

FULL TRANSCRIPT (with timecode) 2023 AGM 12/14/2023

00:00:00:02 - 00:00:05:10

Log in as we go on. I'll let you know when that happens. Okay. All right.

00:00:05:12 - 00:00:39:29

Well, good evening, everyone. Thanks for joining. Um, I think what we'll do tonight is we are going to split this into two meetings. One will be the annual members meeting. Uh, and then once that Q&A is finished, we'll go into the directors meeting for Q4 2023. Um, as a bit of a, uh, sorry, some people leaving the office. Uh, just as we as we go into that, I think it's a really good reminder that, um, the members meeting while we're still the Declarant doesn't have a formal agenda.

00:00:40:01 - 00:01:12:02

It is just a time for question and answer. So both, uh, Robert and ourselves from the deck learned, are available to answer questions. Um, you know, I think we'll go through that period. And when and when questions have seemed to petered out, will basically adjourn the members meeting and then go into the directors meeting, where will address the financial statements from 2021 2022, um, delinquent members reports and those things. So, uh, that's the agenda for this evening.

00:01:12:10 - 00:01:44:04

Uh, and we're we're available as there's questions starting off, I would just like to say before we take questions. Um, it is official, uh, we, as the Declarant have sold our last lots in, uh, the subdivision. Uh, they closed last week, and we are beginning the transition process, um, to an owner run HOA board. Um, and we foresee that occurring early in the new year.

00:01:44:10 - 00:02:17:06

Currently, I think just as a quick reminder. Um, as the declarant, we have, um, uh, 90 days to complete that transition. So we are looking that final, um, you know, turnover of the HOA would need to be done by March 5th, 2024. Um, and we need to provide no fewer than ten days notice prior to the scheduled meeting. Um, as as we have just recently completed the lots and we sold them a little bit quicker than we actually anticipated.

00:02:17:08 - 00:02:48:28

Josh and I are working through all of the steps, so we won't have answers to everything tonight. Um, but generally, what I can say is that the turnover meeting will require us to elect or not us, but you as owners, to elect a new board of owners. Um, it is to be five people. There's going to be staggered terms. So two people will be asked to serve for one year. Two people will be asked to serve for two years, and one person will be asked to serve for three years.

00:02:49:00 - 00:03:34:05

And that is to create a staggered board where you are electing new people to the board. Um, year over year. Um, so the process as we're proposing it right now is, um, and we'll just need to check on scheduling, but we're hoping to have the meeting on the 25th of January. So the, uh, I think that's the third Thursday in January. Um, that we would have that meeting. And so what we're proposing right now, and also the last Thursday, just to make it clear, uh, is we would leave the time open for nominations for owners that would like to serve in any of those staggered board positions until the 12th of January.

00:03:34:15 - 00:04:11:25

Uh, at which point on the 15th, which is ten days prior to the meeting. Um, we will distribute a notice, um, of the meeting, uh, with the venue. It will be an in-person meeting, uh, according to the strata bylaws. Um, so we have asked, uh, Robert to book a hall, and, um, so we'll send that notice out with a list of the candidates. And at that time, you know, there it will be determined whether there are an acclamation, um, for the candidates, if there's only one person wanting to serve for three years, for example, then that person will just be acclaimed.

00:04:11:27 - 00:04:48:29

So it could be a process where only five people put their names forward, or five people put their names forward for serving only the one year term, and only one person puts their name serving for the three year term. So each each position will will be acclaimed or there will be an election, uh, based on the number of people. Um, we're also assembling all the documents that, you know, will need to be, you know, in the possession of the HOA most, just so we're clear, are already in the possession of PM, uh, from, uh, Crystal Lake management before.

00:04:49:01 - 00:05:21:02

So, um, most of this stuff is, is very much, you know, in within the realm and access for you guys at that point in time. So with that. Being said, um, I'm just going to turn it over to Josh briefly to see if there's anything that he'd like to add to my, um, my, my overview. And then we'll go into questions. No, thanks. Aaron. I've got nothing to add. All right. Um, yeah. Uh, fire away with questions. If anybody has any questions about anything to do with the high.

00:05:26:27 - 00:05:38:04

High 94 616. Uh, is the statute that describes the duties and responsibilities of the turnover meeting.

00:05:39:29 - 00:05:40:22

Can you hear me?

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

Yeah, I can hear you, Morgan.

00:05:43:11 - 00:05:49:16

It says if a quorum of owners is present, uh, the owners shall elect.

00:05:51:09 - 00:06:07:16

Are board of directors according to the bylaws, and the bylaws defer to rules of order and newly revised Robert's Rules. Um, for elections for, uh, the corporation.

00:06:08:29 - 00:06:11:04

Yes. And that will be the process that we take.

00:06:11:10 - 00:06:15:03

Yeah. And we cannot have written ballots for this meeting.

00:06:16:01 - 00:06:18:14

Sorry. You cannot have written ballads. No.

00:06:18:16 - 00:06:21:14

If you go to 94, six, four, seven.

00:06:25:07 - 00:06:28:06

Hey, um, Aaron, one thing I'd like to say is I'm not finished.

00:06:28:08 - 00:06:58:22

I'm not finished yet. Please. I had the floor. Use of written ballots may not substitute for the following meetings. A turnover meeting required under ORS 94 616. So sorry you can't have written ballots. Written ballot means it's in writing by any medium whatsoever. And a ballot is a way of voting either by a little ball or by a show of hands, or a voice vote and all the rest.

00:07:02:06 - 00:07:08:24

I mean, we'll review and we'll adhere to Oregon, uh, regulation on the on the form of ballots. Good.

00:07:10:29 - 00:07:17:05

Uh, sorry. Sorry, Robert. You jumped in there during Morgan's just as he's looking that up. Did you have something you wanted to add?

