

00:37:41:05 - 00:37:42:10

SC: That makes sense now.

00:37:42:12 - 00:37:43:09

SC: Alright. Thank you.

00:37:43:11 - 00:37:45:14

CH: What we're gonna do is JH: Can I

00:37:45:16 - 00:37:56:03

JH: ask one thing? And I'm terrible. No. You have to insurance budget is only five thousand. So after we've paid back our insurance budget, where is the other ten thousand gonna come?

00:37:57:05 - 00:38:14:06

CH: No. We're gonna put fifteen thousand into that budget. So I actually give them the twenty thousand dollar budget. Alright. That's what it does. And then we'll wipe out fifteen, and we'll have an excess of five. And that will we'll look at those other policies.

00:38:16:03 - 00:38:20:15

CH: Well, the This is why I did not volunteer to be ~~treated~~ treasurer? .

00:38:25:23 - 00:38:26:15

?: Okay. Did I

00:38:26:22 - 00:38:29:21

?: And no. No. So

00:38:32:15 - 00:38:37:11

CH: alright. So then what what I need then is to make a motion that we

00:38:42:25 - 00:38:58:10

CH: Okay. We've gotta make the motion to move fifteen thousand in reserve savings into our insurance budget. Second. Second. Yeah. Second, all in favor?

00:38:58:12 - 00:38:59:21

?: I. Okay.

00:39:01:04 - 00:39:04:13

CH: So then the next part is

00:39:06:08 - 00:39:18:17

CH: we need and, Samantha, you write up the resolution, but we are going to borrow fifteen thousand from the ~~Observe~~ account. And I need to send you a check

00:39:20:15 - 00:39:28:17

CH: and to be paid back out of our monthly insurance budget. K?

00:39:33:18 - 00:39:34:03

AW: So

00:39:36:17 - 00:39:42:27

AW: is that gonna require us to do, like, an emergency meeting to sign that resolution? Or

00:39:43:21 - 00:39:51:11

JH: If we approve the resolution now,<sup>42</sup> then it's just a case of sending them to the resolution to sign, or we have to hold another meeting.

00:39:52:07 - 00:39:53:13

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<sup>42</sup> The board has not written an and agreed on a resolution! Another resolution must be done by November 1, 2026 with a "written payment plan".

CH: Did you hear that?

00:39:55:27 - 00:40:03:15

SC: Are you gonna go ahead and make the motion, but you'd have to and then you could do it offline and when it's ready.

00:40:05:16 - 00:40:10:19

AW: What does that mean? Mean Can we all just or does Craig just sign it, our approval, or does that

00:40:10:24 - 00:40:13:21

SC: It says here Andrew or Liz signed the reserve account.

00:40:13:23 - 00:40:17:28

SC: So so the resolution is usually signed by the president and the secretary.

00:40:18:19 - 00:40:19:04

CH: Okay.

00:40:19:11 - 00:40:49:15

SC: And so how that works is right now, normally, you have the resolution and you you you adopt it, and then we send it out to all the owners so that they're privy to it.<sup>43</sup> But your insurance is coming due, so you need to have you need to have that you need to make your motion tonight so that we could get that done, or you can hold a special meeting just to approve the resolution once Samantha has it drafted up.

00:40:49:25 - 00:41:01:12

SC: She'll she'll draft it up, get it to our our resolution team that reviews it, make sure all the t's are crossed and i's are dotted, and then she can get it over to you to look at and and approve and sign.

00:41:01:14 - 00:41:11:09

CH: So if I make a motion now and we approve it, does that satisfy when she sends a resolution to me and list and I sign it?

00:41:13:01 - 00:41:15:05

SC: Yes. Your resolute you you could

00:41:15:13 - 00:41:15:28

?: We can do it.

00:41:16:00 - 00:41:28:21

CH: The resolution tonight saying that if if it's approved you know, if it's as how the whole board agreed to it this evening, then they could go ahead and let the president and the secretary sign it.

00:41:29:07 - 00:41:30:08

CH: K. Alright.

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<sup>43</sup> This is correct! But first the resolution must be put in writing. See Bylaw 2.12 and 3.10

00:41:30:10 - 00:41:33:09

JH: Once once drafted, approve the resolution.

00:41:33:21 - 00:41:37:29

CH: Okay. So we got a motion to approve the resolution.<sup>44</sup> Second.

00:41:41:27 - 00:41:43:00

CH: All in favor?

00:41:43:03 - 00:41:44:04

CH: Aye. Alright.

00:41:56:16 - 00:42:01:20

CH: Okay. And, again, we'll get into the extended reporting,<sup>45</sup> which

00:42:03:10 - 00:42:16:26

CH: gives us coverage on our own insurance company and the accepted liability. We'll we'll do that probably next meeting or in between. I'll, you know, I'll put something together for everybody. AW: How long

00:42:16:28 - 00:42:32:06

AW: are they gonna continue the the what I'm calling, like, the the the gap insurance. Right? the So one that goes back in time covers for, you know, entire last year essentially going forward. Your teeth.

00:42:32:08 - 00:42:34:01

CH: You could wait for Whatever we choose.

00:42:34:03 - 00:42:36:27

CH: One, two, or three. AW: How long before they need a decision?

00:42:36:29 - 00:42:48:28

CH: Fifty days. Yeah. Okay. So sixty days from the end of the policy. Yep. And had we not had a claim and had we not been canceled, it would have been automatic<sup>46</sup>.

00:42:49:00 - 00:42:49:19

CH: Yeah.

00:42:49:29 - 00:43:04:26

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<sup>44</sup> What did this unwritten resolution and undefined motion state? What if BVHHOA's homeowners don't like a vague resolution?

<sup>45</sup> Extended Reporting Coverage. To cover the Board Members, the unofficial committees, and the volunteers who were complicit in the destruction of Carino Lane. No resolutions were ever published in minutes defining the purpose or membership of any committees as defined in Bylaw 5.1. BVHHOA is ruled by an oligarchical personality cult of scofflaws.

<sup>46</sup> The board brought all this on themselves.

**CH:** And so but because of the cancellation due to the claim or it's not even a cancellation. It's nonrenewal clause, which is in their insurance as well. That's what's required us to pay for

00:43:04:28 - 00:43:07:25

**CH:** it. Sure. We'll have to do that.

00:43:08:06 - 00:43:13:00

**CH:** Yeah. We'll work on that one. I talked about any other funds.

00:43:16:26 - 00:43:17:11

**CH:** Okay.

00:43:20:26 - 00:43:33:20

**CH:** And Susan or Samantha, who do I contact? I'm thinking about you guys have an automatic transfer of reserve funds to ~~Read~~ **Rogue** Federal Credit.

00:43:35:14 - 00:43:48:25

**SC:** I can probably set up the same thing with you guys so I don't even have to send you a check or no. We probably should have a check so we have record of signatures on it. Okay. Okay.

00:43:49:28 - 00:43:56:15

**JH:** I think I think could we not talk to rogue? And **CH:** I should be

00:43:56:17 - 00:43:58:00

**CH:** able to set it up. Yeah.

00:43:58:12 - 00:44:01:14

**CH:** It's not a case. So

00:44:01:21 - 00:44:14:22

**CH:** to transfer those funds from reserve up to you guys, is it better to have a check that listens I or Andrew assigned, or can we do that as an ACH concept with direct payment?

00:44:16:01 - 00:44:17:03

**SC:** You should

00:44:17:05 - 00:44:24:06

**SC:** be able to do a direct payment. We just have to get with accounting and and make and work together with them on how that would work.

00:44:24:11 - 00:44:27:27

**CH:** Okay. And who should I contact on that?

00:44:28:04 - 00:44:30:25

SC: Samantha could coordinate that for you.<sup>47</sup>

00:44:31:03 - 00:44:36:09

CH: Okay. Okay. I forget whether it was I think

00:44:36:11 - 00:44:40:14

SC: it's probably Jace. I think Jace is your is your staff accountant.

00:44:40:21 - 00:44:42:24

CH: Okay. Alright. I know that we got SC: She'll

00:44:42:26 - 00:44:48:04

SC: get with your staff accountant on how best to handle that and let you know and make arrangements.

00:44:48:07 - 00:45:08:06

CH: Well, we've got one way set up already. So all I got is set up the the other direction. Yeah. Okay. So, Samantha, if you would just talk to Jason and and find out. And I when I can call him, and we could set that up.

00:45:09:07 - 00:45:11:24

SC: K. I'll let you know in the morning. K.

00:45:14:01 - 00:45:42:21

CH: So I wanna stop at insurance. I know we got other things, but we got a lot more to go with. Is there any other questions about what we've done so far related to our insurance? Because we'll get this, and then the policy will be purchased, and then this will start May one. Okay. So next thing on the list, which was it's a big beat, and that's Dana

00:45:44:09 - 00:45:44:26

CH: and

00:45:45:03 - 00:45:46:09

CH: Nope. I believe

00:45:48:28 - 00:45:52:09

LH: Oh, I went ahead and let Dana go. I I moved you

00:45:53:08 - 00:45:57:25

CH: after. Okay. That's fine. We can go. No. No. That's fine. ?? He can go first.

00:45:58:02 - 00:45:59:06

?: Alright. I was trying to make sure

00:45:59:08 - 00:46:04:00

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<sup>47</sup> If Samantha's not already writing her resignation letter to AMS to get away from this litigious BVH mess, like CPM did.

?: we had plenty of time. Thanks. Woman. I'll sit there and let the man go first.

00:46:08:14 - 00:46:41:14

CH: Okay. So, anyway, Dana, you wanna fill everybody in? Do you got a a a group of people that have looking at our HOA community and our and things that we need to do as far as maintenance and also working towards the reserve study. So I give the floor to you. Thank you. DH: Well, a group of us, you're right, Jerry. About four or five people who have contributed to this report.

