

Bella Beach Homeowners Association Board of Directors Meeting

October 21, 2017 at 1 pm
235 Oceanview St.
Depoe Bay, OR 97341

HOA Board Members Present: Chuck Craig, Dick Chaplain, Richard Regan, Cheryl Lawrence

Quorum Established

I. **Called to Order** by Chuck at 1 pm. Teri Gerlt absent due to automobile accident. Cheryl Lawrence acting as secretary.

II. **Review and approval of minutes** July 15th meeting and Sept 28th Special Board Meeting

Motion Dick 2nd Richard Passed Unanimously

III. Committee Reports

A. Financial Chuck reported that all past due accounts have been brought current except a persistently delinquent account which has been turned over to Vial-Fotheringham for collection. Current balances: Checking \$15,023.88, Reserves \$25329.73, CDs(reserve also) \$28,346.00, Emergency fund \$260.21.

Chuck also stated that Pam has voiced concern with those units that have multiple owners when it comes to the HOA being kept informed with owner changes for dues and assessment billings. Owners need to be reminded that it is their responsibility to provide the HOA with updated contact information. In addition if there is a legal form of ownership other than tenants in common the HOA must be informed of this, and who the responsible parties are.

B. Landscape Richard has resigned as Chairman and from the committee. His service was noted and is appreciated.

Richard offered some ideas for the 2018 budget which are noted under the Budget.

C. Disaster Preparedness Teri took over leadership after Rick resigned. The assembly area has been changed from Lancer to Valerie's Green. It was noted that Coronado Shores is now willing to share their "read first" manual which will help us develop ours. It was also reported by Chuck that a review and inventory of the Bella Beach Emergency Container is needed to determine what items are still needing to be purchased.

Once that is determined, the question is how to raise the funds? It was suggested that fines, late fees, and change of ownership fees be directed to that cause. A second call for donations is also under consideration.

D. ARC It was mentioned that a prospective buyer for one of the townhouses did not follow through with purchase. During the negotiations it was learned that the party wall agreement for

the townhomes requires that the townhome buildings be re-roofed as a unit, not individually. This may have been a factor in the outcome of the negotiations.

E. Road District Ian was not in attendance. Chuck passed out a map of the road district showing the areas where parking is prohibited. It was noted that these areas need to be marked in a visible, but unobtrusive manner. Further discussion was deferred until the next meeting.

IV. Unfinished Business

A. Collections, Policy for Repeated Delinquencies & Late Fees

A change of policy for repeat delinquent assessment payers effective Jan. 1, 2018. Motion Richard 2nd Dick Unanimously Approved :

Upon the second delinquency, the outstanding balance will be forwarded within 30 days after the due date to the HOA attorneys for collection.

A change in Late Fees and Interest effective Jan. 1. 2018. Motion Dick 2nd Richard Unanimously Approved

Bella Beach HOA Late Fee Policy

The Late Fee will be increased to 10% of the dues (currently it is \$25)

Interest will be 1% per month or fraction of a month

B. Stairs, signs, stroller parking Beach stairs wood treatment: Ian will be treating the stairs once the weather permits with a nontoxic product. The signs by the stairs look great. The noted location, 51C, will be invaluable in case of an emergency. The stroller area pavers will be installed the first part of the year. The pavers have already been purchased. Thomas estimates the remaining cost to be approximately \$800.

C. Website cleanup, Current Owner Email Addresses Teri is in charge of this area. Teri and Chuck will update information on the website and delete obsolete information.

D. Path Light Working Group Chuck, Dick, Rick and Jack. Draft work plan has been developed and is under discussion.

E. Boat, Trailer and/or RV Parking There have been two incidents recently, one of which became somewhat contentious. Although it is a judgement call, it was suggested security generally be called for cases of boats, trailers, and RVs parked in Bella Beach. The HOA pays for this service.

F. Rental Agency Contract Review, Rental Agency Approval It was unanimously agreed that all rental agencies must submit copies of their contracts to the Board to ensure that the Bella Beach HOA Policies are being communicated accurately to all renters and their guests. Bella Beach rules are generally more stringent and sometimes different than the those in the Lincoln County Vacation Rental Dwelling ordinance. A formal letter from Chuck will be forwarded to all rental agencies requesting a copy of their contract. Upon further review of the matter, the board noted that there are many differences between the Bella Beach rules and state and local

regulations. The board may choose to consider amending the Bella Beach rules to harmonize and streamline them. Some of the specific areas that may need attention or clarification are:

- **Dogs** are required to be on leashes in public.. **Maximum of 2 pets are permitted.** Pet owners are required to clean up after their pets.
- **Boats, trailers, and RV's** are prohibited. These can be stored for a fee at Sea and Sand RV Park next door.
- **Campfires and fire pits** are subject primarily o local fire regulations, but also to nuisance provisions of the CCRs.
- **On street parking** limited to 1 car. Off street parking must be used before on-street parking. Vehicles in excess of this are to be parked in overflow parking areas behind Valerie's Green and available spaces on Bella Beach Circle.
- Bella Beach rules limit **occupancy** to 3 persons per bedroom. County VRD ordinance is 3 per sleeping area +2 additional persons.
- Much of the public road area of Bella Beach (technically the Bel Mer-Sigl Tracts Road District is a **fire lane**. A minimum road width of 20 feet is required to be maintained and no parking within 10 feet of a fire hydrant is permitted.
- **Quiet Hours** 10:30pm -10 am. Note County VRD quiet time is 10pm-7am. There is a more complex overall County noise ordinance for the period 7pm-7am.
- No **Hot Tub Usage** after 10:30 pm or before 8 am.
- **Smoking**. Outdoor smoking is severely restricted in Bella Beach by state laws. Homeowners and rental companies can prohibit smoking altogether inside homes.
- **Cannabis**. marijuana of any form may not be used in public areas, and it may not be transported into or out of the state. Smoke from marijuana consumed on private property or on private homes may not affect adjacent public or private property. Rental agencies and homeowners may contractually impose more stringent restrictions on marijuana, including prohibiting it altogether. The combined effect of state laws regarding smoking and state laws regarding marijuana use severely restrict outdoor smoking of marijuana in Bella Beach.
- No **organized gatherings** are permitted in common areas. An organized gathering is defined as one one with more than 20 people in attendance, or where catered food is served, there are rented tables, chairs, or tents, or there is amplified music.
- **Campfires** are regulated on a safety basis by the fire district; however, under CCRs campfires may not create a nuisance for neighboring properties.
- In addition to the requirement for regular garbage pickup, **garbage cans** are required to be kept out of public view.
- There are substantial **fin**es for violations of these rules. These are listed on the Bella Beach HOA website, bellabeach.org. Rental contracts must provide that renters can be held liable for fines that are levied by the board.

Note :this list of items was developed by the president after the meeting discussion and is for information only.

G. Park over watering complaint Wolfgang Saiiler addressed the subject of the great park system operation and the impact upon his property. He voiced concerns and asked questions. Richard responded to his questions.

V. New Business

A. Budget Development for 2018 The board discussed general concepts and principles, and noted where over and underspending had occurred in the 2017 budget. Final action on the budget is expected at the Dec. 2nd meeting.

Richard suggested dividing the landscape budget into smaller areas for stronger accountability and possible savings to the HOA:

- Road District – Ditch Cleaning, street cleaning.
- Special Projects
- Turf Maintenance and water management
- Beach / Stairway Area

The current landscape management contract is up for renewal Jan. 2018. The Board felt it wise to begin considering ways to reduce the HOA outlay in this area. Richard suggested budgeting only 2/3rds of the current amount.

Chuck asked the Board if they thought the annual dues should be increased this year. The response was No. It was agreed that now that the number of dues paying homeowners is known with more certainty, the available revenue should be based on a higher number of paying homeowners than 82 as used in the 2017 budget. 87 homeowners was suggested as a basis.

B. Multiple Owner Property Problems Discussed during the budget report above.

VI. Announcements none

VII. Homeowner Forum

Sydney asked that the above ground utility boxes in the alley behind her home and the green space homes be put underground, the large rock that is blocking the driveway be moved, and asked what is the policy concerning homeowners returning their garbage/recycling bins back away from the street. Chuck encouraged her to call the utility company. Dick noted that the CCR's state that garbage cans may not be stored in public view. Chuck said that he would check the bylaws and rules to see if there is anything further regarding the garbage cans. Sydney also suggested that Elderberry may be in need of a gravel top dressing.

VIII. Other

The next regular board meeting was set for December 2, 2017 1PM at 210 Bunchberry.

Homeowners in Attendance:

- Tracy Dunford 232 Bella Beach Dr.
- Janet Johnson 232 Bella Beach Dr.
- Jack Lawrence 235 Oceanview St.
- Michael & Cheri Denton 424 Bella Beach Circle
- Sydney Ovist 116 Elderberry Way
- Wolfgang Sailer 190 Elderberry Way

The meeting adjourned at 5:30 pm