00:07:17:16 - 00:07:53:27

Um, just wanted to make mention that, um, there's, uh. According to Vale, Father Ingham, there's a premier, uh, lawyer in the Pacific Northwest for HOAs. They recommended that actually, due to Covid, that were a little bit of. And since we're through that, that they maximize the number of ways that people could participate, even though the people in black robes, as Morgan is correct, the written word is different than what the black robes are. Say they. They recommended that we actually maximize participation by any means available for them to participate, whether it's video in person, written and, uh, proxy.

00:07:54:06 - 00:07:57:19

So I just wanted to let you know that's what some of the other legal minds are saying.

00:07:58:05 - 00:07:59:03

Well, this is not.

00:07:59:05 - 00:08:00:15

A matter for other legal.

00:08:00:17 - 00:08:13:10

Minds. Sorry, Morgan. Morgan. No crosstalk. Sorry. Uh. Thanks, Robert. I mean, we're going to review, um, you know, the rules, and we're going to adhere to the rules as as written and as as best practice. Reflect.

00:08:13:14 - 00:08:22:02

Well, the declarant has is clear duties, and the written rules are black letter law. You cannot change.

00:08:22:10 - 00:08:30:00

Anything. Morgan, I I've been clear. We we understand your point. What Mr. Rude introduced as nonsense.

00:08:30:02 - 00:08:34:09

It is not relevant. Do not change our statutes.

00:08:35:19 - 00:08:38:21

Morgan. Nobody has said they're going to change your statutes. You just.

00:08:39:03 - 00:08:48:19

You're talking about some anonymous lawyer somewhere. But he said no. Oregon statutes are written easily understandable. And it says no. Written by.

00:08:49:24 - 00:09:02:05

Morgan. This isn't contentious. I told Mr. Rude that we're going to follow done with his version. We are following what the rules say. Whatever the revised. Let me tell you one little thing, Aaron.

00:09:02:17 - 00:09:19:14

It's the owners. It has got nothing to do with the management company. The delegated management company has nothing to do with the declaration. It is entirely the duty of the owners to conduct their election according to rules of order, newly revised by Robert's Rules.

00:09:20:21 - 00:09:26:12

We will conduct the election in accordance with Oregon Revised Statute Regulation. That is what will happen.

00:09:27:10 - 00:09:51:17

No you don't. That's wrong. You have got nothing to do as a representative of the Declarant. You just do what the Declarant is supposed to do. That's it. The owners do the rest. You called the meeting. I mean, I do not like paraphrasing Oregon statutes. They're very readable. You do not need to be a blackballed lawyer. I suggest you let me.

00:09:52:03 - 00:10:20:00

Morgan, I I'm going to have to ask you to refrain from the outburst like we did in the last meeting. The law will be followed. When I say we, I mean collectively that if it's our role as declarant to schedule the meeting, we will schedule the meeting. If it is the rules, the role of the TAC to do something, they will do it. The the here we go again over will be handled according to Oregon revised statute. We will follow the law. That is what is going to happen.

00:10:20:02 - 00:10:23:21

The TAC does not exist. They did not follow the law.

00:10:23:24 - 00:10:27:27

You know you are jumping into our Oregon statutes.

00:10:27:29 - 00:10:30:25

You are a foreigner. You must not interfere with us.

00:10:30:27 - 00:10:39:28

You know I am not. Can I just tell you something? Listen, I I'm I'm sorry. We have. We're not going to continue. We've been more than accommodating.

00:10:40:00 - 00:10:40:24

For the declaration.

00:10:41:02 - 00:10:43:02

To allow the Declarant to sell.

00:10:43:04 - 00:10:43:27

His lots.

00:10:46:03 - 00:10:50:03

You keep out of our affairs. We keep our questions.

00:10:50:05 - 00:11:07:12

Than anything else besides the turnover, as we will finalize those details and distribute them well in advance of the, uh, the 12th and and the 10th, so everybody will know what will happen. Uh, it will be organized accordingly. There's nothing. Um, any other issues that are outstanding that anybody would like to talk about?

00:11:07:17 - 00:11:10:25

Yeah. This is Dana with lot, uh, 104.

00:11:11:04 - 00:11:11:19

Hey, Dana.

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

I say, um, I sent you a bunch of questions that I was hoping to deal with tonight, and I just noticed as I got back from, uh, being busy all afternoon, that you tried to answer them in writing to me personally. Um, a lot of those questions. And you just did it today.

00:11:29:13 - 00:11:34:19

Uh, would you like me to go over all of them? I'm happy to read them and and give the answers.

00:11:35:00 - 00:11:42:25

You know, I think it would be worthwhile to the community because these are not personal questions. These are questions that have to do with our community.

00:11:43:07 - 00:12:28:03

No, no, no worries. I'll do it right now. Okay. Um, so so Dana submitted. Um, I guess, uh, a week and a bit ago, uh, last Sunday, several questions on the just with regards to the community overall. I did I did answer those questions, but I will I will answer them to you now and I'll just read the question. So the first question, uh, that was asked was what was the work that was just completed on the end of Karina Lane? Um, that work was that we the the hoa um, uh uh, the hoa, uh, scoped the stormwater line, um, just to make sure everything was clear.

00:12:28:13 - 00:13:00:26

Uh, the company that did that notice that there was some bullying in the pipe where water was pooling. Uh, we talked with, uh, our contractor that did the work in 2017. They came down, they dug that pipe up. Um, to take a look at the cause of the building. Whether it was sagging soil conditions. Uh, what we determined was that the pipe is bullying. Just because it is, it is being routed around, um, some utility lines. Um, it looks like it's both water and electrical that are running over top of that pipe.

00:13:00:28 - 00:13:37:16

And, uh, no leaks were found in the pipe. Uh, so everything's deemed to be functioning properly. They inspected the catch basin. We, uh. Yeah. So we we taking pictures. We paved it. All of that work was done at the cost of the Declarant and our contractor. It was not at the cost of the HOA, either on the reserve or the operating fund. Um, which was, uh, Dana's second question just to ask where that went to, um, the, the so the third question that, that and sorry, just raise your hand on zoom if you have a question about one of my answers and I'll stop and we can we can get into it.