00:46:42:06 - 00:46:48:13

DH: And, basically, it's and what we did was we reviewed the reserve study.<sup>48</sup>

00:46:49:07 - 00:47:22:01

DH: We're not presenting a new reserve study because I'm gonna ask Susan straight straight off the the beginning here. My understanding is that Oregon requires a licensed company to provide a reserve study every three years for the state for the state of Oregon. It cannot be done sheet seat of the pants or just in house. It has to be done legally at least once every three years.<sup>49</sup>

00:47:22:03 - 00:47:22:29

DH: Is that correct?

00:47:27:02 - 00:47:52:13

SC: Sorry. It was giving me a hard time letting me unmute. The statute doesn't require they don't require that it be a reserve specialist. It doesn't get into that detail. However, it is highly recommended by pretty much anyone you talk to in the industry that at least every third year, you have a licensed reserve specialist review and update your reserve study.

00:47:53:05 - 00:47:55:07

DH: Okay. But it's not required?

00:47:55:26 - 00:48:27:02

SC: No<sup>50</sup>. But it's highly advised because it's it's you know, it's a pretty important document and it helps you make sure that you're funding properly so that you are making sure you're not nearing a special assessment. They have all kinds of programs that will, you know, calculate the life expectancy. They can

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<sup>48</sup> ORS 94.595 is the statute that defines a Reserve Study, the Reserve Account, and a Maintenance Plan. ORS 94.595 is the only controlling legal document that defines the requirements for these aforementioned three mandatory tasks that the board must complete. Note that the word "shall" used throughout ORS 94.595 is an imperative that cannot be modified or changed by an HOA's Declaration, Bylaws, or Rules. In particular ORS 94.575(3)(a) defines how the board must calculate the Reserve Account funding for the Common Property **items** defined in ORS 94.575(2) and ORS 94.575(4). This means that the board must create an inventory of **ALL** the HOA's Common Property items, and then, after examination, determine which items in the inventory require reserves and which items require maintenance. Note that the Reserve Study is defined in 94.595(3)(c) that meant=s that the study must contain one row of information for each item for which reserves must be established, and, for each item, its estimated remaining useful life and the cost of maintenance or repair at the end of the item's remaining useful life. There is no statutory need for anything more, despite what all of the CAI's *soi-disant* "Reserve Study Specialists" proclaim.

<sup>49</sup> **Not true.** ORS 94.595 defines all the Reserve Account, Reserve Study and Maintenance Plan requirements. There is no need for an Oregon HOA to incur unnecessary expenses by doing anything more than what the Oregon Statutes specify.

<sup>50</sup> This confirms that Oregon Statute 94.595 is the controlling legal document for Reserve Studies, Reserve Accounts and Maintenance Plans. Everything else is superfluous and non-statutory. I wish that talking this matter to death would now stop.

you know, what the cost is per square foot of something or a lineal foot. I mean, it's got all of that data all that those formulas for them to use.

00:48:27:15 - 00:48:28:04

DH: I

00:48:29:05 - 00:48:38:09

DH: understand. We've got two reserve studies that were done professionally. One in two thousand and fifteen and one in two thousand and eighteen or nineteen depending on how

00:48:38:11 - 00:48:39:22

DH: you look at the date.

00:48:39:24 - 00:48:41:22

SC: Yeah. That was with Regenesis, I believe.

00:48:41:24 - 00:49:14:27

DH: Yeah. Yeah. Two different companies, and both of them made recommendations after reading the eighty nine pages that they offered. The first time around, they actually included things that we didn't own. So Mhmm. With error even in professionalism in the in the marketplace. But one of the things that they they summarized was how much money we should have in the reserve account at any period of time during the process of us running our association.

00:49:15:11 - 00:49:47:04

DH: And one of them wanted a hundred percent. One of them wanted something like sixty percent. So there's an interpretation of how much money we need to really have in the in the reserve account. That being said, we aren't offering tonight a reserve study. It's not a professional. What we did as a group was we walked the property, identified all of the inventory that we could find that Elvira BVH homeowners

00:49:47:14 - 00:49:49:02

DH: own. And

00:49:49:04 - 00:50:21:20

DH: we took a look at the condition, and then we sat down for three meetings and take a took a look at the reserve account studies that we have already gotten from the two companies and took their figures and just took a look at, for example, like you just said, they've amortized or taken a look at standardized life expectancy of certain things that we don't. And we didn't change any of that because that may be something we want somebody to professionally look at.<sup>51</sup>

00:50:21:22 - 00:50:59:04

DH: But what we did do was find some errors, and we found something omissions. And so what I'm gonna present right now is basically what we discovered with hopefully something more complete to be offered in the future. This is not decision making in some cases. Some cases, it's a a warning of what has been neglected, what has not happened over the course of the last twelve years that the HOA has been basically maintained by the ~~debtor~~ Declarant in which we chose to not fund

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<sup>51</sup> All this information is probably already on the internet. Google it and read it before wasting more of BVH HOA's money.

00:51:00:22 - 00:51:31:15

**DH:** for his own self interest.<sup>52</sup> And I guess that's not something I should be saying in public. But true. But so what we're looking at is I've handed out the sheet, which is two page, and maybe it's posted right **DH:** there on the on the board. So So I'd like to go down quickly, and then we've got a few recommendations. What we've done is we've set or prioritized things that have been neglected that really need attention sooner to just as a recommendation to the board.

00:51:31:25 - 00:52:07:26

**DH:** And then they can choose whether to take action and whether to put that money in that direction. Basically, we haven't spent any of our reserve account for taking care of anything.<sup>53</sup> And in in a fashion, it looks like it, but in a fashion, our reserve account has been untouched. So with that being said, if you take a look at the chart, chain link fencing is the first. Actually, above that, it shows reserve fund items and across from that priority key, we have set up an a, b, and c priority for each item.

00:52:08:17 - 00:52:44:21

**DH:** A is we recommend it being done this year, two thousand twenty six. K. B is could be postponed to two thousand twenty seven, and c could be arranged in the future at a future time. So we have a tailing fencing all along the ag buffer, and it's in the amount of about three thousand feet. And the recommendation from the original study by the professionals was that it has a thirty year life expectancy and that sort

00:52:44:23 - 00:52:45:11

**DH:** of thing.

00:52:45:15 - 00:53:02:24

**DH:** As you read across the columns, it says the date in service, and then it says what year would be replaced and how much money we spoke to set aside. That's where all these charts will come from. The professionals, we're supposed to have so much money in it every year to pay for it thirty years from now.

00:53:04:10 - 00:53:11:20

**DH:** So that one, we just kind of decided as a future, not something we have to worry about for right now. The mailboxes, we have

00:53:13:11 - 00:53:32:09

**DH:** eight units, and the life expectancy there is twenty five year first from when they were installed in two thousand six. That again is something that is can be done in the future. I think it'll be done as needed. If one breaks, we don't have to replace them all, so we don't have to

00:53:32:11 - 00:53:37:05

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<sup>52</sup> Which Declarant is DH referring to? There has been six Declarants since 2004: **(1)** Dubs, **(2)** Pacific International **(3)** Excelsior Developments **(4)** Bella Vista Heights LLC **(5)** Bank of the Cascades **(6)** BVH USA LLC. It would be more propitious to the advancement of BVH if the board installed in 3/5/2024 and its successor boards, stopped making implications about the behavior of previous Declarants. They might as well blame the City of Medford's Planning Department for "Accepting and Approving" BVH's planning document PUD-05-25 on July 28, 2005 where they signed off on all the private roads, slopes, agricultural buffer, easements, etc., etc..... If the board sues a Declarant, the Declarant should sue the City of Medford planners for creating a mess.

<sup>53</sup> Because the board that was installed on 3/5/2024 has failed to produce a Reserve Study that is fit-for-purpose.

DH: have all that funds there. AW: Did they just were they all installed in two thousand six?<sup>54</sup>

00:53:37:07 - 00:53:39:12

AW: Like, the Strata La Strada, like, there was any house.

00:53:39:17 - 00:53:44:26

DH: Actually, I don't have the records. What this is is from the records of the original

00:53:46:22 - 00:53:49:09

DH: Two thousand and fifteen. Okay.

00:53:49:11 - 00:53:51:28

DH: Report. They have it all been installed at the same time.

00:53:52:00 - 00:54:22:04

DH: My guess is, like, maybe the first cluster of new boxes was two thousand and six. Right?<sup>55</sup> Okay. Another good question. Absolutely. So getting down to the next item, which is a private road.<sup>56</sup> As you know, we have Camino Camino, La Strada. We have a parking area, which is down below near the park. We have a pathway on track b, which is the pathway to Goosebeakers Park<sup>57</sup>, and we have a portion Sorrento.

00:54:22:18 - 00:54:28:23

DH: Those are the items that they call a seal coat, which is a layer of

00:54:30:13 - 00:55:00:29

DH: asphalt material. It's just a a fine layer that acts as a seal or like a paint over the top to help retain the moisture so that the asphalt doesn't break down. They can recommend you to doing it every five years. It hasn't been done. Well, you can see, for example, the two thousand twenty three, the Camino Drive, which is at the top of Camino, was done at ~~twenty three~~ 2023 by the sea city. They accidentally did Camino and went on to the end.

00:55:01:09 - 00:55:01:28

DH: So

00:55:03:18 - 00:55:19:23

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<sup>54</sup> Medford Aerial Photos show that installation of the Cluster Box Units ("CBUs") began around 2012/2013 and were completed by 2016

<sup>55</sup> No Medford City's aerial photos confirm this.

