

**APPROVED**

**BOD/27/MRHAO #205  
MILLRIDGE TOWNHOME OWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
MAY 7, 2012**

**MINUTES OF THE BOARD OF DIRECTORS MEETING OF MILLRIDGE TOWNHOME OWNERS ASSOCIATION HELD MAY 7, 2012 AT 6:00 P.M. AT THE MILLRIDGE TOWNHOMES CLUBHOUSE LOCATED AT 1610 1/2 NW 143<sup>rd</sup> PORTLAND OR 97229.**

**PRESENT:** Rich Leflar, President  
Ursula Locke, Treasurer  
Kathy Shaffer-Tamblyn, Secretary  
Marcia Policar, Director

**BY INVITATION:** Steve Meyer, Community Manager  
COMMUNITY MANAGEMENT INC.,

**OWNERS AS INDICATED ON THE SIGN IN SHEET KEPT IN THE MILLRIDGE CLUBHOUSE OFFICE.**

**I. Call to Order**

Rich Leflar called the meeting to order at 6:00 p.m.

**II. Introductions**

Introductions commenced throughout the room.

**III. Ratify new board members appointment  
Nadine Moore resigned after the last meeting.**

**AGREED: Ursula Locke moved to ratify the appointment of new Board member Tim Jackson. The motion was seconded and carried without objection.**

**IV. Acceptance Of The Agenda**

The agenda was accepted as presented.

**V. Discuss / Accept - Meeting Minutes – Mar. 22, 2012**

**AGREED: Ursula Locke moved to approve the March 22, 2012 Board of Directors meeting minutes as presented. The motion was seconded and carried without objection.**

VI. **Committee Reports**

**A. Treasurers Report**

Steve Meyer reported on behalf of the Treasurer, Ursula Locke. Steve provided a report on the financial statement, collections, and answered questions from the Board.

**B. Landscape Report**

No report given.

**C. Architectural**

No report given.

**D. Maintenance**

No report given.

**E. Clubhouse Report**

No report given.

**F. Neighborhood Watch**

No report given.

VII. **Unfinished Business**

**A. Discuss HOA Allocation of Dues in an open forum with homeowners. Guests; Jason Grosz Attorney at Law and Steve Meyer, CMCA, CAMP our Community Manager.**

Jason Grosz, the association's attorney provided a presentation on how the association has assessed the HOA dues assessments, both in the past since the 1989 updated declaration, and from the beginning of the time that the HOA was formed, 1969. Jason addressed the allocation of HOA due assessments per the declarations update in 1989. Jason explained that MRHOA has a hybrid budget and method of allocating HOA due assessments. The HOA currently has a mix of per sqft HOA due assessment and uniform HOA due assessment. Jason explained the Board's responsibility and how the Board gets to decide what falls into the uniform vs. per sqft HOA due assessment. Jason reviewed the 1990 resolution that remained unsigned. Regardless, the Board has the authority to decide the budget and allocations method. Jason stated that the budget and HOA due assessment allocation method should be predictable and should be categorized and kept that way. Jason stated that the method should be determined and it should remain that way to create certainty for the owners.

Jason stated that the drafters of the planned community act, recognize that HOAs may make mistakes periodically or not document correctly. At this point

Jason does not know if the 1990 resolution was valid as it is not signed/dated. Under the planned community act, there is a rule of presumptive validity, meaning if a rule is followed for years and years, then it is presumed as valid unless someone challenges it. The burden of proof for anyone challenging the resolution as invalid relies on the person that is challenging it. There are also case laws dating back to England called laches. Laches says if you have a legal right to sue, you cannot wait forever and sit on your hands. The statute of limitations is a derivative of laches. The unsigned resolution is presumed valid as no one has challenged it.

Jason took questions from the floor. If the Board wished to implement a uniform assessment, then it would take an amendment of the declaration, which would require ~~100%~~ 75% of the owners to approve.

Steve Meyer explained how the only logical items that may be apportioned by sqft allocations would be roofs and siding. All other operational expenses and reserve expenses are logically equal pay.

The Board took a vote of the owners present. The vote was an informal vote. A clear majority was in favor of maintaining the status quo and keep the budget process the same as it was.

**VIII. New Business**

**A.**

**IX. Next Meeting Date, May 24, 2012**

**X. Meeting to Adjourn no later than 8:00PM.**

The meeting was adjourned at 7:41 p.m.