00:13:37:29 - 00:13:57:06

Um, third question was just what's the status of the compliance on the architectural guidelines for lot 38? Uh, Robert, I'm gonna defer to you, but I believe you told me that this lot has been sold and that the owner is no longer there. So, um, it may have to be something that's dealt with, um, with with a new owner and resident. Uh, Robert, can you advise on that, please?

00:13:57:09 - 00:14:13:10

Yeah. Um, the previous the owner, it has not sold yet, but it is up for sale. He had some financial difficulties and some health problems. Um, and put the put it up on the market, which is leaving all the landscaping in, in the status of being held.

00:14:13:24 - 00:14:16:29

And we still retain the deposit on that. Correct? Yes.

00:14:17:06 - 00:14:22:21

We we held the deposit and hold whoever buys it in compliance with that. Yeah.

00:14:22:23 - 00:14:29:04

So that that will be addressed and the deposit won't be returned until that is addressed. Uh, question number four.

00:14:29:16 - 00:14:31:03

If I could just put you on that.

00:14:31:11 - 00:14:32:00

Yep. Um.

00:14:32:17 - 00:14:37:13

Is it conditional that they comply with the carries with anybody that does purchase it?

00:14:37:19 - 00:15:10:21

And anybody who buys would need to, um, comply with the carries. And typically what would happen in a transaction is the deposit money would be transferred from the purchase to the seller, but like as part of escrow. And so the the new owner would essentially have the rights to the credit that are, you know, the rights to the deposit or that are being held by the HOA. So those though that that compliance deposit will be on hold with the the homeowners association for their compliance with with the landscaping.

00:15:10:26 - 00:15:12:16

And that has not been returned yet.

00:15:14:27 - 00:15:18:09

So the leverage that you have right now is simply that deposit.

00:15:18:29 - 00:15:19:22

Correct. Yeah.

00:15:20:12 - 00:15:37:29

And if they're in noncompliance, the new owners would be advised that they are in non-compliance at the purchase. Is that a is that a disclosure item that should be put in the escrow, or that the realtor that is carrying it should be notified? Because disclosures an important part of the organization.

00:15:38:01 - 00:16:12:09

I'd like to defer to Josh. I mean, I don't think it's a duty of the HOA, um, to be involved in that third party transaction between what the the owners been given notice, um, like the current owner. So it would be

their duty. But, uh, Josh, I don't know if you want to add any commentary to that. Uh, only that Dana is correct in that, um, it probably is something that should be disclosed by the seller as part of that deal. Um, I always wanted to be cautious because I'm not a US attorney. So, um, you know, I'm I'm a layperson, but that's my understanding of the process.

00:16:16:17 - 00:16:18:03

Dana. Dana, is that satisfactory for you?

00:16:19:03 - 00:16:20:24

Oh. Thank you. Okay.

00:16:21:19 - 00:17:01:15

Um, the next question that Dana Dana posed was with regards to the park pathways, um, and the resealing work that, uh, needs to be done. If people recall from the last directors meeting, there was a proposal for resealing that at approximately \$14,000. And, um. Uh, Dana asked if we've allocated that that money yet. Um, the answer is, is that we have done some work and we were able to get a cheaper quote, um, if we agreed to it, uh, prior to December 22nd.

00:17:01:17 - 00:17:17:16

And that quote was for just under \$6,000. So we have agreed to that. Um, so the that work is going to go ahead here in the next couple of weeks. Um, but not at \$14,000 at at \$6,000.

00:17:21:05 - 00:17:56:06

Um, do homeowners have any input on the priorities and do's they have? Yes. I'm currently through the tax or through Robert or, you know, even by calling me, um, you know, dues or dues are pretty much spent on what was outlined in the budget. Um, and so that's kind of where those funds are. Uh, question six is how many lots are still owned by the Declarant. Um, as I said at the beginning of the meeting, all, all lots have now been sold. Um, question seven was with regards to the ability to to reach PM.

00:17:56:24 - 00:18:27:28

Um, I will say I had a conversation with Robert about this in their availability. There have just been several personal and personal, personal and personal issues that she has been dealing with recently. Um, you know, I just want to remind everybody to leave a message. Um, and they have a system with all their communities where they will respond. Um, but we've chatted about it. Um, and, you know, again, I think that that's correct. It was just there's. Yeah, several, several personnel personnel issues with, with hirings and and leaving and some personal issues there.

00:18:28:25 - 00:18:31:14

Um, question number eight was.

00:18:33:12 - 00:18:35:02

Oh, sorry, Dana. Go ahead. Yeah.

00:18:35:04 - 00:18:59:25

Aaron, uh, regarding, uh, that former one, uh, question seven or many times Q PM is not reachable because of the issues you pointed out. And so who's an alternative that we can go to? Would that be you or and since you are not going to be on the board much longer, how how do we get things resolved that are serious and not just a matter of, uh, something that's inconsequential?

00:19:00:06 - 00:19:30:23

Yeah. I you know, I discussed with Robert, I think those issues are are taking care of. I mean, I, you know, it's hard to have a conversation about Robert while Robert's on the call, so I apologize, Robert, but, um, uh, generally, um, those issues are resolved. And, um, you know, I think that's a system for messaging. We talked about it. They have made some additional hires. Um, there were some people who left PM that had certain files related to this community on their desk, and and it hadn't gotten done.

00:19:30:25 - 00:20:04:09

And it was just it was frankly missed in that work is being caught up. So, you know, we we expect service to, um, uh, to improve. But obviously, you know, there is no long term contract, uh, with them as, as the new owners take over, they'll be able to address this going into 2024. Um, and changes to both the management contract and the, um, uh, you know, and the and the parameters of service can be addressed, uh, as needed if something's falling through the crack at that time.

00:20:05:21 - 00:20:11:24

Thank you. Okay, thanks. Uh, question number eight was who paid for the sod and the irrigation and. Hey, Aaron.

00:20:12:04 - 00:20:12:25

Aaron, can I just.

00:20:12:27 - 00:20:14:12

Sorry. Robert. Yeah. Go ahead. Uh, one of.