<sup>56</sup> There are seven **Tracts** on the BVH Plat that is shown in the CC&Rs at pages 59 to 72. They are:

**Tract A.** East and West La Strada Circle. A **private street**.

**Tract B.** An **open space**, Canova Park, that is located at the west extremity of BVH.

**Tract C.** An **open space** that extends westwards from the west end of Palermo street.

**Tract D.** An **open space** that is to the west of Lot 9 on Palermo Street.

**Tract E.** Sorrento Lane northwards from Palermo Street. A **private street**.

**Tract F.** Carino Lane northwards from East Veneto Circle. A **private street**.

**Tract G.** Camina Drive eastwards from East Veneto Circle. A **private street**.

<sup>57</sup> Canova Park?

DH: the next time it's due according to the five year plan would be five years twenty eight. Mhmm. Seal code on Carino, we did it right after the purchase of the three lots.

00:55:22:02 - 00:55:42:15

DH: The definite point out there and seal crack seal. Seal I'm saying seal coat, but it's really only crack seal. None of this has been seal coated. Just the cracks have been filled, cleaned out and filled. That's that's what I'm meaning when this is sealcoat. Nothing has been sealcoat. CH: The same Camilla Camina that the city did,

00:55:43:02 - 00:55:50:27

CH: or was that a total sealcoat? DH: Kind of. It it was a crack. It was a crack. Okay. Excellent. Yes. Lestrada,

00:55:53:10 - 00:55:55:17

DH: it was it says

00:55:55:29 - 00:55:59:03

DH: We've got that done as a to do this year.

00:55:59:12 - 00:56:05:29

DH: Okay. That's the reason it says twenty twenty six. It's because we are suggesting as you look across priority that that should be done this year.

00:56:06:12 - 00:56:07:26

?: Do we know the last time that

00:56:07:28 - 00:56:12:22

?: was done? That was done in twenty seventeen.

00:56:12:29 - 00:56:16:22

AW: Oh. It's a little overdue. Yeah. Okay. Yeah.

00:56:18:05 - 00:56:29:27

DH: The parking area down below was done in twenty twenty five, which is near the park. The pathways were done in twenty twenty four. The

00:56:31:24 - 00:57:04:13

DH: Sorrento was done at the same time as the the part of the area was done. That was done done just last year. So we're we're identifying LASTRADA as in deep need of the seal coat. Not seal coat. Crack seal. The Crack seal, we've got two bids. One is about sixty six hundred. The other is eighty seven hundred. So that's where that figure comes in at current cost.

00:57:07:20 - 00:57:16:28

CH: And then did did you not say there's some potholes? I heard remember there's, like, four potholes? Actually,

00:57:17:18 - 00:57:24:29

?: there's axe we'll go down further and talk about curb repair on LASTRADA. As far as Okay. There's there's a

00:57:25:18 - 00:57:26:12

?: You know, gonna say that.

00:57:26:14 - 00:57:56:28

DH: An alligator. There's a situation called an alligator skin or, like, an alligator coat where there's a striation that looks like an alligator across where the preparation of the road is apparently not done real well. So there's this breakup and shattering like ice going in across about three or four places. Both the companies have said that they can take care of it with the steel-seal coat on a temporary basis. It's not a permanent solution.

00:57:57:12 - 00:57:59:27

DH: One company suggested that for about

00:58:01:13 - 00:58:05:29

DH: fifteen hundred dollars, you you have the bid actually, the proposal on one of them.

00:58:06:16 - 00:58:07:27

DH: And it's about

00:58:09:17 - 00:58:14:28

DH: fifteen hundred dollars. And what they do is they go in and cut a square out, remove it, prep it, and put it back again.

00:58:16:14 - 00:58:27:03

DH: They both said that that's not necessary at this time. It's probably the crack seal is gonna be adequate to carry us through.

00:58:27:25 - 00:58:29:03

DH: Carry us through meaning, like,

00:58:29:05 - 00:58:32:23

AW: five more years? Five year site. Got it. If if we're using five year site.

00:58:32:28 - 00:58:49:11

CH: And on that one, I'm thinking, yeah, we need to do stuff, but we don't know the amount of equipment that's gonna be on that road. Exactly. And so this, to me, put a whole bunch of money in the road and then all of a sudden start having all this heavy equipment to deal with it.<sup>58</sup>

00:58:49:13 - 00:58:54:05

DH: The committee tells the same line. They said that that would be money wasted, not well spent. Okay.

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<sup>58</sup> At some point in time between 2020 and 2024, QPM said in an email that the Declarant would not sealcoat/crackseal La Strada until all the homes on La Strada and Carino had been built and the builders had left.

00:58:55:20 - 00:59:08:14

DH: But as long as you brought it up, if you flip the page, we'll talk down below where about halfway up. It says curb repair at Lestrade. I've got some pictures here if I can see them.

00:59:12:26 - 00:59:15:20

DH: And maintenance. Okay.

00:59:18:21 - 00:59:21:01

DH: Under storm storm drains and maintenance.

00:59:21:23 - 00:59:22:14

DH: Your there's

00:59:22:19 - 00:59:43:02

DH: ~~the sauna~~ a La Strada has curve that has keyed. It's past those down, and it has blocked this the water going into the drainage system properly. So it disperses the water out into the street, and that should probably be repaired. It should be done before this is

00:59:43:04 - 00:59:43:19

DH: when it

00:59:43:21 - 00:59:45:14

?: was The acroxy. Yesterday.

00:59:45:16 - 00:59:48:20

?: So he has nothing for Okay.

00:59:48:22 - 00:59:55:20

DH: I'm sorry. So here, let me show you. Mine is a Dale. ????? Okay. This one is here. He's speaking to us. Okay.

00:59:56:09 - 01:00:02:29

DH: Okay. So this is the truth. Alright. Now that they're Yeah. On page two of the right?

01:00:03:20 - 01:00:05:18

DH: Well In the middle, one time expense.

01:00:06:15 - 01:00:08:08

DH: You can see it here.

01:00:08:10 - 01:00:32:10

DH: Yeah. Yeah. Yeah. So we have a bid for that. I'm trying to get a second one. Haven't been very responsive. But this one, it's forty six hundred dollars. It's about thirty to forty feet of curb. Let's see here.

DH: That's basically, what they're doing is there's a area here where you can see water piling up, dirt piling up, and everything right before the drain system down below. So

01:00:34:02 - 01:00:35:25

DH: that's What again? AW: What what are they saying

01:00:35:27 - 01:00:36:28  
the cause of that is?

01:00:37:08 - 01:00:38:19  
DH: Say that again? Why why is

01:00:38:21 - 01:00:40:16  
DH: it doing that? Why is the Well, looks

01:00:40:18 - 01:00:43:15  
DH: like it hewn. You can actually if you look at one of the pictures, you can

01:00:43:17 - 01:00:47:08  
DH: see the crack right in the middle of the Out of this bucket right there.

01:00:47:27 - 01:00:52:14  
DH: So it looked like it heaved up, and I can't tell you what caused that. No. No.

01:00:52:16 - 01:00:54:17  
?: I that's you answered my question.

01:00:54:19 - 01:01:06:16  
DH: Thank you. Yeah. So it could be just a soil or geology. It could have been some huge piece of equipment that damaged it, and it just started to sink after that because water's seeping in. So the bed

01:01:06:18 - 01:01:10:23  
DH: you got, flatten that back down, is it all gonna fix that one curve

01:01:11:00 - 01:01:13:07  
?: Yeah. Area that's What they do

01:01:13:09 - 01:01:35:16  
DH: is they cut that whole unit out and repour the whole thing so that it's a straight line down to the drainage. Okay. And that was forty six hundred dollars. That's an a item that we really feel should be DH:  
DH: taken care of this year and before the the crack seal. Because if they do the repairs and then do the crack seal, they're gonna seal any of

01:01:35:18 - 01:01:36:22  
DH: the edges, which is great.

01:01:36:24 - 01:02:13:18  
DH: If they do seal first and then break everything out, that's not there's a beneficial to the long term of the k. Curve. Getting back up on the the first stage, we have a a retaining wall stone retaining wall on the ~~ank~~erage-McAndrews. It's been breaking down since it was put in. It's made out of sandstone. One of the

guidelines for the architectural is that we cannot use sandstone to build any structural elements or walls and not on any property, landscaping or other.

01:02:13:25 - 01:02:50:19

DH: We have to use either a basalt or a concrete. And yet, the development, and this was before the ~~Teton~~ **Declarant** put in this sandstone wall. And if you walk it on the Andrews on the ~~Camino~~ **Camina** side, you will see where it's breaking down. That, I tried to get a geologist to come out, and I can't get one yet, just to give an estimate of what the prognosis is, whether it's okay and it's gonna be there for at least another hundred years or whether it's gonna break down and we need to take care of the hedge falling down and some of the big rocks falling into the street.

01:02:51:08 - 01:03:03:22

DH: So I'm that's as you can see here, we need to get a quote. It's about fourteen hundred feet long and three feet tall. Some of it is really obvious where there's no planting at all.

01:03:05:20 - 01:03:38:05

DH: So that's a an issue that we don't have an ABC **???** because we don't know what the condition of it really is in that. But that was not on the the original or the second review, the the survey, the reserve studies. Neither one of those was included yet. That's one of the things we own that is breaking down and could need some attention and maybe considering a value that we have to add as a reserve cost at some time in our community.

