

## **New Columbia Owners Association**

### **MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS**

#### *TIME AND LOCATION*

Upon notice duly given, a meeting of the Board of Directors of the New Columbia Owners Association, an Oregon nonprofit corporation (the "Association"), was held in the Community Room at 4625 N. Trenton St., Portland, Oregon on Tuesday August 25, 2009 at 6:15 p.m.

#### *PRESENT*

Present at the meeting were Directors Dianne Quast, Ben Wickham and Caren Cox constituting a quorum of the Board of Directors. Also present were Darcy Vincent, New Columbia Community Manager and Genevieve Quist, a doctoral student temporarily at New Columbia for research purposes, who took minutes.

Homeowners present and signed in included David Pickett, Carlos Chavez, Nancy Chavez, Steve Pickering, Larry Whiteacre, Marcia Knutson, Julie Newhouse, Sharon Huffman, Stacey Canterbury, Janis Khorsi, Meike Niederhausen, and Sam Peterson.

#### *MEETING OPENED*

Dianne called the meeting to session.

#### **I. REVIEW & APPROVAL OF MEETING MINUTES FROM July 23, 2009**

Dianne motioned that the minutes from the July 23, 2009 meeting be approved and Ben seconded the motion.

#### **II. REVIEW OF JULY 2009 FINANCIAL REPORT**

Darcy provided Guardian's first financial report for July 2009 activity. Revenue matched up to its projection Expenses were \$4000.00 below the projected amount, primarily due to payroll allocation for vacancy in the maintenance department.

Guardian also did not receive a bill for water until late July, and that expense will be reflected in August's financial report.

Darcy also noted that maintenance salary was posted on the wrong line in the financial report and will be corrected next month.

#### **III. DELINQUENCIES**

Darcy and Ben will meet on a monthly basis regarding the status of collections. Darcy explained Guardian will send a monthly reminder letter to owners who are late with monthly

dues and have overdue balance up to \$250. The goal is to encourage timely payment of monthly dues and reduce the number of homeowners who are late with their payment.

Overdue balances larger than \$250 will be referred to the attorney for collection purposes.

Caren asked for clarification about how attorney is handling some delinquent accounts that are two to three years old. When account was originally referred to attorney there was an overdue amount. Lien may have been filed by attorney, but what about additional monthly OA dues that are also unpaid? Is attorney adding those additional amounts to the lien or what? Darcy and Ben will follow up with attorney for an answer. Darcy knows accounts at the attorney continue to accrue interest and lawyer's fees but doesn't know if additional unpaid dues are also added to the overdue amount attorney is monitoring.

In terms of collection, it is up to the attorney and management to decide when the accounts are deemed uncollectible and filed as bad debt. If an individual has already filed for bankruptcy, this puts an automatic stall on all debts and may make it more difficult to collect the unpaid dues. In the case of bankruptcy, small creditors such as the Owners' Association often go unpaid. If the bankruptcy procedure is complete and the debt has still gone unpaid, it can be written off by the Owner's Association. No delinquency amount, however, will be written off without the Board's express acknowledgement and approval.

With regard to foreclosed homes, money is usually not collected until the home is sold even though a lien has been placed on the property.

#### IV. ADVISORY COMMITTEES

Dianne proposed that two new advisory committees be established. The first will be the Landscape Guidelines Committee, which will address landscaping guidelines in order to develop recommendations to keep the integrity and intent of the initial landscaping plan as the community ages. Darcy will lead this committee. Homeowners Larry, Stacey, and Sam volunteered to serve on it.

The Fines and Penalties Committee constitutes a second advisory committee. The committee will develop recommendations on appropriate fines and penalties for those community property owners not in compliance with bylaws and/or CC&Rs of the association. Ben will lead this committee. Homeowners Steve, Julie, Caren, and Sharon volunteered to serve on it.

Committees will meet on their own and should be ready to present an initial-report at the November 24 meeting and give formal recommendations at the February 23, 2010 meeting. If there is anything that needs to go to the Board or to a vote of the membership, this will happen April 27, 2010 at the annual meeting. Having formal recommendations presented at the February meeting should allow enough time for ballots to be prepared for any voting on proposed changes.

#### IV. NUISANCE REPORTING

A member asked if the city of Portland will respond to online complaints of nuisances in homeowner back yards. Yes - They will respond, via email, and usually commit to an investigator's visit to the property in question within 7 business days. It is helpful if you file photos of the problems with the complaint.

Although property management does not have enforcement capacity (at this time) to deal with homeowners who are not in compliance with bylaws and CCR's, property management can also send a letter to a homeowner and explain that a fine may be instituted in the case of a violation of New Columbia regulations.

If a complaint is made through the city of Portland's nuisance complaint line about a rental unit, New Columbia property management will receive and address that complaint. Darcy reports regular walk throughs have had a positive effect over the past month. Property management is enforcing rules regarding exterior upkeep including: removal of upholstered furniture, stacked bottles and cluttered play equipment. There is increased pressure to clean up yards now before the school year starts. A member asked if five lawnmowers constituted a violation and Darcy asked that she send an email documenting it. Property management intends to continue to require compliance with community rules regarding property maintenance.