00:20:14:14 - 00:20:26:09

The things they were trying to do is that actually funnel things to the TAC through that communication with Charles Keefe and the folks that were there, that was actually part of the system that was set up to where things run through the TAC, just so you know. Okay.

00:20:27:01 - 00:20:58:04

Um, and I think. Yeah. So I think going forward, we're going to get that that straightened out. And you obviously there will be a board of, you know, five, five residents who do represent the board and will bring a, you know, as Dana, you and I have talked about a little bit more direct management to the community. Um, so that that should straighten that up. Uh, question number eight was who paid for these sod and irrigation installed earlier this year? Um, do the lot line adjustment on 38 and 39? Um, the answer is nobody's paid for it yet because it hasn't been billed.

00:20:58:13 - 00:21:35:15

Um, but we did have a discussion with us lawns. It is it is a responsibility we are paying at Dana that it was never going to be on the HOA as, as we discussed at a previous meeting. So that that is being paid,

but not not as an HOA expense. Um, number nine. Um, the what is the status of the plants that currently don't exist on the buffer? Um, I don't have a real update for it, except for to say that, uh, essentially, the contractor is deeming the failure of the plants to grow as an act of God and not providing a warranty on them.

00:21:35:27 - 00:22:14:22

Uh, we are in a bit of a pickle, as we've discussed before, and what to do with it. We did, um, work with a couple of the residents to come up with a plan there. Um, as as we have sold the final lots and as we've talked about previously, about the amount of money that the Declarant has spent above and beyond the initial construction. Uh, there is not a willingness to spend any more money from the developer side on it. Um, but creative solutions are open. Uh, it you know, generally, it seems like things are okay with, uh, the neighbors, but I know that's probably not the greatest answer you want to hear, but that is currently where it stands.

00:22:15:22 - 00:22:16:07

Well, Aaron.

00:22:16:09 - 00:22:18:24

We have 106 homeowners, is that correct?

00:22:19:11 - 00:22:21:00

Uh, I believe property owners.

00:22:21:29 - 00:22:53:01

And, uh, 16 of those lot owners are on the buffer. That means that that's what 16% of the people that are paying to, uh, take care of that. That means the other 85 or 90% of the people, uh, not seeing any benefit to that buffer being completed. Uh, there's the city doesn't even agree that it's been completed. And yet, part of the purchase of this property in the beginning the plant purchased was that the AG buffer would be completed.

00:22:53:03 - 00:22:55:08

That's my understanding. So, um.

00:22:55:13 - 00:23:32:07

We've had we've had no communication from the city with regards to their opinion on the status of, of the AG buffer. Um, well, I should say that the last time I've had a conversation with them, their opinion was, you know, just let us know. Um, what's there? We we shared the idea of installing the swale. Um, so they were aware of that to augment the initial French drain design. Um, while I, you know, I hear your point about, you know, essentially 85, 84% of the lots not seem to benefit from the AG buffer.

00:23:32:09 - 00:24:00:20

The reality is, is that it is a cost to all the residents as it is part of the subdivision from the get go. And, um, you know, if anything, that's an encroachment and not a benefit on the owners that are on the buffer because there's restrictions on what can be planted and what can be done in that area on their lots. So it is

a communal, um, issue to be addressed. But I don't have, you know, I don't have solid answers for you beyond that at this time.

00:24:02:00 - 00:24:02:15

Woman.

00:24:03:22 - 00:24:06:15

Okay, well, I think that's still open for discussion.

00:24:06:17 - 00:24:10:08

And we can have a further discussion in a different forum about that.

00:24:10:10 - 00:24:43:26

I have some documentation from the city that acknowledges some of the issues. And you you were, uh, I've got some CC responses from you and it had to be at least five, six years ago. So I can forward those to you about that at buffer. And how about it hasn't been completed? I also have things from the original management company saying that the AG buffer would be completed and uh, to notify the, uh, the homeowners. I have sequential documentation saying that the document would complete it on 2016, 2017 and 2018.

00:24:43:28 - 00:24:56:24

Pretty soon it got to be a joke. But we have documentation. I have documentation that the Declarant, through his agents said that it had been completed and it hasn't.

00:24:57:16 - 00:25:31:23

Yeah, I the clarification that I would bring to that is that the work, the current state of the AG buffer, the work that was outlined has been completed. The issue is the failure of the planting that was done with the seeding. And and that is not a level of like that, that it was seated, it was planted. It was irrigated. Um, as much as I sometimes like to think that I'm God, I'm not, and I can't control the rain.

00:25:31:25 - 00:26:06:26

And so, uh, there are certain acts of the environment that are beyond the scope of what the declarant is able to control, but the, the ag buffer itself, um, as, as proposed to be rehabbed with the swale to augment the French drain, uh, with berms with planting, uh, new irrigation was done. Um, the issue is that the seeding did not take um, and no, the contractors are not accepting responsibility for that, which puts everybody in a pickle pickle right.

00:26:06:28 - 00:26:13:24

Now with regards to to those costs and what groups there. Um, but, you know, our position is the work has been done.

00:26:14:04 - 00:26:17:10

Okay. Thank you. Let's let's go ahead and just move on. We can.

00:26:17:12 - 00:26:18:25

Go on. Can I make a little comment?

00:26:18:27 - 00:26:32:15

All these plants grow wild without irrigation up on, uh, a park nearby there, a drought resistant, deer resistant, and they grow prolifically. Just a comment.

00:26:33:13 - 00:27:06:20

Yeah. The the the irrigation is a requirement of of the ag buffer agreement. That being said, if drought resistant plants, as you know, like nothing has taken in that area for some reason that, you know, I, I don't think anybody has a real clear answer on why things have been taken. But if one of those drought resistant plants that's non flowering takes root there and doesn't require irrigation as long as it's growing. You know obviously the HOA has the ability to turn on and off irrigation as necessary for those plants.