01:03:40:01 - 01:03:46:05

DH: Next one is bark mulch. Bark mulch is kind of a landscaping thing. On the other hand, if you ~~block~~ **walk** again

01:03:48:23 - 01:04:25:24

DH: McAndrews. The south side of McAndrews is a steep slope. If you look at the plants, all the roots are exposed. There's no rock. I mean, there's no soil for the plants to secure. So you've seen trees starting to fail. Seeing plants starting to fail, and you're seeing the water that we use every day to water that in the summertime running down to the sidewalk and making slimy mold along the street sidewalk. Looking at this, you would see that. So one thought is to put bark mulch on those banks where that exists, and that would cover the roots.

01:04:25:26 - 01:04:58:21

DH: That would hold water when it's thrown out. It wouldn't just come right back down again, slow down the process a while. That the the the the plants become more healthy and would be with less water. That I had one company give us a cost to do both sides of the cantons **???** underneath all these spruce trees as well as the the side with the steep slope that's on the south side. It was nine thousand dollars plus the cost of getting a permit from the city to close off one lane of ~~andries~~ **McAndrews** in order to be able to have their equipment.

01:04:59:16 - 01:05:06:22

DH: I'm gonna get a second quote. I'm waiting for US ~~launch~~ **Lawns**. I'm meeting with them tomorrow. I don't know if I have that quote, but

01:05:06:24 - 01:05:08:15

DH: they would like to get one for me.

01:05:10:03 - 01:05:13:01

CH: So you put that as an a? I put that

01:05:13:03 - 01:05:36:26

DH: as a a nothing because I don't know what how much money you wanna spend this year. And I think the priorities for a would be the street and another one on here, which is the fences. So I think that the things that are gonna collapse and break down and need to be repaired most instantly were just.

01:05:39:07 - 01:05:58:21

DH: So the bar calls, if we didn't do it this year, plants would still survive. We'd still waste water, and it would still look semi ugly, but it would still be tolerable. So that's kind of something that we need to think about. The board needs to talk more about. The then we get into

01:06:01:03 - 01:06:29:00

DH: the fencing, which is item three, it says there it doesn't say fencing, but that's item three. I gave you each two proposals for the fencing. According to our CC and Rs,<sup>59</sup> the homeowners association is responsible for the side facing the common areas. And the that is not something that was included in the original

01:06:30:18 - 01:06:50:05

DH: reserve study, but the committee decided that it an was integral part of what we are responsible for taking care of. So the park, there's there's some boards coming off. It's got water stains. It's exposed to summer sun. And so we got a bid on painting

01:06:50:12 - 01:06:53:04

DH: the park side

01:06:53:06 - 01:07:25:17

DH: of the fences. The homeowner is responsible for the inside. The association is responsible for the and I can give you a couple quotes from our CCRs if you wanna see what it says about common area offenses fences. But it does say that capitulate ??? is responsible for the ~~homeide~~ homeowner's side. And the other one is on north on East McAndrews on the north side where the streak trees are, where the large spruce trees are. Those that's been taken down and put back up and moved.

01:07:25:19 - 01:08:02:02

DH: It was done kind of halfway. Boards are coming off there. It's also exposed. The trees are also pushing against the fence in some areas, and it also represents our community. When we drive down the canned roofs, so the board the committee really felt that that should be painted as one paint job, not as one owner going out paint, and the other one deciding doesn't need to do it all. It's gonna be a brick back patchwork and that the association at because it's facing the common area should be painted all at one time.

01:08:02:14 - 01:08:30:24

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<sup>59</sup> Declaration 2.10, in particular 2.10.4(f) Damage on the owner's side, like nails, is the owner's responsibility.'

DH: So the two the figures across there, the park, you can see it shows an estimate. One company bid just to do the whole thing, which is between thirty and I'm sorry, thirty six thousand dollars<sup>60</sup>. Another company actually came in at under thirty thousand. I've got a figure here. You've got the quotes. One is at about twenty six something. What that does, both those quotes include

01:08:32:27 - 01:08:36:27

DH: repairing the fences where boards are broken. It includes

01:08:38:20 - 01:09:14:29

DH: cutting back all of the greenery that is now pushing against the fence so that they can access it to do the painting. And then Painting. One company is offering to pressure wash first. The other company is going to brush clean and get all the dirt that spills up at the bottom where the boards are starting to rot and suck up the moisture. Both are gonna clean them and get them ready to prep. Each has their own way of doing it. The the one company is actually a figure that I have here from

01:09:17:28 - 01:09:19:02

DH: I have gentleman.

01:09:22:24 - 01:09:23:14

DH: I have it.

01:09:31:02 - 01:09:36:28

DH: One is thirty six thousand six hundred dollars<sup>61</sup> to do all of that work.

01:09:37:00 - 01:09:53:04

CH: Now you're talking all the work, you're talking about the park and the ???. That's correct. CH: Okay. That's correct. Or that's then you broke it down if you wanted to do one this year and one next year. That's where that's eleven three hundred to fifteen

01:09:53:16 - 01:10:10:21

DH: thousand. Wait. I did what I showed if you you could itemize one company did about eleven three to do the park. The other company did about fifteen thousand to do the park.

01:10:13:15 - 01:10:18:09

DH: The one company did fifteen thousand to do North-~~McCanada's~~ McAndrews. These are not

01:10:18:13 - 01:10:20:21

DH: I am I'm sorry. I didn't do this.

01:10:20:23 - 01:10:42:11

DH: It's okay. It's clearly associated. But, basically, the two top figures on the current-~~garage~~ cost<sup>???</sup> line are eleven three and fifteen thousand, and that totals twenty six three. That would be the bid from one company to do each, the north, the Andrews, and the park.

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<sup>60</sup> \$36,000

<sup>61</sup> \$36,600

01:10:44:06 - 01:11:20:21

DH: And the lower two numbers, fifteen thousand and twenty one, if you add those up, that comes up to thirty six, which is the doing the other company doing both those projects. And one company broke it down exactly, which is the the top one, eleven three and fifteen, so that you can actually feel see if you only wanted to have one done in the budget this year and one done. So that's the reason we wrote it as a b priority if you felt that we didn't wanna take all of the reserves to almost thirty thousand dollars out to do the all the people at one time so you could get a feel for that.

01:11:22:02 - 01:11:48:14

DH: The one company, I think, was going to stray. The other company was gonna brush off and roll. That's a lot of material. That's a lot of labor. The the lower price company is charging eighty five dollars I mean, forty five dollars an hour for any additional work because some of it, the repairs are as needed. You're gonna

01:11:48:16 - 01:11:50:16

DH: find out how much what

01:11:50:18 - 01:12:22:20

DH: they get into. The other company charge eighty five dollars an hour. So the lower price company definitely has a good good price comparatively speaking. If US who I meet with tomorrow agrees to clean up the brush that's pushing up against all the plants, we can take off on each one of these fits a significant amount of money. Would take forty two hundred dollars off of one. I'm I'm sure you're getting confused. I've been working with this for a while, so I I know what I'm saying.

01:12:22:27 - 01:12:27:02

DH: But the other company would save about

01:12:28:21 - 01:12:29:13

DH: let's see.

01:12:29:15 - 01:12:30:00

DH: Where's the

01:12:30:02 - 01:12:32:21

DH: because we would have done the brush removal regardless. Right.

01:12:32:23 - 01:12:47:18

DH: There's a brush should be done as a part of our landscape contract. So I'm trying to get them to do that so that we don't have to pay those costs too. So we could save some money there. And I'm hoping that after a meeting tomorrow, we'll yeah.

01:12:47:20 - 01:12:48:05

DH: I was really

01:12:48:07 - 01:12:50:09

DH: organized yesterday. Anyway

01:12:51:25 - 01:12:56:05

CH: I don't feel so bad about my insurance paperwork. DH: Too many papers so

01:12:56:07 - 01:12:56:29

DH: I can say what.

01:12:58:18 - 01:13:03:00

DH: But I can you've got both of these. Right? Yeah. And so you can take a

01:13:03:02 - 01:13:03:27

DH: look at those.

01:13:04:09 - 01:13:29:01

DH: Again, the fence is a a, a minus in terms of that fence will probably stand up if we didn't do it, but it's still it's getting worse, and it's an organic material, and it's gonna continue to break down. And if we do it this year, it would give us we'd preserve the fence much better than if we wait another year of weathering and all that. So those are the two items that are a.

01:13:31:11 - 01:14:01:23

DH: Bouncing back to the front page, waterfall within the survey, we everybody's decided that the waterfall is not something that has to be attended to. But if landscaping wanted to be done to fill in some of the big holes and boulders, there's about a six thousand dollar bid to take care of doing that, the landscaping there. So that's money. Itemized priority is c. Flipping to the next page again.

01:14:05:07 - 01:14:21:04

DH: Most of the landscaping and irrigation is kind of operational. It's been taken care of as needed. When something breaks, we fix it. The only item that probably is a big item big ticket item are their controllers. Two of them are

01:14:23:06 - 01:14:33:16

DH: installed in thousand six. And so their useful life kinda ended according to the plan of the the original surveyor

01:14:35:02 - 01:14:36:00

DH: reserve study.

01:14:37:21 - 01:15:14:23

DH: It's already outdated. So those two, we felt as a committee that we just can they're still working. So why not just keep them until some and maybe one of them will break this year, one of them will break two years from now. So there's no need to upgrade or spend money on those until it's a need. And then we spend a thousand dollars, which is what each unit cost right now, and replace it as a one ticket item. far as As irrigation upgrades, I don't think that there's any necessary we're already should have been done by two thousand twenty four, but they're working.

