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**Millridge Homeowners Association
Meeting Minutes
Special Board of Directors Meeting
May 9, 2018**

A Special Meeting of the Board of Directors of the Millridge Homeowners Association was held at 1610 ½ NW 143rd Avenue, Portland, OR 97229 at 6 pm on May 9, 2018 for the purposes stated on the Agenda that was delivered to Directors with the required meeting notice.

- I. **Call to order.** The meeting was called to order at 6:00 pm.
- II. **Introductions.**
Introductions proceeded throughout the room.
- III. **Board Member Attendance:**
DIRECTORS PRESENT: **Tom Messecar** (Vice President)
 Sue Seaver (Treasurer)
 Laura Holgate (Secretary)
 Jim Bauer (Director at Large)
- IV. **Policy regarding window-mounted air conditioning units.** Sue Seaver moved that the proposed resolution be approved with modifications. The motion was seconded and discussed. After discussion, the motion was unanimously carried. [A copy of the proposed resolution showing the agreed upon modifications as redline edits is attached.]
- V. **Noise/Nuisance Complaint by Owner of Unit 1638.** The complaint was reviewed and discussed. Laura Holgate moved that the board take the following action in response to the complaint:
 - a. Verify that the music played at night by the Owner of Unit 1640, and particularly the vibrations made by the bass level of the music, create an unreasonable disturbance in violation of Section 7.3(i) of the Bylaws, which reads: "Residents shall exercise extreme care about making noises or the use of musical instruments, radios, televisions, or amplifiers that may disturb other residents."
 - b. Upon verification, direct CMI to send the Second Violation Notice and assess the fines outlined in the Schedule of Fines Resolution dated 6/4/16.
 - c. Direct CMI to add a compromise offer to the Second Violation Notice, giving the Owner of Unit 1640 the option of having fees waived by resolving the noise dispute through mediation with the Owner of 1638. If no resolution is reached through mediation, and the noise violation continues or re-occurs, fines will accrue pursuant to the Schedule of Fines Resolution.After further discussion, the Board voted to take the above actions in response to the complaint.
- VI. **Adjournment.** The meeting was adjourned by Tom Messecar at 6:51 pm.

MILLRIDGE HOMEOWNERS ASSOCIATION

Resolution of the Board of Directors

POLICY ON AIR CONDITIONING UNITS

RECITALS

- A. The Millridge Homeowners Association ("Association") is charged with the operation and management of Millridge Townhouses, a planned community located in Washington County, Oregon.
- B. The Association is governed by the following:
 - 1. Amended and Restated Declaration of Covenants, Conditions and Restrictions for Millridge Townhouses dated November 7, 1989 and recorded December 13, 1989 under document #89-60679, records of Washington County, Oregon, as amended and supplemented from time to time ("Declaration").
 - 2. Bylaws of the Millridge Homeowners Association, adopted November 7, 1989, including any amendments thereto ("Bylaws").
 - 3. Various resolutions, policies, and house rules adopted by the Board of Directors and maintained in the records of the Association.
- C. The Association is also governed by the Oregon Planned Community Act, ORS 94.550-94.783 and ORS Chapter 65, Nonprofit Corporations, and is subject to provisions of the Federal Fair Housing Act ("FFHA").
- D. ORS 94.630, Sections 6.2 and 6.3 of the Declaration, and Sections 4.1, 4.2, and 4.3 of the Bylaws vest the Board of Directors ("Board") with all of the powers and duties necessary for the administration of the affairs of the Association.
- E. ORS 94.630(1)(a) and Section 4.3(f) of the Bylaws empower the Board to adopt Rules and Regulations.
- F. Section 11.2 of the Declaration prohibits the Association and any Millridge townhouse unit owner ("Owner/s") from, among other things, adding any improvement of any nature whatsoever upon the exterior portion of the lot or Common Area unless such improvements are approved by the Architectural Control Committee ("ACC"). The sole right and duty of the ACC is to make recommendations to the Board which shall be the sole body for making the decisions provided under Article 11, Architectural Standards.
- G. The Board has obtained recommendations from the ACC for the creation of standards and rules pertaining to the installation by an owner/owners of window-mounted air conditioning units ("Window AC Units"), and has taken those recommendations under advisement in adopting the following resolution as the Policy on Air Conditioning Units.

RESOLUTION

IT IS RESOLVED THAT, pursuant to authorities recited above, the Board duly adopts the following rules and regulations regarding air-conditioning units.

1. Window AC units that are installed in an open window and protrude to the exterior **require PRIOR APPROVAL NOTICE of the ACC and to the Board of Directors**, but ~~approval are permitted shall be granted under~~ subject to the following conditions:

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~~a. Homeowners Request Form shall be submitted~~ **Owner's Notice to Board. No Owner shall install a Window AC Unit prior to submitting notice to the Board and Owner must represent they have read and agree to the rules and conditions.**

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~~i. After the meeting, Board shall provide a copy of the rules/policy to all Owners, with a form for Owner to complete and sign if they intend to install a Window AC this year.~~

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~~ii. In the month of April each year (after 2018), Board will provide a copy of the rules/policy to all Owners, with a form for Owner to complete and sign if they intend to install a Window AC that year.~~

~~a) A Homeowner's Request Form shall be submitted prior to installation EACH YEAR, and provide detailed information including:~~

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~~i) How the unit will be installed and removed;~~

~~ii) How the window opening around the unit will be filled;* and~~

~~iii) What will be visible in that window opening from the common area.*~~

~~*Must comply with conditions (d), (e), below; additional information may be required.~~

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~~b)b. Installation Date.~~ Window AC Units shall NOT be installed before the EARLIER of:

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~~i)i. June 1st; or~~

~~ii)ii. The first day of the year with a temperature of 80 degrees or higher as forecast by a major local news source.~~

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~~e)c. Removal Date.~~ Window AC Units must be removed on or before September 30th. ~~Removal must be made in accordance with condition (f), below.~~

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~~d)d. Window Opening Around Window AC Unit.~~ Open window area above or beside the Window AC Unit shall be filled with plexi-glass and NOT with plywood, cardboard, or other materials.

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~~e)e. View of Window from Common Area.~~ Nothing may be placed immediately behind the plexi-glass, visible from common area, with the exception of white or off-white blinds or window curtains.

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~~f)f. No Damage to Buildings. Window AC Units must only be installed using "no drilling required" type air conditioner support brackets; a type of air-conditioner bracket that doesn't use screws and won't damage siding. NO OTHER TYPE OF SUPPORT-Owner agrees that any damage to the building caused by the air conditioner or associated mounting hardware must be repaired by the owner at the end of the season. Holes in the siding due to screws or other mounting hardware must be caulked and painted. Any marks or damage to the paint must be repainted to match the building.~~

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PROPOSAL TO BOARD DRAFT

2. PREFERRED TYPES OF AIR CONDITIONING UNITS. No ACC or Board approval is needed for the following two types of air-conditioning units:

i)a. Central AC Units that are installed in the private courtyard area of a lot, are not attached to the exterior siding, and are not visible from Common Area.

ii)b. Portable AC Units that are freestanding and sit inside of a room with venting to the outside through a small vent hose that requires a window opening of 6 inches or less and doesn't protrude beyond or attach to the exterior siding.

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Comment [LH1]: MOVE THIS SECTION TO TOP OF RESOLUTION / POLICY

MILLRIDGE HOMEOWNERS ASSOCIATION, Board of Directors

Date: _____

By: _____
Thomas Messecar, Vice-President (as President pro tem)

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