00:27:06:22 - 00:27:40:29

So I mean you make a very good point Morgan on the necessity to water it, but there was a requirement, um, for irrigation to be in place in that area. But again, the cost of installing that irrigation was borne by the Declarant and not by the HOA after the initial uh, irrigation system was, was destroyed. So, um, with regards to the ongoing operation of it, um, that will be on the owners to decide when to turn on and off. Um, but but the install was done, you know, as, as per, you know, augmenting and rehabilitating the, the the mother.

00:27:43:16 - 00:28:19:00

Um, on to question. Uh, sorry, uh, scrolling down here, question ten um, uh, Dana just asked if we could provide notice of the dues increase that that notice was sent on October 6th, 2023, after the last directors meeting. So so notice was provided on the fee increases. Um, question number 11 was there is a private light out on the corner of East Benito and Carmina for many months. Um, I chatted with, with, uh, Robert about this, um, uh, Dana.

00:28:19:02 - 00:28:38:27

And he is of the opinion that it is a public light, um, and should be reported to the city of Medford. I know you noted it as a private light. I, I do not know which is the correct case. Um, so, I mean, if you're if you're certain that it's a private light, obviously the HOA can make that order, but, um, I think we'd have to identify the light pole there.

00:28:40:20 - 00:28:47:18

Well, just so you know, it's not a private street, so I can't imagine that the city is going to take care of it. So, uh.

00:28:48:00 - 00:28:51:21

Sorry. Sorry. And where is it? Because some of those streets are our public streets.

00:28:51:28 - 00:29:00:21

I'm well aware of that. I live here, um, okay, so at the end, the cul de sac that in.

00:29:00:23 - 00:29:04:00

The cul de sac. Not. Not at the corner. It's it's on the private side.

00:29:04:12 - 00:29:15:06

Four months ago, it was described that way and an address was given. And I've just waited because I haven't been getting much of a response when I contacted q PM anymore.

00:29:15:08 - 00:29:48:00

So yeah, if it's at the end of Camino, it's on a private street that will be ordered to be repaired. Um, so thank you. Thank you for bringing that up. Um, question number 12 was can contact information provided to the homeowners, uh, that request it for all? Yes. Um, you can request this from PM. I know Morgan has. And I know that Robert was just recording the last sales. It was going to distribute that list to Morgan. But if anybody else would like that list, they are able to request that from from from 2 p.m..

00:29:49:02 - 00:30:19:25

Um, question number 13 was, uh, almost exactly a year ago, the board requested a geological report regarding the sandstone retaining wall supporting the slope and the fencing behind the homes on Camino Drive along East McAndrews. Uh, what did you find out? Um, uh, what I found out was, is that actually slipped through the cracks. My apologies. Um, there was an email to, uh, Robin Warren and AG to conduct that work, and it does not look like it was before it was completed. So I have instructed Robert to request that work from Robin.

00:30:19:27 - 00:30:57:00

So, uh, Dana, thank you for catching that. My apologies that that that did not get done. Um, and more complete. And the question number 14 was, have you developed a more complete inventory of what owns is a common areas? Um, we reviewed, um, the inventory that Morgan put together. It's very comprehensive. Uh, it wasn't practical to incorporate it in this year's reserve study, but I think, you know, as the new HOA of owners takes over, um, Morgan has done some great work there to properly catalog all aspects of the, uh, private versus common, uh, inventory.

00:30:57:11 - 00:31:31:01

Um, and so I, you know, we would encourage the, the, the HOA board going forward to, uh, amend and include that revised inventory in in their reserve consultant report for 2024 2025. Um, the \$7,000 question 15 was the \$7,000 for the, uh, expenditure this year for a broken water pipe. Uh, was that a reserve or an operating expense? Uh, that was an operating expense. Uh, just due to the fact that it was a, uh, uh, you know, a critical error and not scheduled maintenance and repair.

00:31:31:03 - 00:31:34:12

So it did come out of general operating funds rather than of the reserve account.

00:31:36:22 - 00:32:06:28

Um, question 16 was when will the private streets owned by the property owners be filled and sealed? Um, there is not currently a discussion with this. It did come up in the fall. Um, we talked about it internally. Um, we chatted with Robert about it and, you know, as we looked and I think we had an earlier

offer on the remaining lots, this is something that we wanted to put solely in the owner's hands to make a decision on to what extent and which amounts they do. So that is, that is, um, that, that is there.

00:32:07:00 - 00:32:12:24

Um, obviously money's being put in the reserve fund to address it, but we have not made a commitment to that.

00:32:15:20 - 00:32:20:01

Oh, sorry. Mark Morgan is trying to get my attention. Yeah. Sorry. Go ahead. Morgan, sorry. By reading another stream.

00:32:20:03 - 00:32:29:12

This this pipe that broke the total cost came out, I think, at around 7000. Yeah, because of the water bill. Who owns this pipe?

00:32:29:28 - 00:32:33:23

Uh, it is the hose. Pipe. And how many.

00:32:33:25 - 00:32:40:07

Pipes does the HOA own if they break? And how long have we owned it? You know that. Should the guy.

00:32:40:12 - 00:32:55:05

We've owned it since the beginning. It's one of the private stormwater lines. If I'm. If I'm not mistaken. Yeah. Um, I, I don't know the exact number of how many we own. Um, Robert, do you have any information on that?

00:32:57:22 - 00:32:58:13

Uh, no.

00:32:58:25 - 00:33:10:05

Okay. All right. Uh, it might be my iPhone that I have provided you with the the civil drawings, um, at one point. But if not, I'm happy to which which which. Okay. I'm happy to share those with you.

00:33:10:09 - 00:33:18:25

Yeah, well, um, I look for them on the the plot, and I couldn't find it. Okay, I don't know. Okay. Moving on.

00:33:19:17 - 00:33:54:29

Okay. Um, then the final, the final question was question number 17. Will the private drainage system at the park be maintained this winter? Um, nothing is currently scheduled. My understanding is that, um, you know, after the anti wildlife, um, fixtures were put into the pipes, um, other than general mowing and maintenance, nothing is required down there. If something is required to be scheduled, you know, in the immediate, um, we're happy to schedule that, but we're not aware of any work that needs to be done, um, in that drainage area right now.