01:15:14:25 - 01:15:33:07

DH: And they could work for another five or ten years. So, again, those are not my priorities. Landscape renovation in the park area, I think that that's I think it's in good shape in terms of it's being maintained. It's mowed. It's under control. So I don't think there's any money that has to be spent towards the

01:15:35:10 - 01:16:06:08

DH: ~~apartment~~ park. Again, entrance and irrigation, they're they're perfectly adequate shape. The landscape renovation, east and west, north, I think that they're adequately being maintained. In fact, we added flowers and color. I don't know if anybody's seen it yet, but they're starting to burst like spring coming in where the waterfall is. So that's that's kind of fun. In fact, my wife even pointed out. So it's been so awful for so long. It's about time.

01:16:10:06 - 01:16:44:29

DH: Do think that the McAndrews on the south side, we could remove a lot of dead stuff that's there, a lot of stuff that's crowded, a lot of the hedge that acts as a sound buffer through the homes is either got dieback or there's spaces where it's gone. And I think that that's a crucial part of all the homeowners who

DH: live on Camino. So right behind their fence, that should be kept thick and full to at least stop some of the normal place from from the traffic that goes up and down and the motorcycles and everything else.

01:16:45:04 - 01:17:00:01

DH: There's few trees that could be replaced too. They've been but I don't think we have significant costs. The renovation there, you can see about five thousand dollars in in most of these cases, and I think that that that's something could be well

01:17:00:03 - 01:17:03:24

DH: spent. You're talking about

01:17:05:26 - 01:17:10:29

CH: well, that I'm envisioning is the south side of McHenburg, McAndrews so I don't see a south side.

01:17:11:02 - 01:17:41:17

DH: Yeah. It's it's not on there. But it is it it was discussed and considered, and we didn't add that. That was another item that we're responsible for that didn't come up on the original Yeah. Reserve study. So there's things that we own that our reserve account doesn't have money for in in in their in the bank waiting to be spent. But on the other hand, there's plenty of things that are being taken care of well.

01:17:41:19 - 01:18:18:14

DH: Don't need to take those funds. Water feature, we have thirty six little voltage. That's the water wall. That we have thirty six low voltage lights. They've been renovated. They seem to be working. We don't see any reason to put any investment in that. Just as an operational cost, it's thirty or fifty bucks to replace one. Storm drains, annual maintenance. That's one that's not on there also that we added. We've got, as you can see, about, what, six and nine is fifteen storm drains in our private streets.

01:18:19:18 - 01:18:43:05

DH: Last report we got, there were blockages in some of them. We're not I can't find exactly what got taken care of and what didn't, but I think that should be an annual operational expense that we should have somebody come out and clean them just like the city does with all their streets. So that's a consideration before before fall to take a look at it.

01:18:45:10 - 01:18:46:06

DH: And then,

01:18:47:24 - 01:18:56:01

DH: again, the curb repair that we've already discussed. Plant replacement, that's again what we're talking about in terms of ~~andries~~ **McAndrews**.

01:18:58:10 - 01:19:34:10

DH: That's something that's optional. What what we're trying to do is identify the things that really need to be done as soon as we can afford to do it or we should do it. They've been either neglected or ignored for the last twelve years. Entry lights, we have six on the two stone walls that say, all of his stones. That's I don't know. Those are minimum cost. So we didn't really feel that there was a big expense there. So that that one is not really considered, in my opinion, in our opinion, a reserve account.

01:19:34:20 - 01:19:50:01

DH: That's an operational account. When light goes out, put change in light bulb. And the the it's a light bulb. It's not a light bulb on others. It's actually a complete unit, and it runs about eighty bucks. So, again, it's it's a minor cost. I don't think it's a reserve account

01:19:52:20 - 01:20:11:24

DH: expense. CH: But we have, you know, common area extra maintenance budget, and I don't know exactly what had been planned on that<sup>62</sup>, but that sounds to me like Yeah. Type of expense. That's what So we have we've only used

01:20:13:27 - 01:20:15:20

DH: here today. Oh,

01:20:19:03 - 01:20:33:23

DH: I got much to be able to see. But we have twelve thousand a dollar a year budget for stuff like that, but I see controllers for a thousand dollars. Yeah. Those could come out of that budget. I think that's one of

01:20:33:25 - 01:20:37:24

DH: the things when we did bring the budget together, throwing those in kind of a

01:20:37:26 - 01:20:39:16

DH: Is the idea. Spot to cover.

01:20:41:07 - 01:20:46:01

DH: ~~Screen~~ **Street** lights. Well, unless somebody runs into it, which we're gonna have insurance, I understand,

01:20:48:08 - 01:21:25:07

DH: We don't really have to worry about that other than the light bulbs.<sup>63</sup> Light bulbs cost anywhere from four hundred dollars to six hundred dollars each. And I assume that would be an operational expense

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<sup>62</sup> More "junk fees"

<sup>63</sup> All the items of Common Property should be listed in the insurance policy, just like when a home is insured for theft, fire etc, the owner sends photos, lists and videos of all their insured property to their insurance company, can claim with confidence that the insurer has the details of all the insured property and cannot question a claim. None of BVHHOA's insurance policies ever did this. More importantly Reserve Study estimates must also include, as well as parts costs, the labor costs to repair or replace a damaged Common Property item. This also has never been done. All of BVHHOA's insurance documents were unfit-for-purpose..

at rather than timing out about thirty years from now, we're gonna have to replace a light bulb. I don't think that fits in our reserve study. So, basically, this is a rough draft of what we went through, looked at what needed. I think the committee in general felt that we should deal with the streets and the fences if we can this year.

01:21:26:10 - 01:21:28:22

DH: That's just and

01:21:30:20 - 01:21:44:21

DH: the sooner, the better. But anytime this summer, we have to schedule it, and we have to<sup>64</sup> get the contractors to set it up. So and I'm sure that when they gave us the bids, they're interested in having us make a commitment so they can put a schedule on there.

01:21:46:15 - 01:21:49:26

DH: So that's that's basically it if you got any questions.

01:21:49:28 - 01:21:59:23

JH: Do any totals, like, for the the street. That that I mean, we've got it. You know? Did we ever put them together, the the the curve and the street? That's how much?

01:21:59:25 - 01:22:00:29

DH: That No. But I mean, we

01:22:01:01 - 01:22:13:03

AW: we can kinda go through that. We can go towards prioritizing on this or from you know, if we get a professional Yeah. Reserve site, definitely.<sup>65</sup> We can kinda add those things together.

01:22:13:05 - 01:22:32:18

DH: But the expenses for the a accounts, if you added everything up, which is if we took the lower bid, both of them are very professional. One, I know personally, and that's the lower bid. That was about twenty six hundred twenty six thousand.<sup>66</sup> Excuse me. And the street,

01:22:34:13 - 01:22:47:24

DH: if we took the lower bid, sixty six, and so twenty six six thirty two. And then we're we're looking at about forty thousand dollars<sup>67</sup> or less for all of those projects. So it's eight priority projects.

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<sup>64</sup> "Have to, have to, have to..... No we don't". When you want to sell your house and leave BVHHA you "have to" make it attractive and marketable. This is not happening here. For BVH, everyone who can afford to move, and can handle the strain of the move, would be silly not to put their home on the market and move before they are on the hook for \$2M to \$3M that litigation might place on the backs of the BVHHA members. This is why some members urgently want a \$50,000 cosmetic job on La Strada, the fences on Canova Park and McAndrews rushed through before summer when they can sell their home and leave behind all the costs on the BVHHA homeowners that cannot afford to move.

<sup>65</sup> All the "professional" Reserve Study Specialists were of **No Feasible Usefulness ("NFU")** to BVHHA

<sup>66</sup> \$26,000

<sup>67</sup> \$40,000

01:22:53:03 - 01:22:56:14

CH: Yeah. Actually, I don't know if you included

01:22:58:18 - 01:23:02:18

CH: LASTRADA seal coat cracking. Yep. Did you do that? Yep. Yep.

01:23:03:05 - 01:23:04:04

CH: Because I got That's the

01:23:04:06 - 01:23:08:02

CH: sixty six If we did all

01:23:08:04 - 01:23:13:26

CH: the paint and all the fence, and that would be forty five. I mean, we've got

01:23:15:29 - 01:23:19:24

CH: the curb repair of roughly five, so I see roughly fifty thousand<sup>68</sup>.

01:23:22:28 - 01:23:26:21

DH: Susan ??? twenty six is thirty one Yeah. And five is

01:23:29:27 - 01:23:31:19

?: I'm trying to forty. Yeah.

01:23:31:21 - 01:23:34:13

?: Okay. Alright. Well, I I could be didn't wanna.

01:23:36:05 - 01:23:38:26

DH: Yeah. So there's where we're at.

01:23:38:28 - 01:24:16:18

CH: I guess, a little discussion.<sup>69</sup> I would just like to say in the beginning, you know, the landslide has just boggled our minds as far outlay as money, whatever. And yet that reserve money was meant to take care of the property.<sup>70</sup> And all of a sudden<sup>71</sup>, we have this landslide that we're concerned about getting

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<sup>68</sup> \$50,000

<sup>69</sup> Here comes CH's rewrite of the history of the Southridge Landslides and the collapse of Carino Lane.

<sup>70</sup> The board that was installed on 3/5/2024 was legally obliged to protect BVHHOA's Common Property, and it had all the legal powers in the Declaration Articles II and VIII to do this. But the board and its committees did nothing from 3/5/2024 to 12/31/2024 even when, in April 2024, Southridge was demolishing the Declarant-installed buttress. Then, in 2024, even though Lots 70, 72 and 73 were already visibly subsiding the board and its committees did nothing even though were required by Medford City ordinance to have erosion protection installed on Lots 70, 72 and 73 by 11/1/2024. On 1/1/2025, the predictable **Southridge Landslide** occurred.