#### V. WEBSITE

Darcy discussed additions to the New Columbia website, courtesy of Ben and Molly. Bylaws, rules and regulations, July financial reports minutes are now posted. Moving forward financial reports will be posted on the website by 15<sup>th</sup> of the following month (example August financial report will be posted by September 15). Property management will include a narrative and balance sheet with each posted monthly financial report. A member said he had not been able to find updates, and Ben pointed out the updates on the website using Genevieve's laptop. Other additions to the website are welcome. Please let Molly Gray know.

Phone number for incident hotline and for Nighthawk can also be found on the website.

A member asked if the website could feature a forum for questions or concerns. Darcy expressed concern with the types of responses she might be expected to give, and that this could reveal confidential information about other residents.

A member asked if generic items could be posted on the website, so that they are not just relayed at the meetings. Darcy said this would be fine.

A member asked if residents could create a list in order to sign up for email updates. Darcy stated that it would be preferable for residents to check the website personally. Another way to receive news is through an electronic version of the New Columbia newsletter; residents can receive this version through signing up with Molly Gray.

A member stated that “Allied” is still listed as New Columbia’s Management Company, Darcy said this would be corrected soon.

## VI. NEW HOMEOWNERS

Caren asked about whether or not new homeowners receive information about processes surrounding dues. Ben explained that HAP does not consistently receive information about who moves in, and that it’s usually up to the real estate broker to give them the relevant information. Dianne mentioned that certain real estate brokers tend to do business in this area, and that we should confirm that they have the correct information to give to New Columbia new homeowners. Caren suggested when/if property management receives payment from a title company, which usually indicates a transfer of ownership, something like the old “Welcome to New Columbia” brochure could be sent to the new owner.

Darcy asked that her contact information and Caren’s contact information be given to any new occupants.

A member asked if there was any specific mechanism for identifying new homeowners, and Ben explained that’s there’s no formal procedure in place for determining when a property changes ownership. Possible ideas for such a mechanism should be reported at November’s meeting.

## VII. FORECLOSED HOMES

A member expressed concern that the back yards of vacant foreclosed homes have gone without upkeep. Dianne explained that this is an issue for the Fines and Penalties advisory committee to address. If the bank owns the property it is difficult to gain access to it. The bank should be notified that they’re receiving fines as a result of leaving the property without upkeep. HAP acknowledges that foreclosed homes have can create neighborhood blights. If home is on the market, it may be worthwhile to contact the agent and ask about yard clean up. If home is vacant and not on the market yet – neighbors may want to organize a work group to clean it up.

A member stated that feral cats are another problem associated with foreclosed homes’ overgrown yards. They bring fleas, which spread to other yards. At the same time, Guardian has made recent progress with containing garbage and reducing the feral cat problem.

## VIII. GENERAL COMMUNICATION

Dianne stated that notices of the new meeting schedule and of the establishment of the two new advisory groups will put in the next newsletter.

The next homeowners’ association meeting will take place November 24 at 6:15pm. Subsequent meeting dates will be February 23, 2010 and April 27, 2010 (annual meeting).

A member stated concern that converting from monthly to quarterly meetings would not allow members to take care of issues and concerns quickly enough, and would have a negative impact on the operation of the owners' association. Other homeowners present voice the same concern.

Ben responded that this change in schedule will be re-evaluated as time goes on and concerns will be taken into account. Advisory committees will start and allow homeowners time and space to review issues. Staff is also accessible and will try to be responsive to concerns and complaints, no matter when a meeting is taking place.

A member asked why documents (CCRs, bylaws, etc) had not been placed on the website in a timely manner and also asked why Ben or Jacob had not attended the August community meeting as promised at the July OA meeting. Ben responded that the documents should have been posted sooner but were placed at a lower priority level with the new management transition that happened this summer. Regarding attendance at the meeting, at least one member of staff will be there if not Ben or Jacob.

Darcy corrected a statement that she had made at the August 13 Town Hall meeting. She said that homeowners and renters had 25 pound weight limits on pets and breed restrictions, but it is only renters who have weight limits. Breed restrictions still apply to all residents.

Ben introduced Genevieve Quist, a doctoral student from the University of Oxford. She is writing her thesis on child and family welfare in mixed income communities, and is currently interviewing residents of New Columbia. She is not a HAP employee but will share her research results with HAP at the completion of the study. Any information given to her in an interview setting will be kept anonymous.

Caren suggested that meeting minutes be written in narrative form, for the sake of readability, as opposed to a more formal deposition format. There was consensus in the group that this approach is preferable. Meeting minutes should be posted online within a week of the meeting and do not need to reflect a verbatim account of everything that was said, just tracking of the general conversation and records of any votes or motions passed. All topics should be included in the minutes.

Ben stated he would organize previous meeting minutes as individual pdf files and consolidate in one folder. Residents can access them from him if they would like to do so.

A homeowner announced that all interested parties are invited to join Growing Gardens tomorrow at the garden across from Rosa Parks at 6:30pm. More discussion about this, and the related offsite chicken project, will take place at the Town Hall meeting and/or mentioned in the newsletter.

## IX. TOWING

The name of our new towing company is “Safeguard”, and they are very prompt with towing if a car is parked in a handicapped or no parking zone on community property. Call them at 503-234-0111. Safeguard does not, however, have the right to tow off of city streets. Cars that appear abandoned on city streets should be reported to city of Portland for tagging and removal.

If a car on community property appears abandoned, a tag will be placed on it that notifies the owner that he or she has 72 hours to move it. After that time, it will be towed.

Meeting adjourned 7:25pm.