00:33:58:24 - 00:33:59:12

That one more.

00:34:03:21 - 00:34:12:03

And that are that is all of, um. Uh, that that is that is all of, uh, the questions that Dana had. Dana, did you have any more that you'd like to add to that?

00:34:14:03 - 00:34:18:15

Actually, my wife Judy has won about contracts that are coming up for renewal.

00:34:19:00 - 00:34:19:23

Yep. Go ahead.

00:34:20:06 - 00:34:25:25

Yeah. I want to know if there are any contracts coming up for renewal during the changeover.

00:34:26:21 - 00:34:54:02

Uh, well, there are the the only contracts that are like long term are the landscaping contracts. I believe we locked in the prices for 2024 from US lawns. Uh, Robert, we've done that one with, um, uh, with US lawns and Brandon Corcoran because I think we, we were able to to kind of sign their semi the, uh, the increase. Um, but other than that, I don't believe there are any, you know, longer term contracts.

00:34:54:11 - 00:35:07:15

Uh, Robert, are there any contracts that you've signed on behalf of us with regard to, um, our financial, uh, agreements or any kind of, uh, things that you may have signed?

00:35:07:25 - 00:35:23:12

Uh, the only thing that I can think of, we had the reserve study and the, um. What's that? The, uh, CPA reviews. I don't know, I can't remember. I have to take a look, but I think what Aaron said is just about right on, right on target. You know, the big one, the big one is the, um. Um.

00:35:24:27 - 00:35:27:10

Left brain. Brain freeze here. Yeah.

00:35:27:29 - 00:35:30:01

The big the big one is the landscaping, Judy.

00:35:30:21 - 00:35:32:29

And that's going to be done after the turnover.

00:35:33:16 - 00:35:57:06

Yeah. And the other the other longer term one is the the contract itself. Um, you know, Robert's agreed to stay on through the transition and then discuss the needs of his services with the HOA beyond that. So,

um, there's no long term, you know, we haven't committed the HOA to any long term commitments other than the 2024 landscaping contract.

00:35:57:08 - 00:36:02:25

So once the new board is elected, uh, Robert's contract will come up for review.

00:36:03:19 - 00:36:30:27

Uh, the the at once the new board is elected, PMS contract will remain in place, but the HOA has the HOA board has the option to review it. And um, and you know so like there's there's not it doesn't automatically come up for review, but there is the option to review it and there's not a long termination clause or anything like that, you know, locking uh, in as the community.

00:36:31:00 - 00:36:40:25

There's a clause that if we choose to, um, cancel his contract, we can do that. Is there a contract?

00:36:40:27 - 00:36:44:23

Okay. Well, Robert, you can speak directly to the contract, but I believe I might meet.

00:36:44:25 - 00:36:46:02

You guys to it. It's all good.

00:36:46:11 - 00:37:12:05

Yeah, yeah, yeah, there's there's no reasonable notice. Is is what's needed to be provided. Judy. And so there's, there's not a there's not a six month penalty or three month penalty. It would be like, you know, like transition it over. Um, yeah. But but but Robert has agreed to stay on, you know, initially afterwards just to, uh, square everything away.

00:37:12:17 - 00:37:14:09

Okay. Thank you. Yep.

00:37:16:13 - 00:37:17:25

Uh, any other questions from anybody?

00:37:32:06 - 00:38:02:20

It's not. Should we transition to the board meeting then? Yeah, that's that's what I was I was going to say. So seeing none. Let's, uh, let's transition from the annual members meeting into the homeowners association directors meeting for Q4 2023. Um, the agenda was distributed. Um, I can pull it up on my screen just, uh, for everybody who there is going to be one amendment to it.

00:38:02:22 - 00:38:06:17

Oh, I'm disabled from host screen sharing. Robert, could you enable me to screen share, please?

00:38:07:20 - 00:38:09:12

Aaron, I have a question.

00:38:09:21 - 00:38:10:08

I guess.

00:38:11:09 - 00:38:34:04

Um, the new owners of the three lots, the three lastrillionemaining lots that recently sold the buyers are Southridge Builders LLC. Were they given a copy of the report that says that those lots were basically designated as an F for basically failure for build ability?

00:38:35:10 - 00:38:46:16

Um, I'm going to refer that to Josh, uh, as I mean, this is an HOA meeting and not, um, you know, putting my hat on as a developer. I'm not going to disclose things, so.

00:38:48:06 - 00:39:18:28

And what exactly are you asking me to comment? Well, I mean, are we commenting on what documents we disclose to the buyers of a lot in a transaction that's not party to the HOA? I, we have an obligation to, you know. I just think it's beyond the scope of of the owners of BBH on or sorry the owners of the homeowners association on that I, I mean, you know, I guess I can generally just share that we, uh, we have shared the geotechnical reports that we completed this year on those lots.

00:39:19:04 - 00:39:33:06

Um, Kirsten and Morgan, I see you. So I'll just, um. Yeah. So, uh, yeah, I mean, we've shared geotechnical reports on those lots with the prospective buyers. If I was putting on my, you know, at, um, uh, Morgan. Morgan. Go ahead.

00:39:34:01 - 00:39:44:18

Um, the CCR NAS cover the state of the soil. Somewhere in there, there's a big paragraph about the soil condition of the lot that a purchaser buys. Yeah.

00:39:45:12 - 00:39:59:03

Yeah. And the buyers would have got the would have got the carries as well. I mean, all disclosures were made. Nothing. Nothing was withheld. No, no, no, I just think it's beyond it's more than we have of of an HOA meeting even though we're wearing both both ads.

00:39:59:29 - 00:40:17:03

Well I appreciate you mentioning something about it as I live right below it. And I am pretty nervous about, um, a, the ability to build on that lot and their experience. So I'm just fairly pretty nervous about it.