<sup>71</sup> There was nothing "**sudden**": about the Southridge Landslide. Subsidence on Lots 70, 72 and 73 was evident throughout 2024. The Carino Committee ("**CC**") (of which CH and DH were members) was well warned about the need for erosion prevention by May 2024, and authoritative documents and references to them were delivered to the CC from May 2024 to August 2024.

money for. I think it's down to the point that we can't even budget that what it's gonna cost us. And I agree that we should take the reserve money and fix this stuff that was designed for.

01:24:16:20 - 01:24:29:04

CH: We're just gonna have to deal with Carino. And if there's enough leftover, we'll decide. If we have to just assess, we'll decide. But we'll do that once Carino's over<sup>72</sup>.

01:24:29:07 - 01:24:41:01

DH: Well, we owe to the community. I CH: Yeah. You know, DH: I'm a member of the community, and I hear a lot that, you know, that the place is running down and values are going down.<sup>73</sup> Well, if we bring it up to where it's supposed to be, I think

01:24:41:03 - 01:24:42:07

DH: that we owe that to

01:24:42:09 - 01:24:48:02

DH: the the homeowner for every month they're sending in their check. They should see something bad back besides just litigation.<sup>74</sup>

01:24:50:15 - 01:24:58:17

CH: Well and I'll open that to everybody else. Mike, My comment to everybody that we need to spend the money. Carino will deal with that later.

01:24:58:19 - 01:24:59:06

?: Yep.

01:24:59:13 - 01:25:02:05

?: And the reserve account is set aside. Money to everything.

01:25:04:01 - 01:25:04:16

?: You know?

01:25:04:18 - 01:25:10:23

CH: So Yeah. Yeah. And But we we had no clue. Yeah. Now we've got a clue, and it's like

01:25:11:12 - 01:25:45:21

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<sup>72</sup> What CH is implying here is that BVH HOA will pay the 2-3 million dollars necessary to fix Carino Lane (Chris Rayburn 4/9/2025 ) and place the costs on the backs of the 90 or so BVH HOA members who were never complicit in the fiduciary failure of the remaining 14-15 BVH HOA members and their advisors who were all complicit in accomplishing the destruction of Carino Lane. Do you think that BVH HOA will get any money back from Southridge? Will the 90 innocent BVH HOA members try to sue the 14 accomplices in a class action lawsuit when they get the final bill after these innocents are held to blame by a weaponized Jackson County court, lawyers, and jury?

<sup>73</sup> Here we go: (1) DO a massive makeover of BVH (2) Put you home up for sale (3) Leave the costs to the buyers. Hope that they don't sue you for nondisclosure.

<sup>74</sup> HOA owners want a board to (1) low monthly dues (2) maintain home prices (3) maintain the marketability of their home.

DH: Yeah. Yes. JH: But this is it's it's really sad that the declarant<sup>75</sup> did nothing. And so it's like we've talked and said, if we get things repaired now, we've got a handle on things. And now every year, it's just a little bit of maintenance and not having to deal with so much. Big expenses. So I I'm all for what we've gotten the reserve fund for going ahead and at least doing the roads and maybe the fence along the McAndrews.

01:25:49:11 - 01:25:53:21

CH: They would JH: wanna Well set those as priorities.

01:25:54:05 - 01:26:04:16

CH: Yeah. I I don't know. JH: Well, I think ~~thing~~ the whole thing? Yeah. CH: Just my my mind's leaning towards just doing the whole thing. The

01:26:06:25 - 01:26:40:24

CH: we've got a schedule in advance. The funds are tied up CDs. I can sell the CDs off quickly, and we lose some interest. But they're all coming due in June. So I don't I got Phoenix ???, and then these projects are gonna be done by then. And then as they get lined up Right. And we CDs get cashed in. We come to the board and says, okay. We don't have enough, so we're gonna turn this hundred thousand dollar CD. We need fifty thousand. Just use the number out of it. Yeah. And we're gonna put take that fifty and then just buy a fifty thousand dollar CD.

01:26:40:26 - 01:26:45:13

JH: Yep. I agree. CH: And we're close enough that we shouldn't lose any interest.

01:26:47:12 - 01:26:47:28

AW: So,

01:26:49:09 - 01:27:16:23

AW: yeah, I I think that's what the money is there for. If, you know, we end up having to spend money out of pocket<sup>76</sup> related to litigation stuff, that's a bridge and cross. Yeah. When we get there, also understanding that we still have quite a bit in reserve for pending meeting ??????. So Yeah. I'm fine with that. But, again, I think, yeah, I I agree voting on this maybe at our next meeting would make

01:27:17:13 - 01:27:44:25

AW: sense as we've had time to digest this. And like you said, that's when we see these the CDS come come due. LH: So I would actually comment and say, I was shocked. If we did not have Dana, we would be in deep cock<sup>77</sup> because he is the one who knows the big picture of this and is unbelievable. ??: Hi, honey.<sup>78</sup> Oh, you wish. Good. Look out there. It seems smoke is on the table.

01:27:44:27 - 01:27:47:07

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<sup>75</sup> The Declarant (BVH USA LLC) and QPM decided to defer asphalt repair to La Straada/Carino until home construction was completed. Meanwhile, from 2020 to 2024 the Transitional Advisory Committee was silent. Please now stop blaming the Declarant.

<sup>76</sup> Whose money? whose pocket?

<sup>77</sup> This kind of vocabulary is normally only used in board meetings for a dramatic effect.

<sup>78</sup> Does anybody know what happens here and up to 01:27:53:23. WHO interrupted the Zoom meeting?

?: Hi, everyone. Hi, EMS AMS. You're

01:27:49:24 - 01:27:53:05

?: Need to look. Mute yourself. CH: Oh, oh, okay.

01:27:53:23 - 01:28:24:07

LH: I just think that I was shocked. I've been in communities before, and it is their responsibility to maintain the roads. There are safety issues here. There are safety issues with the fences, and that goes to insurance. Know, we're saying you'll never be never had insurance problem, but there was hearing from people that they have problems. And I I, for one, think that that Lustrade Street in Lustrade is a series<sup>79</sup> serious, a little alligator thing.

01:28:24:09 - 01:28:57:01

LH: I think we should name it Alligator Alley. And that we should treat it because from the research you did, we found out we only have four more houses if there are ever houses, others Yeah. Who would need gas hookups. And so that that's good news in a way. You know, it's not all of the rest of them have access. So I think that we need to I would like to propose this evening that we do go forward with something.

01:28:57:03 - 01:29:30:02

LH: And there's something for me would be La Strada because the more traffic that is there, it's disintegrated. And we we're just going to have to put more money into it. Not that top coat. The ceiling sealing and Correct. The ceiling. The The ceiling is alligator. Right. We have to feed the alligator.<sup>80</sup> And then I would also put the fence at the park into that because I think it's a liability that are there are boards falling off, but there's boards at the bottom that have fallen off with nails sticking out.

01:29:30:04 - 01:29:52:27

LH: They're stuck. And if my dog gets hurt, do you have a lot of those nails? Yep. That's just So I would like to say that we should put a proposal together, and I would like to put motion on the table and said, do let's a start up. We need to move on and We need to get something to add the fence and then decide what should we add after that.<sup>81</sup> CH: Okay.

01:29:55:18 - 01:30:13:01

CH: So we've got a motion to move forward with stuff, and I'm gonna throw out there that I think if I had to hand the that we probably have fifty thousand dollar budget if we do everything that you have to say. So I'm just gonna give a number that we have working with. And then

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<sup>79</sup> LH lives on La Strada! So does AW, and Ebony Woods LLC (a "Home Rentals" business) of whom CH is an officer.

<sup>80</sup> LH sounds here just like Kamala Harris spouting one of her famous meaningless word salads.

<sup>81</sup> Declaration 2.10.4(f) states this: *In the case of Party Walls and Party Fences between Common Areas and Lots, or constructed by Declarant or the Association on Common Areas within a Lot, the Association shall be responsible for all maintenance thereof, except that each Owner of a Lots hall be responsible for patching, painting or otherwise maintaining the Portion of any Party Fence or Party Wall facing his Lot or the portion thereof which is not a portion of the Common Area. Notwithstanding the foregoing, in the event that any Party Wall or Party Fence is damaged or destroyed through the act of an Owner or any Occupants, agents, guests or invitees of the Bella Vista Heights Owner, or members of the Owner's family (whether or not such act is negligent or otherwise culpable), it shall be the obligation of such Owner to rebuild and repair the Party Wall or Party Fence without cost to the Association.* The board should clarify by resolution the responsibilities of Party Fences between Common Areas and Lots or else there might be a flood of litigation from other homeowners throughout BVH who have nails protruding into their private property from the fence. Then the board must sue all those owners who hammered nails through the common fence into the common area. The lawyers will have a field day!

01:30:15:21 - 01:30:19:12

CH: and we move forward in the bids and

01:30:22:06 - 01:30:22:21

CH: And

01:30:22:25 - 01:30:28:23

CH: because you've you've got two bids on the painting. We only have this is,

01:30:32:07 - 01:30:34:16

well, got two bids on the painting.

01:30:36:26 - 01:30:45:03

Then what about you had a bid from Jeff's Justin Swin, Swincher, and Southern Oregon

01:30:47:23 - 01:30:59:27

The one I'm talking about, Jeff, he was on on seal coating. Jeff Bondi was on the seal coating, and the other one is Rodriguez. Yes.

01:31:00:07 - 01:31:02:14

DH: Jeff was the lower price.

01:31:06:19 - 01:31:09:03

DH: He was pretty casual about the ~~allocator~~-alligator itself.

01:31:12:12 - 01:31:14:22

DH: Crack seal. Okay.

01:31:17:11 - 01:31:33:03

DH: Jeff Bondi, sixty six hundred dollars to grind out all the asphalt crack, inject with hot rubber sealant, and all the cracks in Lestrade. He did the one on Camino down at the bar, and he did the other. Also,

01:31:34:21 - 01:31:37:19

DH: the boat, arrow pavement, which is

01:31:40:08 - 01:31:49:07

DH: Rodriguez. His his proposal includes streets inside Velovis on the community of both sides of McAndrews, including streets at.

01:31:50:25 - 01:32:14:07

DH: Well, that was that was, I'm sorry, that was part of we already had them do that. So sixty six hundred. The other one was the Arriga seal coating. Clean, prepare, seal all cracks in in some of the alligator areas using a hot applied crack sealer. Seal all bridges between the concrete and the asphalt with a hot applied crack sealer. Eighty seven sixty.

01:32:15:25 - 01:32:17:11

CH: Okay. So So,

01:32:17:13 - 01:32:27:02

CH: you know, we we've gotta keep moving, and we do have an executive session, and we got a couple things before we get there. So the motion is move forward, get the bids.

01:32:28:20 - 01:32:29:05

CH: Roughly,

01:32:29:07 - 01:32:29:22

CH: we're gonna

01:32:29:24 - 01:32:31:26

CH: be talking fifty thousand dollars that we do.

01:32:31:28 - 01:32:34:20

JH: Allocate fifty thousand dollars toward these projects.<sup>82</sup>

01:32:34:22 - 01:32:50:24

CH: Yeah. And then when it comes up, if it's fifty one, obviously, we Yeah. Change it. But that's rough budget to use to reserve funds for and just to get the process started. So that's the motion. Okay. So I you wanna say something?

01:32:50:26 - 01:33:05:20

JH: Yes. Let's specify what we're doing<sup>83</sup>. Oh. That we were going to do the seal Serve. Cracks. Curb repair. The curb and the fences. The three fences.

01:33:05:25 - 01:33:20:19

CH: Both McCanver's McAndrews, the park Yeah. The Strada, and the The total amount is thirty seven five Okay. Twenty two. Oh, there's something I'm missing, so I don't trust my brain anymore.

01:33:24:17 - 01:33:30:27

JH: So we're going ahead with the lower bids. Is that correct? Of the two we got two bids.

01:33:30:29 - 01:33:49:07

CH: I'm I'm not always I'd say investigative. I'm personally not always the lowest bidder. LH: I agree.

CH: You know? I I look at what people are offering, and it's not like we're talking thirty thousand versus a hundred thousand. That's a different story. So Oh, the painting

01:33:49:09 - 01:33:51:22

DH: is ten thousand dollars.

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<sup>82</sup> CH's company (Ebony Woods) owns a house on La Strada. AW and LH live on La Strada. JH lives on Veneto and owns a vacant Veneto property that abuts La Strada. **The board wants to spend \$50,000 to upgrade their own locality.** I hope these four board members thank all the remaining homeowners for their generosity before these four sell their upgraded properties and leave BVH with zero Reserves.

<sup>83</sup> Another brilliant suggestion from JH that, sadly, will be ignored.

01:33:51:24 - 01:33:58:08

JH: Yeah. I I would propose we go with the lower bid on the painting knowing that it would be done correctly.

01:33:58:13 - 01:34:10:24

CH: But we have if we we're no. We're gonna do it. Finalize the bid, then we can discuss who we pick. Okay. But the thing of it is we're moving. Okay. So we don't have to make decision coming and pick now. But I'm good. Okay.

01:34:10:26 - 01:34:13:08

LH: Alright. I still I second your motion.

01:34:13:10 - 01:34:17:23

CH: Okay. All in favor? Aye. Alright. Approved? Okay.

01:34:18:05 - 01:34:21:01

LH: We just need to probably work that for Samantha<sup>84</sup>

01:34:25:13 - 01:34:30:14

?: Okay. Alright. You I know you'll help keep me straight. Okay.

01:34:32:23 - 01:34:40:18

CH: Next thing, we have a couple things, and then we gotta get to executive session. So we're trying to get by seven o'clock. So,

01:34:42:25 - 01:34:48:03

CH: Judy, you were talking about do we just distribute

01:34:50:10 - 01:34:56:07

CH: draft minutes to the membership rather than posting them? Was it on the portal?

01:34:56:09 - 01:35:36:17

JH: Well, it it's yeah. It's two things. The reading how comprehensive it is is doing the minutes. I question whether we need to do a newsletter or not for that. There are, excuse me, some items that may need to be interjected, like from the ACC or landscaping or something, and that could be done at the bottom of minutes. I don't nobody could I their portal is impossible.<sup>85</sup> And I just think that sending the minutes out to everybody what difference does it make if we send out the minutes or we send out a newsletter? It's the same thing, right, cost wise.

01:35:37:06 - 01:35:40:10

?: Yeah. And would it be? If so, what do you think?

01:35:41:21 - 01:35:45:23

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<sup>84</sup> Why? How much will AMS and Samantha charge BVHHA in billable hours?

<sup>85</sup> AMS's Portal is user-unfriendly and is unfit for purpose. In a real commercial environment, AMS's portal would be unacceptable to clients.

CH: Is is there ~~modality~~ **legality** involved in Sending out

01:35:45:25 - 01:36:15:27

CH: the minutes? ??: That's open to everybody, isn't it? LH: The the way we do it just now is the minutes are created. Put them online for you to read. We know I think it's safe to say that probably ninety nine by ninety percent of people don't read the minutes. We know this. But the thing that I don't think we should do with the minutes because I and I think with AMS maybe guiding us on this, but we're supposed to follow Robert's rules, and the minutes should not have added things to them. Okay.

01:36:15:29 - 01:36:26:28

LH: But we could cut and paste the minutes and make them a newsletter with added things. Yeah. So we could JH: It just seems like we're we're, you know, we're doing two things. End up the same thing. But

01:36:29:07 - 01:36:52:29

LH: I think the thing is, you know, are people going to read them, or are we just gonna be looking up for the JH: Well, do they read my newsletter? I have no idea. I've never heard from them. LH: I Five people probably use read your news. I said three people probably read the minutes. But the minutes are gonna be online. So, you know, I I can see what you've done. I I well, I you you like the newsletter?

01:36:53:01 - 01:37:14:03

AW: I mean, I again, the minutes have to be the minutes. It's a requirement. So I mean, if you wanted to paste the minutes into newsletters as well, that's fine. But We'll continue with The newsletter from what I've read, there has been some additional updates and, hey. How are you doing? Kinda Okay. And I'm gonna projects. You know?

01:37:14:05 - 01:37:14:20

?: Or

01:37:14:22 - 01:37:52:11

LH: So, basically, we keep the minutes the same. I mean, we could just send the minutes to our membership if we think that's going to help them. I mean, I would like to be totally outraged to say it to our membership. If you would like to receive the minutes, see. I'll contact us and get your approval for her to email them to you. Sure. Then the ball's in their court. And and I think it would be very interesting to see how many people proactively say, yeah, do that because I I can't work before told, or I can't I forget to go and read them.

01:37:52:16 - 01:38:09:08

LH: And I am happy to do that. I'm happy to say I will I've got a list of homeowners. If somebody sends me an email, we'll say, I would really like them. I know they're on the portal, but could you send them to me as well? I think it's it would be interesting. I can go ahead under the newsletter. Yeah.

01:38:09:10 - 01:38:10:17

CH: I see that go perfectly for

01:38:10:19 - 01:38:16:12

CH: the news. Thank you. Okay. So we don't need to make motion No.<sup>86</sup>

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<sup>86</sup> Read Oregon Statutes and Governing Documents minutes requirements, and read all the HOA minutes' advice on the internet

01:38:16:14 - 01:38:20:10

CH: For that. Okay. Okay. LH: One other thing that's really quick. Yes.

01:38:22:01 - 01:38:48:18

LH: Since the rainy season is coming to an end, can we get rid of that horrible blue tarp that is sitting over on the slide?<sup>87</sup> Because the stuff that Southridge put up is all torn up anyway. And if it rains and pours, all we're doing is dumping our stuff off the blue tarp into to make the dirt go down real fast.

01:38:48:20 - 01:38:55:07

AW: I would want our folks who put the carpet up to tell us whether we still need it or not. Well, I think

01:38:55:09 - 01:39:15:04

CH: You know? It's more than that. I think it's our attorney saying, look. Because attorney. Yeah. Yeah. This this was forced because of code.<sup>88</sup> I don't think it's up to us to say, oh, ignore the code now. We forced you to do the vader ????. I think our attorneys should say yay or nay. And there's part of me saying, okay. Then it really comes down to the city.

01:39:15:21 - 01:39:16:10

LH: Yeah. The

01:39:16:12 - 01:39:17:07

LH: city is saying no

01:39:17:16 - 01:39:18:20

LH: time when to do it.

01:39:18:22 - 01:39:21:19

CH: Yeah. It's gotta be covered until<sup>89</sup>

01:39:21:28 - 01:39:44:26

DH: It's doesn't care of my experience. I just flew back into Medford of Las Vegas. CH: Did you get DH: And one of the beautiful sites of flying in is you can spot exactly where I live because that is ~~Belen~~ versus **Bella Vista** Homeowners Association, blue flag. It is just I mean, beautiful from the and I live directly below it. I see it every day. Right.

01:39:44:28 - 01:39:52:24

AW: If I have to put up with it for a year because it's necessary to either reduce damage or reduce our liability, I don't give a

01:39:52:26 - 01:39:54:05

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<sup>87</sup> In time for the forecast heavy rain on 4/21/2026 and 4/22/2026 that didn't occur, what luck!

<sup>88</sup> Medford Municipal Code (MMC): <https://medford.municipal.codes/Code/10.931>

<sup>89</sup> Nov 1 to Apr 1. MMC 10.931.