00:40:17:18 - 00:40:27:06

Um, can you shoot me an email after this? Um, and we'll have a sidebar conversation about that. I think we can provide some information that will address some of your concerns.

00:40:29:06 - 00:40:29:25

Thank you.

00:40:30:20 - 00:40:33:13

And it's just it's just Aaron Fedora at Cedar coast.com.

00:40:37:25 - 00:41:10:19

Um, okay. Do I have the ability to share a screen now? Yeah, I do desktop two strategy. Okay. Um, sorry. So just sharing. Sharing the agenda. Um, one, one change will be that we will adopt the 2021 and 2022 financial statements. I did, uh, receive both of those today from Swinton, Co. Um, Morgan, I sent those over to you directly. When I received them, I, I deeply apologize that this took far longer than I initially, uh, intended.

00:41:10:21 - 00:41:27:03

And that was a series of broken promises on that. But they are done. Um, I provided you with the notes as well, just so. So you had them. So, um, seeing that, I would just like to call the question if we can approve the agenda as amended. Um.

00:41:29:07 - 00:42:00:00

I'll move that. You'll move that. I'll second it in. Wesley, vote in favor of it. Yes. Yes. There. Yes. Yes. Okay. Uh, okay. Um, have we have you all everyone reviewed? I mean, when I say everyone, I mean, uh, Josh and Wes reviewed the minutes of the prior meeting, and we're fine with those minutes, so, um, I'm happy to move to approve them. Second. Okay. Thank you. Okay. Review of the financial position. Um, the financial statements did not change from the draft financial statements that were distributed at.

00:42:00:02 - 00:42:01:01

The.

00:42:01:03 - 00:42:14:25

Q3 meeting. Um, those those statements were distributed to you. Um, you know, we've we've reviewed them, and Swinton signed off on them, so, um, I can go should I go through them? Josh I mean, I guess I could pull them up and.

00:42:20:25 - 00:42:22:04

Gosh, that's something I should do.

00:42:23:20 - 00:42:50:02

Uh, yeah. Okay, let me, let me let me grab them. Um. Uh, I don't know that it's strictly necessary, but for the benefit of other people. Yeah, absolutely. Um. Financial statements. Okay, I stopped share. Let me just. Let me just rearrange this quickly so it's in the. It's in an order that makes sense. As much as you want to see the lovely industrial lots that we're selling up here.

00:42:56:27 - 00:43:28:12

And these will be posted to, um. Uh, to the portals. So, uh, yeah, these these will be made available. Uh, Robert is going to make them available. So, you know, if you guys see something and you have a question, please don't hesitate to email me after this. Um, as well. Uh, so screen share or maybe do you

want to drop your email address into the comments into the chat? I can do that. Uh, okay. So everybody has got it. What happened to the chat? Chat? Um, everyone.

00:43:33:11 - 00:44:03:13

Okay. Um, so, uh, just with regards to internal controls, um, we, you know, there was a note about reviewing, like, we're going to pass this off to the next HOA, but just, you know, read only access to the bank accounts and, uh, checking those policies. So that's something that we'll work on this year. This is from the 2021 year end. Um, the management letter is here. I'm going to just zoom it out.

00:44:03:24 - 00:44:35:03

Uh, generally, you know, we did we did acknowledge this is 2021. We did not have a 2022, uh, meeting, but we we have corrected that. So again, we apologize for that. But they are making a note of that in the management letter. So on the financials, um. Again general things. But operating fund. Replacement fund. So at the end of 2021, um, the there was about \$94,000 in, in the reserve.

00:44:35:16 - 00:44:47:06

Um, and there was construction deposits, about \$55,000. Uh, our expenses that year was a contribution. 38 landscaping. Total expenses of \$94,000.

00:44:48:24 - 00:44:56:14

Fund balance. In total \$94,000 at the end of 2021. Um.

00:44:58:00 - 00:45:32:25

The notes. I'm not going to go through these in detail that we've read them. We're fine with them. I, you know, feel free to to read over them and fire me questions and then just supplemental information. This is on the HOA Capital Reserve account. Um, just regards to the reserve assessments, um, and the replacement fund at the end of the year. And again, this is the starting balance, um, and the ideal balance that the, uh, uh, reserve consultants had had wanted.

00:45:33:14 - 00:45:50:02

Um, moving on to 2022. Uh, similar memo just from the accountants on internal controls, which will be addressed this year. I think with the new board taking over, um, and the 2022 financial statements year end. Uh.

00:45:57:01 - 00:46:28:08

Again our balance sheet at the end of 2022. Um, there are some transfers here. And this is just with regard to setting up all the bank accounts properly. Um, so there's proper HOA accounts, but we've been growing the cash reserve to \$117,000. Cash on hand. There's \$170,000 at the end of 2022. Um, expenses went up from 94,000 to 110,000 in 2022. From 2021.

00:46:28:24 - 00:46:59:14

Um, revenue was a total revenue of 108,000. So there was, um, a little bit of a loss overall. And this is why we started raising fees. Um, and this is a result of us not raising fees. And, you know, we've gone over that. Um, hopefully we are in a position where the HOA, you know, going forward will be able to do minimal fee increases and or, um, uh, uh, you know, just hold where they can.

00:46:59:16 - 00:47:33:03

But, you know, we're hoping to have this back into financial health where we are not running deficits, um, or where you as the HOA are not running deficits. So, uh, year end cash balances. Um, operating fund, replacement fund. Total of \$125,000. Um, similar notes. Uh, please. You know, read through them when Robert posts them and ask us any questions. But we are happy with them. Uh, we think they're reflective of. Correct. And then again, just the final statements. We have 117,000 at the end of 2022, in the evening.

00:47:34:01 - 00:47:47:21

So with that being said, um, I guess I could pause here momentarily and ask if there's any questions on it. I will admit that I might not be the best person to answer it, but, um, yeah, if there's a question I can answer, we'll get you an answer.

00:47:52:25 - 00:47:53:11

Uh, Morgan.