AW: crap about the blue tarp.<sup>90</sup>

01:39:54:07 - 01:40:03:17

AW: Yeah. I drive up McAndrew's, and I can see it from a mile away. I don't care if it's something we need to have up, and none

01:40:03:19 - 01:40:05:22

AW: of us are geologists or experts

01:40:05:24 - 01:40:09:00

AW: in landslides. Let the attorney or the folks who put

01:40:09:02 - 01:40:11:03

AW: it in starting to us if we need

01:40:11:05 - 01:40:14:02

AW: it or not. If we don't need it, then great. We can pick But

01:40:14:06 - 01:40:14:28

AW: I'm with you.

01:40:15:00 - 01:40:17:29

AW: They'll look along. Yeah. Having a look at it every

01:40:18:01 - 01:40:19:27

AW: day alone is not it's not

01:40:20:11 - 01:40:25:22

JH: I don't mean it just as an eyesore, but I mean, do we really need to just take place then Let's

01:40:25:24 - 01:40:27:05

AW: find out. Yeah. Let's find out.

01:40:27:07 - 01:40:39:23

CH: I'm gonna call Bill Davis again<sup>91</sup>. I don't it's I think Sure. You probably agree. I don't think the board should tell somebody to take it off. I think it was code, and I think the city should say it's okay to take it down Then we do.

01:40:39:25 - 01:40:40:10

?: The

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<sup>90</sup> Crap is the right word here. Just leave the crap tarp in case we get a freak torrential thunderstorm. Unless Southridge's lots have a buttress replaced on them, the blue tarp must go back on by 11/1/2026

<sup>91</sup> I hope not. Just leave the blue tarp alone for the next six months so its ready for winter 2026/2027. Save money.

01:40:40:12 - 01:40:44:04

CH: attorney, but I don't think that's a decision for us.

01:40:44:06 - 01:40:53:25

JH: No. I'm just saying that it it's something to look into because I'd be nice not to leave it up. LH: We are running out of time.<sup>92</sup> Yeah. Okay. Okay. Okay.

01:40:54:02 - 01:41:02:02

CH: So and then I just Joanne said everything's doing fine. Nothing had to report on. Neighborhood watch.

01:41:04:21 - 01:41:11:13

CH: David, any comments he said you DH: David just said to to let people know that they need to

01:41:11:15 - 01:41:15:18

DH: paint their fences if they're targeted kinda bad.<sup>93</sup> This is the time of year to do it.

01:41:15:23 - 01:41:17:04

DH: K. He he wanted that in

01:41:17:06 - 01:41:29:26

DH: the newsletter that did not go out this month. I think that was one of the most man, take care of your yards and keep the lawns green, and it's it's spring. Keep things nice.<sup>94</sup> That's what this recommendation is.

01:41:29:28 - 01:41:50:00

SC: And and we can send something out like that, annual reminder. Hey. It's the time of year to be looking at this, this, and this. We're more than happy to put something out. Same thing with the minutes. If you want us to email do an e blast out besides just posting it to the portal, we're more than happy to do that.<sup>95</sup> Great. Good. Great.

01:41:53:14 - 01:41:59:29

CH: Got it. Okay. So Andrew, just gonna give us a quick update

01:42:01:24 - 01:42:05:05

CH: a Zoom meeting that we had around Carino.

01:42:05:11 - 01:42:38:03

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<sup>92</sup> LH started this superfluous chatter

<sup>93</sup> The board should paint its fences first before it tells the homeowners to paint their fences. *"Rules for thee but not for me"*

<sup>94</sup> What about Southridge's three lots? Oh, I forgot the board gives Southridge a pass on everything.

<sup>95</sup> What's the cost?

**AW:** Yeah. So the board I don't remember if anyone on the Carino Committee was there as well.<sup>96</sup> But yeah. Okay. So a few of us had an opportunity to speak with both of our attorneys. These are the defense attorney who's been hired in response to the lawsuit, not our separate lawyer for coverage.<sup>97</sup> And, you know, kind of seem like maybe the first opportunity for the whole board to kinda get an update and hear information on what the plan is for the lawsuit.

01:42:38:05 - 01:42:39:29

**AW:** I know Craig's doing a great job, and he's

01:42:40:01 - 01:42:41:07

**AW:** been having a lot of

01:42:41:09 - 01:43:17:07

**AW:** the communication, but it was an opportunity for us all to hear. And I think some of the good news or some of the things that I can share, we have the mediation in May.<sup>98</sup> It sounds like our lawyers are a lot more optimistic that progress can be made and insurance companies will come to the table with something. Who knows what they come to the table with? It also sounded like, you know, our attorneys are advocating for we want full repair.

01:43:17:09 - 01:43:47:24

**AW:** We want the hill to be fixed, the road to be repaired, that kind of stuff.<sup>99</sup> If mediation doesn't work, both of the attorneys who are kind of representing us through this lawsuit claims seem ready to go for trial. And that was something that I don't think the board had a lot of knowledge about. So they said they're gonna push to have this trial in July<sup>100</sup>, that they have their experts lined up.

01:43:47:26 - 01:44:19:14

**AW:** We found out that there is an expert who they've hired who has put a bid in on repair of the hill, repair of the road, all of that kind of stuff. So all of that is good news. All of that gives me lot more confidence that whether it's are we prepared for mediation or are we prepared if this case goes to trial? It sounds like we are a heck of a lot closer to prepare than what we knew before.

01:44:19:16 - 01:44:50:23

**AW:** It's just, again, we haven't had the opportunity to talk to that lawyer ourselves prior to this. So I came out of that meeting even with my brain, which is solely focused on litigation and liability and these types of fights, I felt a lot of confidence that we have we've got kind of work where we need to be in the form of litigation that could be coming up in three or four months.

01:44:53:05 - 01:44:54:16

**??:** Do you remember these? So,

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<sup>96</sup> What kind of meeting?

<sup>97</sup> BVHHOA now has three lawyers

<sup>98</sup> So no litigation yet.

<sup>99</sup> Unlike CH who stated earlier in this meeting that he wanted us to fix it and move on

<sup>100</sup> July 2026, or 2027?

01:44:56:07 - 01:45:10:27

AW: anyway, that's my update for everyone. Kind of anything further would be, you know, attorney client privilege kind of stuff. And so anything further would have to be kind of kept amongst the board members, you know, ~~committee~~ Carino Committee. So Okay.

01:45:11:18 - 01:45:47:22

CH: To the homeowners that are listening, I know it's been frustrating. Believe it not, this board has been very heavily involved in this. We just can't share everything with you guys. The couple things I wanted to add was, one, Andrew was a great moderator. He kept that flowing. He got the right questions out there. He got the information we needed, and I thought it worked very well. I have met with the second geologist that was hired by our insurance company and Bill Davis, and he's one that will be testifying.

01:45:47:24 - 01:46:07:16

CH: He's out of Portland, and he does I'm also gonna throw the word out forensics, and I think it's wrong. But, anyway, he analyzed the slides, what the causes were, and he's been doing it for twenty five years. He chewed the admission. So we had a really good discussion. Okay. **101**

01:46:10:22 - 01:46:12:25

CH: Okay. So,

01:46:17:00 - 01:46:25:03

CH: yeah. So at this point, I wanna thank everybody for being here. We need to go into executive session because we had a couple of things we need to do with **102**

01:46:27:22 - 01:46:29:07

CH: Susan and Samantha. **103**

01:46:32:14 - 01:46:40:06

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<sup>101</sup> So will BVHHOA get blamed for it all? Probably. HOAs always lose.

<sup>102</sup> What about complying with ORS 94.664?

<sup>103</sup> ORS 94.644 (*emphasis added*): “**94.644 Meetings of board of directors; notice; executive sessions.** (1) Except as provided in subsection (2) of this section, all meetings of the board of directors of an association are open to owners' attendance. An owner does not have any right to participate in a meeting except as may be provided by the governing documents or by the board.

(2)(a) The board may close the meeting to owners and meet in an executive session to:

(A) Consult with legal counsel; or

(B) Consider the following:

(i) Personnel matters, including salary negotiations and employee discipline;

(ii) Negotiation of contracts with third parties; or

(iii) Collection of unpaid assessments.

(b) Except in the case of an emergency, the board may not meet in executive session unless voted for by the board in an open meeting and the presiding officer of the board states the general nature of the action to be considered and, as precisely as possible, when and under what circumstances the deliberations can be disclosed to owners. The statement, motion or decision to meet in executive session must be included in the minutes of the meeting.

(c) A contract or an action considered in executive session is not effective unless the board, following the executive session, reconvenes in an open meeting and votes to approve the contract or action, which must be included in the minutes.

(3) The meeting and notice requirements in this section may not be circumvented by chance or social meetings or by any other means.”

CH: And I wanna thank everybody that visited us through Zoom. And can you can we go into executive session?

01:46:41:00 - 01:46:42:04

?: No.

01:46:43:12 - 01:46:44:16

?: Because we gotta come back.

01:46:44:18 - 01:46:46:23

SC: You need to make your motion to do that.

01:46:47:12 - 01:46:50:25

CH: Okay. I'm making the motion that we

01:46:52:25 - 01:47:01:24

CH: close this part of the meeting and go into executive session. Second. Okay. All approved. Aye. Okay.

01:47:03:01 - 01:47:05:03

?: Okay. SC: Samantha will

01:47:07:03 - 01:47:10:02

SC: remove make sure that everybody else gets off the

01:47:10:07 - 01:47:13:20

CH: Yeah. I think there's more questions on there that I think they have to ask.

01:47:15:17 - 01:47:19:22

?: Yeah. Yeah. So Yep.