00:47:54:09 - 00:48:09:10

Uh, I noticed that we've started adding columns of forecasting to the budgets. This is a new and exciting innovation, and I want to make sure that these budgets. There's no need for this. Uh, I don't know why we're doing this.

00:48:10:05 - 00:48:16:10

Yeah, it's sorry that that's on the budget, not the financial statements. There's no forecasting on the financial statements. Correct.

00:48:16:14 - 00:48:25:01

Well, I tried reading the financial statements, but there's, uh, there was a sentence in there of 118 words which I gave up at.

00:48:25:26 - 00:48:50:13

Okay. That's that's for both. Yes. I mean, we did when we, when we increase the fees in October. Um, we did include some forecasting with some inflationary pressures just to kind of model out where we thought it would go. It is above and beyond what we need to do, as Morgan pointed out. And you guys, uh, the owners would not have to continue it as beyond. But we we did kind of want to show where we feel that it gets the association back to positive cash flow.

00:48:51:09 - 00:49:23:08

I must admit that the new budgets are far more complicated than all prior budgets. And, uh, this is a bit of a puzzle. I don't really see the need for this. And as regard the the Independent Accountants Financial Review, um, I raised this at the last meeting and I said that this the only place in our, uh, management and in the statutes and in our governing documents is at the turnover. I see. No, I still see no evidence why this was necessary.

00:49:24:05 - 00:49:35:01

Yep. Uh, your your your comments duly noted. We, I mean, and we have completed this and it will be at the discretion of the owners, um, upon our departure, on whether or not they wish to continue that.

00:49:37:00 - 00:50:03:10

Um, if there are no other questions. Uh, can I have a mover to adopt both sets of financial statements on that? Okay, Josh will second. Um, okay. All in favor? Yes. Yeah. Uh, going back to the agenda. Um, turning it over to Robert. Um, do you just want to support, uh, to report on any members and delinquent assessment payments, please?

00:50:03:25 - 00:50:13:03

Um, at the moment, there's only one that, uh, in one of the lots, but it's already in foreclosure from the from the county, so.

00:50:13:16 - 00:50:16:17

I don't know. And all of the residents are paid up to date within.

00:50:16:19 - 00:50:17:24

Within reason? Yes.

00:50:18:10 - 00:50:29:18

Okay. Thank you. Um, elected of the officers. Uh, Josh, I guess we just elect ourselves again and then hand over at the transition meeting, knowing full well that as part.

00:50:29:20 - 00:50:30:10

Of the turnover.

00:50:30:12 - 00:50:52:16

Will resign as directors and officers. Yeah. So it's a very short term stopgap measure. But I think in order to, to be, you know, on point that we should do that. Okay. So then by acclamation, um, Josh will continue to serve as Treasury Secretary, West continue as treasurer, and I will continue as president. Um.

00:50:54:03 - 00:51:01:27

And that's not needed there. There's only one candidate for each. So that is done. Yeah. And it dawns on me now, Aaron, that, uh, item.

00:51:01:29 - 00:51:02:14

Seven on the.

00:51:02:16 - 00:51:39:10

Agenda is inappropriate given the circumstances. I mean, it made sense at the time, but, um. Once the new board is constituted, it it should be deciding when it's going to be meeting. So okay. So we'll we'll take that off and again on that. Uh, we are aiming for the end of, of January. There are, there's just some events in Vancouver, uh, and conferences that, uh, I will need to be at immediately prior. So it'll just, it'll

be the 25th or it might have to be pushed a week after, but we'll, we'll, uh, we'll address that, um, with plenty of time and plenty of notice.

00:51:39:17 - 00:51:53:00

Um, I mean, I don't think there needs to be space for new business or questions as we just had the annual members meeting. So, I mean, I guess I can do one final call for questions from anybody before we wrap this up.

00:51:57:21 - 00:52:04:17

All right. Seeing none. Um, can I have a motion to adjourn, please? I'll move to adjourn. I'll second.

00:52:04:19 - 00:52:05:04

That.

00:52:05:07 - 00:52:11:01

Perfect. We are adjourned. Hey, John. Channel directors meeting that you guys have to have with us.

00:52:11:12 - 00:52:15:23

Hey, Josh, I sent you. I just sent you a an attendee list via email.

00:52:16:09 - 00:52:37:08

Right. Thanks. So I'll have the minutes. Typically our processes. I prepare the minutes within a couple of days after the meeting. Circulate them for, uh, Aaron Western Robert's review, just to make sure that I've accurately captured what was discussed. And then we posted them to PMS site. So you'll see those in the next short while.

00:52:39:12 - 00:53:09:26

All right. Well, thank you everybody. Um, Kirsten, please be sure to shoot me an email. I put my email in the chat. Um, and we'll address the stability of those lots for you. I really do appreciate all of the contributions, um, that each of you have made and just the tenor of this meeting, um, Dana, particularly for the questions in advance and us being able to go through and get answers for you. Um, do appreciate that. And glad that we go through those in the annual general meeting. Um, and with that, I, you know, wish you guys all a merry Christmas and a happy New Year.

00:53:09:28 - 00:53:13:22

And, um, we'll be communicating on the, the, the changeover.

00:53:15:06 - 00:53:21:00

Um, I'm sure we had one question we didn't hear. Did you schedule a in-person meeting for January?

00:53:21:21 - 00:53:27:15

Uh, we're we're working on that tentatively, the 25th, 26. Okay.

00:53:27:17 - 00:53:31:18

And that means that it would be on the site here in Medford, Oregon.

00:53:32:02 - 00:53:54:05

Uh, it would. Well, we thought we'd have an in-person meeting in Vancouver and everybody could come up here to vote. Um, yes. We we will aim to have a meeting at. I asked Robert to look into that church hall, um, that has been previously referenced as a place where you guys have been able to meet. Um, but we will find a facility in Medford for the meeting.

00:53:55:00 - 00:53:56:12

Terrific. Okay. Thank you.

00:53:57:15 - 00:54:02:06

All right. Sounds good. Thank you very much, everyone. Have a good night. Thank you. Aaron.